

STATEMENT OF RIGHTS

BEFORE WE ASK YOU ANY QUESTIONS, IT IS MY DUTY TO ADVISE YOU OF YOUR RIGHTS.

You have the right to remain silent.

Response: yes

Anything you say can be used against you in court, or other proceedings.

Response: yes, No

You have the right to consult an attorney before making any statement or answering any questions, and you may have an attorney present with you during questioning.

Response: yes

You may have an attorney appointed by the court to represent you for free, if you cannot afford or otherwise obtain one.

Response: yes

If you decide to answer questions now with or without a lawyer, you still have the right to stop the questioning at any time, or to stop the questioning for the purpose of consulting a lawyer.

Response: yes

However...You may waive the right to advice of counsel and your right to remain silent, and you may answer questions or make a statement without consulting a lawyer if you so desire.

Response: yes

SIGNED [Signature]

WITNESS [Signature]

WITNESS [Signature]

DATE & TIME 10/19/2009 @ 1357

PLACE CPD INT 1

COVER SHEET STATE OF ARKANSAS CRIMINAL INFORMATION

This criminal information form is required by Supreme Court Administrative Order Number 8 to be completed for every defendant and filed by the prosecutor. The data contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court rule.

COUNTY FAULKNER DISTRICT 20TH CASE NUMBER _____

JUDGE _____ DIVISION _____ FILING DATE _____

STYLE OF CASE STATE OF ARKANSAS vs. Jesse Samuel Sublett

Prosecutor Providing Information David/ Jason

Is this an Amended Information? ☐ Yes

Is D being charged as a Habitual? ☐ Yes

If yes, are you

Are multiple D's charged in the information? ☐ Yes

Adding Offense(s)? ☐

Is victim under the age of 14? ☐ Yes

Dropping Offense(s)? ☐

Changing Offense(s)? ☐

Detective Melissa H. Grantham #304

| | | | | | |
|------------------------------------|-------------------|------------------------|----------|------------------------|-------------|
| Defendant's Full Name | Date of Birth | Race | Sex | SID# | Arrest Date |
| Jesse Samuel Sublett | 02/04/1988 | W | M | none | none |
| Address (Street, City, State, Zip) | | Social Security Number | | Drivers License Number | |
| 49 Ranchette Road | | n/a | | [REDACTED] | |
| Conway, AR 72032 | | Arrest Tracking # | | Prosecutor's File | |
| | | | | | |

| | | |
|---------|---------|---------|
| Alias 1 | Alias 2 | Alias 3 |
| | | |

The attached information accuses the above named defendant of the following crime(s):

| Code | Offense | A/S/C | Offense Date | Counts | F/M | Class |
|------|-------------|-----------------|-------------------|----------|------------|----------|
| | Rape | 5-14-103 | 10/12/2009 | 1 | Fel | Y |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Victim Information: Bethany Sublett, 1840 Amelia, Conway, AR 72034 DOB: 10/15/1989

Circuit Clerk/Deputy Clerk

Prosecuting Attorney/Deputy Prosecuting Attorney

Send Result Report



MFP

KM-4050

Firmware Version 2GR_2000.022.001 2008.08.06

Job No. : 010850 Total Time : 0°00'31" Page : 002

Completed

Document : doc20091020150029

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| No. | Date and Time | Destination | Times | Type | Result | Resolution / ECM |
|-----|------------------|-------------|----------|------|--------|-------------------|
| 001 | 10/20/2009 15:00 | 94504990 | 0°00'31" | FAX | OK | 200x200 Fine / On |

LRML - 057

United States Secret Service
Little Rock Field Office

Forensic Exam Case - 309-866-23745-S

Subject: Conway Police Department
Evidence: 1 Samsung SGHi617 cell phone S/N R1VQ954350X
 1 AT&T 3G SIM card
Seized by: Conway Police Department
Case Officer: Det. Melissa Grantham
Examiner: SA T. Glen Smith, USSS

Results, Conditions, and Findings

Search

On 9/22/09, Det. Melissa Grantham, Conway Police Department, Conway, AR, obtained consent to search the above-described cell phone. This cell phone belongs to [REDACTED]
[REDACTED] is a victim in a rape investigation.

Analyses of the evidence consisted of a search of the following:

- Contacts
- SMS – Text messages
- Incoming Calls
- Outgoing Calls
- Missed Calls
- Images
- Ringtones
- Audio
- Video

Conditions

The data extraction of the cell phone was conducted in the computer forensic lab of the Little Rock Field Office of the United States Secret Service.

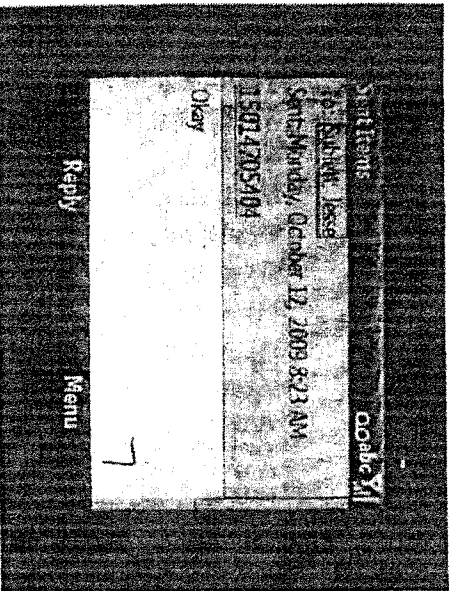
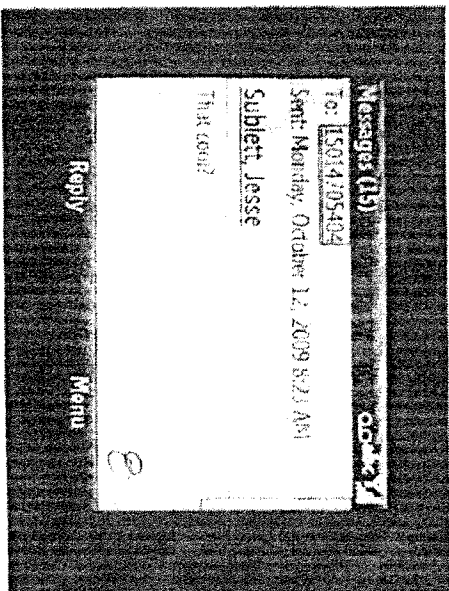
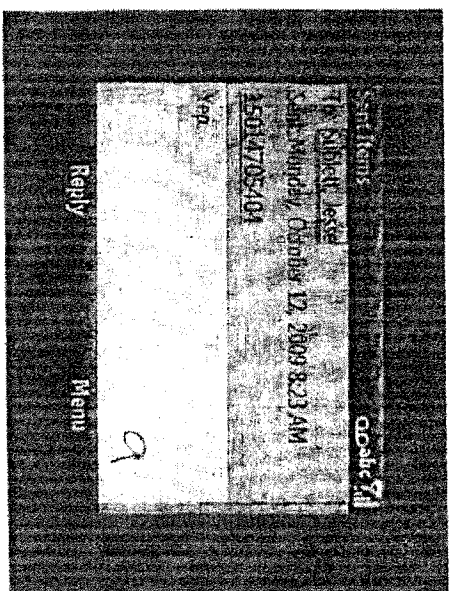
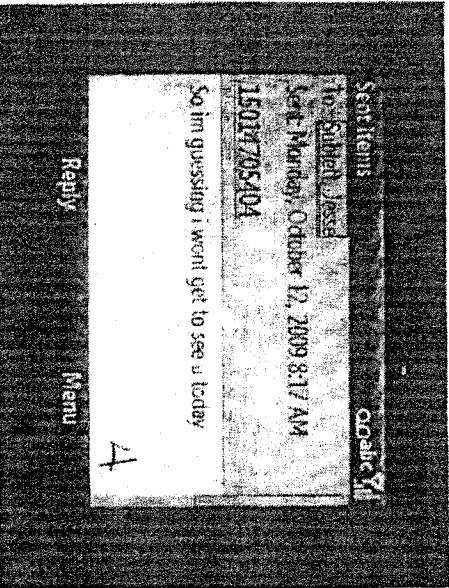
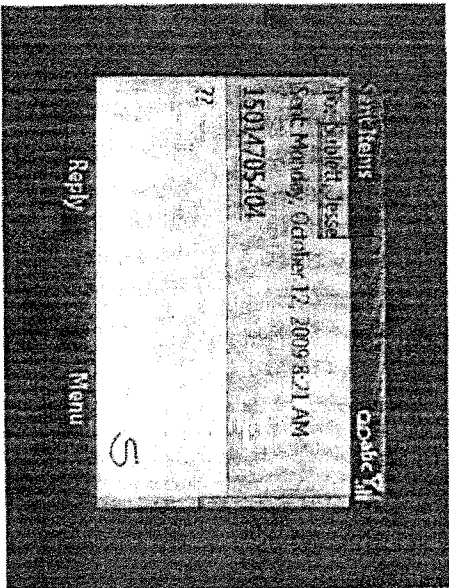
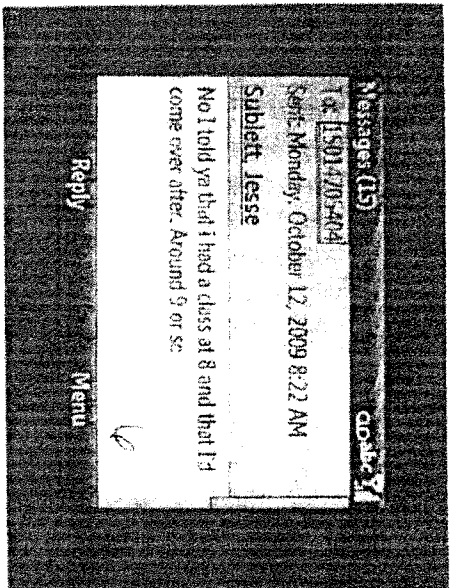
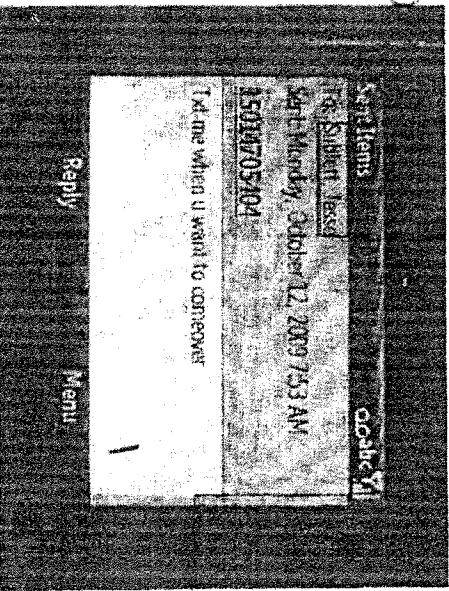
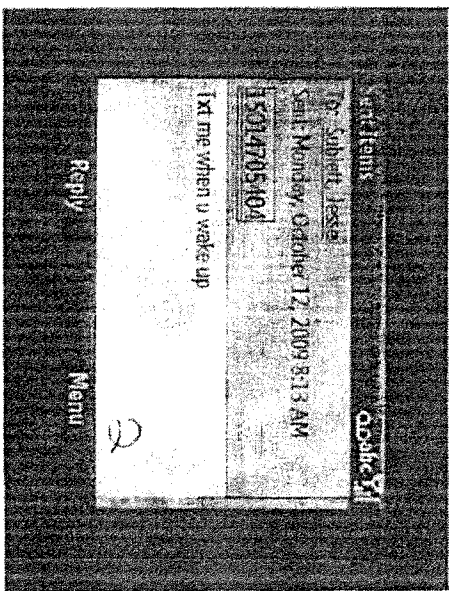
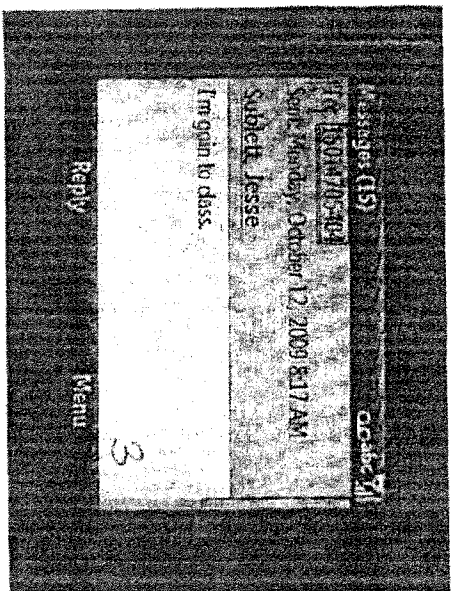
Findings

