

Lonoke

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witness, testified Thursday
against Cox.

Though Tyler said he couldn't remember any dates or times, he testified before Judge John Cole that Cox had driven him past Adams' home and McCastlain's home, and discussed with him the best way to kill both people.

"He said [McCastlain] has a servant, and the best way is to hold the servant and tie her up and do Lona when she comes in," Tyler said.

Tyler said Cox also asked him to burn down McCastlain's home and the Lonoke County Courthouse, to destroy documents relating to the case. He said he never planned to go through with the plan and told an FBI agent in Dallas about Cox's request to have him kill people.

Under questioning, Tyler couldn't name the date of that encounter, nor could he name the agent.

While questioning Tyler, John Wesley Hall, an attorney for Cox, asked him how many times he had been solicited to commit murder in his life.

"Probably four or five," Tyler said.

"You ever do any of them?" Hall asked.

Tyler declined to answer.

"You are on the stand, telling a story about Bobby Cox threatening to kill someone, I've got a right ..." Hall began to say.

"You got a right to kiss my ass," Tyler said.

After conferring with an attorney, whom Cole appointed on a temporary basis to provide legal advice, Tyler said he would not answer questions about any slayings he might have committed based on his Fifth Amendment constitutional right not to incriminate himself.

Stepping off the witness stand, the tall, burly Tyler — who is bald and sported a bushy white mustache — flung a leather Harley-Davidson jacket over his shoulder, looked at Cox and said to him, "Don't look at me hard, Bobby, that s*** ain't going to work."

McCastlain told Cole that she wanted Tyler to testify before the jury about two matters: the alleged death threat against a prosecution witness and an allegation that Tyler, Cox and Larry Norwood — another bail bondsman facing a later trial — had asked Conway police to arrest Adams so he would be unavailable to testify.

"Both of those are certainly relevant," McCastlain said. "It certainly goes to guilt, and it is permissible."

Hall argued that Tyler's refusal to answer any questions about other murder solicitations denied his client, Cox, the right to confront his accuser as established by the Sixth Amendment to the U.S. Constitution.

"If Mr. Tyler takes the stand, this is almost a certain mistrial," Hall said.

Patrick Benca, an attorney for Jay Campbell, said that if Tyler were allowed to testify, his client should be granted a separate trial.

"[With the Campbells] we are talking about possession of prescription drugs, and illicit sex," Benca said. "Now all the sudden we are talking about issues relating to the killing of a witness in this case, and potentially killing a prosecutor in this case, as well as burning down a courthouse — judge, you have got to be kidding me. This is extremely prejudicial."

Mark Hampton, an attorney for Kelly Campbell, said he would want a separate trial for her because Tyler was a former client.

As such, Hampton said, he might be called to testify to rebut allegations made by Tyler.

Hall said what happened with Tyler on Friday was what all the defense attorneys had warned about in their previous requests for separate trials.

"This is the train wreck we were talking about back when we had pretrial hearings," Hall said.

After hearing Tyler's testimony and the attorneys' subsequent requests, Cole ordered a recess until 1 p.m. When court resumed, again with the jury not present, Hall asked for a mistrial. He argued that, because jurors were not sequestered, they were likely to hear about Tyler's

allegations, given extensive media coverage of the trial. Cole denied that motion, saying it was premature. (The judge has previously instructed the jury not to read, watch or listen to any press coverage of the case.)

Cole said he would decide on the requests for separate trials later, specifically when McCastlain tries to call Tyler as a witness in the case.

McCastlain asked to proceed with the trial, reserving her right to call Tyler.

Cole agreed, the jury was summoned and trial testimony resumed.

Mike Bush, a former Lonoke police officer who had been assigned to a Drug Enforcement Administration task force, testified that he had spoken with Adams about allegations that Cox and Jay Campbell had recruited Adams to cook and plant drugs on someone in hopes that person would turn in a fugitive who had jumped a substantial bond posted by Cox.

Bush said he informed his supervisor at the DEA, as well as former Lonoke Police Department captain, Sean O'Nale, who was his direct supervisor at the time.

Three state Crime Laboratory examiners testified about a methamphetamine lab seized by the Lonoke County sheriff's office.

One examiner told the jury he had found a fingerprint belonging to Adams and a second examiner said he found methamphetamine residue on the lab components.

Lloyd Crews, a convicted felon, who has served time on a murder charge and is on probation on drug charges, testified that Bobby Cox and Larry Norwood beat him up at a North Little Rock motel while they were searching for his sons, who had jumped bail held by the two bondsmen.

Also Friday, a juror was dismissed after he spoke to the judge about seeing Jay Campbell talking with a woman in a parking lot outside the Cabot District Court room.

The juror said he believed the woman had a "bugging device" in her purse and was concerned enough that he told the bailiff and then the judge.

The juror told Cole he could still be impartial, but defense attorneys argued that the perceived misconduct would be in his mind and asked that he be dismissed. Cole agreed, and one of the four alternates — who have heard all the trial testimony — was chosen to become an active member of the jury.

Testimony is scheduled to resume at 9 a.m. Monday in Cabot District Court, where the Lonoke County Circuit Court trial is being held to avoid tying up a circuit courtroom for an extended period.

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Arkansas Democrat-Gazette/ STATON BREIDENTHAL

Bobby Junior Cox (right) talks with his attorney, John Wesley Hall, on Monday in a Cabot courtroom, where Judge John Cole declared a mistrial in the conspiracy case against Cox, a bail bondsman. The prosecution of co-defendants Jay and Kelly Campbell continued.

Bondsman gets mistrial; conflict of interest ruled

Campbells' trial can go on, judge says, but threatens muddle Cox case

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — A special circuit judge declared a mistrial Monday in the case against bail bondsman Bobby Junior Cox, but ordered that the state could proceed in a corruption case against former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell.

Cox and the Campbells have sat together as defendants for more than a month in a corruption trial in which the three are accused of conspiring together as part of a criminal organization seeking money, sex and drugs.

The mistrial declaration came after special Circuit Judge John Cole of Sheridan granted a defense motion asking for the disqualification of Lonoke County Prosecuting Attorney Lona McCastlain for conflict of interest in the case against Cox.

John Wesley Hall, an attorney for Cox, argued that McCastlain cast herself as a victim in the case after she indicated in an e-mail to Hall over the weekend that she planned to prosecute Cox on a new charge of solicitation to commit capital murder. The new charge is based on allegations made by Ron Tyler, a convicted felon, who testified Friday without the jury present that Cox asked him to murder McCastlain and Ron Adams, a state witness who testified against Cox, as well as burn down McCastlain's home and the Lonoke County Courthouse.

In a motion seeking disqualification, Hall wrote that McCastlain had a personal interest "in getting Bobby Cox."

He accused her of making a mockery of the judicial system.

"She disgraces the legal profession."
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Mistrial

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fession, Lonoke County, the Arkansas State Police and the state of Arkansas with these antics, turning this case into a personal soap opera in which she can now be a victim and heroine and the rest of us her bit players," the motion states.

After considering the motion for more than an hour, Cole ruled that McCastlain should be disqualified from Cox's case and declared a mistrial.

"These are unusual circumstances," Cole said. "However, when I consider the fact that this is a threat against the prosecutor's life, it is a threat to burn the prosecutor's home, it is a threat allegedly made directly by Mr. Cox ... Given the nature of those allegations, I can't see how it can be said there is not a conflict of interest."

In an interview after court, Cox, who is from Cabot, said he was thankful for the judge's ruling.

"There are three things — lies, politics and the truth. And this is all lies," he said, referring to both the original charges against him and the allegations that he threatened anyone's life.

"I am glad that there is a good judge up there reading between the lines," Cox said.

Cole's decision means that the existing jury panel will no longer consider a case against Cox, and that McCastlain cannot prosecute any future case against Cox.



Arkansas Democrat-Gazette/
STATON BREIDENTHAL

Prosecuting Attorney Lona McCastlain makes a phone call Monday during a break in the Lonoke corruption trial.

Cox was initially charged with four counts: engaging in a continuing criminal enterprise, manufacturing a controlled substance, terroristic threatening and intimidating a juror, witness or informant.

McCastlain said she plans to ask the state to appoint a special prosecutor to determine what, if any, charges will be pursued against Cox in the future.

"It will all be their case," McCastlain said, referring to both existing charges and any new charges relating to the allegations of solicitation to commit murder.

Hall said he believes a new prosecutor will be more objective.

"A special prosecutor will look at this case differently and come to a different conclusion as to whether it should be brought," he said.

Mark Hampton, an attorney for Kelly Campbell, asked that Cole allow him to withdraw from the case because he had once represented Tyler in unrelated matters.

Cole denied that motion.

