

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
DIVISION II**

IN RE ARKANSAS STATE POLICE INVESTIGATION # 2015-1528

**ORDER DIRECTING APPOINTMENT OF SPECIAL PROSECUTOR
AND ORDER TO SEAL**

Comes now, on this 21st day of October, 2015, the Court having been informed that the State of Arkansas has a conflict in prosecuting the above-mentioned case, hereby finds and orders as follows:

1. That the motion of the Benton County Prosecuting Attorney to withdraw from this case due to a conflict is granted.
2. That the Arkansas Prosecutor Coordinator, Mr. Bob McMahon, is directed to recommend to this Court a special prosecutor.
3. That once Mr. McMahon notifies this court of his recommendation, this Court shall have the discretion to recognize that individual as special prosecutor in the above-mentioned matter if the Court finds that the individual is qualified and fit to serve.
4. That the Benton County Circuit Clerk is ordered to seal this order and all further orders in this case until a special prosecutor is appointed.

IT IS SO ORDERED.

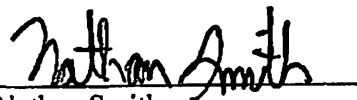

The Honorable Brenda Adeshields
Circuit Judge

BRENDA ADESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

2015 OCT 22 AM 11 02

FILED

Approved as to form:


Nathan Smith
Prosecuting Attorney

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
DIVISION II

IN RE ARKANSAS STATE POLICE INVESTIGATION # 2015-1528

ORDER UNSEALING COURT FILE

Comes now, on this 24th day of Nov., 2015, the Court having appointed Mr. Jason Barrett to serve as Special Prosecuting Attorney in this case, hereby finds and orders as follows:

1. That the Court previously entered an order sealing the court file in this matter until the appointment of a special prosecutor.
2. That with the appointment of a special prosecutor, the file no longer needs to be sealed.
3. That the Court lifts its previous order to seal and orders that the court file shall be open.

IT IS SO ORDERED.


The Honorable Brad Karren
Circuit Judge

Approved as to form



Jason Barrett
Special Prosecuting Attorney

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CLERK AND RECORDER
BENTON COUNTY, ARK.

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BRENDA DESHIELDS
CLERK AND RECORDER
APPOINTMENT AS SPECIAL AGENT
NO.

POINTMENTAIS SPR


Special Prosecutor
11-2-15
Date

D. J. [Signature]
Special Prosecutor

is 2 day of November, 2015.


Brad Karren, Circuit Judge

FILED
2015 NOV 2 11:47
IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
PREMIA DESHIELDS
CLERK AND RECORDER
IN RE ARKANSAS STATE POLICE
INVESTIGATION #2015-1528
BENTON COUNTY, AR.
NO. _____

ORDER FOR APPOINTMENT OF SPECIAL PROSECUTOR

On this 2nd day of November, 2015, the Court, being well and sufficiently advised as to matters of law and fact, finds that there exists a conflict of representation in the above-styled cause by the Prosecuting Attorney for the Nineteenth-West Judicial District of the State of Arkansas. The Court hereby determines that a Special Prosecutor should be appointed.

WHEREFORE, this court by and through its inherent authority, designates that D. Jason Barrett, a duly licensed and qualified attorney, to serve as a special prosecutor in the specific matter set forth above and in any ancillary matters that may come forth. D. Jason Barrett, as Special Prosecuting Attorney, shall have full discretion in said matter and shall be vested with all constitutional and statutory powers possessed by the duly elected prosecuting attorney for the Nineteenth-West Judicial District of Arkansas in the appropriate courts of the State of Arkansas.

IT IS SO ORDERED.


Brad Karren, Circuit Judge

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
STATE OF ARKANSAS)
SS:
COUNTY OF BENTON)

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

The undersigned, Special Agent Joseph Pickett of the Arkansas State Police, being duly sworn, deposes and says that there is reasonable cause to believe, that on the premises known to be the Benton County Sheriff's Office, located at 1300 SW 14th Street, Bentonville, AR 72712 in Benton County, further described being beige with green trim, constructed of brick and stucco, a county building with black letters depicting "Office of the Sheriff, Benton County, Arkansas".