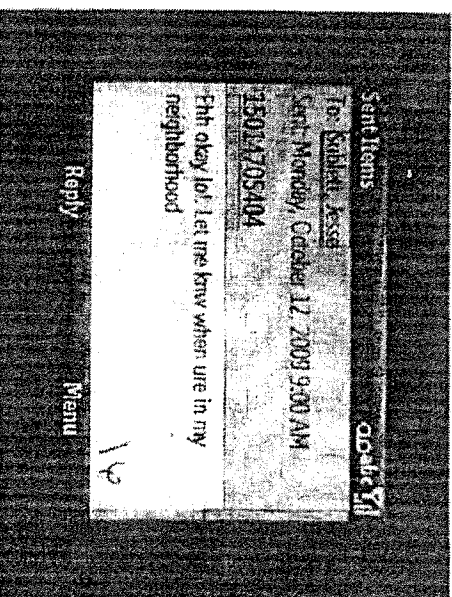
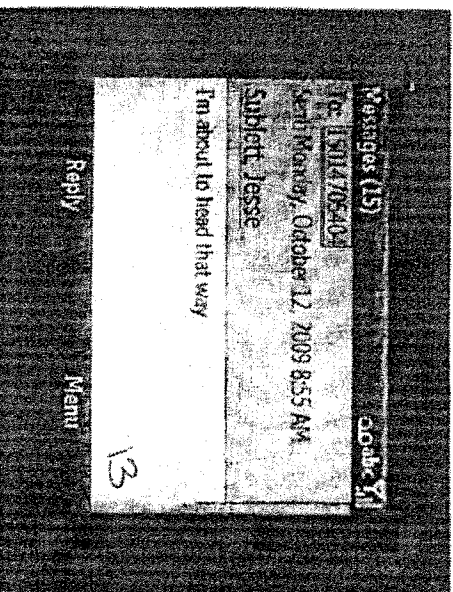
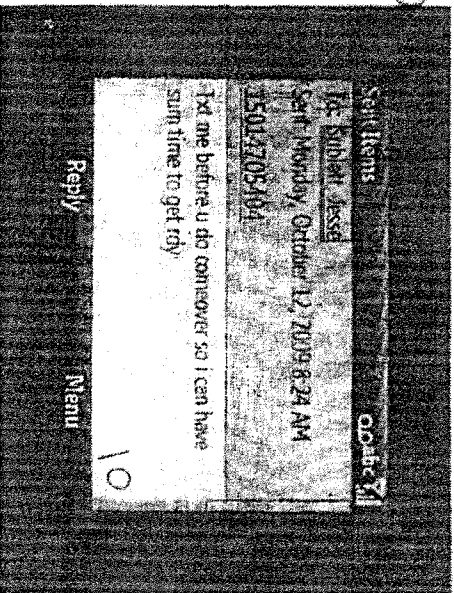
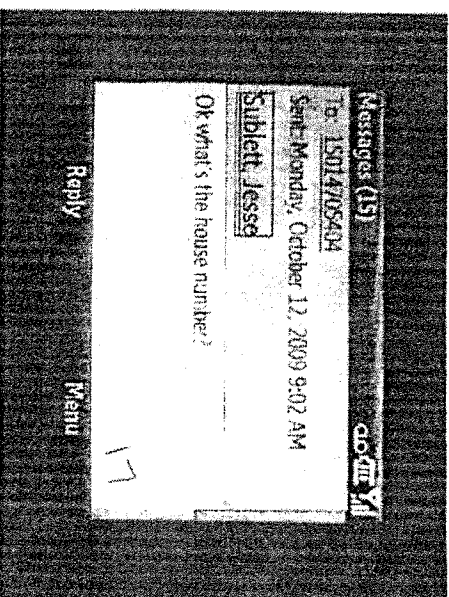
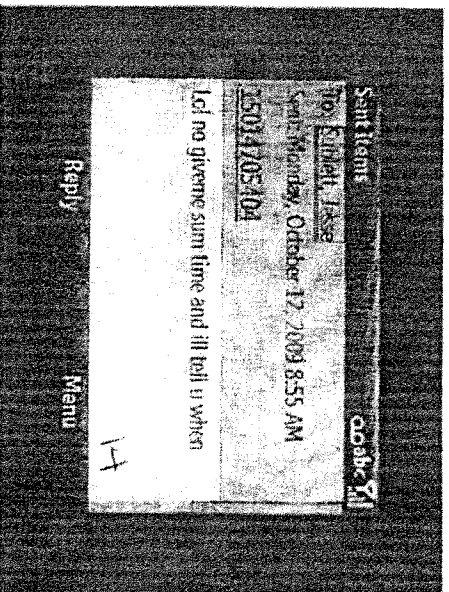
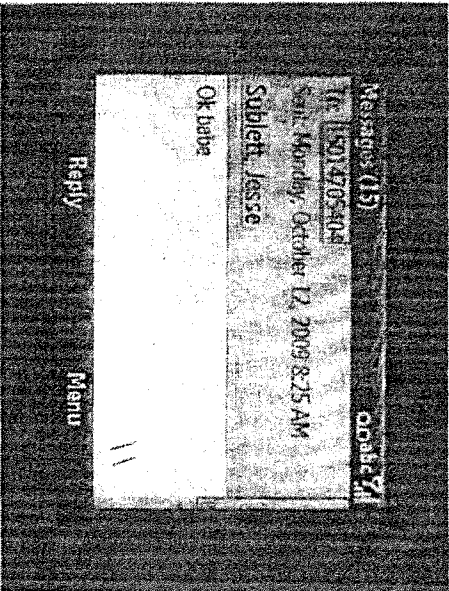
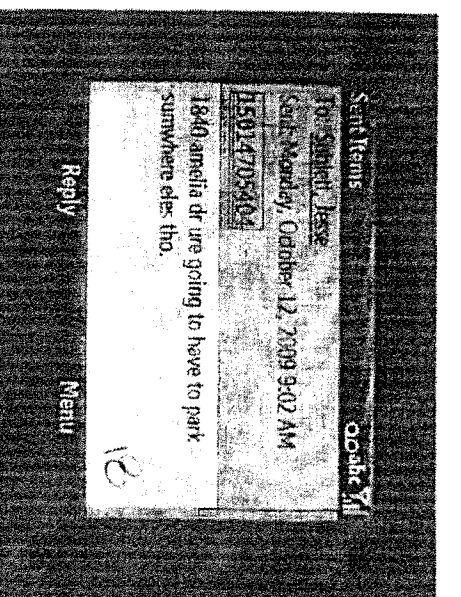
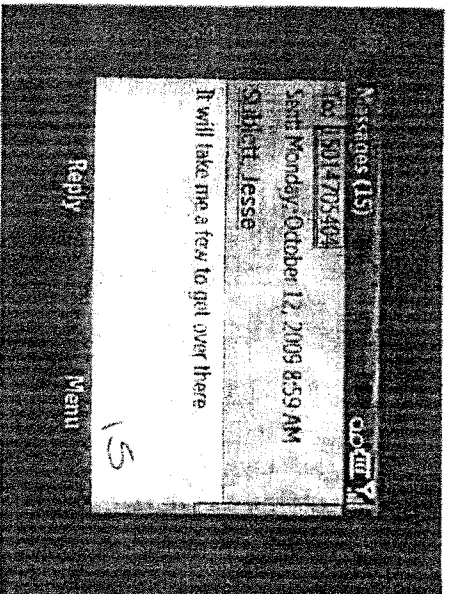
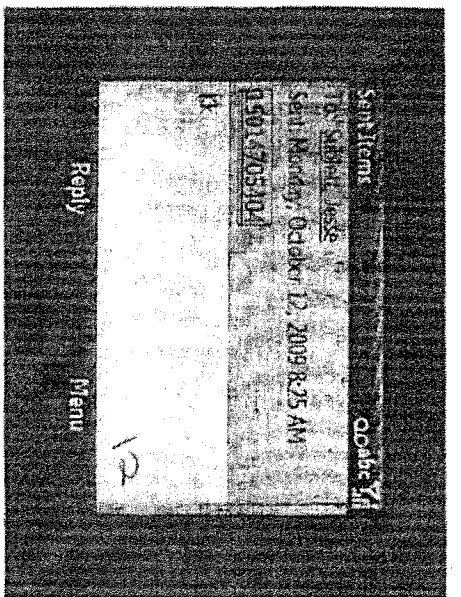
A search was conducted to recover all data from the cell phone and SIM card.

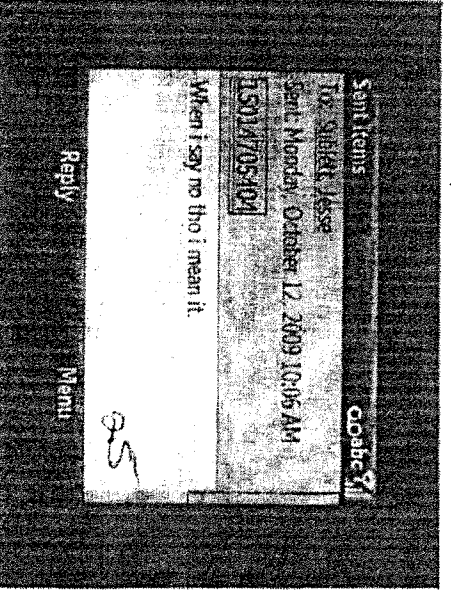
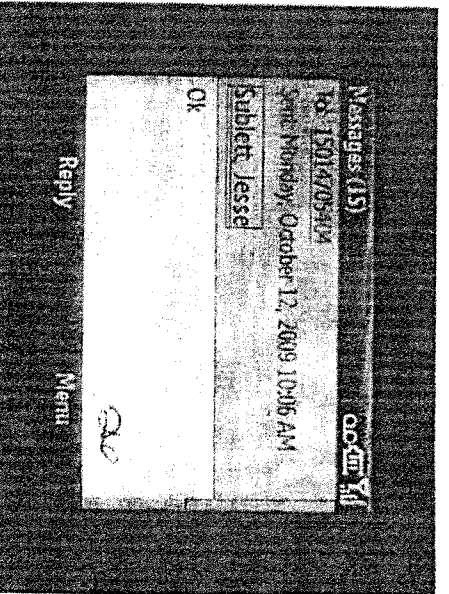
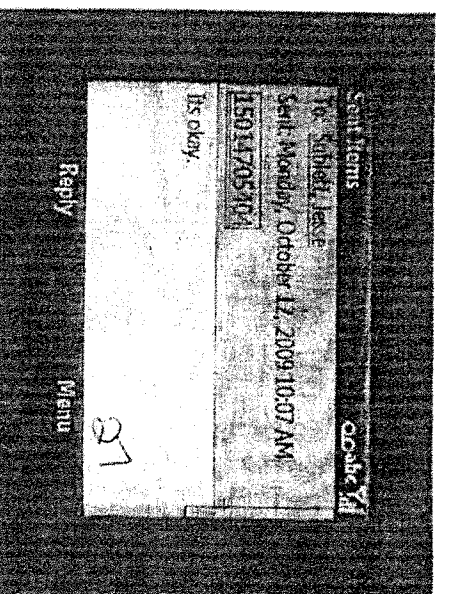
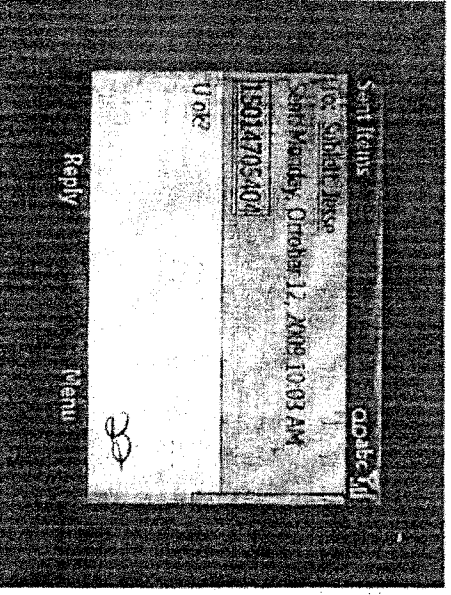
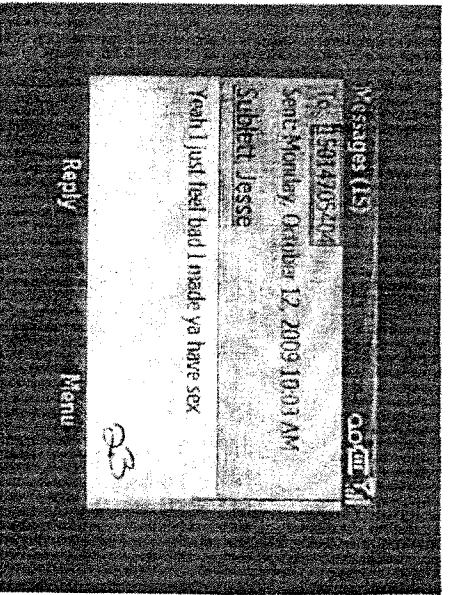
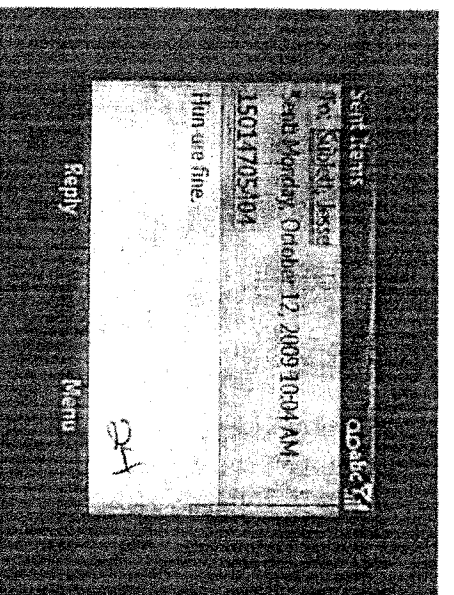
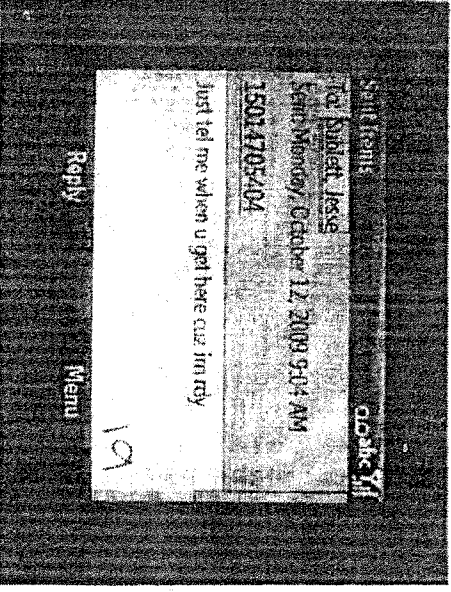
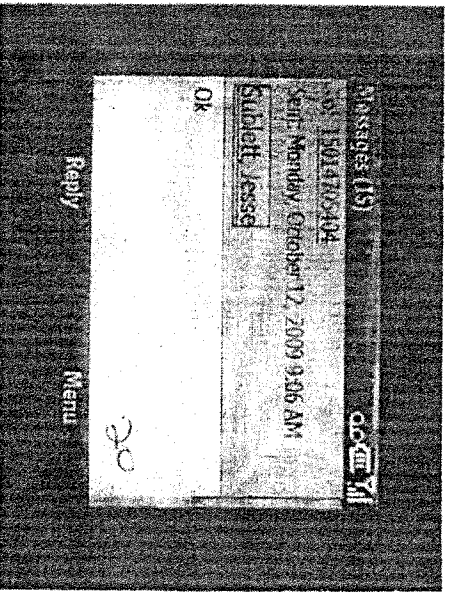
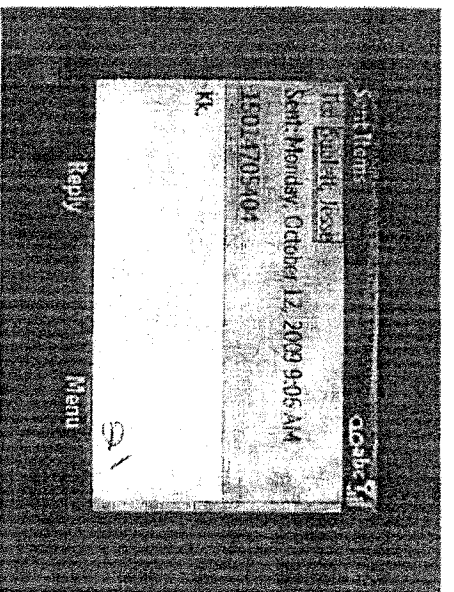
Nothing of evidentiary value was located on the SIM card.