Both Hampton and Patrick Benca, an attorney for Jay Campbell, also asked that McCastlain be disqualified from prosecuting their clients based on the same arguments that Hall made regarding Cox.

Cole denied those motions.

When asked whether they believed that their clients could get a fair trial in light of the mistrial ruling, and the fact that the jury had already heard some evidence against Cox in the case, both Hampton and Benca said they had concerns, but the judge seemed confident that the Campbells could receive a fair trial.

When the jury was brought into the courtroom after 1 p.m., Cole informed them that Cox's case had been severed from the Campbells' case and that they were to disregard any testimony relating to Cox's alleged crimes.

The state then began to call witnesses in its case against the Campbells. The first was an insurance adjuster who investigat-

ed an alleged robbery that was brought up earlier in the trial. The state then recalled three current or former Lonoke police officers who had previously testified to reiterate points they had testified to earlier.

The state's primary witness Monday was former Lonoke Police Department Capt. Sean O'Nale, who testified about a variety of circumstances that had been alluded to during previous testimony in the case.

O'Nale spoke of concerns that he had regarding Kelly Campbell's familiarity with Act 309 inmates, and his eventual discovery that she had been having a sexual relationship with one of them. (The Act 309 program is designed to alleviate state prison overcrowding while providing public works crews at city and county jails.)

O'Nale also talked about the September 2004 arrest of a man named Roger Light on charges of possession of methamphetamine.

Prosecutors have alleged that Jay Campbell was involved in a scheme to set up Roger Light by having a man named Ronald Adams give him drugs.

The intent, prosecutors say, was that after his arrest, Light would help Campbell and two bail bondsmen locate a fugitive who had skipped out on a substantial bond posted by Bobby Cox.

O'Nale is expected to retake the stand when testimony resumes at 9 a.m. today in Cabot District Courtroom.

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WEDNESDAY, APRIL 4, 2007

Prosecutors rest in trial of ex-chief, wife

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — After nearly five weeks of testimony by a procession of witnesses ranging from state prison inmates to the mother of a defendant, Lonoke County prosecutors rested their case Tuesday in the corruption trial of former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell.

The two are accused of conspiring as part of a criminal organization seeking drugs, sex



J. Campbell

and money.

Special Circuit Judge John Cole, who was appointed to hear the case, declared a mistrial



K. Campbell

Monday in the prosecution of a third defendant, bail bondsman Bobby Junior Cox.

Attorneys are scheduled to present motions to Cole today, starting at 1 p.m., and jurors are expected back in the Cabot District Court courtroom at 9 a.m. Thursday to begin hearing the defense's case.

The 19th day of testimony Tuesday began with the continued cross-examination of Sean O'Nale, a former Lonoke Police Department captain, who had

previously related his concerns about the department under Jay Campbell's leadership and spoken of his involvement in the September 2004 arrest of Roger Light on a charge of possession of methamphetamine.

The state has alleged that Jay Campbell was involved in a scheme to set up Light by having another man, Ronald Adams, give Light drugs. As laid out by prosecutors, the plan was for Light, after his arrest, to help Jay Campbell, Cox and a second

bail bondsman, Larry Norwood, find a fugitive who had skipped out on a substantial bond posted by Cox.

Jay Campbell is charged with criminal conspiracy to manufacture a controlled substance, hindering apprehension or prosecution, and filing a false report with a law enforcement agency in connection with this alleged scheme.

O'Nale testified that Jay Campbell had told him to speak

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Trial

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with Norwood, who purportedly had a tip about someone who would have methamphetamine on him. O'Nale said he talked with Norwood, and then arranged to be with Arkansas State Police troopers to stop this person, Roger Light, when he drove by a certain area. State police stopped Light for speeding, O'Nale said, and he arrested Light after discovering methamphetamine in the man's sock.

Patrick Benca, an attorney for Jay Campbell, tried to cast doubt on the "setup" theory, asking O'Nale whether it would have been legal and easier for the Lonoke Police Department, if it wanted to set up Light, to arrange a "controlled buy" with an undercover officer or informant.

"That was an available option?" Benca asked.

"Yes," O'Nale said.

On redirect questioning, Stuart Cearley, a Lonoke County deputy prosecuting attorney, asked O'Nale about Jay Campbell's reported discovery of a portable methamphetamine laboratory on the day of Light's arrest and in the same part of rural Lonoke County where the arrest happened.

O'Nale said that he had seen Jay Campbell that day talking with Lt. Jim Kulesa of the Lonoke County sheriff's office in the parking lot of the Lonoke County Courthouse. During that conversation, O'Nale said, Campbell turned over the laboratory to Kulesa.

Cearley asked whether any connection was made between the methamphetamine laboratory and Light's arrest.

Not at the time, O'Nale replied.

Cearley then asked O'Nale whether it was proper police procedure for an officer to pick

up and carry a methamphetamine laboratory more than 10 miles from where it was discovered, if it was found outside that officer's jurisdiction — which, in Campbell's case, was the Lonoke city limits.

"When you find a meth lab, is it a crime scene?" Cearley asked.

"Yes, it is," O'Nale said.

"Should you pick it up and transport it 10 miles?" Cearley asked.

"No," O'Nale said, adding that methamphetamine laboratories were hazardous and should be disposed of in a specific way.

Also testifying Tuesday was Roger Light, the man whom O'Nale arrested on a charge of possession of methamphetamine. Light, a former Little Rock firefighter, testified that he believed he was set up. He said investigators who questioned him were more interested in his friend, Gene Beasley, the fugitive bondskipper.

Kulesa, of the sheriff's office, also testified. He said he thought it was odd that Campbell had taken the methamphetamine laboratory to him, rather than calling the sheriff's office and asking that deputies be dispatched to pick it up.

In presenting its case, the prosecution elicited testimony from several state prison inmates who had been housed at the Lonoke city jail as Act 309 inmates during Jay Campbell's time as police chief. The Act 309 program is designed to relieve prison overcrowding while providing cities and counties with inmate labor for such tasks as jail maintenance and upkeep. One inmate previously housed in Lonoke was on the stand for four days, detailing his sexual relationship with the chief's wife, Kelly Campbell.

Other state witnesses included friends and neighbors of the Campbells, who testified that prescription drugs and sometimes jewelry went missing when the Campbells visited; admitted

drug users, who testified that Jay Campbell stole money and drugs from them; and Jay Campbell's mother, who testified about the whereabouts of another son when the home of one of the Campbells' neighbors was burglarized. Defense attorneys suggested Jay Campbell's now-deceased brother was responsible.

In granting Cox a mistrial, Cole agreed with a defense argument that Lonoke County Prosecuting Attorney Lona McCastlain had a conflict of interest in prosecuting Cox.

John Wesley Hall, an attorney for Cox, said the conflict existed because McCastlain had told him over the weekend that she intended to charge Cox with a new charge of solicitation to commit capital murder arising from testimony, given Friday outside the jury's presence, by a man who said Cox had asked him to kill a prosecution witness as well as McCastlain.

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THURSDAY, APRIL 5, 2007

Lonoke case made? Judge decides today

Attorneys for ex-chief, wife want most charges tossed

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — A judge said Wednesday he will rule this morning on defense motions to dismiss most of the state's charges against former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell, including the principal count of operating a "continuing criminal organization or enterprise."

The state failed to meet its burden of proof during 17 days of testimony by prosecution witnesses before a Lonoke County Circuit Court jury, attorneys for the Campbells argued Wednesday before special Circuit Judge John Cole.

Lonoke County prosecutors, led by Prosecuting Attorney Lona McCastlain, rested the state's case Tuesday. The jury got the day off Wednesday and is due back at 9 a.m. today.

The defense wants Cole to grant what is known as a directed verdict on the bulk of the

charges, arguing that a jury cannot consider a case the state has failed to make. Raising many of the points he made in pretrial motions seeking dismissal of the charges, Patrick Benca, an attorney for Jay Campbell, first asked for a directed verdict on the principal count.

State law, specifically Arkansas Code Annotated 5-74-104, says a criminal organization charge must arise from a series of two or more "predicate criminal offenses" performed in concert with two or more other people. A "predicate criminal offense" is any crime of violence or pecuniary gain, the statute says.

Benca said the only charges that could be considered "predicate criminal offenses" relate to the state's allegation that Jay Campbell and two bail bondsmen recruited a man to cook and plant drugs on another man in hopes that the second man

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would turn in a fugitive who had jumped a substantial bond posted by one of the bondsmen.

While not conceding that the state had proved such a scheme, Benca said the crime would be insufficient to support the criminal organization charge. Most of the other allegations against the Campbells, including numerous charges of residential burglary and obtaining controlled substance by fraud, only involve two people.