In the Sheriff's Office, there is believed to be at this time certain property, To-WIT: Personnel files and administrative files as evidence that a criminal offense has been committed. There exists reasonable cause to believe that the above facts and conditions do exist, a Search and Seizure Warrant should be issued.

FACTS CONSTITUTING REASONABLE CAUSE

The Affiant states that he is a Special Agent with the Arkansas State Police who has received general and specific instruction concerning the investigation of corruption in public office and other related investigations. Affiant further states the following facts as establishing reasonable cause to justify issuance of a Search and Seizure Warrant:

1. On October 6, 2015 SA David Moss was assigned by Sergeant Stuart Woodward to investigate allegations that Benton County Sheriff James "Kelley" Craddock instructed an employee at the Benton County Sheriff's Department to back date employment documents for a subject named Gabriel Cox in order for the documents to appear that Cox had worked for the sheriff's department for two weeks as a jailer even though Cox had not yet been hired and had not worked. This would result in Benton County issuing a paycheck to Cox for two weeks worth of work that he did not complete.
2. On October 7, 2015 SA David Moss conducted an interview with Benton County Sheriff's Department Executive Assistant Dianna Goodwin. Goodwin stated during the interview that she received a phone call from Benton County Sheriff Kelley Craddock on Monday October 5, 2015 while she was at work. Goodwin stated Craddock instructed her to immediately hire Gabriel Cox and to also back date his hiring documents to show that Cox was hired on September 28, 2015.

Goodwin stated after she spoke with Craddock she called Benton County Lieutenant Robin Holt and advised her of what Craddock instructed her to do. Goodwin stated Holt told her not to do what Craddock instructed her to do. Goodwin stated what Craddock instructed her to do is not a normal practice and she has never been instructed by Craddock to back date any other employee's hiring documents. Goodwin stated Cox's first day of employment was October 7, 2015.

3. On October 7, 2015 SA Moss conducted an interview with Benton County Sheriff's Department Major Nathan Atchison. Atchison stated he became aware of what Craddock instructed Goodwin to do regarding Cox's hiring. Atchison stated that he was not going to allow Cox's hiring date to be back dated and that he was willing to confront Craddock about it if needed.
4. On October 7, 2015 Goodwin received a phone call from Craddock after she sent a text message to Craddock's wife asking her to have Craddock call her regarding Cox. The conversation was recorded. The following is the transcribed phone conversation between Goodwin and Craddock:
Goodwin: Yes how are you doing?
Craddock: (Inaudible - 00:00:02)
Goodwin: Do what? Okay well I just wanted to ask you real quick we're trying to get the last minute paperwork done because Monday is payroll. On Gabe (ph), you wanted me to back date him to last Monday? Okay, okay
Craddock: (Inaudible - 00:00:20) hired which is I'm going to address at the staff meeting because there has got to be a better way. It's no wonder we're six and seven people down all the time.
Goodwin: Well and a lot of it but, you know, the guy who does the psych test he was gone on vacation for two weeks. So I mean that delayed us and I know Robin's had seven poly's in front of him. So it's kind of, you know, but I -
Craddock: Well he actually screwed up by not making his original appointment because he overslept or something like that anyway and I (inaudible - 00:01:03) and told him it's his fault that, you know, things are now dragging ass because you put everything in chaos, you know, and it's kind of a chaotic process because, you know, you got to stay on course on with it or it becomes, you know, you get lost in the shuffle.
Goodwin: Right, well I just have to get the paperwork in and I wanted to make sure I got the date right.
Craddock: No you're doing good and I appreciate that and he's been up at 3:30 making sure his ass is at work on time. Yes I mean so -
Goodwin: Okay now the 28th was the beginning of this payroll that's - okay Monday was I don't know what but the 28th was the day that started this payroll.
Craddock: That's right.
Goodwin: Okay, all right I just wanted to make sure I got it right.

Craddock: Yes, you're doing good. Yes is everything else okay?

Goodwin: Yes everything else is fine.

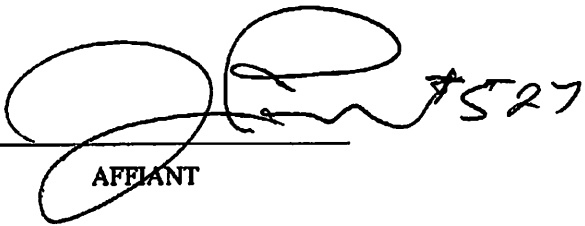
Craddock: Okay.

