

FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION
COVER SHEET

SUBJECT Don Henry/Kevin Ives

FILE NUMBER 166C-LR-35380

SECTION NUMBER ELA1

Memorandum



LR-16

To : SAC, LITTLE ROCK

Date 2/2/95

From : SA [REDACTED] b7C

Subject: CONSENSUAL MONITORING

CCTV _____
PEN REGISTER _____
TELEPHONIC _____ X

This form is to be executed in instances where CCTV, PEN REGISTERS and TELEPHONIC monitoring techniques are to be used. A separate form must be executed for each different technique used in a case.

CASE CAPTION: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED); ET AL.; OO: LR

LR FILE 166C-LR-35380 SAC [Signature] DATE 2/2/95
SUPERVISOR [Signature] DATE 2/2/95

FACTS AND JUSTIFICATION FOR USE OF TECHNIQUE. (GIVE SPECIFIC FACTS) ATTACH ADDITIONAL SHEETS IF NEEDED:

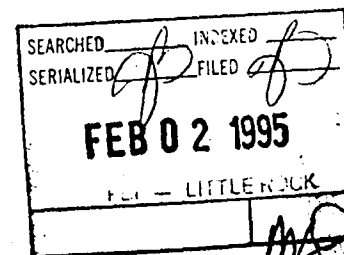
Captioned victims were discovered on 8/23/87 in the early morning hours after their bodies had been overrun by a Union Pacific train. Investigation in this case has been intentionally riddled with rumors and innuendos. Investigation, at this point in time, reveals that a coverup in the investigation exists with law enforcement involvement as well as with the [REDACTED] to work the case. (CW [REDACTED] Prosecutor Dan Harmon, [REDACTED])

(See attached) b2 b7D, b7C

AUSA SANDRA CHERRY on 2/1/95 was contacted and concurs in use of the consensual monitoring technique. (If a Bureau Source is the consenting party, give symbol number [REDACTED]) b2, b7D

U.S. Attorney's Office notified by confirming letter dated 2/2/95.

- 1 - Case File 166C-LR-35380
- 1 - Case ELSUR Subfile 166C-LR-35380 Sub ELAI
- 1 - Telephonic (66-1802) _____
- CCTV (66F-LR-34301) _____
- Pen Registers (66-2117) _____



166C-LR-35380-ELAI-1

Captioned victims were discovered during the early morning hours or 8/23/87 after they were run over by a Union Pacific train. Investigation to date reveals that the [REDACTED] the investigation to protect his own involvement with drug traffickers in Saline County, AR. Recently a Cooperating Witness [REDACTED]

b7C
b7D

It is the opinion of the CW that [REDACTED]

11/27/96
16:05:16

Case Review Sheet

ICMVMR08
Page 6
CASES

b7C

Investigator . . . : [REDACTED]
Case ID. . . . : 166C-LR-35380-ELA1
Title: HENRY, DON;
(CONSENSUAL MONITORING - TELEPHONIC)

Case Squad: 2

Opened: 02/03/1995 Assigned: 06/04/1996 Deadline: Program: 08
ELSUR: Y STOP: FOIPA: PI:

Brief description of work done since last Case Review:

Brief description of work to be done during next Case Review period:

Estimated work necessary in days/hours during next Case Review period: _____

Squad Supervisor/SSRA/other reviewer comments and instructions:

Ticklers to be set: _____

Case has forfeiture potential: Yes ___ No ___ If yes, memorandum to Paralegal/Forfeiture analysts. Supervisor initials: _____

Reassign to SA [REDACTED]
[Handwritten signature]

b7C 166C-LR-35380-ELA 1-1

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
DEC 2 1996	
FBI - LITTLE ROCK	

[Handwritten initials]

Memorandum



LR-16

To : SAC, LITTLE ROCK

Date 2/2/95

From : SA [REDACTED]

b7C

Subject: CONSENSUAL MONITORING

CCTV _____
PEN REGISTER _____
TELEPHONIC _____ X

This form is to be executed in instances where CCTV, PEN REGISTERS and TELEPHONIC monitoring techniques are to be used. A separate form must be executed for each different technique used in a case.