"The state has to prove at least two other acts with three or more individuals in them," Benca said.

The state raised the continuing criminal organization umbrella as a way to simultaneously prosecute multiple counts, he argued.

"The problem they had was they were going to face numerous trials," Benca said. "The only way to address it and see if they could throw everything against the wall and see what sticks is to charge it under [continuing criminal organization] and that is what they did."

Deputy Lonoke County Prosecuting Attorney Stuart Cearley countered, saying the defense had erred in its interpretation of the criminal organization statute.

"We are where we have always been on this case — clearly

a disagreement as to what the law actually is on this," Cearley said.

The statute does not require that three defendants be included in each offense together but, rather, that at least three people worked with an alleged "kingpin" (in this case Jay Campbell) in actions intended to further the organization's goals, the deputy prosecutor said.

"There are no requirements that the subordinates work together, or know each other or even work with anyone other than the kingpin," Cearley said.

Benca later went charge by charge — pointing to what he saw as deficiencies in the state's case — and asked for a directed verdict for most of the 32 criminal charges facing Jay Campbell.

Mark Hampton, an attorney for Kelly Campbell, also requested a directed verdict for the bulk of the charges against his client. At the start of the trial, Kelly Campbell faced 34 criminal counts. Prosecutors dropped one of those charges Wednesday and amended others, leaving 33.

Hampton argued that four misdemeanor charges should be dismissed because the umbrella count of a continuing criminal organization only allows felonies as underlying crimes. He also argued that any actions committed prior to the September 2004 "predicate offense" of the scheme involving the bail bondsmen should not be allowed, be-

cause those would have been committed outside the auspices of the alleged criminal organization. Many of the purported residential burglaries occurred before September 2004.

Hampton said the state should never have raised allegations that Kelly Campbell had sex with Act 309 inmates housed at the Lonoke County jail under a state Correction Department program to reduce prison overcrowding and provide inmate labor to cities and counties.

Hampton argued it was not illegal for his client to have such contact prior to passage of House Bill 1692 in this year's legislative session. The bill, which Gov. Mike Beebe signed into law March 19, broadens the scope of a state law that prohibits prison and jail employees from having sex with inmates to include contractors and others "providing services, supplies or supervision" in the ban.

"Obviously it is not criminal conduct or the state of Arkansas would not now be passing a statute to criminalize this conduct," Hampton said.

The charge against Kelly Campbell is furnishing a prohibited item, with sex being that item. McCastlain argued she had proved her case.

"The state is saying that her body to be used in a sexual manner is a prohibited article," she said. "The only person who wasn't clear that [sex] was prohibited was Mr. Hampton. Every

single person testified that sex was not allowed as part of the prison system."

Cole said he would issue a ruling on the motions at 8:30 a.m.

Also Wednesday, the state amended several charges against Jay and Kelly Campbell by:

- Reducing a charge of felony theft of services against Jay Campbell alleging use of inmate labor to work on his boat to misdemeanor theft of services. An inmate testified that he worked on the boat for more than 40 hours but could have finished the job in six hours.
- Dismissing a charge of tampering against Kelly Campbell arising from an allegation that she gave \$240 to an inmate to keep quiet about her relations with another inmate. The inmate never testified that he received money.
- Reducing a charge of residential burglary against Kelly Campbell arising from her entry into Lori Bevill's home to criminal trespass after McCastlain said she wasn't sure the jury could make the leap that Kelly Campbell intended to burglarize the home.
- Changing the jurisdiction for charges relating to the alleged burglary of the home of Monique Mosby from Lonoke County to Pulaski County and, in relation to this case, reducing charges of obtaining a controlled substance by fraud against Jay and Kelly Campbell to simple theft. Evidence showed that items taken from the home were not controlled substances.

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FRIDAY, APRIL 6, 2007

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Arkansas Democrat-Gazette/STEVE KEESEE

Former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell, wait for their trial to resume Thursday in Cabot.

Ruling retains most charges in Lonoke case

Three counts against ex-chief, two against his wife dismissed

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — Defense attorneys began presenting their case in the Lonoke corruption trial Thursday, after special Circuit Judge John Cole denied motions to dismiss the bulk of charges against former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell.

The state accuses the Campbells of conspiring as part of a criminal organization seeking drugs, sex and money. During a hearing Wednesday, defense attorneys asked Cole to grant what is known as a directed verdict on the bulk of the charges, arguing that a jury cannot consider a case the state had failed to make.

Giving no explanation, Cole on Thursday morning denied

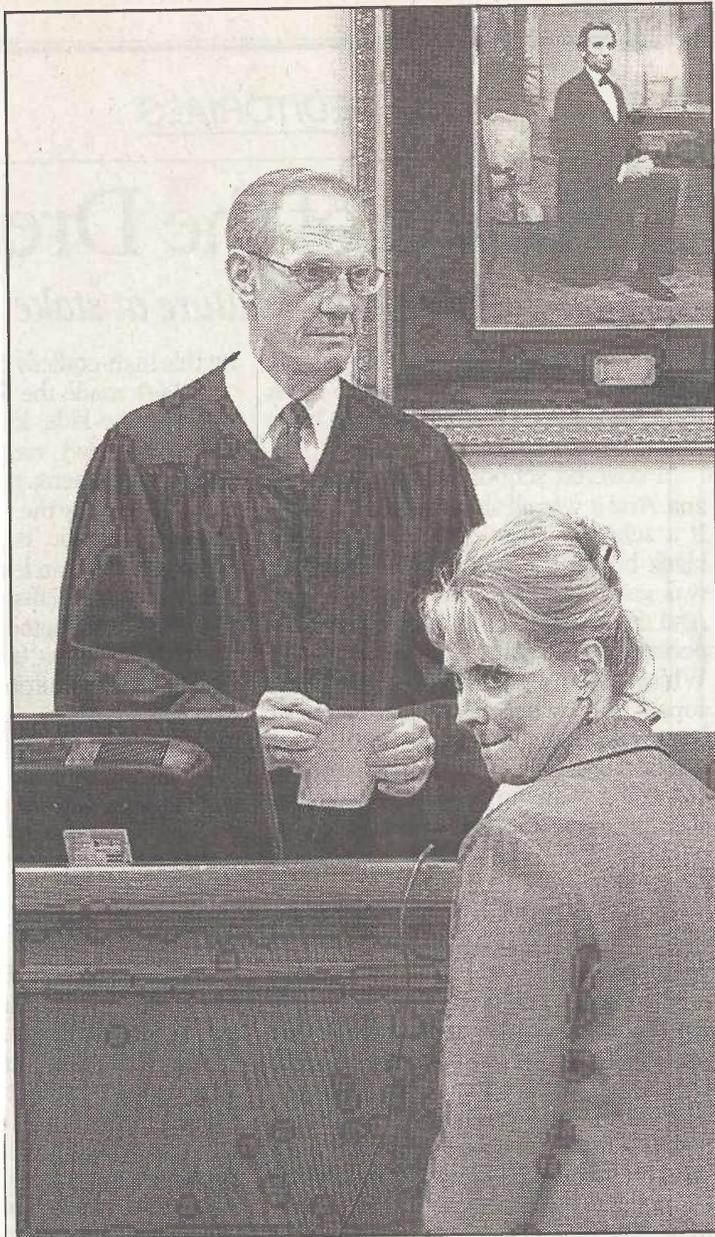
the majority of those motions, but did grant a directed verdict on five charges, including three against Jay Campbell and two against Kelly Campbell. As a result, the Lonoke County Circuit Court jury no longer will consider these charges:

■ **Felony theft of property** against Jay Campbell, relating to allegations by an admitted drug dealer that Campbell took \$3,200 in cash from him during an arrest.

■ **Felony theft of property** against Jay Campbell, relating to allegations that he pocketed money intended for police informants.

■ **Misdemeanor falsifying a business record** against Jay Campbell, relating to an allegation that false receipts were

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Arkansas Democrat-Gazette/STEVE KEESEE

Lonoke County Prosecuting Attorney Lona McCastlain turns after speaking Thursday morning with special Circuit Judge John Cole, who is presiding at the trial of Jay and Kelly Campbell.

Trial

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written for the informant money.

■ Felony furnishing prohibited articles against Kelly Campbell, relating to an allegation that she had a sexual relationship with an Act 309 state prisoner housed in the Lonoke city jail. (The Act 309 program is designed to alleviate state prison overcrowding while providing public-works crews at city and county jails.)

■ Felony furnishing prohibited articles against Kelly Campbell, relating to an allegation that she had a sexual relationship with a second Act 309 inmate.