Goodwin: All right.

Craddock: See you later bye. Pull the record -

5. On October 8, 2015 Benton County Sheriff's Department Major Nathan Atchison transferred to SA Moss an "Employee Payroll Request" form for Gabriel Cox with an effective date of September 28, 2015. The form was signed by Benton County Sheriff Kelley Craddock on October 8, 2015 (the date signed on the form by Craddock is "10/8/13").
6. On October 13, 2015 Sergeant Stuart Woodward and SA Moss conducted a non-custodial interview with Benton County Sheriff Kelley Craddock at the Benton County Prosecuting Attorney's Office located in Bentonville. Post Miranda, Craddock stated it was his understanding that the sheriff's department had always paid subjects that were to be hired for their time spent attending orientation sessions at the sheriff's department. Craddock stated he did not instruct any staff or employees to back date any documents to include time sheets or hiring sheets/forms regarding Cox's hiring. SA Moss asked Craddock during the interview that if I or any other person were to apply for a job at the Benton County Sheriff's Department would I or the other person get paid for the time they spent going through the job hiring process before formally being hired and Craddock stated it depended due to numerous factors present throughout the hiring process.
7. On October 13, 2015 Sergeant Stuart Woodward and SA Moss conducted a non-custodial interview with Gabriel A. Cox outside his residence located at 6004 South 39th Place in Rogers, AR. Post Miranda; Cox stated he called Benton County Sheriff Kelley Craddock one day during the summer to ask him about law enforcement. He stated Craddock told him he could start working as a jailer. Cox stated his first day as a jailer while employed at the Benton County Sheriff's Department was Wednesday October 7, 2015. Cox stated he went through an approximate two week hiring process. Cox stated he would go to the Benton County Sheriff's Department and would sit around all day. Cox stated he would sit and wait and he would also walk around with people at the jail. Cox stated during this time he was dressed in a pair of jeans and a t-shirt. Cox stated he did not take any enforcement action against any prisoners at the jail during this time period. Cox stated he was never told he would get paid for his time during the hiring process and he also did not have any expectations of getting paid. Cox stated he was just trying to get a job. Cox stated he worked two days the previous week and the day before. Cox stated he recorded the time he worked the previous week by writing the applicable hours he worked in a binder. Cox stated he never recorded any time before the previous week. Cox stated he did not even know the binder existed before he recorded time in it the previous week.

8. On October 13, 2015 Lieutenant Robin Holt of the Benton County Sheriff's Department transferred to SA Moss two copies of time sheets for Gabriel Cox. The first time sheet is for the payroll period ending on October 11, 2015. The time sheet depicts that Cox worked on October 7 and October 8, 2015 for twelve hours each day. The other time sheet is for the payroll period ending October 25, 2015. The time sheet does not indicate any hours worked for Cox.
9. On October 14, 2015 attorney Don Kendall of Rogers provided SA Moss with a copy of an affidavit signed by Dianna Goodwin on October 13, 2015. A portion of the affidavit states that Craddock contacted Goodwin on October 13, 2015 via phone to tell her he had been interviewed regarding the back dating of Gabriel Cox's hire date. According to the affidavit, Craddock instructed Goodwin to tell the Arkansas State Police he never told her to back date Cox's hiring documents. Goodwin advised Craddock that he did in fact tell her to back date the hire date. Goodwin stated Craddock did not deny he told her to back date the documents but requested she tell the Arkansas State Police he did not.
10. On November 3, 2015, at approximately 10:45am, Sergeant Stuart Woodward received a telephone call from Major Nathan Atchison of the Benton County Sheriff's Office, a current employee and sworn law enforcement officer. Atchison advised Gabriel Cox's personnel file was requested by an unknown source under the Arkansas Freedom of Information Act. Atchison and Sheriff Craddock's secretary, Myrna Scott, were reviewing the file on the afternoon of Monday November 2nd. While reviewing the file Atchison advised Scott found a copy of the letter the Sheriff had signed in an attempt to pay Cox for two weeks of work he did not complete. It should be noted that the ASP has the original document. Scott asked what the document was and Atchison advised he just tried to play it off as being nothing. Atchison advised the document was still in the file when he and Scott finished reviewing for FOI purposes.
11. On the morning of November 3, 2015 Atchison told Sergeant Woodward he reviewed the file before it was released and the document in question had been removed. Atchison advised Scott told him she shredded it and that he was just trying to get rid of the Sheriff. However, Atchison advised he does not know if she shredded it for sure or not. Atchison believes it was removed before the file was released to the requester. Atchison stated that they had also placed a document in the file which showed the accurate hire date for Cox and annotated on the backdated form that it had been backdated. The backdated copy is the one that is missing. Atchison believes the sheriff directed Scott to remove it when she brought it to his attention. It should be noted that ASP SIU never informed the sheriff of all of our investigative efforts to include having him sign the back dated form to prove his intentions.