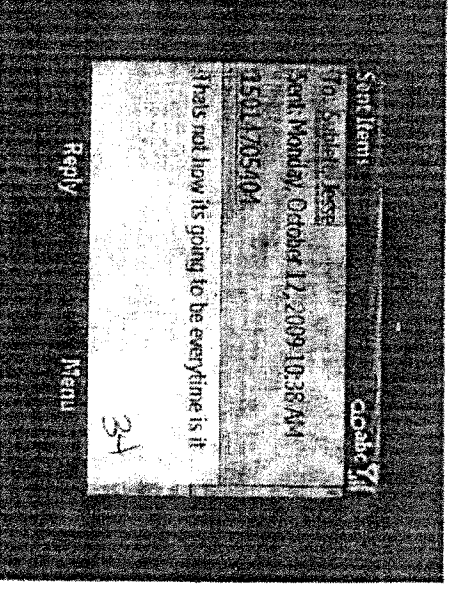
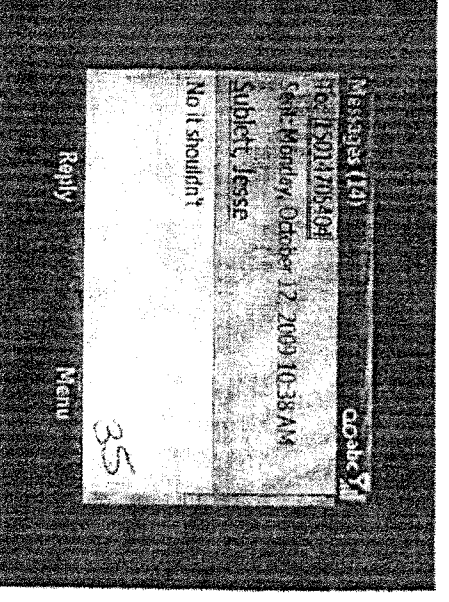
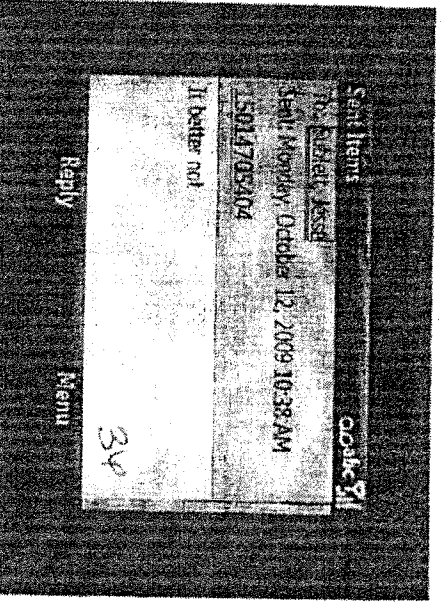
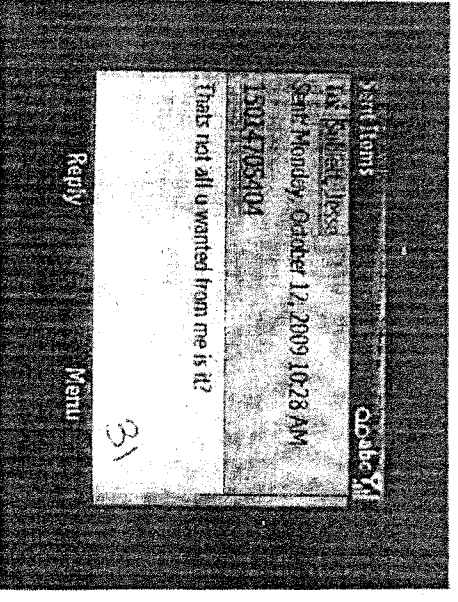
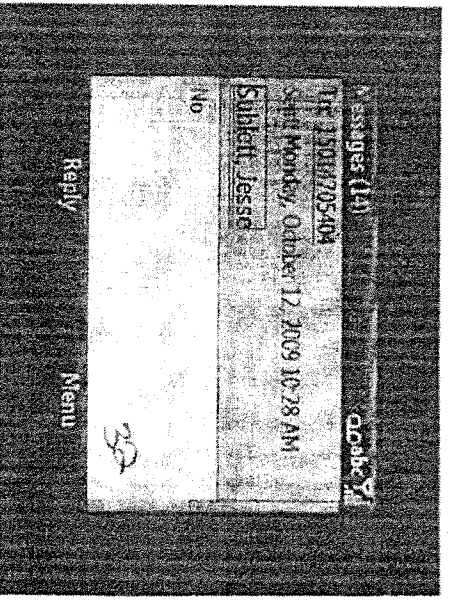
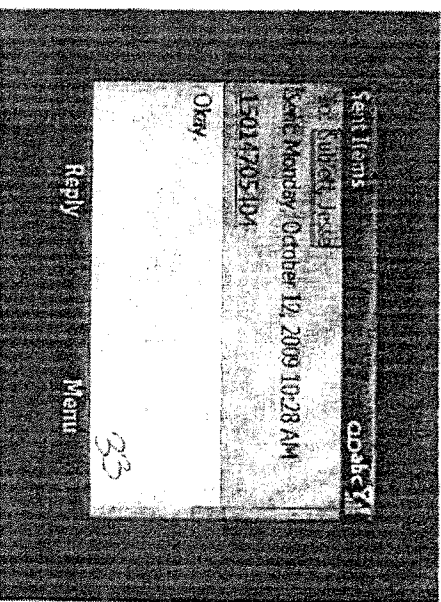
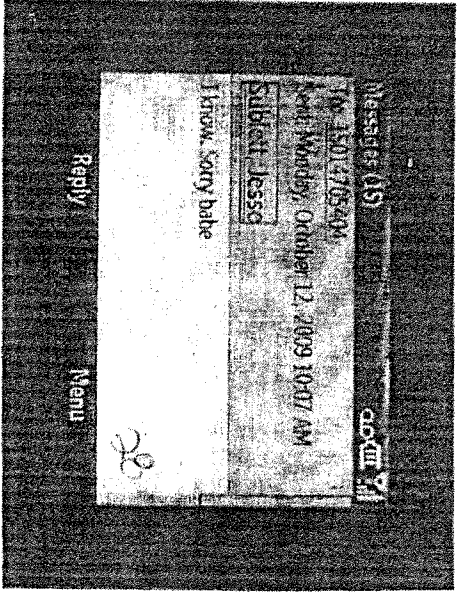
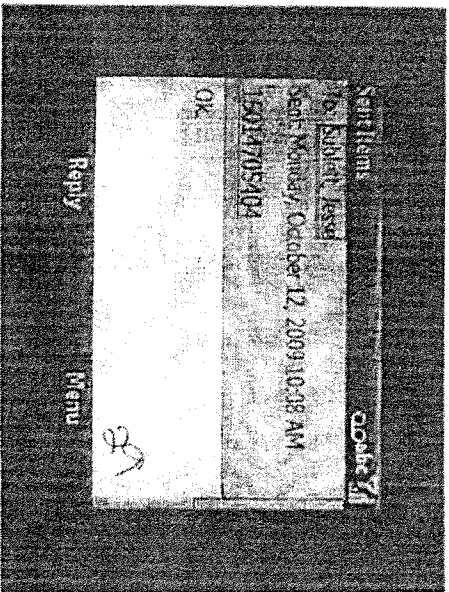
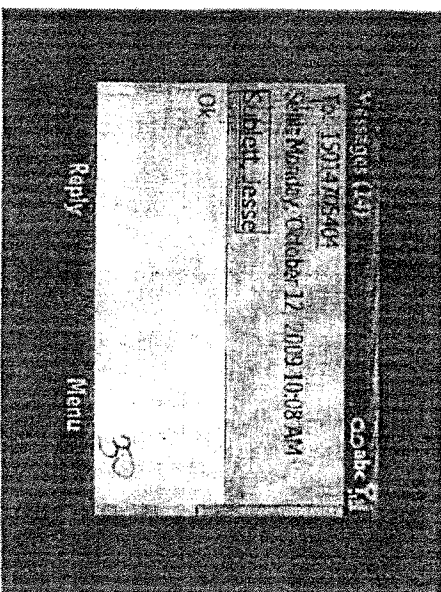
Relevant text messages were identified on subject cell phone.

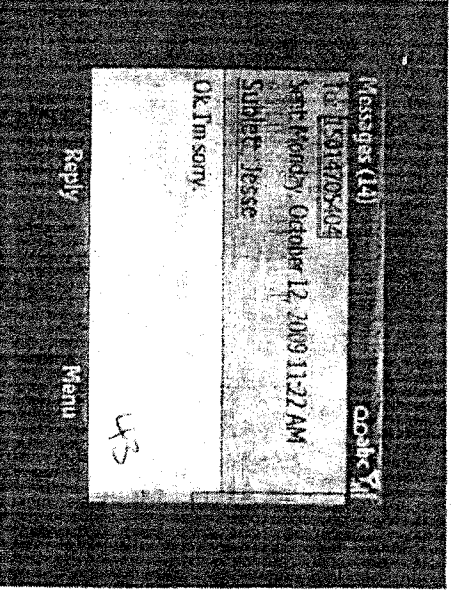
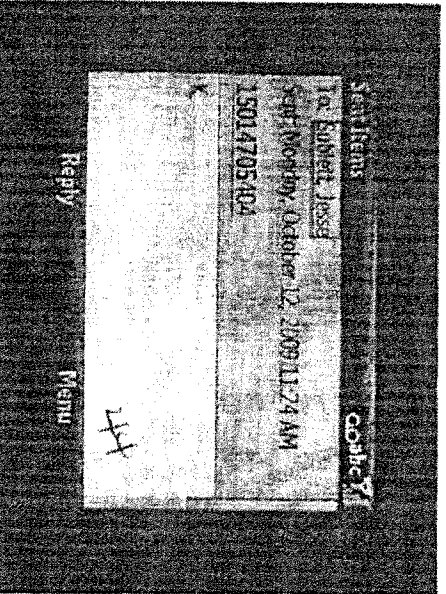
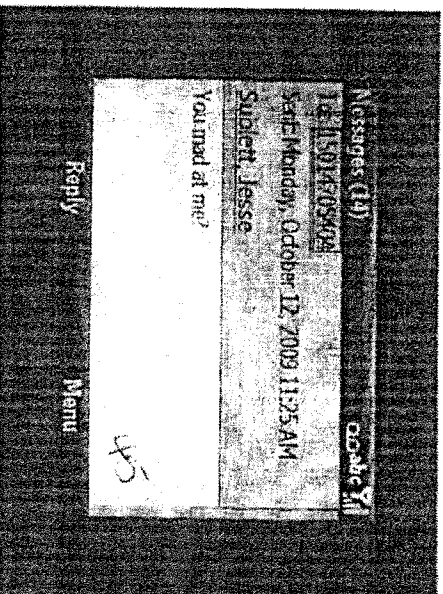
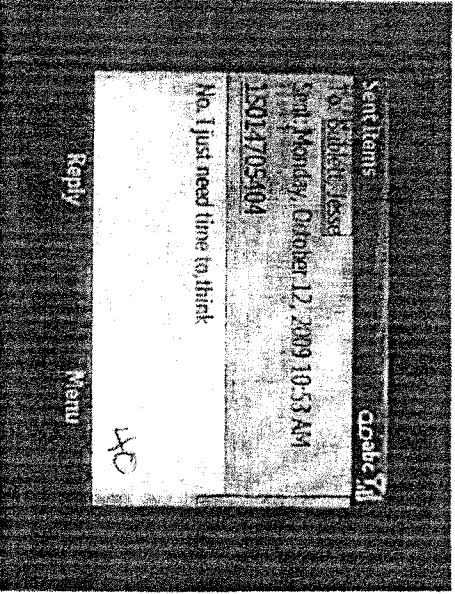
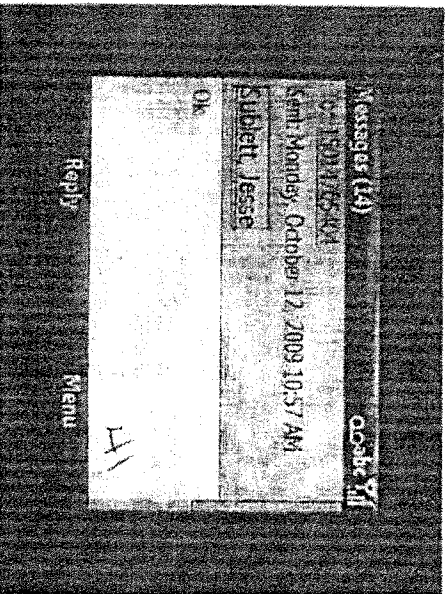
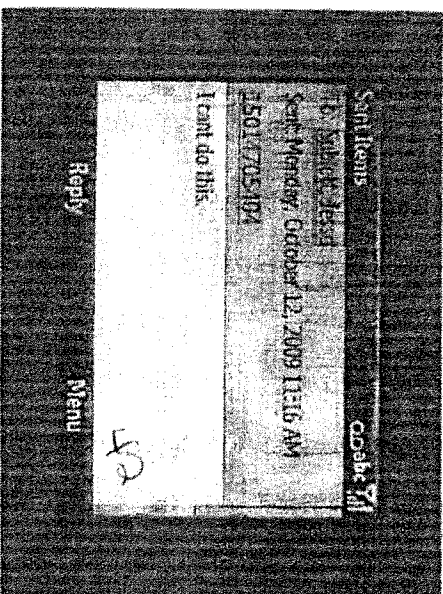
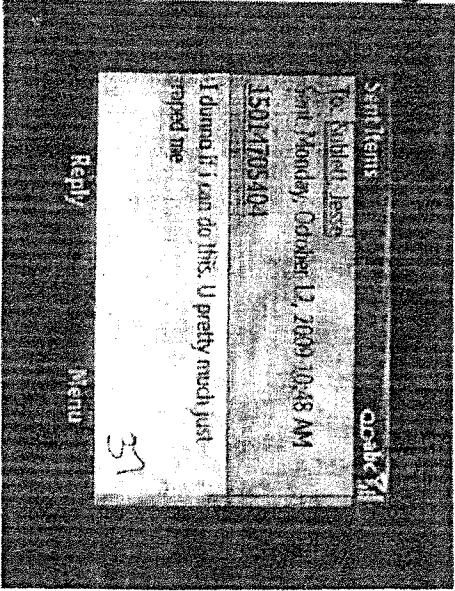
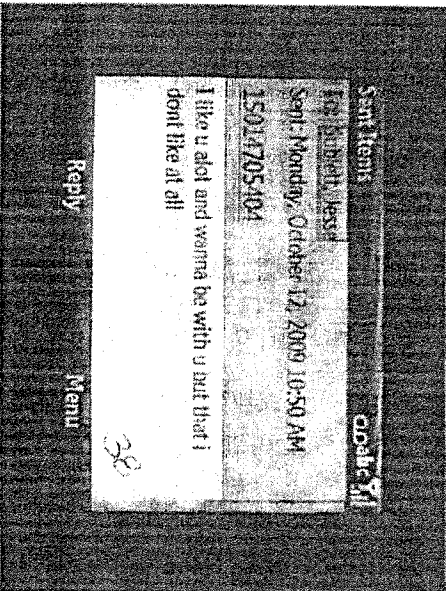
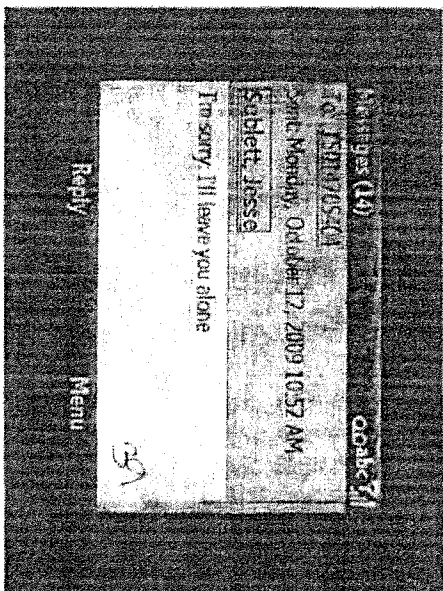
This report is a summary of findings. As advances in forensic software recovery tools increase, more information may be obtained in the future.