One of these inmates was on the witness stand for four days, testifying about his relationship with Kelly Campbell. She still faces three other counts of furnishing prohibited articles concerning accusations that she took drugs, alcohol and a cell phone into the city jail. She now faces a total of 31 charges; Jay Campbell faces 29 charges.

After instructing jurors to disregard any evidence they had heard relating to the dismissed charges, Cole instructed the defense to begin presenting its case.

Patrick Benca, an attorney for Jay Campbell, called a Lonoke Police Department school resource officer as the first defense witness. The officer, Malcolm Cole, testified that he had asked Jay Campbell to help him with a demonstration to parents about various drugs, including cocaine and methamphetamine.

For the demonstration, Malcolm Cole said, Jay Campbell brought drugs used by a canine officer to train his dog. At least one of the bags with drugs appeared to have a hole in it, he said, so it was never used for the school demonstration.

Prosecutors have charged Jay Campbell with obtaining a controlled substance by fraud, specifically the theft of the canine-training narcotics. In questioning the school resource officer, Benca suggested that these drugs fell out of a hole in a bag when they were taken to the school for training.

Debra Carroll, a woman who works with children with diabetes in Lonoke, testified that Jay Campbell once donated \$100 in police funds to her cause and also donated smaller amounts at other times, without receiving a receipt. Prosecutors allege Jay Campbell stole \$260 from a Police Department commissary cash fund. Through Carroll's testimony, Benca suggested the money wasn't stolen but, rather, given to a charitable cause.

The remaining three witnesses testified about a charge of obtaining a controlled substance by fraud against Jay Campbell, specifically that he stole 7 or 8 grams of methamphetamine turned over to him by Scott Cash, an admitted drug user, before Cash became an undercover informant for Campbell.

Prosecutors accuse Campbell of taking the drugs from a small green container Cash gave him and replacing them with a bag filled mostly with caffeine along with trace amounts of methamphetamine. and a small bag of marijuana. Through his questioning of the three witnesses, Benca suggested that plenty of other people had access to the green container and could have taken the drugs.

The defense also recalled Cash, who previously testified for the state. Cash said that he turned the container over to Campbell at the Police Department and didn't see it again until an Arkansas State Police investigator showed it to him in July 2006. At that time, Cash said, he noticed that the drugs in the container were not those he had given Campbell.

Mike West, a private detective hired by prosecutors in July 2006 to complete an inventory of the Lonoke Police Department's evidence room, testified that the room was in shambles.

"I found the conditions to be pretty bad," West said. "There were a lot of problems with evidence not being accounted for or not being accounted for properly. There were items that were not properly maintained; inventory control was virtually nonexistent."

During his own inventory, West said, he saw the green container sitting on a shelf, but without a case number assigned to it. Reading from his inventory list, West said he had noted it was a green container with methamphetamine, and that he had made no notation about it also containing marijuana.

Lonoke County Prosecuting Attorney Lona McCastlain asked West whether it was possible that he didn't look in the container to see that marijuana was in there, too. West said it was possible.

Stuart Woodward, a state police investigator, testified that he took control of the green container on July 26, 2006, after then-Lonoke Police Chief Rick Sliger put it in a brown envelope. Woodward said he couldn't remember whether the marijuana was in the container or in the envelope. Noting that the container was not stored in the envelope that was supposed to have held it, Benca asked whether it appeared the evidence was not properly maintained.

"In this case, is it fair to say someone breached the chain of custody at some point?" Benca asked.

"Yes," Woodward said.

The court recessed before noon Thursday, because the Cabot District Court room, where the trial is being held, was needed for traffic court. Testimony is expected to resume at 9 a.m. today in the District Court room.

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SATURDAY, APRIL 7, 2007

Ex-chief on stand: Erred, but not guilty

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — As his wife wiped away tears, former Lonoke Police Chief Jay Campbell took the witness stand in his own defense Friday and said that if he was “guilty of anything, it is trying to keep my family together.”

The statement came in the second day of defense testimony in the circuit court trial

of Campbell and his wife, Kelly Campbell. The state contends the couple conspired as part of a criminal organization seeking drugs, sex and money. A third defendant, bail bondsman Bobby Junior Cox, was granted a mistrial Monday.

During a full day of testimony, Jay Campbell acknowledged “making mistakes” in his management of state prison inmates

formerly housed at the Lonoke city jail but denied all other allegations against him. He faces 29 criminal charges, ranging from residential burglary to criminal conspiracy to manufacture of a controlled substance. Kelly Campbell faces 31 counts, including residential burglary and obtaining a controlled substance by fraud.

Under questioning by his at-

torney, Patrick Benca, the ex-police chief said he never had access to the drugs or money that prosecutors say he stole during various narcotics arrests.

He denied stealing money from police funds, drugs from prisoners and narcotics kept by the Lonoke Police Department’s canine trainer to train dogs.

He forcefully denied having used illegal drugs.

“I would never put my career on the line for something like that,” Jay Campbell said. “I have never in my life purchased or taken any kind of illegal drug.”

Jay Campbell also denied falsifying police records, saying he was “electronically stupid” and stayed away from computers and other technology. He denied having knowledge

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Ex-chief

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of reports that a Lonoke Police Department dispatcher was having sex with an Act 309 state inmate staying at the city jail. (The Act 309 program is designed to alleviate prison overcrowding by placing state inmates in cities and counties, where they also do work on public property.)

The ex-chief denied any role in an alleged scheme that prosecutors say he devised with two bail bondsmen to cook methamphetamine and use the drugs to set up a man named Roger Light in hopes that Light would turn in a fugitive wanted for jumping a substantial bond.

Jay Campbell said his only involvement was allowing then-Lonoke police Capt. Sean O'Nale to assist in Light's arrest and his only interest in the case was that Light was a wanted felon.

"I didn't really have a big concern whether [Bobby] Cox lost a bond," Jay Campbell said.

As for a methamphetamine lab he found the day of Light's arrest, near where the arrest was made, Jay Campbell said he never had any indication that the arrest and lab seizure were related.

Benca went one-by-one through a list of friends and neighbors from whom Jay and Kelly Campbell are accused of stealing prescription medicine.

Jay Campbell described most of them as church friends, and said he and his wife were often invited to their homes.

"As far as Kelly, was there any indication at any time that your wife was taking medicine from their homes?" Benca asked.

"Never, not ever," Jay Campbell said.

Regarding the Act 309 inmates, Jay Campbell said his mistakes were honest ones based on unfamiliarity with Arkansas Department of Correction rules governing the program. For example, prison rules allow inmates to earn money through "hobby crafts," when they are not doing public chores. Jay Campbell said he didn't realize that "hobby crafts" were limited to specific types of work, such as leather or woodworking.

"To me, I guess I thought that it is whatever my hobby is," he said. "Your hobby craft may be different than mine."

He said he allowed inmates to do personal chores for him so they could earn extra money.

"I didn't need a 309 [inmate] to help me move a motor from one boat to another. I had a neighbor across the street who was a mechanic by trade," Jay Campbell said. "This was more of a way to help them [the inmates] than to help us."

In hindsight, Jay Campbell acknowledged he likely allowed 309 inmates at the city jail a little too much freedom.

He said he was aware that his wife had a strong "friendship" with Shane Scott, one of the inmates. Rumors were she was having a sexual relationship with Scott, Jay Campbell said, but he added that his wife always denied the rumors and that he believed her.

Asked about Scott's testimony as a prosecution witness that Jay Campbell was aware he was having sex with Kelly Campbell, and his testimony that he knew Jay Campbell had used drugs, the ex-chief said Scott was lying.

"I think everything about Shane Scott is false. Unfortunately, I learned that the hard way," Jay Campbell said. "But I think I totally understand why they are called cons."

Mark Hampton, an attorney for Kelly Campbell, questioned Jay Campbell about jewelry stolen from a neighbor's home and later pawned by Kelly Campbell.

Hampton asked whether Kelly Campbell had told him that his brother, Tony Campbell, might have been involved in the theft. Jay Campbell said she had. (Tony Campbell is now deceased.)

"Has Tony taken items of yours and pawned them?" Hampton asked.

"Yes," Jay Campbell said.

Hampton also asked Jay Campbell to detail the medical problems faced by his wife during his time as Lonoke police chief from 2002 to February 2006, when he was arrested. The list related included miscarriages, a tubal pregnancy, postpartum depression, seizures, chronic pneumonia, chronic bronchitis and a diagnosis of bipolar disorder.

"You had your hands full?" Hampton asked, referring to Jay Campbell taking care of his wife.

"That would be fair to say," Jay Campbell said.

"You still love her?" Hampton asked.

"Yes, sir," Jay Campbell said.

Deputy Lonoke County Prosecuting Attorney Stuart Cearley began a cross-examination of Jay Campbell on Friday afternoon, asking the ex-chief about his practices at the Lonoke Police Department. He spent more than an hour asking about the arrest and detention of various individuals on drug-related allegations.