 #527


AFFIANT

SUBSCRIBED AND SWORN BEFORE ME ON THIS _____ DAY OF _____, 2015.

JUDICIAL OFFICER

COURT

I HEREBY FIND THAT THIS AFFIDAVIT ESTABLISHES A REASONABLE CAUSE TO BELIEVE THAT THE REQUESTED SEARCH WILL DISCOVER THE ABOVE NAMED ITEMS IN THE ABOVE DESCRIBED GOVERNMENT BUILDING AND DO HEREBY AUTHORIZE THE ISSUANCE OF A SEARCH AND SEIZURE WARRANT.



CIRCUIT JUDGE DATE
Brad Karn 11-5-15

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
STATE OF ARKANSAS)

SS:

COUNTY OF BENTON)

SEARCH AND SEIZURE WARRANT

To Any Sheriff, Constable, or Policeman in the State of Arkansas:

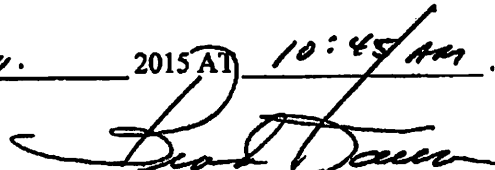
Special Agent Joseph Pickett of the Arkansas State Police has reason to believe and upon reasonable cause does believe that there is now being concealed certain items of property. To-Wit: personnel and administrative files concerning a criminal offense or other violation of law. I am satisfied that there is reasonable cause to believe that the property so described is being concealed on the premises above described and that the reasonable cause and the foregoing grounds for the issuance of a Search and Seizure Warrant exists.

YOU ARE HEARBY COMMANDED TO SEARCH:

Within sixty (60) days the Benton County Sheriff's Office, located at 1300 SW 14th Street, Bentonville, AR 72712 in Benton County, further described being beige with green trim, constructed of brick and stucco, a county building with black letters depicting "Office of the Sheriff, Benton County, Arkansas", providing a copy of this warrant and a receipt describing the items seized with the custodian thereof. Handle all seized documents in accordance with Arkansas Rule of Criminal Procedure 13.5 and return this warrant, together with a written inventory of the items seized and a report of the facts and circumstances of execution, within five (5) days of execution and store the property as required by law.

This warrant may only be executed between the hours of 6:00 a.m. and 8:00 p.m., and must be executed within a reasonable time, not to exceed sixty (60) days.

SIGNED ON THIS 5th DAY OF Nov. 2015 AT 10:45 AM.


CIRCUIT JUDGE
Brad Turner

FILED
2015 NOV 5 PM 2 14
BRENDA DEHESLOS
CLERK AND RECORDER
BENTON COUNTY

**SEARCH WARRANT RETURN
IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS**

STATE OF ARKANSAS

COUNTY OF BENTON

I, Special Agent Joe Pickett #527 of the Arkansas State Police, received the attached search warrant on November 5, 2015 at 10145a and have executed it as follows:

On November 5, 2015 at 12152, Special Agent Joe Pickett of the Arkansas State Police and Sergeant Stuart Woodward of the Arkansas State Police searched the place described in the warrant and the following is an inventory of the property taken pursuant to the warrant:

The attached ASP-28A lists all items seized.

Nothing else follows.

This inventory was made in the presence of Sergeant Stuart Woodward of the Arkansas State Police.