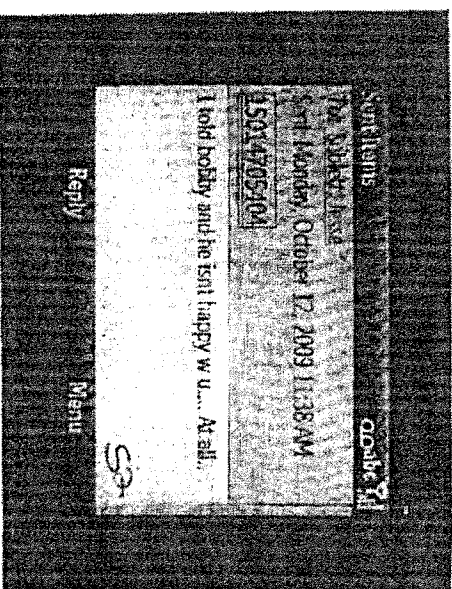
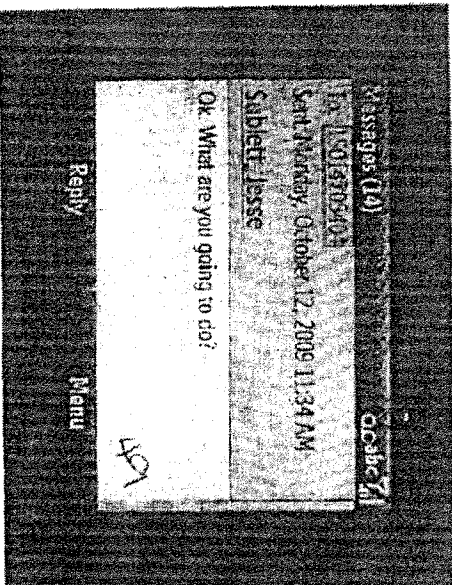
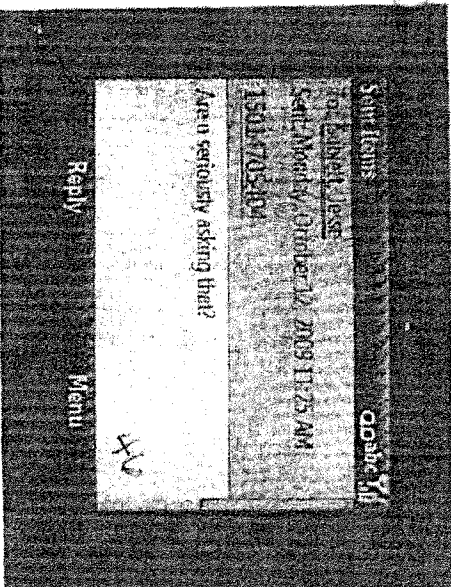
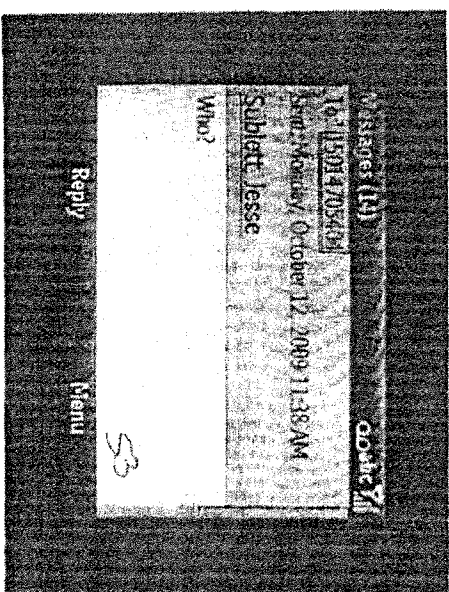
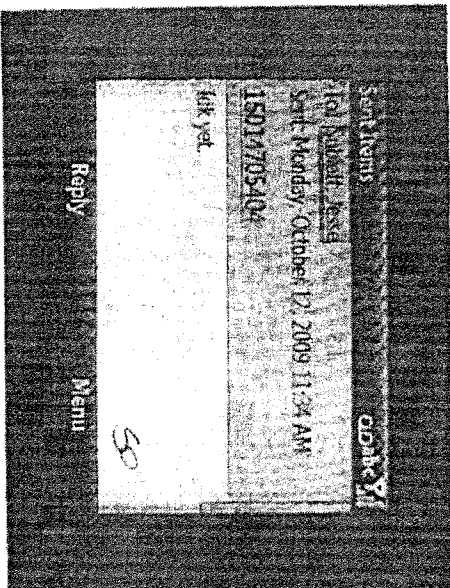
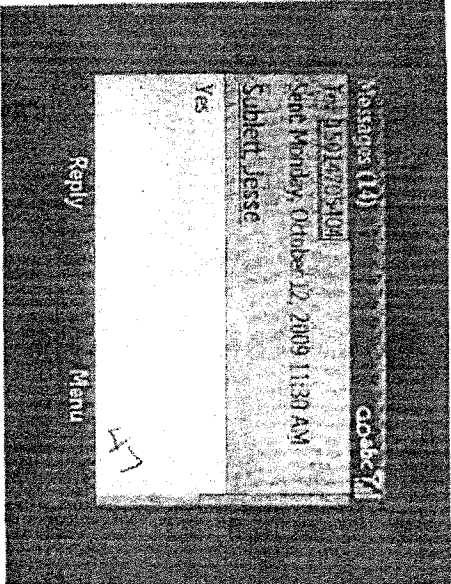
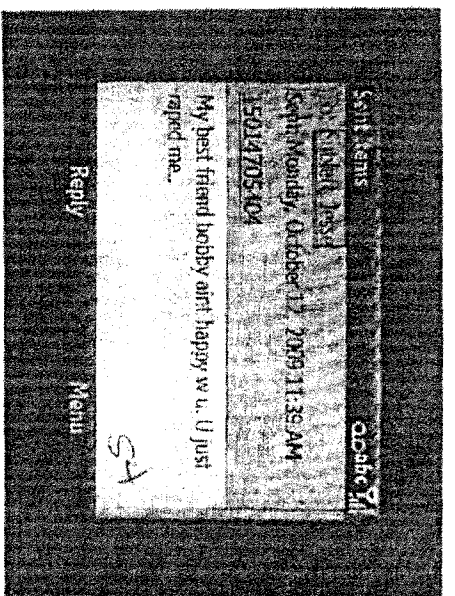
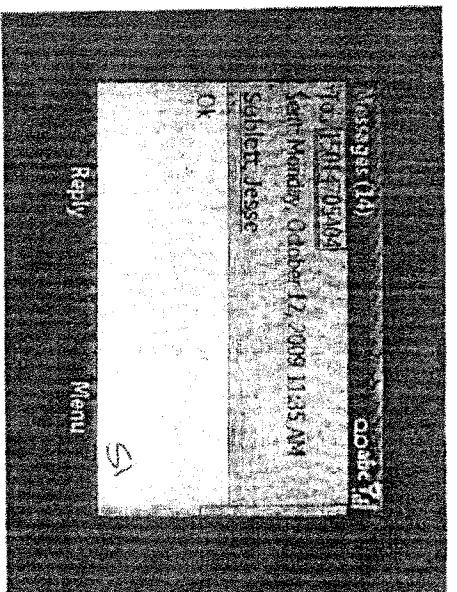
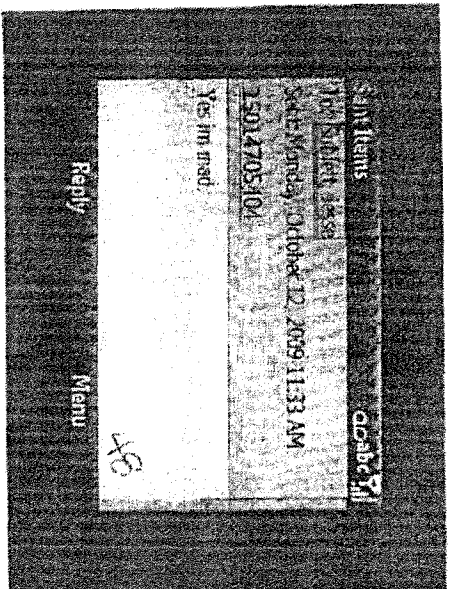


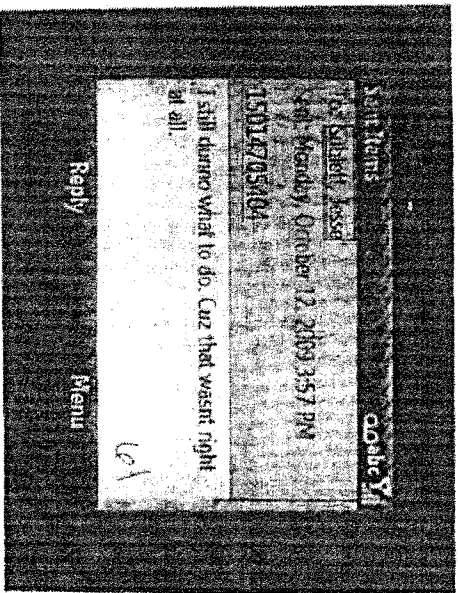
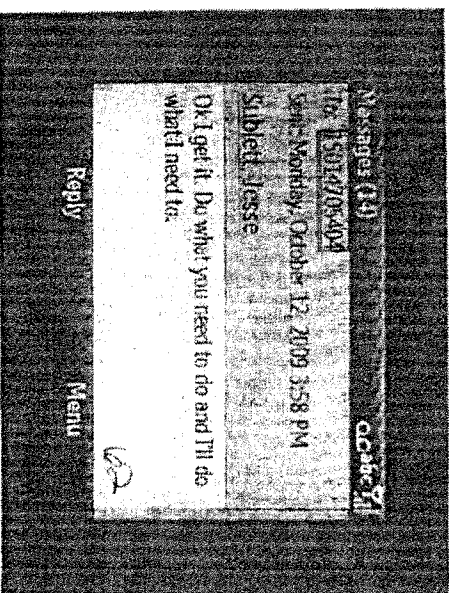
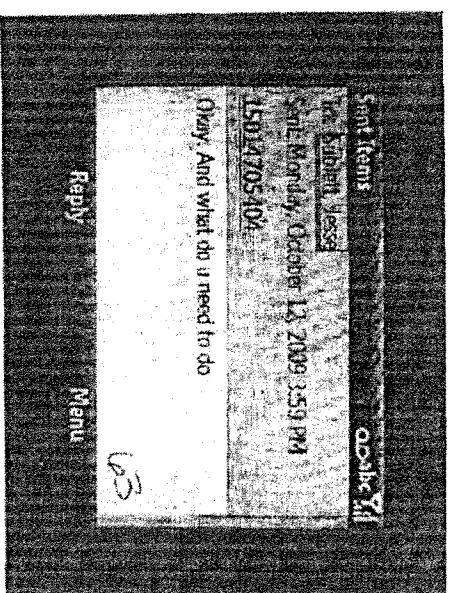
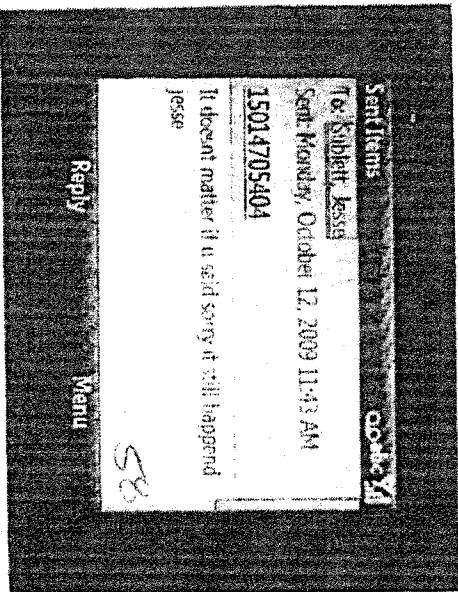
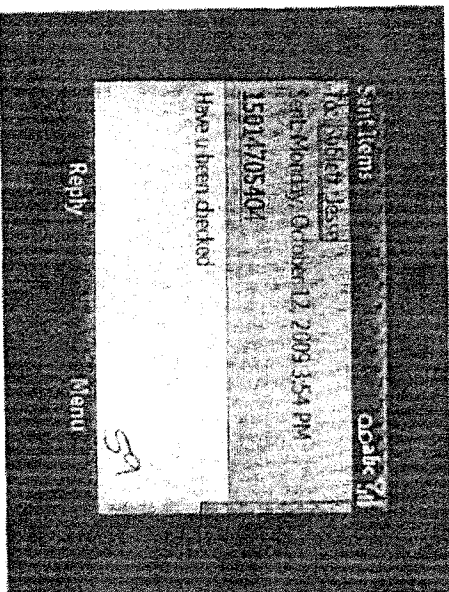
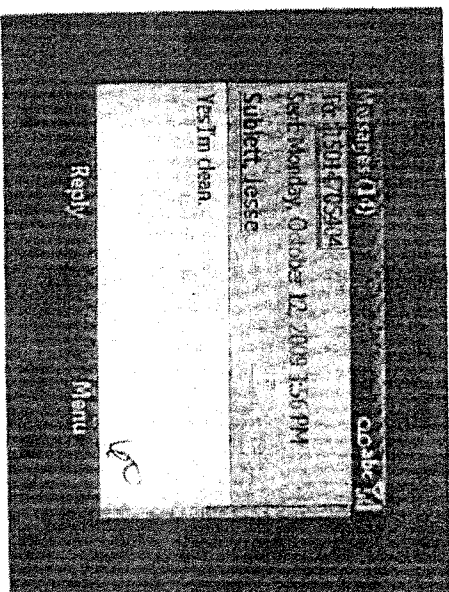
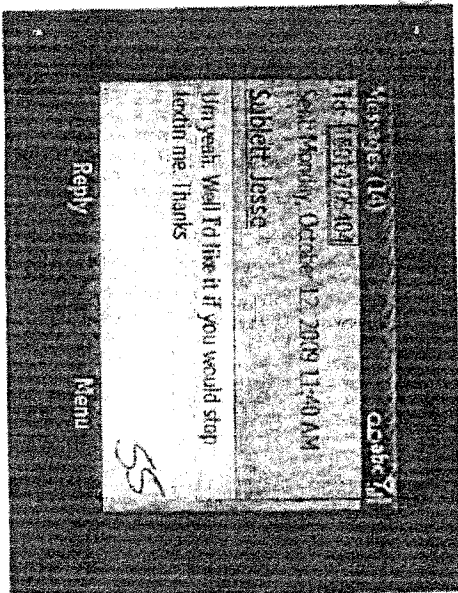
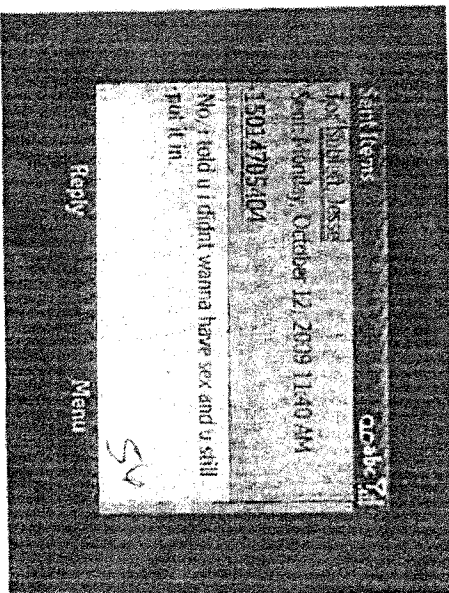
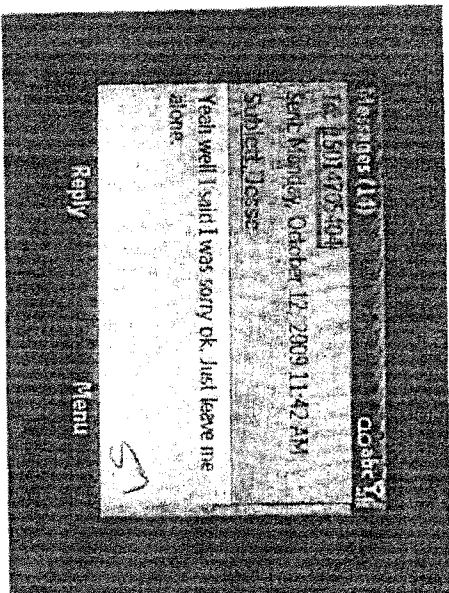