Cearley is expected to continue the cross-examination Monday, when Jay Campbell is scheduled to return to the witness stand at 9 a.m. in the Cabot District Court room.

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Mark Hampton
4-7-07

Trial end nearing for wife, ex-chief

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — After more than five weeks of testimony in the Lonoke corruption trial, special Circuit Judge John Cole told jurors Monday that the trial's end was near, possibly as soon as the end of the week.

Former Lonoke Police Chief Jay Campbell and his wife, Kelly Campbell, are accused of conspiring as part of a criminal organization seeking drugs, sex and money. A third defendant, bail bondsman Bobby Junior Cox, was granted a mistrial last week.

Patrick Benca, a defense attorney for Jay Campbell, wrapped up the defense testimony for his client Monday, calling former Pulaski County Sheriff Carroll Gravett as his seventh and final witness. Jay Campbell once worked for Gravett.

Although he previously planned to call as many as 10 to 15 witnesses, Benca said he decided the jury had all the evidence it needed to decide the case.

"It's just time to get the case to the jury," he said.

Mark Hampton, an attorney for Kelly Campbell, indicated he would have two witnesses, with the first expected to take the stand this morning.

Lonoke County prosecutors said they could call as many as 10 rebuttal witnesses.

Cole told jurors, who have been hearing the case in Cabot to avoid tying up a circuit courtroom in Lonoke, that presentation of evidence should completed this afternoon.

Jay Campbell testified Monday. See **TRIAL**, Page 8B

• Continued from Page 1B
day for the second day, for the most part undergoing cross-examination by Deputy Lonoke County Prosecuting Attorney Stuart Cearley.

The ex-chief continued to deny having done anything wrong, aside from making mistakes with regard to Act 309 inmates staying at the Lonoke city jail. The Act 309 program of the Arkansas Department of Correction is designed to alleviate prison overcrowding by placing state inmates in cities and counties, where they do work on public property.

Cearley read through a list of more than 10 friends and neighbors of the Campbells who had previously testified that prescription medicine was missing from their homes after the Campbells had visited.

"Wouldn't you agree, based on all your training, all of your law-enforcement experience, that it is highly unusual to have that many people as victims of a ... similar crime after visits from you or your wife?" Cearley asked.

"You are assuming we were the only ones that have visited those people," Jay Campbell said. "I think y'all went out and basically talked to everyone I have ever met since I moved to Lonoke. ... I have never taken medication from any of those people, or anyone else, without them knowing it."

Jay Campbell was Lonoke police chief from 2002 to February 2006, when he was arrested.

Cearley asked Jay Campbell about the theft of several pieces of jewelry from the Campbells' next-door neighbor, Charlotte Hill, and why it was never investigated.

"You would agree with me that there was a crime committed here?" Cearley asked.

"Yes, I would," Jay Campbell replied.

But, the ex-chief added, he did not proceed with an investigation because Hill said she didn't want to pursue charges once her jewelry was returned to her.

Cearley repeatedly asked Jay Campbell whether he believed his wife had engaged in sex with an Act 309 inmate. Jay Campbell repeated, as he did on Friday, that he didn't believe it.

But later, when questioned again by Benca, Jay Campbell acknowledged he had "been a little in denial," and that he didn't like to dwell on the issue because he was trying to get his family life back on track.

"Did I suspect it? Probably, but, you know, I had a decision to make and that decision was to get my family back together and move on past this or let it take control of my life and my kids and my family," Jay Campbell said. "I chose to put it behind me."

Cearley spent considerable time asking the ex-chief about circumstances surrounding his discovery of a methamphetamine lab outside the city limits, in Lonoke County, on the same day as the arrest of Roger Light on charges of possession of methamphetamine. The arrest was made near where the lab was found.

Prosecutors say Jay Campbell schemed with Cox and another bail bondsman to cook methamphetamine and use the drugs to set up Light in hopes that Light would turn in a fugitive wanted for jumping a substantial bond. Prosecutors further allege that Jay Campbell tried to cover up the crime by confiscating the lab used to manufacture that methamphetamine as a "found lab."

Cearley asked why Jay Campbell picked up the lab, rather than calling and asking the Lonoke County sheriff's office to bring a hazardous materials crew to clean it up.

"I did not want to leave it out there for a child or someone else to get a hold of," Jay Campbell said.

Also Monday, in a hearing before Cole outside the jury's presence, prosecutors asked permission to question Jay Campbell about how he lost his job with the Pulaski County sheriff's office.

Sheriff Randy Johnson fired Jay Campbell in 2000 from his position as lieutenant, saying Jay Campbell had tried to intimidate lower-ranking deputies into charging more for off-duty jobs and had authorized off-duty employment at a nightclub, contrary to sheriff's office policy. Jay Campbell had been employed with the sheriff's office since May 1982.

Special Prosecuting Attorney Jack McQuary, who is assisting Lonoke County Prosecuting Attorney Lona McCastlain in prosecuting the Campbells, argued that defense attorneys, in asking Jay Campbell about his experience and training, had left the jury with the impression that he had an "exemplary" career in law enforcement. McQuary said the defense had "opened the door" to testimony to counter that impression.

Cole ruled that evidence about the firing would be too prejudicial to the defendant.

Later, Gravett testified that, while Jay Campbell worked for him, he considered him an "upcoming young man who knew his job well and was anxious to do it." Prosecutors did not cross-examine Gravett.

Testimony is scheduled to resume at 9 a.m. today in the Cabot District Court room.

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Sides set for final arguments in Lonoke trial

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — A circuit court jury is scheduled to hear closing arguments Thursday in the Lonoke corruption case after testimony in the six-week trial ended Tuesday.

The attorney for defendant Kelly Campbell didn't call any witnesses. The state called seven rebuttal witnesses to counter what Campbell's husband,

former Lonoke Police Chief Jay Campbell, said during his two days on the stand.

Lonoke County Prosecuting Attorney Lona McCastlain has accused the Campbells of conspiring as part of a criminal organization seeking drugs, sex and money. A third defendant, bail bondsman Bobby Junior Cox, was granted a mistrial last week.

Mark Hampton, an attorney for Kelly Campbell, previously

indicated he would call two witnesses, but decided, instead, to rest his case without their testimony.

"The burden is on the government to prove their case beyond a reasonable doubt," Hampton said in an interview after court.

While declining to discuss specific evidence, Hampton spoke generally, saying that if an attorney believes the state has failed to prove its case, "There is no reason to rebut it."

Aside from former Pulaski County Sheriff Randy Johnson, the state's rebuttal witnesses Tuesday previously testified during the trial. Johnson told the jury of six men and six women that he fired Jay Campbell from the sheriff's office in 2000 for violating department policies.

Special Circuit Judge John Cole limited Johnson's testimony to saying Campbell had been terminated and which rules he had violated, without elaboration.

On Monday, the judge denied the state's request to question Jay Campbell about the firing, ruling it would be prejudicial against the defendant.

The other six rebuttal witnesses reiterated previous testimony, in many cases contradicting Campbell's testimony, as given Friday and Monday.

Mike Wilson, the current Lonoke police chief, discussed

See **LONOKE**, Page 10B

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Lonoke

• Continued from Page 1B
allegations raised by Jay Campbell about Lonoke Police officer Brandon Hampton. Jay Campbell testified that Brandon Hampton had reason to lie about him. The ex-chief said Brandon Hampton was angry about an internal investigation Jay Campbell had ordered into the discovery of pornography on a computer Hampton had used at the Police Department. Campbell said the material was child pornography, which is a crime to possess.

Wilson testified that records relating to the internal investigation indicated pornography was found on the computer, but not child pornography. While not illegal, looking at pornography on police computers is a violation of department rules. Brandon Hampton was not disciplined. He resigned from the Police Department and now works for the Lonoke County sheriff's office.

In presenting the state's case, McCastlain and deputy prosecutors called more than

90 witnesses, including several state prison inmates who had been housed at the Lonoke city jail as Act 309 inmates during Jay Campbell's time as police chief. The Act 309 program of the Arkansas Department of Correction is designed to relieve prison overcrowding while providing cities and counties with inmate labor for such tasks as jail maintenance and upkeep.

One inmate previously housed in Lonoke was on the stand for four days, detailing his sexual relationship with Kelly Campbell. Later, however, Cole granted Mark Hampton's motion to dismiss two charges against Kelly Campbell alleging she had furnished prohibited articles — namely, sex — to inmates.