I, Special Agent Joe Pickett #527 of the Arkansas State Police, being duly sworn, depose and say that this inventory and this Search Warrant Return is a correct and detailed account of the items seized pursuant to the Search Warrant to the best of my knowledge and belief.


Special Agent Joe Pickett #527

Sworn to before me and subscribed and returned in my presence this 5th day of November, 2015 at _____ o'clock AM/ PM.

Judge/Court Clerk

FILED
2015 NOV 5 PM 2 14
BRENDA DESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

04CR-16-92-2

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

AFFIDAVIT FOR WARRANT OF ARREST FOR THE FOLLOWING PERSON

JAMES "KELLEY" CRADDUCK
POTENTIAL DEFENDANT'S NAME

10/03/70; W/M
DOB & RACE

D FELONY
A MISDEMEANOR
☐ VIOLATION

6004 S. 39TH PLACE, ROGERS, AR
72758

479-372-7939

ADDRESS

PHONE NUMBER

Pursuant to Rule 7.1 of the Arkansas Rules of Criminal Procedure, undersigned affiant(s) being duly sworn, deposes and says that he has reason to believe that the above named person(s) has committed the offense of violating AR CODE ANN. 5-54-121, **Tampering with a public record.** (a) A person commits the offense of tampering with a public record if, with the purpose of impairing the verity, legibility, or availability of a public record, he or she knowingly:

(1) Makes a false entry in or falsely alters any public record; or (2) Erases, obliterates, removes, destroys, or conceals a public record. (b)(1)(A) Tampering with a public record is a Class C felony if the public record is a court record. (B) Tampering with a public record is a Class B felony if the public record is a court record and the person broke into any building or structure with the intent of tampering with a court record located in the building or structure.

(2) Otherwise, tampering with a public record is a Class D felony on or about **October 5, 2015** and AR CODE ANN. 5-53-110, **Tampering.** (a) A person commits the offense of tampering if, believing that an official proceeding or investigation is pending or about to be instituted, he or she induces or attempts to induce another person to: (1) Testify or inform falsely; (2) Withhold any unprivileged testimony, information, document, or thing regardless of the admissibility under the rules of evidence of the testimony, information, document, or thing and notwithstanding the relevance or probative value of the testimony, information, document, or thing to an investigation; (3) Elude legal process summoning that person to testify or supply evidence, regardless of whether the legal process was lawfully issued; or (4) Absent himself or herself from any proceeding or investigation to which that person has been summoned. (b) Tampering is a Class A misdemeanor on or about **October 13, 2015.**

In Benton County, Arkansas, against the peace and dignity of the State.

FACTS CONSTITUTING REASONABLE CAUSE

On October 6, 2015 I was assigned by Sergeant Stuart Woodward to investigate allegations that Benton County Sheriff James "Kelley" Cradduck instructed an employee at the Benton County Sheriff's Department to back date employment documents for a subject named Gabriel Cox in order for the documents to appear that Cox had worked for the sheriff's department for two weeks as a jailer even though Cox had not yet been hired and had not worked. This would result in Benton County issuing a paycheck to Cox for two weeks worth of work that he did not complete.

Nineteenth Judicial District West Prosecuting Attorney Nathan Smith requested the above investigation via letter on October 6, 2015.

FILED
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CLERK OF DISTRICT COURT

On October 7, 2015 I conducted an interview with Benton County Sheriff's Department Executive Assistant Dianna Goodwin. Goodwin stated during the interview that she received a phone call from Benton County Sheriff Kelley Craddock on Monday October 5, 2015 while she was at work. Goodwin stated Craddock instructed her to immediately hire Gabriel Cox and to also back date his hiring documents to show that Cox was hired on September 28, 2015. Goodwin stated after she spoke with Craddock she called Benton County Lieutenant Robin Holt and advised her of what Craddock instructed her to do. Goodwin stated Holt told her not to do what Craddock instructed her to do. Goodwin stated what Craddock instructed her to do is not a normal practice and she has never been instructed by Craddock to back date any other employee's hiring documents. Goodwin stated Cox's first day of employment was October 7, 2015.