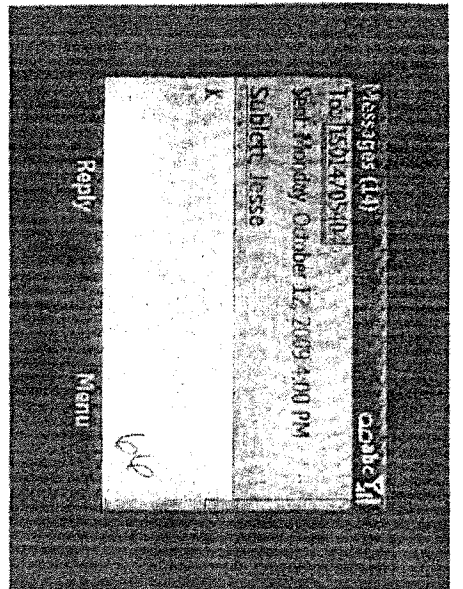
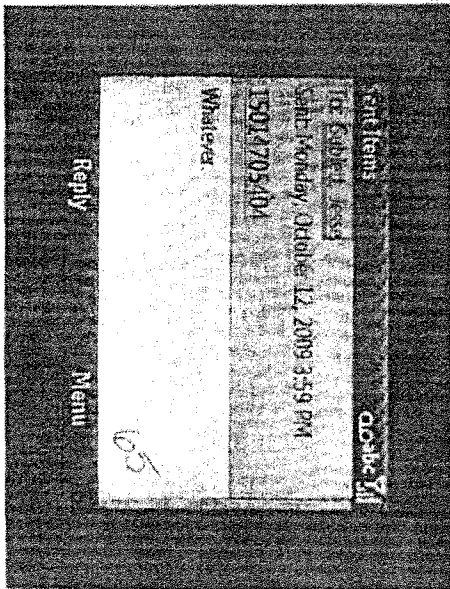
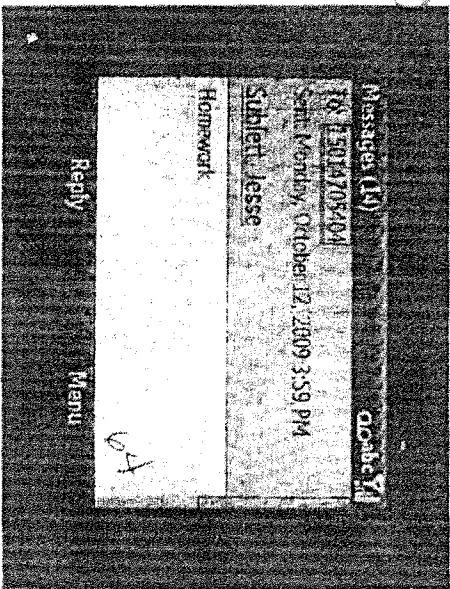












CONWAY POLICE DEPARTMENT


EVIDENCE REPORT

CASE NO. 09-11687

DATE/TIME RECOVERED: 10-15-09 @ 1520 TICKET NO. _____

CRIME: Rape COURT DATE: _____

SUSPECT: JESSE SUBUEN

VICTIM: 

Recovering Officers Signature

Evidence Recovered: 1- Western Digital HDD
160 GB

S/N WXE309491825
(ONE SAMSUNG BLACK JACK PHONE (PINK AND WHITE) W/ CHARGER
Approximate value: BELOW \$100

Chain of Possession:

From: X [Signature] Date/Time: 10-15-09 @ 1520

To: Det. [Signature] #238

From: Det. [Signature] #34 (Cell phone only)

To: [Signature] Date/Time: 10/22/2009 @ 1527

From: [Signature] (HARD DRIVE ONLY)

To: X [Signature] Date/Time: 10-22-09 @ 1600

From: [Signature]

To: Det. [Signature] #34 Date/Time: 10/28/09 @ 0800

From: Det. [Signature] #34

To: [Signature] Date/Time: 10/28/09 @

From: _____

To: _____ Date/Time: _____

From: _____

To: _____ Date/Time: _____

| | | | | | | | | | | | | | |
|--|--|--|---|---|---|--|--|---|--|-----------------------------------|--|--|--|
| INCIDENT | PAGE # 1 | ORI NUMBER AR0230100 | ARKANSAS INCIDENT REPORT | | | | INTERNAL INCIDENT STATUS: <input type="checkbox"/> (A) Active <input type="checkbox"/> (CA) Closed by Arrest <input checked="" type="checkbox"/> (CE) Closed by Exception <input type="checkbox"/> (CO) Closed by Other Means <input type="checkbox"/> (I) Inactive <input type="checkbox"/> (U) Unfounded | EXCEPTIONAL CLEARANCE STATUS: <input type="checkbox"/> (A) Death of the Offender <input checked="" type="checkbox"/> (B) Prosecution Declined <input type="checkbox"/> (C) Extradition Denied <input type="checkbox"/> (D) Victim Ref. to Cooperate <input type="checkbox"/> (E) Juvenile, No Custody <input type="checkbox"/> (N) Not Applicable | | | | | |
| | INCIDENT NUMBER 09-11687 | | DATE(S) OF INCIDENT 10/12/2009 | | R AGENCY NAME Conway Police Department | TIME RECEIVED 9:47 | | TIME ARRIVED 9:59 | REPORTING AREA 51 | EXCEPT. CLEAR. DATE 11/02/2009 | | | |
| | TIME(S) OF INCIDENT 08:00 - 10:03 | | DAY(S) OF INCIDENT Monday | | DISPATCHER 376 - EDWARDS, BRIAN D | | DISPATCHER | | DISPATCHER | | | | |
| | OFFENSE # 1 | | UCR CODE 11A | OFFENSE STATUS: <input type="checkbox"/> (A) Attempted <input checked="" type="checkbox"/> (C) Completed | OFFENDER USED: <input type="checkbox"/> (A) Alcohol <input type="checkbox"/> (C) Cptr. Equip. <input type="checkbox"/> (D) Drugs | Burglary (220) Location 14&19: # PREMISES ENTERED? | | FORCED ENTRY? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | |
| OFFENSE | STATUTE 5-14-103a(2) | | OFFENSE DESCRIPTION RAPE / SEXUAL INTERCOURSE / NON-SPOUSE MEDI | | | | ADDRESS OF OFFENSE 1840 AMELIA DR, CONWAY, AR 72032 | | | | | | |
| | LOCATION CODE (Enter 1) <input type="checkbox"/> (01) Air/Bus/Train Terminal <input type="checkbox"/> (02) Bank/Savings & Loan <input type="checkbox"/> (03) Bar/Night Club <input type="checkbox"/> (04) Church/Synagogue/Temple/Mosque <input type="checkbox"/> (05) Commercial/Office Building <input type="checkbox"/> (06) Construction Site <input type="checkbox"/> (07) Convenience Store <input type="checkbox"/> (08) Department/Discount Store <input type="checkbox"/> (09) Drug Store/Doctor's Office/Hospital <input type="checkbox"/> (10) Field/Woods <input type="checkbox"/> (11) Government/Public Building <input type="checkbox"/> (12) Grocery/Supermarket <input type="checkbox"/> (13) Highway/Road/Alley/Street/Sidewalk <input type="checkbox"/> (14) Hotel/Motel/Etc. <input type="checkbox"/> (15) Jail/Prison/Penitentiary/Corrections Facility <input type="checkbox"/> (16) Lake/Waterway/Beach | | <input type="checkbox"/> (17) Liquor Store <input type="checkbox"/> (18) Parking Lot/Drop Lot/Garage <input type="checkbox"/> (19) Rental/Storage Facility <input checked="" type="checkbox"/> (20) Residence/Home <input type="checkbox"/> (21) Restaurant <input type="checkbox"/> (23) Service/Gas Station <input type="checkbox"/> (24) Specialty Store <input type="checkbox"/> (25) Other/Unknown <input type="checkbox"/> (37) Abandoned/Condemned Structure <input type="checkbox"/> (38) Amusement Park <input type="checkbox"/> (39) Arena/Stadium/Fairgrounds/Coliseum <input type="checkbox"/> (40) ATM Separate From Bank <input type="checkbox"/> (41) Auto Dealership New/Used <input type="checkbox"/> (42) Camp/Campground <input type="checkbox"/> (44) Daycare Facility <input type="checkbox"/> (45) Dock/Wharf/Freight/Modal Terminal | | <input type="checkbox"/> (46) Farm Facility <input type="checkbox"/> (47) Gambling Facility/Casino/Race Track <input type="checkbox"/> (48) Industrial Site <input type="checkbox"/> (49) Military Installation <input type="checkbox"/> (50) Park/Playground <input type="checkbox"/> (51) Rest Area <input type="checkbox"/> (52) School - College/University <input type="checkbox"/> (53) School - Elementary/Secondary <input type="checkbox"/> (54) Shelter - Mission/Homeless <input type="checkbox"/> (55) Shopping Mall <input type="checkbox"/> (56) Tribal Lands <input type="checkbox"/> (57) Community Center | | WEAPON FORCE: (Max. 3) (For 11-15, place "A" in space next to box if weapon was an Automatic.) <input type="checkbox"/> (11) Firearm (Type not stated) <input type="checkbox"/> (90) Other <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (95) Unknown <input type="checkbox"/> (13) Rifle <input checked="" type="checkbox"/> (99) None <input type="checkbox"/> (14) Shotgun <input type="checkbox"/> (15) Other Firearm <input type="checkbox"/> (20) Knife/Cutting Instru. (Ax, etc.) <input type="checkbox"/> (30) Blunt Object (Club, etc.) <input type="checkbox"/> (35) Motor Vehicle (As weapon) <input type="checkbox"/> (40) Personal Weapons (Hands, etc.) <input type="checkbox"/> (50) Poison <input type="checkbox"/> (60) Explosives <input type="checkbox"/> (65) Fire/Incendiary Device <input type="checkbox"/> (70) Narcotics/Drugs/ Sleeping Pills <input type="checkbox"/> (85) Asphyxiation | | | | | | |
| | TYPE CRIMINAL ACTIVITY: (Max. 3) <input type="checkbox"/> (B) Buying <input type="checkbox"/> (C) Cultivate/Manufacture/Publish <input type="checkbox"/> (D) Distributing/Selling <input type="checkbox"/> (E) Exploiting Children | | <input type="checkbox"/> (O) Operating/Promoting/Assisting <input type="checkbox"/> (P) Possessing/Concealing <input type="checkbox"/> (T) Transport/Transmit/Import <input type="checkbox"/> (U) Using/Consuming | | TYPE GANG ACTIVITY: (Max. 3) <input type="checkbox"/> (G) Other Gang <input type="checkbox"/> (J) Juvenile Gang <input checked="" type="checkbox"/> (N) None/Unknown | | BIAS MOTIVATED CRIME: None (No Bias) | | | | | | |
| | VICTIM | VICTIM # 1 | NAME: Last, First, Middle Stiles, Bethany | SOC. SEC. NO. | DRIVER'S LICENSE | DR. LI. STATE AR | DATE OF BIRTH 10/15/1989 | RELATIONSHIP OF THIS VICTIM TO OFFENDERS (check relationship under appropriate offender number): | | | | | |
| RESIDENT ADDRESS: Street City State ZIP 1840 Amelia Drive, Conway, AR 72032 | | OCCUPATION | | RESIDENT PHONE (501) 327-8381 | | VICTIM WAS: (SE) Spouse (CS) Common-Law Spouse (PA) Parent (SB) Sibling (CH) Child (GP) Grandparent (GC) Grandchild (IL) In-Law (SP) Stepparent (SC) Stepchild (SS) Stepsibling (OF) Other Family Member (AQ) Acquaintance (FR) Friend (NE) Neighbor (BE) Babysitter (baby) (BG) Boyfriend/Girlfriend (CF) Child of Boyfriend/Girlfriend (HR) Homosexual Relationship (XS) Ex-Spouse (EE) Employee (ER) Employer (OK) Otherwise Known (RU) Relationship Unknown (ST) Stranger (VO) Victim was Offender | | | | | | | |
| EMPLOYMENT PHONE | | SEX: <input type="checkbox"/> (M) Male <input checked="" type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unknown | | ETHNIC: <input type="checkbox"/> (H) Hispanic <input checked="" type="checkbox"/> (N) Nonhispanic <input type="checkbox"/> (U) Unknown | | AGE: Exact Age 19 Range / <input type="checkbox"/> (NN) Under 24 Hrs. Old <input type="checkbox"/> (NB) 1-6 Days Old <input type="checkbox"/> (EB) 7-364 Days Old <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown | | | | | | | |
| RACE: <input checked="" type="checkbox"/> (W) White <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (U) Unknown <input type="checkbox"/> (B) Black <input type="checkbox"/> (A) Asian/Pacific Islander | | RES. STATUS: <input checked="" type="checkbox"/> (R) Resident <input type="checkbox"/> (N) Nonresident <input type="checkbox"/> (U) Unknown | | VICTIM TYPE: <input checked="" type="checkbox"/> (I) Individual <input type="checkbox"/> (B) Business <input type="checkbox"/> (F) Financial Institution <input type="checkbox"/> (U) Unknown <input type="checkbox"/> (G) Government <input type="checkbox"/> (R) Religious <input type="checkbox"/> (S) Society/Public <input type="checkbox"/> (O) Other | | VICTIM INJURY: (Max. 5) <input checked="" type="checkbox"/> (N) None <input type="checkbox"/> (M) Apparent Minor Injury <input type="checkbox"/> (B) Apparent Broken Bones <input type="checkbox"/> (C) Other Major Injury <input type="checkbox"/> (I) Possible Internal Injury <input type="checkbox"/> (T) Loss of Teeth <input type="checkbox"/> (L) Severe Laceration <input type="checkbox"/> (U) Unconsciousness | | THIS VICTIM RELATED TO WHICH OFFENSES? <input type="checkbox"/> #1 <input type="checkbox"/> #4 <input type="checkbox"/> #7 <input type="checkbox"/> #10 <input type="checkbox"/> #2 <input type="checkbox"/> #5 <input type="checkbox"/> #8 <input type="checkbox"/> #3 <input type="checkbox"/> #6 <input type="checkbox"/> #9 others: | | | | | |
| ADM | AGGRAVATED ASSAULT/HOMICIDE CIRCUMSTANCES | | Aggravated Assault/Murder: (max. 2) <input type="checkbox"/> (01) Argument <input type="checkbox"/> (02) Assault On Law Enf. Officer <input type="checkbox"/> (03) Drug Dealing <input type="checkbox"/> (04) Gangland <input type="checkbox"/> (05) Juvenile Gang <input type="checkbox"/> (06) Lover's Quarrel <input type="checkbox"/> (07) Mercy Killing <input type="checkbox"/> (08) Other Felony Involved <input type="checkbox"/> (09) Other Circumstances <input type="checkbox"/> (10) Unknown Circumstances | | Negligent Manslaughter: (enter 1) <input type="checkbox"/> (30) Child Playing With Weapon <input type="checkbox"/> (31) Gun-Cleaning Accident <input type="checkbox"/> (32) Hunting Accident <input type="checkbox"/> (33) Other Negligent Weapon Handling <input type="checkbox"/> (34) Other Negligent Killings | | Justifiable Homicide: (enter 1) <input type="checkbox"/> (20) Criminal Killed by Private Citizen <input type="checkbox"/> (21) Criminal Killed by Police Officer | | ADDITIONAL JUSTIFIABLE HOMICIDE CIRC.: (enter 1) <input type="checkbox"/> (A) Criminal Attacked Police Officer <input type="checkbox"/> (B) Criminal Attacked Fellow Police Officer <input type="checkbox"/> (C) Criminal Attacked Civilian <input type="checkbox"/> (D) Criminal Attempted Flight from a Crime <input type="checkbox"/> (E) Criminal Killed in Commission of a Crime <input type="checkbox"/> (F) Criminal Resisted Arrest <input type="checkbox"/> (G) Unable to Determine/Not Enough Information | | | | |
| | REPORT DATE 10/14/2009 | DAY Wed | TIME (Military) 9:47 | REPORTING OFFICER LOIS SPENCER | CODE # 320 | APPROVING SUPERVISOR LARRY M. HEARN, Jr | CODE # 28 | DATE APPROVED 10/15/2009 | | | | | |