Other state witnesses included friends and neighbors of the Campbells, who testified that prescription drugs and sometimes jewelry was missing after the Campbells visited; admitted drug users and dealers, who testified that Jay Campbell stole money and drugs from them; and law enforcement officers who served

under Campbell and testified about irregularities at the department during his time there. Brandon Hampton was among those officers

Patrick Benca, an attorney for Jay Campbell, called seven witnesses, including his client. Jay Campbell testified he had done nothing wrong beyond some mistakes he made with regard to the Act 309 inmates.

The trial will be in recess through Thursday morning. In the interim, the prosecutors and defense attorneys will draft jury instructions they would like Judge Cole to read to the jury. Jury instructions are meant to educate jurors on the law that applies to the various charges faced by the defendants. Jay Campbell faces 29 criminal counts; Kelly Campbell faces 31 charges.

The state and defense will make their closing arguments after the jury instructions, which Cole is to start reading at 9 a.m. Thursday. The court will be moved to the Cabot City Council chambers because Cabot District Court, where the trial has been held, will be otherwise in use.

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Arkansas Democrat  Gazette

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SATURDAY, APRIL 14, 2007

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Their turn: Lonoke case goes to jurors

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — Prosecutors painted former Lonoke Police Chief Jay Campbell as a “king” who treated the city of Lonoke as his “fiefdom,” while defense attorneys portrayed him as a target of overzealous prosecutors who

“threw everything on the wall to see what sticks.”

Campbell and his wife, Kelly, are accused of conspiring as part of a criminal organization seeking drugs, sex and money. A Lonoke County Circuit jury was handed the case at 6:40 p.m. Friday, after several hours of clos-

ing arguments.

The six-man, six-woman panel won't begin deliberations until Monday morning because court recessed for the weekend. Should the jury return any guilty verdicts, a sentencing phase will follow during which both sides can put on additional evidence.

A third defendant, Bobby Junior Cox, was severed from the trial April 2, when special Circuit Judge John Cole declared a mistrial in the case against him.

Cole began Friday's proceedings in a Cabot courtroom by reading jury instructions for 1½ hours. Afterward, Lonoke Coun-

ty Prosecuting Attorney Stuart Cearley referenced the Magna Carta to open his closing arguments.

“One of the fundamental propositions is no person, not even the king, is above the law,” Cearley said of the 13th century See **LONOKE**, Page 10B

Page 192

Lonoke

• Continued from Page 1B English document. "Jay Campbell set himself up as the king, if you will, of the city of Lonoke. That is his fiefdom, his to rule, and reign and do as he saw fit."

Cearley used a projector to show pictures of many of roughly 90 prosecution witnesses, along with highlights of their testimony given during the seven-week trial.

In addition to the core charge of participating in a criminal organization, Jay Campbell faces 28 underlying charges, including residential burglary, criminal conspiracy and manufacture of methamphetamine. Kelly Campbell faces 30 underlying charges, including furnishing prohibited articles to inmates and residential burglary.

Cearley said he saw one recurring theme in the Campbells' purported theft of drugs from their friends and neighbors.

"They never say anything because they didn't want to confront them [the Campbells]," Cearley said of the friends and neighbors. "You had witness after witness say, 'I just thought leave it alone, don't mess with it.' Why would they do that? Not because of friendship as much as the authority of the badge he [Jay Campbell] wears."

Jay Campbell was Lonoke police chief from 2002 until his arrest in February 2006.

Cearley said that he was also troubled by Jay Campbell's willingness to decide who should be charged with what crime or whether they should be charged at all.

"The king decides which laws should be enforced, which laws should be ignored," he said.

Mark Hampton, an attorney for Kelly Campbell, questioned the credibility of prosecution witnesses during his closing. He singled out Shane Scott, a state prisoner housed at the Lonoke city jail under the Act 309 inmate-labor program. Scott admitted lying at least 54 times, Hampton told the jury, both from the witness stand and in statements he gave previously to Arkansas State Police investigators.

"This witness for the government was given full immunity," Hampton said. "I'm asking you to consider that this man's testimony was bought and paid for."

Hampton emphasized a disagreement between defense attorneys and prosecutors over the core charge of participating in a continuing criminal organization.

The defense maintains this charge, by statute, applies only if each defendant is found guilty of at least two crimes, each of which must involve at least two other people. Prosecutors contend the charge applies if each defendant is convicted of at least two crimes involving two other people in either one, or both.

Hampton said the state's case must fail because prosecutors never alleged that Kelly Campbell had participated with two or more people in any one crime.

He compared Prosecuting Attorney Lona McCastlain's attempt to build a case against his client to his failed attempt to put together a "mega play set" for his children. He told the jurors they would have to fit the evidence they heard with the jury instructions Cole gave them to prove McCastlain's "mega-crime case."

"Just like I was building the 'mega play set,' you've got to take your instructions and try to fit all this evidence, like the planks and two-by-fours I had to cut, and make it fit," Hampton said. "You've got to determine whether Mrs. McCastlain has given you all the boards, all the nuts and bolts to put together her 'mega-crime case.'"

Patrick Benca, an attorney for Jay Campbell, repeatedly stated in closing that the jury must find his client guilty beyond a reasonable doubt.

"Coincidence is not guilty. Not [having] a good policy, or having no policy in place is not guilty. What Jay should have known, what he may have known, or should have taken away from is not guilty," Benca said.

Benca also attacked the credibility of various witnesses, including the inmate, Scott, and Ryan Childress, a convicted drug dealer who said Jay Campbell stole \$15,000 from him during an arrest.

"How can you believe this guy?" Benca asked, referring to Childress. "He supposedly has \$15,000, and he doesn't tell his mom, he doesn't tell his attorney, he doesn't tell his girlfriend, he doesn't tell anybody."

Benca described as unbelievable the state's charge that Jay Campbell schemed with two bail bondsmen, including Cox, to cook methamphetamine to plant on somebody in the hopes that person would turn in a wanted fugitive who had jumped a significant bond held by one of the bondsmen.

"If it doesn't make sense, you can't convict him," Benca said.

In her rebuttal to the defense attorneys' closing statement, McCastlain acknowledged some state witnesses had criminal records. But it made sense for Jay Campbell to ask criminals to do his bidding, she said, knowing it would be their word against his if he was caught.

"I have witnesses that I'm not proud of," McCastlain said. "But what I'll tell you about the state's case ... is that every witness that I've put on the stand, I would put their credibility up against Jay Campbell's any day."

Also Friday, Cole announced that one of three remaining alternate jurors has been excused. Earlier, one of the original four alternates became an active juror when Cole removed a panel member who told the judge he had seen a woman with what he called a "bugging device" talking with Jay Campbell.

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Campbells guilty on most counts

Trial of ex-Lonoke chief, wife ends with jury advising stiff sentences

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — A Lonoke County jury on Tuesday convicted former Lonoke Police Chief Jay Campbell of masterminding a criminal organization, as well as 22 of 28 supporting charges. His wife, Kelly Campbell, was acquitted of participating in the criminal enterprise, but jurors convicted her on 26 of 30 underlying crimes.

The six-man, six-woman panel later recommended at or near the maximum prison terms on most of the convictions, totaling 315 years for Jay Campbell, and

CHARGE-BY-CHARGE LIST of the verdicts. Page 8A.

303 years plus one month and 20 years' probation for Kelly Campbell. But the jury also suggested that the sentences run concurrently, meaning Jay Campbell, at most, would serve 40 years and Kelly Campbell 20 years.

Special Circuit Judge John Cole said he will take the jury's recommendations under advisement before imposing punishment at a sentencing hearing set for 8:30 a.m. Tuesday. The Campbells remain free on bond

pending that hearing, although Prosecuting Attorney Lona McCastlain sought to have Jay Campbell jailed immediately, calling him a flight risk. Cole denied her request.

Earlier, McCastlain called the jury's verdicts "a victory for the people." The defense insisted that they had solid grounds for appeal.

"I think the jury got it," McCastlain said. "They sat here and they paid close attention, and, in the end, they got the big picture."

Jurors delivered the verdicts See **CAMPBELLS**, Page 8A



Arkansas Democrat-Gazette/STEVE KEESEE

Kelly and Jay Campbell walk outside the courtroom in Cabot on Tuesday afternoon, shortly after a jury convicted them.

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Campbells

• Continued from Page 1A
at 1 p.m. after deliberating more than 15 hours over two days. They then heard about an hour of post-conviction arguments before retiring to consider sentencing. They returned with the proposed punishments about 7 p.m., including 40 years for Jay Campbell on the criminal organization charge, and 20 years for Kelly Campbell on her burglary convictions.

Throughout the seven-week trial, Jay and Kelly Campbell sat together as defendants accused of conspiring as part of a criminal organization seeking money, sex and drugs. A third defendant sat with them for nearly five weeks before being granted a mistrial.