CASE CAPTION: UNSUBS; KEVIN IVES (DECEASED); DON HENRY (DECEASED);
ET AT: OO: LR

LR FILE LR 166C-LR-35380 SAC [Signature] DATE 2/2/95
SUPERVISOR [Signature] DATE 2/2/95

FACTS AND JUSTIFICATION FOR USE OF TECHNIQUE. (GIVE SPECIFIC FACTS) ATTACH ADDITIONAL SHEETS IF NEEDED:

Captioned victims were discovered on 8/23/87 in the early morning hours after their bodies had been overrun by a Union Pacific train. Investigation in this case has been intentionally riddled with rumors and innuendos. Investigation, at this point in time, reveals that a cover up in the investigation exists with law enforcement involvement as well as with the [REDACTED] to work the case. (CW [REDACTED] Dan Harmon [REDACTED])

b2
b7C
b7D

(See Attached)

AUSA SANDRA CHERRY on 2/1/95 was contacted and concurs in use of the consensual monitoring technique. (If a Bureau Source is the consenting party, give symbol number [REDACTED]) b2, b7D

U.S. Attorney's Office notified by confirming letter dated 2/2/95

- 1 - Case File 166C-LR-35380
- 1 - Case ELSUR Subfile 166C-LR-35380 Sub ELA1
- 1 - Telephonic (66-1802)
- CCTV (66F-LR-34301) _____
- Pen Registers (66-2117) _____

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
FEB 02 1995	
FBI - LITTLE ROCK	

166C-LR-35380-ELA1-2

Captioned victims were discovered during the early morning hours on 8/23/87 after they were run over by a Union Pacific train. Investigation to date reveals that the [REDACTED] the investigation to protect his own involvement with drug traffickers in Saline County, AR. Recently a Cooperating Witness [REDACTED]

b7C
b7D

It is the opinion of the CW that [REDACTED]

Memorandum



LR-16

To : SAC, LITTLE ROCK

b7C

Date

June 21, 1995

From : SA [REDACTED]

270F, LR 36678

b7C

Subject: CONSENSUAL MONITORING

SSA [REDACTED]

PEN REGISTER
TELEPHONIC

Bo 97 X

This form is to be executed in instances where CCTV, PEN REGISTERS and TELEPHONIC monitoring techniques are to be used. A separate form must be executed for each different technique used in a case.

CASE CAPTION:

Unsubs; Kevin Ches (Deceased), Don Henry (Deceased),
ELAI OO:LR to SAC [REDACTED]

LR FILE 166 CLR 35380

SAC [REDACTED]
SUPERVISOR 6/21/95

DATE 6/23/95
DATE 6/21/95

FACTS AND JUSTIFICATION FOR USE OF TECHNIQUE (GIVE SPECIFIC FACTS) ATTACH ADDITIONAL SHEETS IF NEEDED:

b7D

Bureau source is [REDACTED]

Don Henry and Kevin Ches [REDACTED]

[REDACTED]

AUSA Brent Bumpus on June 20, 1995 was contacted and concurs in use of the consensual monitoring technique. (If a Bureau Source is the consenting party, give symbol number [REDACTED])

b2, b7D

U.S. Attorney's Office notified by confirming letter dated June 20, 1995.

Case File 166 CLR 35380

Case ELSUR Subfile 166 CLR 35380

Sub ELAI

1 - Telephonic (66-1802)


CCTV (66F-LR-34301)

Pen Registers (66-2117)

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 21 1995	
FBI - LITTLE ROCK	

166 CLR-10-35380-ELAI-3

b2
b7D
CW



Execute, serialize and retain in a separate sublettered file to the case file. Additional sheet(s) may be attached to this form as necessary to enter data regarding any item below. Each sheet attached should be numbered as an additional page and reflect the item number being continued.

	Serial Number	Initials
1. It will be the responsibility of the case Agent and his/her supervisor to ensure compliance with these instructions.		
2. Review MIOG, Part II, Sections 10-9, and 10-10 through 10-10.2.		
3. Contact with Squad Supervisor.		
4. Ensure availability of equipment and necessary support.		
5. Opinion of USA obtained prior to CM and confirmed in writing.		
6. Memo to SAC for authority, initialed by Squad Supervisor, that includes brief facts of case, opinion of USA and consent of party obtained.		
7. Tickler set for expiration of authorization, if appropriate.		
8. Execute FD-472 and retain as evidence.		
9. Contact with ELSUR support employee for coordination of necessary recordkeeping.		
10. Contact with appropriate employee for equipment and necessary support (only after proper authorization).		
11. Mark Recording for Identification purposes. See MIOG, Part II, Section 16-8.1.2.		
12. Execute FD-504 in its entirety for each original tape at the time the tape is initially removed from the recording device or accepted into custody by the FBI.		
13. Complete FD-192 and attach to FD-504. Handcarry to ELSUR tape custodian for duplicating and retention. Assure adherence to 5-day evidence control rule.		
14. Ensure FD-504 sealed and accepted into custody by the tape custodian.		
15. ELSUR indexing completed.		
16. Stamp "ELSUR" on file jacket of Vol. I and all subsequent volumes to the case file.		
17. Review case file and notify ELSUR support employee in writing (by routing slip or memo) of the full name, initial overhear date and subsequent overhear dates of any individual monitored previously, but not sufficiently identified for ELSUR indexing purposes.		
18. Supervisor's initials and date certifying compliance with above procedures.		