INCIDENT REPORT

| | | | | | | | | | | | | | | | | |
|---|--|--|--|--|--|------------------|--|--|---------------------------|--------------------------|-------------------------|-----------|-----------------------|-----------------|-----------------------|--|
| AD | PAGE# | 2 | DATE | 10/14/2009 | INCIDENT NUMBER | 09-11687 | OR# ("B") | AR0230100 | REPORTING OFFICER | LOIS SPENCER | CODE# | 320 | VICTIM NAME | Stiles, Bethany | | |
| | ARRESTEE# | NAME Last, First, Middle, Sublett, Jesse Samuel | | | | | | | | | | AKA | | | | |
| OFFENDER / ARRESTEE | OFFENDER# | 1 | RESIDENT ADDRESS Street City State Zip 49 Ranchette Road, Conway, AR 72032 | | | | | | | DATE OF BIRTH 02/04/1988 | | | | | | |
| | RESIDENT PHONE (501) 548-1368 | | EMPLOYMENT/SCHOOL PHONE | | DRIVER'S LICENSE | | | DR. LI. STATE AR | | SSN | | | | | | |
| | ARREST LOCATION | | OCCUPATION Military | | PLACE OF EMPLOYMENT Army | | | ARREST TYPE: <input type="checkbox"/> (C) On View Arrest <input type="checkbox"/> (S) Summons/Cited <input type="checkbox"/> (T) Taken Into Cust. | | | | | | | | |
| | SEX: <input checked="" type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: EXACT AGE 21 | | MULT. ARREST INDIC.: <input type="checkbox"/> (M) Multiple <input type="checkbox"/> (C) Count Arrestee <input type="checkbox"/> (N) N/A | | | WEAPONS AT ARREST: (Max. 2) (Place "A" in blank if automatic) | | | | | | | | |
| | ETHNIC: <input type="checkbox"/> (H) Hispanic <input checked="" type="checkbox"/> (N) Nonhisp. <input type="checkbox"/> (U) Unk. | | AGE RANGE: to | | DISPOSITION OF JUVENILE: <input type="checkbox"/> (H) Handled within Department <input type="checkbox"/> (R) Referred outside Department | | | <input type="checkbox"/> (01) Unarmed <input type="checkbox"/> (16) Illegal Cutting Instr. | | | | | | | | |
| | RACE: <input checked="" type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown | | <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown | | | | | <input type="checkbox"/> (11) Firearm <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (17) Club / Blackjack / Brass Kn. | | | | | | | | |
| | RES. STATUS: <input type="checkbox"/> (R) Resident <input checked="" type="checkbox"/> (N) Nonres. <input type="checkbox"/> (U) Unknown | | UCR ARR. CODE | | OFFENSE NAME | | | ARREST DATE | | ARREST TRANSACT. # | | | | | | |
| | HEIGHT 5'09" | | WEIGHT | | BUILD MED - Medium | | HAIR COLOR BRO - Brown | | HAIR STYLE MIL - Military | | HAIR LENGTH SRT - Short | | EYE COLOR BRO - Brown | | SKIN TONE LGT - Light | |
| | ARRESTEE# | | NAME Last, First, Middle, AKA | | | | | | | | | | | | | |
| | OFFENDER# | | RESIDENT ADDRESS Street City State Zip DATE OF BIRTH | | | | | | | | | | | | | |
| OFFENDER / ARRESTEE | RESIDENT PHONE | | EMPLOYMENT/SCHOOL PHONE | | DRIVER'S LICENSE | | | DR. LI. STATE | | SSN | | | | | | |
| | ARREST LOCATION | | OCCUPATION | | PLACE OF EMPLOYMENT | | | ARREST TYPE: <input type="checkbox"/> (C) On View Arrest <input type="checkbox"/> (S) Summons/Cited <input type="checkbox"/> (T) Taken Into Cust. | | | | | | | | |
| | SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: EXACT AGE | | MULT. ARREST INDIC.: <input type="checkbox"/> (M) Multiple <input type="checkbox"/> (C) Count Arrestee <input type="checkbox"/> (N) N/A | | | WEAPONS AT ARREST: (Max. 2) (Place "A" in blank if automatic) | | | | | | | | |
| | ETHNIC: <input type="checkbox"/> (H) Hispanic <input type="checkbox"/> (N) Nonhisp. <input type="checkbox"/> (U) Unk. | | AGE RANGE: to | | DISPOSITION OF JUVENILE: <input type="checkbox"/> (H) Handled within Department <input type="checkbox"/> (R) Referred outside Department | | | <input type="checkbox"/> (01) Unarmed <input type="checkbox"/> (16) Illegal Cutting Instr. | | | | | | | | |
| | RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown | | <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown | | | | | <input type="checkbox"/> (11) Firearm <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (17) Club / Blackjack / Brass Kn. | | | | | | | | |
| | RES. STATUS: <input type="checkbox"/> (R) Resident <input type="checkbox"/> (N) Nonres. <input type="checkbox"/> (U) Unknown | | UCR ARR. CODE | | OFFENSE NAME | | | ARREST DATE | | ARREST TRANSACT. # | | | | | | |
| | HEIGHT | | WEIGHT | | BUILD | | HAIR COLOR | | HAIR STYLE | | HAIR LENGTH | | EYE COLOR | | SKIN TONE | |
| | ARRESTEE# | | NAME Last, First, Middle, AKA | | | | | | | | | | | | | |
| | OFFENDER# | | RESIDENT ADDRESS Street City State Zip DATE OF BIRTH | | | | | | | | | | | | | |
| | SUBJECT DESCRIPTORS | RESIDENT PHONE | | EMPLOYMENT/SCHOOL PHONE | | DRIVER'S LICENSE | | | DR. LI. STATE | | SSN | | | | | |
| ARREST LOCATION | | OCCUPATION | | PLACE OF EMPLOYMENT | | | ARREST TYPE: <input type="checkbox"/> (C) On View Arrest <input type="checkbox"/> (S) Summons/Cited <input type="checkbox"/> (T) Taken Into Cust. | | | | | | | | | |
| SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: EXACT AGE | | MULT. ARREST INDIC.: <input type="checkbox"/> (M) Multiple <input type="checkbox"/> (C) Count Arrestee <input type="checkbox"/> (N) N/A | | | WEAPONS AT ARREST: (Max. 2) (Place "A" in blank if automatic) | | | | | | | | | |
| ETHNIC: <input type="checkbox"/> (H) Hispanic <input type="checkbox"/> (N) Nonhisp. <input type="checkbox"/> (U) Unk. | | AGE RANGE: to | | DISPOSITION OF JUVENILE: <input type="checkbox"/> (H) Handled within Department <input type="checkbox"/> (R) Referred outside Department | | | <input type="checkbox"/> (01) Unarmed <input type="checkbox"/> (16) Illegal Cutting Instr. | | | | | | | | | |
| RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown | | <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown | | | | | <input type="checkbox"/> (11) Firearm <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (17) Club / Blackjack / Brass Kn. | | | | | | | | | |
| RES. STATUS: <input type="checkbox"/> (R) Resident <input type="checkbox"/> (N) Nonres. <input type="checkbox"/> (U) Unknown | | UCR ARR. CODE | | OFFENSE NAME | | | ARREST DATE | | ARREST TRANSACT. # | | | | | | | |
| HEIGHT | | WEIGHT | | BUILD | | HAIR COLOR | | HAIR STYLE | | HAIR LENGTH | | EYE COLOR | | SKIN TONE | | |
| ARRESTEE# | | NAME Last, First, Middle, AKA | | | | | | | | | | | | | | |
| OFFENDER# | | RESIDENT ADDRESS Street City State Zip DATE OF BIRTH | | | | | | | | | | | | | | |
| RESIDENT PHONE | | EMPLOYMENT/SCHOOL PHONE | | DRIVER'S LICENSE | | | DR. LI. STATE | | SSN | | | | | | | |
| ARREST LOCATION | | OCCUPATION | | PLACE OF EMPLOYMENT | | | ARREST TYPE: <input type="checkbox"/> (C) On View Arrest <input type="checkbox"/> (S) Summons/Cited <input type="checkbox"/> (T) Taken Into Cust. | | | | | | | | | |
| SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: EXACT AGE | | MULT. ARREST INDIC.: <input type="checkbox"/> (M) Multiple <input type="checkbox"/> (C) Count Arrestee <input type="checkbox"/> (N) N/A | | | WEAPONS AT ARREST: (Max. 2) (Place "A" in blank if automatic) | | | | | | | | | |
| ETHNIC: <input type="checkbox"/> (H) Hispanic <input type="checkbox"/> (N) Nonhisp. <input type="checkbox"/> (U) Unk. | | AGE RANGE: to | | DISPOSITION OF JUVENILE: <input type="checkbox"/> (H) Handled within Department <input type="checkbox"/> (R) Referred outside Department | | | <input type="checkbox"/> (01) Unarmed <input type="checkbox"/> (16) Illegal Cutting Instr. | | | | | | | | | |
| RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown | | <input type="checkbox"/> (99) Over 98 Yrs. Old <input type="checkbox"/> (00) Unknown | | | | | <input type="checkbox"/> (11) Firearm <input type="checkbox"/> (12) Handgun <input type="checkbox"/> (13) Rifle <input type="checkbox"/> (17) Club / Blackjack / Brass Kn. | | | | | | | | | |
| RES. STATUS: <input type="checkbox"/> (R) Resident <input type="checkbox"/> (N) Nonres. <input type="checkbox"/> (U) Unknown | | UCR ARR. CODE | | OFFENSE NAME | | | ARREST DATE | | ARREST TRANSACT. # | | | | | | | |
| HEIGHT | | WEIGHT | | BUILD | | HAIR COLOR | | HAIR STYLE | | HAIR LENGTH | | EYE COLOR | | SKIN TONE | | |
| ARRESTEE# | | NAME Last, First, Middle, AKA | | | | | | | | | | | | | | |
| OFFENDER# | | RESIDENT ADDRESS Street City State Zip DATE OF BIRTH | | | | | | | | | | | | | | |
| RESIDENT PHONE | | EMPLOYMENT/SCHOOL PHONE | | DRIVER'S LICENSE | | | DR. LI. STATE | | SSN | | | | | | | |
| ARREST LOCATION | | OCCUPATION | | PLACE OF EMPLOYMENT | | | ARREST TYPE: <input type="checkbox"/> (C) On View Arrest <input type="checkbox"/> (S) Summons/Cited <input type="checkbox"/> (T) Taken Into Cust. | | | | | | | | | |
| SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: EXACT AGE | | MULT. ARREST INDIC.: <input type="checkbox"/> (M) Multiple <input type="checkbox"/> (C) Count Arrestee <input type="checkbox"/> (N) N/A | | | WEAPONS AT ARREST: (Max. 2) (Place "A" in blank if automatic) | | | | | | | | | |
| ETHNIC: <input type="checkbox"/> (H) Hispanic <input type="checkbox"/> (N) Nonhisp. | | | | | | | | | | | | | | | | |

INCIDENT REPORT

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|-------------------------------|---|--|--|---|---|--|---|---|-------------|--|--|
| VEHICLE AD | PAGE# 3 | DATE 10/14/2009 | INCIDENT # 09-11687 | REPORTING OFFICER LOIS SPENCER | | CODE # 320 | VICTIM NAME Stiles, Bethany | | | | |
| | YEAR | MAKE | MODEL | STYLE | VIN | LICENSE NUMBER | | STATE | | | |
| | OWNER'S NAME | | | | ADDRESS | | | | | | |
| VEHICLE | TOP/SOLID COLOR | | | SECOND COLOR | | | DISPOSITION OF RECOVERY: <input type="checkbox"/> (I) Impounded <input type="checkbox"/> (R) Released To Owner | | | | |
| | YEAR | MAKE | MODEL | STYLE | VIN | LICENSE NUMBER | | STATE | | | |
| | OWNER'S NAME | | | | ADDRESS | | | | | | |
| VEHICLE | TOP/SOLID COLOR | | | SECOND COLOR | | | DISPOSITION OF RECOVERY: <input type="checkbox"/> (I) Impounded <input type="checkbox"/> (R) Released To Owner | | | | |
| | YEAR | MAKE | MODEL | STYLE | VIN | LICENSE NUMBER | | STATE | | | |
| | OWNER'S NAME | | | | ADDRESS | | | | | | |
| PROPERTY | OF. CODE | P. LOSS | P. DES. | QTY. | DESCRIPTION (Include serial number, make, model, primary color) | | OWNER | ITEM VALUE | RECOV. DATE | | |
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| TOTAL NUMBER VEHICLES STOLEN: | | | TOTAL NUMBER VEHICLES RECOVERED: | | | TOTAL VALUE STOLEN: | | TOTAL VALUE RECOVERED: | | | |
| PROPERTY CODES | <u>PROPERTY LOSS:</u> (1) None (2) Burned (3) Counterfeited/Forged (4) Damaged/Destroyed/Vandalized (5) Recovered (6) Seized (7) Stolen, etc. (8) Unk. | | | | | | | | | | |
| | <u>PROPERTY DESCRIPTION:</u> | | | | | | | | | | |
| | (01) Aircraft | (14) Gambling Equipment | (27) Recordings-Audio/Visual | (42) Artistic Supplies/Accessories | (68) Lawn/Yard/Garden Equipment | | | | | | |
| | (02) Alcohol | (15) Heavy Construction/Industrial Equipment | (28) Recreational Vehicles | (43) Building Materials | (69) Logging Equipment | | | | | | |
| | (03) Automobiles | (16) Household Goods | (29) Structures-Single Occupancy | (44) Camping/Hunting/Fishing Equipment/Supplies | (70) Medical/Medical Lab Equipment | | | | | | |
| | (04) Bicycles | (17) Jewelry/Precious Metals/Gems | (30) Structures-Other Dwellings | (45) Chemicals | (71) Metals, Non-Precious | | | | | | |
| | (05) Buses | (18) Livestock | (31) Structures-Commercial/Business | (46) Collections/Collectibles | (72) Musical Instruments | | | | | | |
| | (06) Cloths/Furs | (19) Merchandise | (32) Structures-Industrial/Manufacturing | (47) Crops | (73) Pets | | | | | | |
| | (07) Computer Hardware/Software | (20) Money | (33) Structures-Public/Community | (48) Documents/Personal or Business | (74) Photographic/Optical Equipment | | | | | | |
| | (08) Consumable Goods | (21) Negotiable Instruments | (34) Structures-Storage | (49) Explosives | (75) Portable Electronic Communications | | | | | | |
| (09) Credit/Debit Cards | (22) Nonnegotiable Instruments | (35) Structures-Other | (50) Firearm Accessories | (76) Recreational/Sports Equipment | | | | | | | |
| (10) Drugs/Narcotics | (23) Office-Type Equipment | (36) Tools | (51) Fuel | (77) Other | | | | | | | |
| (11) Drug/Narcotic Equipment | (24) Other Motor Vehicles | (37) Trucks | (52) Identity Documents | (78) Trailers | | | | | | | |
| (12) Farm Equipment | (25) Purses/Handbags/Wallets | (38) Vehicle Parts/Accessories | (53) Identity - Intangible | (79) Watercraft Equipment/Parts/Accessories | | | | | | | |
| (13) Firearms | (26) Radios/TVs/VCRs/DVD Players | (39) Watercraft | (54) Law Enforcement Equipment | (80) Weapons - Other | | | | | | | |
| | | | | | (88) Pending Inventory (of Property) | | | | | | |
| DRUG INFO. | DRUG TYPE | WHOLE DRUG QUANTITY | FRACTIONAL DRUG QUANTITY | DRUG MEASUREMENT | | TYPE DRUG MEASUREMENT: | | | | | |
| | | | | | | WEIGHT | | | | | |
| | | | | | | (GM) Gram | | | | | |
| | | | | | | (KG) Kilogram | | | | | |
| COMPLT. | <u>DRUG TYPE:</u> (A) "Crack" Cocaine (F) Morphine (K) Other Hallucinogens (O) Other Depressants (B) Cocaine (G) Opium (L) Amphetamines/ Methamphetamines (P) Other Drugs (C) Hashish (H) Other Narcotics (M) Other Stimulants (U) Unknown Type Drug (D) Heroin (I) LSD (N) Barbiturates (X) Over 3 Drug Types (E) Marijuana (J) PSP | | | | | CAPACITY (ML) Milliliter (LT) Liter (FO) Fluid Ounce (GL) Gallon UNITS (DU) Dosage Unit (Pills, etc.) (NP) Number of Plants | | | | | |
| | NAME: Last, First, Middle | | | | | SEX: <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female <input type="checkbox"/> (U) Unk. | | AGE: _____ <input type="checkbox"/> (00) Unknown | | RACE: <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander <input type="checkbox"/> (U) Unknown | |
| | RESIDENT ADDRESS: Street City State Zip | | | | | RESIDENT PHONE | | EMPLOYT. PHONE | | | |
| | | | | | | | | | | | |