McCastlain brought the criminal case against the Campbells, and others, in February 2006.

"I'm relieved for the people of Lonoke that they can put this behind them and get Lonoke back to where it needs to be," the prosecutor said.

Jay Campbell, 46, said the verdicts shocked him.

"I've been convicted of being the leader of an organized crime organization and there are no members of it," he said. "I guess I'm kind of puzzled as to that."

The ex-chief said he has faith in the judicial system and believes his conviction will be overturned.

"We are going to fight it to the end," he said.

Kelly Campbell, 42, said she, too, was surprised and confused by the verdict, but also confident of a victory on appeal.

"I haven't given up yet. It's just going to be another year of not being able to start our lives," she said, referring to the appeals process.

Kelly Campbell described the trial as a "roller-coaster," but also said the experience strengthened her marriage.

"We have our big picture, and our big picture is for us to stay together," she said of herself and her husband.

Before the jury delivered its verdict forms to Cole in the Cabot City Council chambers, Kelly Campbell sat at the defense table and read from a book titled *What To Do When You Don't Know What To Do*.

As Cole read the verdict, Jay Campbell looked down at the table and shook his head. Kelly Campbell, who cried at some points during the trial, appeared relatively calm. At one point, after the verdict was read, she patted her husband on the back. Later, she hugged friends and family.

In addition to the principal, or core, charge of managing a continuing criminal organization or enterprise, the jury convicted Jay Campbell of 22 other crimes, including: multiple charges of obtaining a controlled substance by fraud and residential burglary arising from the theft of medication from the homes of friends and neighbors; criminal conspiracy to manufacture methamphetamine; hindering apprehension or prosecution; and filing a false police report. The jury acquitted him of two counts of obtaining a controlled substance by fraud and single counts of theft of property, hindering apprehension or prosecution, residential burglary and theft by receiving.

Although acquitted of the core charge of engaging in a criminal organization enterprise, Kelly Campbell was convicted of 26 criminal counts, among them: multiple charges of obtaining a controlled substance by fraud and residential burglary arising from the theft of jewelry and medication from the homes of friends and neighbors; furnishing prohibited articles to Lonoke city jail inmates; helping an inmate escape; and possession of drug paraphernalia. In addition to the core charge, the jury acquitted her of single counts of furnishing prohibited articles to inmates (a cell phone), residential burglary, obtaining a controlled substance by fraud and theft by receiving.

McCastlain asked the jury to recommend tough sentences, citing the "egregious" nature of the crimes.

"This is not about losing some jewelry, or some medication, or anything else," she said. "It is about someone in a position of authority preying on the very people that they have committed to serve and protect."

Patrick Benca, an attorney for Jay Campbell, asked for leniency. He said his client's life had been "looked at under a microscope," in a search for misdeeds, and encouraged jurors to consider the good

things Jay Campbell had done.

"I ask you to take those into consideration, as well as the people who took the stand who thanked Jay for the opportunity for a second chance he has been able to give them," Benca said, referring to admitted drug users who said Jay Campbell had helped them.

"I ask that you give him that opportunity, too."

Mark Hampton, an attorney for Kelly Campbell, also asked for leniency, telling the jury that his client obviously had physical, mental and emotional problems, but that her family shouldn't be punished for that. (The Campbells have three children.)

"You don't have to be sympathetic in sentencing, but you can show mercy," Hampton said. "I think her emotional state, her mental state, her physical state explains her behavior. ... You can consider that."

Benca and Hampton both said the verdicts disappointed them, while talking up their chances on appeal. The attorneys said they will argue defense motions before Cole at Tuesday's sentencing, including requests for a mistrial based on Kelly Campbell's acquittal on the core charge of engaging in a criminal organization or enterprise.

Being found innocent of the core charge, Hampton said, meant it should never have been filed, and Kelly Campbell should have

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Arkansas Democrat-Gazette/STEVE KEESEE

Lonoke County Prosecuting Attorney Lona McCastlain and her deputy prosecutors, Stuart Cearley (left) and Jack McQuary, chat after a jury returned guilty verdicts Tuesday on most charges in the criminal case she brought against the former Lonoke police chief and his wife.

been tried separately from her husband. Without Kelly Campbell as a member of such an enterprise, Benca argued, the prosecution can't meet the legal burden of the criminal organization charge, which he said required underlying crimes involving two or more people in addition to Jay Campbell.

The trial began Feb. 27 with jury selection. Most of the testimony was heard in Cabot District Court to avoid tying up a circuit courtroom in Lonoke for an extended period. The prosecution called more than 90 witnesses, including several state prisoners who had been housed at the Lonoke city jail as part of an inmate-labor program.

The trial was punctuated by often lurid testimony, especially from a state prisoner, Shane Scott, who spent four days on the witness stand talking about his sexual relationship with Kelly Campbell. Later, Cole dismissed two charges against Kelly Campbell that accused her of furnishing prohibited articles — namely, sex — to Lonoke jail inmates.

Other state witnesses included friends and neighbors of the Campbells, who testified about prescription drugs and, sometimes, jewelry disappearing from their homes after the Campbells visited; admitted drug users and dealers, who testified that Jay Campbell stole money and drugs from them; and law enforcement officers who once worked under

Campbell and who testified about irregularities at the Lonoke Police Department during his tenure. Campbell was Lonoke police chief from 2002 until his arrest in February 2006.

Cole declared a mistrial April 2 in the case against a third defendant, bail bondsman Bobby Junior Cox. That decision came after a convicted felon told Cole outside the jury's presence that Cox had asked him to kill McCastlain and a prosecution witness, and to burn McCastlain's house and the Lonoke County Courthouse. Cole ruled that McCastlain, as an alleged target, had a conflict of interest and could no longer prosecute Cox.

McCastlain has said she intends to ask the state to appoint a special prosecutor to refile charges against the bail bondsman. Before his mistrial, Cox faced the core charge of engaging in a criminal organization or enterprise.

Others arrested in the Lonoke corruption inquiry — including former Lonoke Mayor Thomas Privett, former Lonoke Police Department dispatcher Amy Staley and bail bondsman Larry Norwood — face separate trials at later, as yet unspecified, dates.

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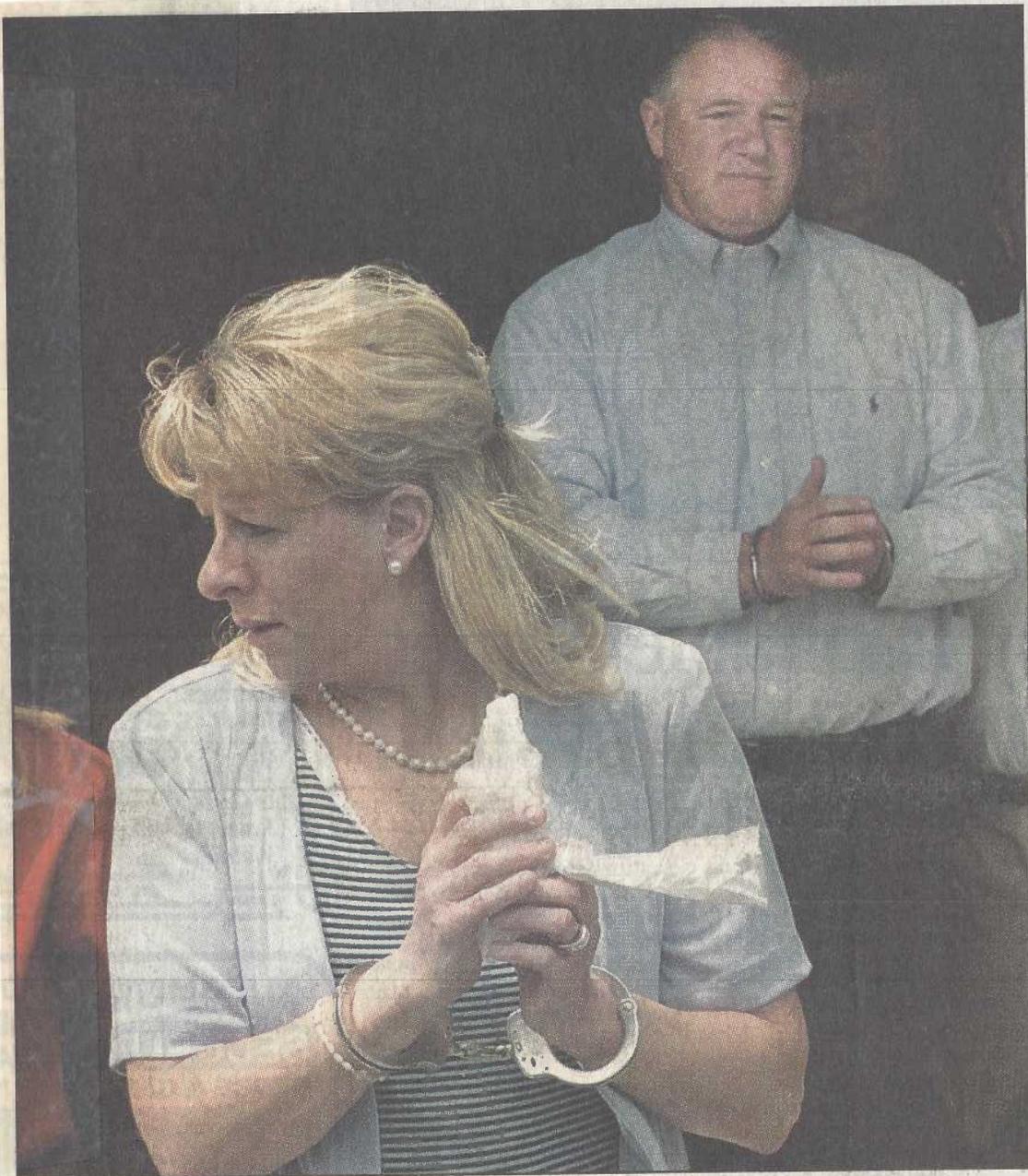
The verdicts