b2
b7D

CONE

(Date)

U.S. Department of Justice

Federal Bureau of Investigation



In Reply, Please Refer to
File No. 166C-LR-35380

10825 Financial Centre Pkwy., #200
Little Rock, Arkansas 72211
July 12, 1995

Honorable Paula J. Casey
United States Attorney
Eastern District of Arkansas
Little Rock, Arkansas

Attention: Mr. Brent Bumpers
Assistant United States Attorney

Dear Ms. Casey:

The purpose of this letter is to confirm a conversation which took place on June 20, 1995, between Assistant United States Attorney (AUSA) Brent Bumpers of your office and Special Agent (SA) [redacted] of our office when the following was discussed:

b7C

b7D

b7C

SA [redacted] advised AUSA Bumpers that Little Rock Federal Bureau of Investigation (FBI) currently has a source [redacted] the FBI. The source [redacted]

[redacted]ths of Don Henry and Kevin Ives.

The source has agreed to wear a body recorder [redacted]. In the event that testimony in court is necessary, the source understands that he/she must testify. After hearing the above-mentioned facts, AUSA Bumpers advised that he concurs with this type of

- 1 - Addressee
- ② - Little Rock (166C-LR-35380) (SQ 2) (P)
- PJC/sso
- (3) JJS

166C-LR-35380-ELAI-4


Searched	
Serialized	af
Indexed	
Filed	

investigative activity and foresees no entrapment. If you need any further information regarding the source or information that will be provided, do not hesitate to contact us here at Little Rock FBI.

Sincerely yours,

William C. Temple
Acting Special Agent in Charge

By:

 b7C
Supervisory Special Agent

Execute, serialize and retain in a separate sublettered file to the case file. Additional sheet(s) may be attached to this form as necessary to enter data regarding any item below. Each sheet attached should be numbered as an additional page and reflect the item number being continued.

67C

Serial Number	Initials
1. It will be the responsibility of the case Agent and his/her supervisor to ensure compliance with these instructions.	_____
2. Review MIOG, Part II, Sections 10-9, and 10-10 through 10-10.2.	_____
3. Contact with Squad Supervisor.	_____
4. Ensure availability of equipment and necessary support.	_____
5. Opinion of USA obtained prior to CM and confirmed in writing.	_____
6. Memo to SAC for authority, initiated by Squad Supervisor, that includes brief facts of case, opinion of USA and consent of party obtained.	_____
7. Tickler set for expiration of authorization, if appropriate.	_____
8. Execute FD-472 and retain as evidence.	_____
9. Contact with ELSUR support employee for coordination of necessary recordkeeping.	_____
10. Contact with appropriate employee for equipment and necessary support (only after proper authorization).	_____
11. Mark Recording for Identification purposes. See MIOG, Part II, Section 16-8.1.2.	_____
12. Execute FD-504 in its entirety for each original tape at the time the tape is initially removed from the recording device or accepted into custody by the FBI.	_____
13. Complete FD-192 and attach to FD-504. Handcarry to ELSUR tape custodian for duplicating and retention. Assure adherence to 5-day evidence control rule.	_____
14. Ensure FD-504 sealed and accepted into custody by the tape custodian.	_____
15. ELSUR indexing completed.	_____
16. Stamp "ELSUR" on file jacket of Vol. I and all subsequent volumes to the case file.	_____
17. Review case file and notify ELSUR support employee in writing (by routing slip or memo) of the full name, initial overhear date and subsequent overhear dates of any individual monitored previously, but not sufficiently identified for ELSUR indexing purposes.	_____
18. Supervisor's initials and date certifying compliance with above procedures.	_____
	(Date)