INCIDENT REPORT

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|-------------|--------------------|-----------------------------|-----------------------------------|---------------|--------------------------------|
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WITNESSES

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| NAME: Last, First, Middle | SEX: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female | AGE: <input type="checkbox"/> (00) Unknown | RACE: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander |
| RESIDENT ADDRESS: Street City State Zip | RESIDENT PHONE | EMPL PHONE | |
| DATE OF BIRTH SSN OCCUPATION | PLACE OF EMPLOYMENT | | |

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| NAME: Last, First, Middle | SEX: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (M) Male <input type="checkbox"/> (F) Female | AGE: <input type="checkbox"/> (00) Unknown | RACE: <input type="checkbox"/> (U) Unk. <input type="checkbox"/> (W) White <input type="checkbox"/> (B) Black <input type="checkbox"/> (I) American Indian <input type="checkbox"/> (A) Asian/Pacific Islander |
| RESIDENT ADDRESS: Street City State Zip | RESIDENT PHONE | EMPL PHONE | |
| DATE OF BIRTH SSN OCCUPATION | PLACE OF EMPLOYMENT | | |

NARRATIVE:
 On 10-14-09, I was dispatched to Conway Regional Hospital in reference to a rape report. I arrived on scene and made contact with the victim. A voluntary statement was provided by the victim and evidence was processed. See statement and supplement report.

SUPPLEMENT #1 LOIS S. SPENCER - 320 10/14/2009 17:24

On 10-14-09, I was dispatched to Conway Regional Hospital in reference to a rape report. I arrived on scene and made contact with Stiles. Stiles stated that on Monday, Jesse Sublett came over to her house. Sublett had asked her about having sex and she told him not for awhile. Stiles informed him that she was not ready to have sex. Stiles stated Sublett started kissing her, but it was not a big deal, because they were going to start dating. Sublett started kissing her in other places and she told him that she did not want to have sex. She placed her hand on his chest and repeatedly told him no. Stiles advised Sublett she did not want to have sex because she did not want to get pregnant. Stiles stated that the incident took place in the living room on the couch. Stiles had her clothing in a bag that she was wearing at the time of the incident. These items were collected and placed into evidence.

Note: Stiles has a genetic disability. Her IQ and thought process is on the 6th grade level. I made contact with Det. Grantham. Grantham advised for Stiles to contact her when she returned to her residence. Stiles stated that she would call Grantham after she received treatment at the hospital. I made contact with the ER and they would contact the police department when the rape kit was ready.

SUPPLEMENT #4 MELISSA H. GRANTHAM - 304 10/19/2009 13:32

On Wednesday, October 14, 2009, I was contacted by Patrolman Lois Spencer regarding a reported rape she was investigating at the Conway Regional Medical Center. Ptlmn. Spencer told me Bethany Stiles, a white female who suffered from mental disability, had reported she was raped by a white male she had recently met through the internet social website, Facebook. Bethany advised the incident had occurred at her home and that a stain had been noticed by her on the couch in which the sexual assault occurred. Bethany's guardian, Donna Stiles, requested CPD detectives come to her house to see if any items of evidentiary value could be recovered. I advised Ptlmn. Spencer to have Mrs. Stiles contact me at the office when the sexual assault exam at CRMC was complete.

Mrs. Stiles called me later that afternoon. She advised that she and Bethany would meet

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me and Detective Balentine at the home in which the alleged incident had occurred. At 1840 Amelia Drive, Detective Balentine and I met Bethany and Donna Stiles. Upon meeting Bethany, it was immediately apparent that she suffered from some type of physical disability. When Bethany began to talk, she had a noticeable speech impediment and appeared to have some type of physical growth disability. Bethany showed us where the couch on which the rape had occurred. She provided a brief synopsis of what had happened and then stated she had noticed a stain on one of the couch cushions after the suspect had left. She stated she had cleaned the stain off with soap, water, and a cloth and that it was no longer visible. They showed us the Bethany's phone which had several text messages back and forth between Jesse Sublett and Bethany Stiles. One message from Jesse said "I just feel bad because I made ya have sex." Other following messages from Jesse say he is sorry when Bethany tells him she feels like he basically had just raped her. The phone was turned over as evidence from Ms. Stiles to CPD as evidence.

On October 14, 2009 at 1458 hours, Bethany was brought to CPD by her mother for an interview by me pertaining to the incident. We first went over some basic information about Bethany and her learning disability. I asked her mainly how the disability affected her. She said she has problems taking tests and is just much slower than other people. Bethany said she took all special needs classes throughout school and that she finally graduated from CHS in May 2009. Bethany said she cannot work since has multiple sclerosis. She stated she now attends classes at UACCM twice a week. She said she takes Art Appreciation, Math 1, and Choir.

I went over the difference between the truth and lies with Bethany. It was clear that she knew the difference. Bethany said Jesse Sublett, a person she had not known previously, had added her as his friend on Facebook. Bethany said she usually did not add people that she did not know, so she sent him a message asking if they knew each other. She said he replied that he thought he might know her from school. She said they began to talk after he added her early in the time around October 14-15. She said he told her he was twenty-one and in the Army. She said the day he added her and they started talking, they talked on and off all day. They started text messaging and Jesse called her on the phone that day. She said she told him early on that she had a learning disability but that she was looking for a serious relationship. She said he told her he too had a learning disability. She said he told her he did not remember things well and that this was part of his learning disability.

Bethany said at some point Jesse asked about her sexual past. She said she told him she had had sex two times before. She said he told her he had had sex fifteen times. Bethany said she told him that if they were to date, she would not want to have sex for a long time. Bethany clarified that she has dated boys in the past, but has never had a very serious relationship, with the longest one lasting about one month. She said a long term relationship was what she wanted. Bethany said she wanted to meet Jesse to hang out and get to know him. She said she wanted to start dating him since they both liked each other and she thought they would go together well since they both had learning disabilities. They made plans to go to the upcoming rodeo during the weekend on a date.

On Sunday night, Bethany suggested that Jesse come over to her house on Monday morning, since her parents would not be at home. She said she told him they were not going to have sex, but he asked if it would be okay if he "kissed and loved on" her a little bit. Bethany said she was okay with just kissing, but said she told him they were not going to have sex. They agreed that Jesse would come over on Monday morning at around nine o'clock. He was supposed to come over around nine o'clock on Monday morning.

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| <p>Jesse texted Bethany to get the exact details to her house the next morning. When he arrived, he parked his vehicle at the home of his uncle, later identified as Scott Roberts. She let him in and they went and sat and talked on the couch. She said he asked her where her room was and she showed him. Bethany said Jesse began to kiss her in her room, but that she did not want to, so they went back to the couch. She said on the couch, they started kissing. She said they took off their clothes while kissing. She clarified that she did not take off any of Jesse's clothes, but that he had taken off her pants and his pants and shirt, and that she had taken off her own shirt. Jesse kissed Bethany on her bare breasts and performed oral sex on her. Bethany said Jesse then digitally penetrated her. She said at this point she "realized what he wanted" and told him she did not want to have sex. She said she stated, "You know I don't want to have sex, right?" She said Jesse asked her why not. She told him that it was because they did not have a condom, they had not known each other long enough, and because she did not want to get pregnant. She said she told him, "I can barely take care of myself, much less someone else." Bethany said Jesse got out his wallet and searched for a condom. He told her he did not have one. I asked Bethany if Jesse had found a condom, if she would have wanted to have sex with him. She said she honestly did not know. But he did not have one, so she had not wanted to have sex.</p> <p>Bethany said Jesse then got back with her on the couch and they kissed more. She said he got on top of her and she could tell he was getting ready to insert his penis into her. She said she scooted back on the couch, but he kept trying. She said she told him "no, no" but he put it in anyway. Bethany said she kept hitting her hand on his chest firmly saying Jesse's name and telling him no and to stop. She said he kept on anyway. Bethany said Jesse kept having sex with her and at one point pulled out his penis fully but then fully inserted it again. Bethany said this hurt really badly. She said she kept saying "no." Bethany described that the sex was causing her "huge pain". Bethany later said she did not know why she had not pushed him or anything to get him off of her. She said she did not know why...she just hadn't. Bethany said she thought Jesse finally realized that she did not want to have sex because he stopped having sex and laid his head down by hers and then sat up. She said he "was doing something" and then there was a "spot" where he was sitting. She said he then went to the bathroom.</p> <p>Bethany did not know if Jesse had ejaculated. Bethany said when he went to the bathroom, she got dressed. He came back and put on his clothes and sat down and texted someone on his phone. She asked who and he told her it was someone from his class since he was missing class. She said he then told her he had to go to class. Before he left, he began to change his mind on the rodeo plans telling her he did not know if he could go. He then kissed her and left. Bethany said, despite her MS disease, after the sex, her legs hurt very badly and she said it was the worst pain she had ever had. Bethany then cleaned up the "spot" left by Jesse with paper towels, soap, and water.</p> <p>Bethany was concerned and sent Jesse a text message asking him what was wrong. She said he replied that he felt bad because he "made" her have sex. Bethany said she did not hear anything else from him for a while after that. Bethany said she sat and thought about all that had happened and she thought, "That was rape". She had told him no, and to stop and he had not. She told him no before sex, when he was putting it in, and while they were still having sex. She sent him a text message about how she felt he had raped her. She said she told him she did not know what to do. She said he told her to do what she needed to do and that he would do what he needed to do. She asked what this meant, and he said he needed to do his homework.</p> <p>Bethany said she told her parents about what had happened at around four thirty on</p> | | | | | |

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| <p>Monday night. She said her parents did not believe she had been raped. They accused her of exaggerating. She said told them she would never exaggerate something like this. She said she talked to her dad about how it happened on the couch and he believed her. She said he told her if she had been raped, she should report it. Bethany said her mom told her that it was her fault that this had happened since she had had Jesse over at the house without them there. Her parents took away her phone and her computer. They saw the text messages between Jesse and Bethany. Bethany said none of the texts were or had been deleted. Bethany's sister, M■■■■, told them that Jesse had "done the same thing" to his cousins C■■■■, R■■■■ and C■■■■, I■■■■, but that they had not reported it. Bethany said her last contact with Jesse was on Monday at mid-afternoon.</p> <p>Bethany's mother took her to the hospital on Tuesday to get a sexual assault exam. She said they did not look for DNA since she had already bathed, but that they looked inside of her with a light and could see white blood cell. She said they told her that meant that STDs were forming, so they gave her a shot. Bethany said she had asked Jesse in a text message if he was "clean" and if he had been tested and he told her he was and had been.</p> <p>On October 15, 2009 at 1509 Detective Brian Williams and I went to the Stiles' residence to obtain the hard drive from Bethany's computer, which they wanted to give to us for use in this investigation. Detective Williams mirrored the hard drive and will attempt to recover any of the chat between Bethany and Jesse Sublett. The cellular phone recovered previously was later signed over to Special Agent Glen Smith of the United States Secret Service since he has agreed to pull a complete analysis of the text messages off of the phone.</p> <p>Today, I phoned the cellular phone number in Bethany Stiles' phone to attempt to reach Jesse Sublett. The number was (501) 548-1368. I identified myself and asked to speak with Jesse. He advised that he was speaking. I explained to Jesse that a report had been filed with CPD and that I was the assigned investigating officer. I asked him if he was perhaps aware of the incident I was referring to. Jesse stated that he had "heard some things" but stated he didn't know exactly what had been alleged. I told him a report of sexual assault had been filed with CPD by Bethany Stiles in which he was listed as the suspect. He stated he was familiar with Bethany because they "text each other and stuff" but he bluntly stated they had never met in person. I told Jesse that I would like to meet with him at CPD to get his side of the story. He stated he was in town and near the old Wal-Mart. He stated he did not have to work today and agreed to come to CPD within the next few minutes to meet with me. I explained to Jesse that he was, of course, not under arrest, but that I appreciated him voluntarily coming to meet with me regarding this investigation. After the phone conversation with Jesse, I requested the assistance of Detective Mike Welsh to assist me in interviewing Jesse.</p> <p>When Jesse arrived, he was brought to Interview Room One. The interview was audio/video recorded. I explained to Jesse that Detective Welsh would be assisting me in the interview because it pertained to a sexual assault investigation and, sometimes male subjects are more comfortable speaking about sexual matters to other males..rather than to me. I explained that the sexual assault investigation stemmed from a report filed by Bethany Stiles. Jesse said he was familiar with Bethany Stiles, but stated he had only talked to her through Facebook and through text messages. I explained to Jesse that he was not under arrest or anything and interview was voluntary. He said he understood. I read a statement of rights form to Jesse in which he verbally stated he understood each right as it was read to him. He initialed the responses I had written that he had stated as correct and signed the form in agreeance to waive the rights and to speak to me.</p> | | | | | |