On October 7, 2015 I conducted an interview with Benton County Sheriff's Department Lieutenant Robin Holt. Holt stated on October 5, 2015 she received a phone call from Goodwin on her office phone. Holt stated Goodwin told her that she spoke to Craddock and that he instructed her to immediately hire Cox and to back date his hiring documents to show that he was hired on the previous Monday, September 28, 2015. Holt stated she told Goodwin she was not going to back date the hiring date. Holt stated she then informed her supervisor of what Goodwin told her. Holt stated she is responsible for jail operations as well as hiring.

On October 7, 2015 I conducted an interview with Benton County Sheriff's Department Major Nathan Atchison. Atchison stated he became aware of what Craddock instructed Goodwin to do regarding Cox's hiring. Atchison stated that he was not going to allow Cox's hiring date to be back dated and that he was willing to confront Craddock about it if needed.

On October 7, 2015 Goodwin received a phone call from Craddock after she sent a text message to Craddock's wife asking her to have Craddock call her regarding Cox. The conversation was recorded. The following is the transcribed phone conversation between Goodwin and Craddock:

Goodwin: Yes how are you doing?

Craddock: (Inaudible - 00:00:02)

Goodwin: Do what? Okay well I just wanted to ask you real quick we're trying to get the last minute paperwork done because Monday is payroll. On Gabe (ph), you wanted me to back date him to last Monday? Okay, okay

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Goodwin: Right, well I just have to get the paperwork in and I wanted to make sure I got the date right.

Cradduck: No you're doing good and I appreciate that and he's been up at 3:30 making sure his ass is at work on time. Yes I mean so -

Goodwin: Okay now the 28th was the beginning of this payroll that's - okay Monday was I don't know what but the 28th was the day that started this payroll.

Cradduck: That's right.

Goodwin: Okay, all right I just wanted to make sure I got it right.

Cradduck: Yes, you're doing good. Yes is everything else okay?

Goodwin: Yes everything else is fine.

Cradduck: Okay.

Goodwin: All right.

Cradduck: See you later bye. Pull the record -

On October 8, 2015 Benton County Sheriff's Department Major Nathan Atchison transferred to me an "Employee Payroll Request" form for Gabriel Cox with an effective date of September 28, 2015. The form was signed by Benton County Sheriff Kelley Cradduck on October 8, 2015 (the date signed on the form by Cradduck is "10/8/13").

On October 13, 2015 Sergeant Stuart Woodward and I conducted a non-custodial interview with Benton County Sheriff Kelley Cradduck at the Benton County Prosecuting Attorney's Office located in Bentonville. Post Miranda, Cradduck stated it was his understanding that the sheriff's department had always paid subjects that were to be hired for their time spent attending orientation sessions at the sheriff's department. Cradduck stated he did not instruct any staff or employees to back date any documents to include time sheets or hiring sheets/forms regarding Cox's hiring. I asked Cradduck during the interview that if I or any other person were to apply for a job at the Benton County Sheriff's Department would I or the other person get paid for the time they spent going through the job hiring process before formally being hired and Cradduck stated it depended due to numerous factors present throughout the hiring process.

On October 13, 2015 Sergeant Stuart Woodward and I conducted a non-custodial interview with Gabriel A. Cox outside his residence located at 6004 South 39th Place in Rogers, AR. Post Miranda, Cox stated he called Benton County Sheriff Kelley Cradduck one day during the summer to ask him about law enforcement. He stated Cradduck told him he could start working as a jailer. Cox stated his first day as a jailer while employed at the Benton County Sheriff's Department was Wednesday October 7, 2015. Cox stated he went through an approximate two week hiring process. Cox stated he would go to the Benton County Sheriff's Department and would sit around all day. Cox stated he would sit and wait and he would also walk around with people at the jail. Cox stated during this time he was dressed in a pair of jeans and a t-shirt. Cox stated he did not take any enforcement action against any prisoners at the jail during this time period. Cox stated he was never told he would get paid for his time during the hiring process and he also did not have any expectations of getting paid. Cox stated he was just trying to get a job. Cox stated he worked two days the previous week and the day before. Cox stated he

recorded the time he worked the previous week by writing the applicable hours he worked in a binder. Cox stated he never recorded any time before the previous week. Cox stated he did not even know the binder existed before he recorded time in it the previous week.