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| <p>Jesse stated he had a high school diploma and was attending college classes at UCA. Jesse said was with the Army National Guard and assigned to the 39th Brigade. Jesse stated he had been deployed to Iraq and while there had hurt his knee and his back while there. He stated he has served three years of his six year contract. Jesse stated he was not under the influence of alcohol or drugs.</p> | | | | | |
| <p>Jesse said he had originally gotten to know Bethany because he had added her as a friend on Facebook. He said he and she started talking on Facebook and then began texting each other. He said while he had been deployed in the military and had simply added random people and that he still randomly adds people now. He said he found it weird because Bethany was always asking him to come over and hang out. He said she had asked him if he wanted to sneak in when her parents were asleep. He said he thought this was strange because Bethany said she was twenty years old and that he thought she might not really be twenty like she said since she still lived with her mom and dad.</p> | | | | | |
| <p>Jesse said his father, Rick Sublett, had received a phone call from Scott Roberts, and old friend of his dad's and a neighbor of Bethany Stiles, saying Jesse had raped a fourteen year old girl, referring to Bethany. Jesse said this supposedly happened on Monday, but that he was in school at UCA from eight o'clock until noon and that any time after that he was with his fiancé. Jesse said he had no reason to rape someone because he was currently in a "very sexual relationship" with his girlfriend, who is now his fiancé. Jesse had heard that a police report was supposed to be made on Tuesday night, but the police did not contact him immediately, so he "blew it off" that they would ask him about the report. Jesse stated that he had "supposedly" gone to high school with Bethany, but that he does not remember her at all from his school days.</p> | | | | | |
| <p>I then confronted Jesse with information that I had that would confirm that he had actually met Bethany in person. He finally admitted that he had met her in person for the first time on Monday at her house. He further said that they had actually talked on the phone for the first time that day. He said he came over between class periods and stayed with her at the house for about an hour then went back to class. He said they had just "hung out and stuff". I wanted more specifics than that but could not get him to just come out and tell me himself, so I began by asking specifically if they had kissed. He stated they had. I asked if they had done anything more than kiss. He quietly replied they had "had sex".</p> | | | | | |
| <p>He said he had lied about meeting her or having sex with her originally because he believed that if a girl says she has been raped, a judge will automatically believe her and that he would be sentenced to jail. Detective Welsh explained that lying caused further problems in such cases and that it would be better to just tell the truth. Detective Welsh asked about the specifics of the sexual act. Jesse said there was kissing and foreplay. Further specifics were that they kissed, touched on each other, made out, and then had "standard" sex. Jesse said he had not worn a condom. He stated he had not had a condom with him and that he had not planned on having sex. Jesse expressed worry that Bethany might be younger than twenty. We confirmed that she was indeed twenty years old.</p> | | | | | |
| <p>Jesse said he was at her house at 9:30 a.m. He said he had gone to his first class from eight o'clock until eight-fifty and had then gone to Bethany's house. He said afterwards he went to his ten o'clock class and then to his eleven o'clock class. He said at her house he knocked on the door and she asked him to come in. He said they went straight to the couch, started kissing, touching and feeling on each other, then had sex. He said he took off Bethany's shirt, she helped</p> | | | | | |

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him take off his pants, and he helped her take off her pants. He said they did not discuss any use of lack of use of a condom.

He said he had talked to her about any use of birth control while they were having sex. He said she had told him she was not using any. Jesse said he "pulled out" and ejaculated in his hand and wiped it on his shirt. He said Bethany told him not to "cum" in her when he told her he was about to ejaculate.

After ejaculation, Jesse said they kissed more then he looked at his watch and said he had to leave to go to class, although he was already late. He said he sent Bethany several text messages after he left, but that she did not reply. Jesse said she finally replied to him in a text message and told him she was "not going to tell anyone what had happened but that she did not think it was right". He sent her text messages after class asking her how she was doing and what she was doing, and that she "went off the deep end from there".

Detective Welsh clarified that Jesse had just said that Jesse had told us that Bethany did not reply to his messages to her, had he agreed that she had not replied to these messages. He said she finally sent him a message later that night at around eleven o'clock. He said he had been writing a college paper and was in a bad mood because the assignment was due the following morning. This time, Jesse told us that the message he received from Bethany told him she "did not know what she needed to do". Jesse said he had replied to her that she should do what she needed to do and he would do what he needed to do. He said she asked him what this meant and he stated he needed to do his homework. He said he heard nothing further from her from there.

Detective Welsh asked Jesse if, prior to having sex with Bethany, if he had made any plans for later with her. He said they had planned to go to a rodeo, but then Bethany stopped talking to him, so... (he trailed off). Detective Welsh asked if Jesse had really planned to go on this date with Bethany and he stated that he had. He said he had told his brother he was going to go "hang out" with this girl. Detective Welsh asked how this would have been perceived since he was engaged to another woman. Jesse said no one really knew about his engagement except his mother, his fiancé, and her parents. He said he had actually gotten engaged after the incident with Bethany. Jesse said he and his fiancé had been dating off and on since high school, but that they had been in a serious relationship since he had returned from Iraq in December 2008. Jesse hung his head as he said this.

Jesse said he and Bethany had only chatted on Facebook for a short time. He said they had then begun texting. He said while he was in Iraq he had talked to her sister M████ S████, whom he saw and added because she was a friend of his father's friend Scott Roberts' daughter C████ on Facebook. He said he had talked to M████ about wanting to "meet her...meet new people". Jesse said M████ asked him if he knew her sister, Bethany, from his high school days. Jesse said he had asked Bethany at one point if they knew each other from high school, but he did not remember what she had said.

Jesse said he had been in remedial math in school because he "did not pay attention in class". He said he had not been in the "special" classes and that he had mainly been focused on his ROTC classes. Jesse said he is now making A's in his college math classes. He said he is currently taking integrated algebra and that the only reason he is in that class is because he "did not come to college straight out of high school". He further said he is taking two college writing classes: Intro to Intro to College Writing and Intro to College Writing as well as a Reading class. He said his grades are A's and B's. He clarified that he is not now nor has he ever had to take special education classes. He stated he currently works for his dad "laying

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carpet".

When asked, Jesse said he did know that Bethany had a learning disability. He said she had not seemed "too disabled" to him. He said she had "hinted" at stuff, but that she had told him she was in college, so he dismissed some of this. He said she had not told him specifically that she had a learning disability, but he said he knew when he saw her. He clarified about the "hints" by saying how Bethany had always talked about how her mother "talked down" to her and how her parents "would not allow" her to get a job. He further said she had "hinted" that she was always in the "slower" classes in high school. Jesse said he told her he had A.D.D. and that he was in "slower" classes, too. He said Bethany had told him she had "heart problems" but he said he did not know she had undergone open heart surgery until he met her. Jesse said the one time he had talked to Bethany on the phone he had not noticed her speech impediment because he has "really bad hearing".

Jesse said it was ten to fifteen minutes after he got to Bethany's house before they "made out". He said he had asked her on the phone if she had "ever had sex". He said she told him she had had sex twice before. He said she asked him and he said he had had sex thirteen times. Jesse said he was aware that Bethany lived with parents, and knew that they probably did not want anyone over, but said denied knowing if they would "get mad" about him being there. Jesse explained, when told that it seemed odd for him to assume if would be okay for him to go over to Bethany's house early in the morning without her parents there, by saying that this was the only time he had that he would be able to visit her.

Jesse denied ever engaging in any activity like this before or any spontaneous sexual encounters previously. Jesse asked what was going to happen with all this. We explained that the investigation not complete. Detective Welsh explained that no one was saying that Jesse had held Bethany down and forced her to have sex. He clarified with Jesse that Bethany said that they had talked about having sex, there was talk about a condom, of which one was not available, and that "it got too hot and heavy and went further than she wanted it to". Jesse said he felt sorry that she felt that way and that he did not want her to feel that way. Jesse then explained that Bethany was "saying no, no, no, no!" when he had told her he was about to "cum". He said the sex had lasted about two to three minutes. He said she had not asked him if he had a condom, but that he had known that he did not have one. He denied checking in his wallet for a condom. Jesse then said Bethany "might have asked" him about a condom while they were texting each other, asking if he "had condoms".

He said they did not text asking if they were going to have sex. When asked about the text messages to see if they were still on Jesse's phone, Jesse said his iPhone "automatically deletes text messages every twenty-four to forty-eight hours". He then changed this and said that he had actually deleted Bethany's phone number from his phone when he saw that she had deleted him as her friend on Facebook and the messages. He said the text messages were just of him talking to her.

I asked Jesse specifically about the message he had sent her that said that he felt bad because "I made ya have sex". Jesse tried to explain. He said Bethany "looked like she was a little shaken up" and he said she didn't really look like she had wanted to [have sex] afterward". Jesse said during the sex, he could tell that she was having "second thoughts". He further said, "You can tell when a girl...when you're in the middle of something...if she is wanting to do it anymore". He said "about one minute or so" after he realized she did not want to have sex he pulled out and ejaculated in his hand. Jesse said at the

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beginning of the sex, he asked about any birth control. He said she did not make mention of her fear of getting pregnant until after they had sex. He said they had talked about STDs before they had sex, while they were still texting each other. He said he had told her he was "clean" and that he had been checked by the military.

This type of talk contradicted what Jesse had said earlier about how he and Bethany had not talked about planning to have sex before they met. Jesse then tried to say that he had not known that they were going to have sex, but that he had been hoping to have sex, which he and Detective Welsh clarified was a true male mentality. Jesse then interjected that he "felt stupid about going over there" since he had a girlfriend. Detective Welsh brought him back on point by explaining that most men, talking about what he says he and Bethany talked about, would be hoping to have sex. Jesse then nodded and agreed saying, "As a guy, I mean yeah..." that was going to try to have sex with Bethany.

Jesse confided that he had originally planned on going to Bethany's house and staying over there for a while, that but that it had gotten awkward after they had sex. He said they had still been talking after having sex, but he said he felt bad for cheating on his girlfriend. I again asked Jesse about the message he had sent to Bethany about feeling bad for making her have sex. Jesse's explanation was that he had cheated on his girlfriend and that this had made him feel bad so he had (for some still unexplained reason) apologized to Bethany because he had "done something stupid" so he "sent her that message". Jesse said it was his fault and that he could have easily "not let this happen". Jesse again tried to bring the focus onto his girlfriend and how he was "stupid for always trying to talk to people and meeting people" because "you never know what will happen when you meet people", as if random sexual encounters were almost unavoidable if a person meets with people they do not know. He further went on to say that he "went to the house of someone" that he did not know and had then "made a mistake". When asked why he felt so responsible for what happened he said, "One can easily arouse people to do stuff" and agreed with Detective Welsh when he asked if Jesse "may have seduced her a little bit".

Jesse said when he first saw Bethany, he could tell she "has had some problems in life". Jesse then said he "did not want to be rude and just leave because she was not your average person...the way the world wants them to be" so he went on inside and then proceeded with the sexual act with Bethany, despite her obvious mental and physical disabilities. Jesse said he had never dated anyone with learning disability before but said he would not discriminate against anyone in considering dating them.

Jesse wanted to know what Bethany's family wanted to happen in the investigation. It was explained to Jesse that Bethany was concerned that she was not as willing as was trying to make her sound, (although he had already faltered on this take several times throughout the interview). Jesse wanted to know if the victim family wanted to file charges against him. We explained that charges would be filed at the discretion of the prosecutor's office.

Jesse was asked to clarify about any oral sex that may have occurred. Jesse still denied that either party had performed oral sex on the other. I told Jesse about one message I remembered from Bethany's phone in which she had asked Jesse about any STDs, which was sent after they had sex. Jesse said he does not have a good memory and said he could not recall. Jesse said Scott Roberts had told his dad Rick that the hospital had tested Bethany and that the tests had confirmed that she had an STD. I also asked Jesse about a text message I had seen in which he told her to quit texting him and I asked him when and why he had sent this message to her, since it did not go along with what he had told us. He said he had sent this message when he was

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|---|--------------------|-----------------------------|-----------------------------------|--------------|--------------------------------|
| PAGE# 12 | DATE 10/14/2009 | INCIDENT NUMBER 09-11687 | REPORTING OFFICER LOIS SPENCER | CODE# 320 | VICTIM NAME Stiles, Bethany |
| NARRATIVE: | | | | | |
| <p>working on his homework and he said she had stopped texting him so he "figured she wasn't too happy". When asked if Jesse had blocked Bethany from his Facebook account, he only replied that he had blocked one of her friends from his account. He then said, "We tried to get on her Facebook earlier" but that her account was gone. When asked, Jesse said he had not told his father, when he had asked him about this incident, that he had had sex with Bethany. We talked to Jesse, that he was an adult, so he could do whatever he wanted, but if charged were to be filed it would probably be easier for his father to hear this information from him. We thanked Jesse for coming in and he left the interview room and CPD.</p> | | | | | |
| <p>I later explained the facts of this case to deputy prosecuting attorneys Jason Barrett and David Hogue. They advised to prepare the case for a probable cause hearing in which to seek one count of Rape against Jesse Sublett. I testified to the facts of this case before the Honorable Judge David Reynolds. After hearing the facts, he agreed that probable cause did exist to charge Jesse Sublett with the violation. The signed warrant was taken to the Faulkner County Circuit Court Clerk for filing. While having the warrant filed, that office received a call stating the warrant had been recalled. I returned to the judge's office where Judge Reynolds told me the prosecutor's office had recalled the warrant pending DNA testing. I went to speak with DP Hogue about this, but he was unaware of the recall. I also went to speak with Prosecutor Marcus Vaden about the recall as instructed by Judge Reynolds. Mr. Vaden stated he was unaware of any of the facts of the case and stated he would call me that afternoon. No call was received. I later spoke to David Hogue and he advised me to forward all case documents to his attention for a review. A copy of the entire case file including all digital evidence was made and given to Mr. Hogue.</p> | | | | | |
| <p>On October 26, 2009, David Hogue came to CPD to explain that had had been advised by Mr. Vaden that the office of the prosecutor had decided that no charges would be filed against Jesse Sublett regarding this case. Lt. Laura Hodges was present with me during the meeting. Lt. Hodges and I discussed the facts of this case in great detail and Mr. Hogue advised, having again heard the facts, that he was comfortable with charging Mr. Sublett with rape. He stated he would approach Mr. Vaden about the case and would request that he be allowed to prosecute this case since he believed in the merits of the case and felt he could successfully prosecute Jesse Sublett for his actions in raping Bethany Stiles.</p> | | | | | |
| <p>On November 02, 2009, CPD Chief AJ Gary advised Major Spradlin that Marcus Vaden had stated that he had reviewed this case as submitted in entirety and that he had denied any criminal charges to be filed. I was told by Major Spradlin to follow up with Mr. Vaden regarding this information to document that the charges were definitely denied and that no further action would be requested or required of CPD in the investigation of the allegations. I spoke to Mr. Vaden via telephone. He stated no charges would be pursued against the suspect due to his opinion that the case was "unwinable". I asked if any further action or investigation by CPD could assist in enabling the prosecution and he stated there was really nothing that could be done to make the case suitable for charges by his office. He stated, when asked, that he had not received the psychological documentation pertaining to Bethany Stiles that had been faxed to David Hogue and had been given to him in person when he came to CPD to review this case last week. I advised him that I would promptly send the documents to his attention. He advised the documents would be reviewed, but that they would have no bearing on the decision he had made on this case regarding prosecution.</p> | | | | | |