On October 13, 2015 Lieutenant Robin Holt of the Benton County Sheriff's Department transferred to me two copies of time sheets for Gabriel Cox. The first time sheet is for the payroll period ending on October 11, 2015. The time sheet depicts that Cox worked on October 7 and October 8, 2015 for twelve hours each day. The other time sheet is for the payroll period ending October 25, 2015. The time sheet does not indicate any hours worked for Cox.

On October 14, 2015 attorney Don Kendall of Rogers provided me with a copy of an affidavit signed by Dianna Goodwin on October 13, 2015. A portion of the affidavit states that Craddock contacted Goodwin on October 13, 2015 via phone to tell her he had been interviewed regarding the back dating of Gabriel Cox's hire date. According to the affidavit, Craddock instructed Goodwin to tell the Arkansas State Police he never told her to back date Cox's hiring documents. Goodwin advised Craddock that he did in fact tell her to back date the hire date. Goodwin stated Craddock did not deny he told her to back date the documents but requested she tell the Arkansas State Police he did not.

On November 5, 2015 Sergeant Stuart Woodward and Special Agent Joe Pickett of the Arkansas State Police executed a search and seizure warrant for personnel documents, including Gabriel Cox's, stored within the Benton County Sheriff's Department.

On November 5, 2015 Woodward and Pickett conducted an interview with Benton County Sheriff's Department employee Myrna Scott. The following is a synopsis of the interview post Miranda:

When asked about the FOIA request regarding Gabriel Cox Myrna Scott advised she had the file in question in her desk drawer in an envelope. Scott advised she did not omit anything that should have been released under FOIA. Scott advised there was a blank sheet with a hire date and the Sheriff's signature that was not released under FOIA. Scott advised she believed this document was irrelevant. Scott advised Dianna Goodwin told her that the document in question was not supposed to be in Cox's file. Scott advised she is not the Benton County FOIA officer, however she was ordered by the Sheriff to handle any FOIA requests regarding any employee grievances. Scott advised she has never been trained on FOIA procedures. Scott advised she had access to the FOIA handbook but did not consult it on whether the document in question was covered under FOIA. Scott advised she and the Sheriff did not discuss whether or not the document in question should have been released. Scott advised she was not instructed by the Sheriff to omit the document. Scott advised Major Atchison looked over everything before she released it. Scott advised she did not think she asked the Major if the document in question should have been released. Scott advised she never told Atchison that she shredded the document in question or destroyed it. Scott advised she does not feel like she has done anything wrong, and that she was trying to do something right. Scott should have handled the request on Robin Holt, but she should have questioned why she was handling the records check on Craddock and the file on Gabriel Cox. Scott advised she feels like she has been "thrown under the bus." Scott advised "I will take responsibility for anything I have done...I did not shred anything...I did not try to put anything away." Scott reiterated her earlier statement that the reason the document in question was not released was because Goodwin told her that the

document was not supposed to be in the file.

On December 1, 2015 at approximately 10:26 AM I conducted via phone an additional interview with Dianna Goodwin. The interview concluded at approximately 10:28 AM. Goodwin stated reference the FOI request for Gabriel Cox's file at the Benton County Sheriff's Department that Myrna Scott asked her why two time sheets/hiring documents were in Cox's file. Goodwin stated she informed Scott to ask Major Nathan Atchison why there were two sets of documents located within the file.

On December 1, 2015 at approximately 10:56 AM I conducted another interview via phone with Goodwin after she contacted me. The interview concluded at approximately 10:57 AM. Goodwin stated reference the FOI request for Cox's file that Scott asked her if she should shred one of the above mentioned time sheets/documents. Goodwin stated she informed Scott to speak to Major Nathan Atchison regarding the shredding of the document.

On December 1, 2015 at approximately 10:34 AM I conducted via phone an interview with Captain Jeremy Guyll of the Benton County Sheriff's Department. The interview concluded at approximately 10:39 AM. Guyll stated his only involvement regarding this investigation is that Lieutenant Robin Holt reported to him the information she received regarding the hiring of Gabriel Cox. Guyll stated he then reported what Holt told him to his supervisor, Major Nathan Atchison. Guyll stated he was demoted because "he" thought that Guyll, Robin Holt and a subject named Megan Rutledge were the "masterminds behind all this."

On December 1, 2015 at approximately 10:47 AM I conducted via phone an interview with Benton County Sheriff's Department Public Information Officer Keshia Guyll. The interview concluded at approximately 10:51 AM. Guyll stated she received an FOI request for personnel information regarding Gabriel Cox, Robin Holt and her husband Captain Jeremy Guyll. Guyll stated she contacted Major Nathan Atchison regarding the request due to her husband's information being requested. She stated Atchison informed her he would get back with her after checking with Sheriff Craddock. Guyll stated she received a group text message from Atchison to her and Myrna Scott stating that per Sheriff Craddock or "something along those lines" that Myrna Scott would be responsible for handling all FOI requests regarding this situation.

I swear that the allegations contained herein are the truth, and to the best of my knowledge and belief.

Special Agent David R. Moss #806

AFFIANT'S NAME

[Signature]

AFFIANT'S SIGNATURE

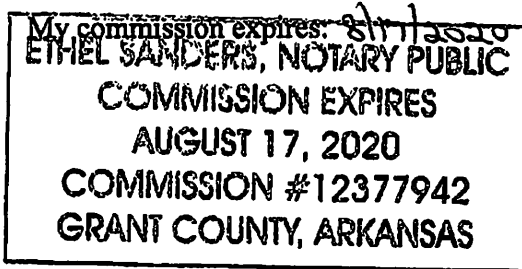
#1 State Police Plaza Drive, Little Rock, AR
72209

ADDRESS

501-618-8358

PHONE NUMBER

Subscribed and sworn to before me this 15TH day of JANUARY, 2016.



[Signature]

NOTARY PUBLIC

Subscribed and sworn to before me this 19th day of January, 2016.

I hereby find that this sworn affidavit demonstrates reasonable cause for this issuance of a warrant of arrest for the above named individual for the above stated offense, namely, *Tampering with a Public Document A.C.A. 5-54-121 (class's D Felony) and Tampering A.C.A. 5-53-110 (class A Misd.)*

[Signature]
JUDGE *[Signature]*

JUDGE

1-19-16

DATE

[Signature]

BOND

BENCH WARRANT

The State of Arkansas, to any Sheriff, Constable, Coroner, or Policeman, in this State:


You are commanded forthwith to arrest: **JAMES K. CRADDUCK**
W/M, DOB 10/03/70

and bring him/her before the Benton County Circuit Court, to answer
an Affidavit and Information in that Court against him/her for the offense of

**TAMPERING WITH A PUBLIC DOCUMENT; ARKANSAS CODE
ANNOTATED 5-54-121; A CLASS "D" FELONY AND TAMPERING;
ARKANSAS CODE ANNOTATED 5-53-110; A CLASS "A" MISDEMEANOR**

or if the Court be adjourned for the Term, that you deliver him/her to the Jailer Of Benton
County.

WITNESS my hand and the seal of said Court this 19th day of January, 2016.


JUDGE
Brad Canen

STATE OF ARKANSAS)
) ss
COUNTY OF BENTON)

I have this 19th day of January, 2016, duly served the within
by arresting the said James K. Craddock

Arkansas State Police
SA David Moss #806
SPD/806

Sheriff

By _____ D.S.

Filed this _____ day of _____, 2016.

Clerk

FILED
2016 JAN 19 PM 2 31
BRETT BISHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

PRETRIAL RELEASE INQUIRY

DATE 1-19-16

NAME James "Kelley" Craddock

COURT	CHARGE	ARR. DATE	REC. BOND	RTS. BOND
BC I (Green)	Tampering	2-29-16	O/R	O/R
	w/ Official	CSO/AM		
	Document (Class D			
	felony); Tampering			
	(Class A must)			

2016 JAN 19 PM 2:31
BENTON COUNTY, AR.
CLERK AND RECORDER
BESHIELDS

FILED

TRANSPORTATION: yes

EMPLOYMENT: yes

AREA TIES, TENURE: yes

OTHER (INDIGENCY CONSIDERATIONS, PRIORS, PC FINDINGS, RULE 8 FACTORS, ETC):

RESTRICTIONS:

NO CONTACT ORDER: _____

PUBLIC DEFENDER
APPOINTED _____

17.5 SD 000000
Brad Kaner
MAGISTRATE/JUDGE