JAY CAMPBELL
 Here is a charge-by-charge list of the verdicts returned by a Lonoke County Circuit Court jury in the criminal case against former Lonoke Police Chief Jay Campbell:

	GUILTY	INNOCENT
• Managing a continuing criminal organization or enterprise.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Criminal conspiracy to manufacture a controlled substance, methamphetamine, related to the Roger Light arrest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Hindering apprehension or prosecution: the Roger Light arrest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Filing a false report with a law enforcement agency: the Roger Light arrest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: the Michael Leszczyna arrest.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Obtaining a controlled substance by fraud: the Scott Cash detention.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Felony theft of property: the Ryan Childress arrest.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Misdemeanor theft of property: the Lonoke Police Department commissary cash fund.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: prisoner medication.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: canine-training narcotics.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Misdemeanor theft of services: inmate labor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Hindering apprehension or prosecution: the case of Amy Staley, who is accused of sexual assault.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Theft by receiving: jewelry belonging to Donna Moore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Mike and Becky Wilson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Mike and Becky Wilson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Rocky and Denise Thompson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Rocky and Denise Thompson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Kelly Ratcliff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Kelly Ratcliff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Residential burglary: the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication missing from the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: a second report at the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: a second report of medication missing from the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Hindering apprehension or prosecution: items taken from the home of Michael and Vivian Brown.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Monique Mosby.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Simple theft: medication belonging to Monique Mosby.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Charlotte and Leon Hill.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Theft of property: the home of Charlotte and Leon Hill.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Theft by receiving: the home of Charlotte and Leon Hill.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

KELLY CAMPBELL
 Here is a charge-by-charge list of the verdicts returned by a Lonoke County Circuit Court jury in the criminal case against Kelly Campbell:

	GUILTY	INNOCENT
• Engaging in a continuing criminal organization or enterprise.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Furnishing prohibited articles to inmates: drugs given to inmates.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Furnishing prohibited articles to inmates: a cell phone given to an inmate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Furnishing prohibited articles to inmates: alcohol given to inmates.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Escape: assisting with the escape of an inmate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Criminal trespass: the home of Lori Beville.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Jackie Moore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Jackie Moore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Theft by receiving: jewelry taken from the home of Donna Moore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Mike and Becky Wilson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Mike and Becky Wilson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Jo Talley.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Jo Talley.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Rocky and Denise Thompson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Rocky and Denise Thompson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Kelly Ratcliff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Kelly Ratcliff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Residential burglary: the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication missing from the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: a second report at the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: a second report of medication missing from the home of Jerry Dozier.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medicine belonging to Charlotte Hill.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Michael and Vivian Brown.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Cheryl Anderson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Obtaining a controlled substance by fraud: medication belonging to Cheryl Anderson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Monique Mosby.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Simple theft: medication belonging to Monique Mosby.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Residential burglary: the home of Charlotte and Leon Hill.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Theft of property: the home of Charlotte and Leon Hill.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Theft by receiving: the home of Charlotte and Leon Hill.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Possession of drug paraphernalia.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Arkansas Democrat-Gazette/STEVE KEESEE

Kelly and Jay Campbell leave the Lonoke County jail, where they were booked after sentencing Tuesday. They were later transported to separate state prison units.

Judge heeds jury, gives Campbells heavy punishment

Ex-police chief gets 40 years; wife, 20

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — The trial judge followed the wishes of a Lonoke County jury Tuesday in sentencing former Lonoke Police Chief Jay Campbell to 40 years in prison and Campbell's wife, Kelly, to 20 years on felony convictions arising from a corruption investigation involving drugs, sex and abuse of an inmate-labor program.

The couple showed little emotion while standing to hear Special Circuit Judge John Cole impose punishment. After sentencing, the Campbells smiled but had little to say as they were led from Cabot District Court in handcuffs.

"Everything is going to be fine," Jay Campbell said as he walked out the door toward a Lonoke County sheriff's office patrol car.

The two were first taken to North Little Rock for drug testing before being booked at the Lonoke County jail. From there, sheriff's deputies transported Kelly Campbell to the McPherson Unit of the Arkansas Department of Correction in Newport and drove Jay Campbell to the department's diagnostic unit in Pine Bluff, according to Dina

Tyler, a prison spokesman.

Once their attorneys file a notice of appeal, which is expected, the Campbells will be eligible for release on appeal bonds set by Cole. The judge set Jay Campbell's bond at \$250,000 and Kelly Campbell's at \$100,000.

While pleased that the judge upheld the jury's sentences, Prosecuting Attorney Lona McCastlain said she was very disappointed that Cole had approved appeal bonds.

"The jury put all this time and everything into it, and they expected that these defendants would serve time," McCastlain said. "They didn't just slap their hands, they sent a message ... and now they [the Campbells] are walking off. They are going right back to their lives while this appeal goes on."

"If these were average criminals, this would not have happened," McCastlain said.

The circuit court jury on April 17 found Jay Campbell guilty of masterminding a criminal organization and also convicted him of 22 of 28 underlying charges, ranging from residential burglary and obtaining a controlled substance by fraud

See **CAMPBELLS**, Page 8A

Page 1 of 2 Dem Gaz 4/25-07

Campbells

• Continued from Page 1A to conspiracy to manufacture a controlled substance.

The jury acquitted Kelly Campbell of participating in the criminal enterprise, but convicted her on 26 of 30 underlying charges, ranging from residential burglary to furnishing prohibited articles to prisoners.

The six-man, six-woman jury recommended at or near the maximum on most convictions. Cole complied, prescribing punishment totaling 315 years in prison for Jay Campbell and 303 years plus one month and 20 years' probation for Kelly Campbell. The judge also upheld the jury's request that the sentences run concurrently — or at the same time — meaning Jay Campbell will serve at most 40 years, and Kelly Campbell, 20 years. The jury recommended 40 years for the ex-chief on the criminal organization conviction; the maximum punishment was life. Kelly Campbell got 20 years on her burglary convictions.

The seven-week trial began Feb. 27 with jury selection. In the fifth week, Cole granted a mistrial to a third defendant, bail bondsman Bobby Junior Cox.

After the jury returned the verdicts and sentences last week, McCastlain asked Cole to keep the Campbells incarcerated during the appeal process. Defense attorneys countered that their clients were not flight risks and had a legitimate basis for an appeal.

Several loud gasps issued from the packed Cabot courtroom Tuesday, after Cole announced that Jay Campbell would be eligible for a bond. McCastlain later said that two trial jurors in the audience were particularly upset by the decision to allow a bond.

"It is a slap in the people's face to allow them [the Campbells] to continue about their business," she said.

Patrick Benca, an attorney for Jay Campbell, said Cole's sentencing came as no surprise.

"The judge did what the jury wanted him to do, and that is pretty much what happens every time," Benca said.



Arkansas Democrat-Gazette/STEVE KEESEE

Former Lonoke Police Chief Jay Campbell (foreground) and his wife, Kelly, await sentencing Tuesday morning in a Cabot courtroom. Seated with them is Mark Hampton, an attorney for Kelly Campbell.

Before he files notice of appeal, Benca said, he will file a motion asking for a new trial. Cole would have to hear arguments and rule on that motion — as well as one filed Monday by Kelly Campbell's attorney — before any appeals can be filed. The appeals would take the case out of Cole's hands and into the jurisdiction of a higher court, the Arkansas Supreme Court or Court of Appeals.

Cole tentatively scheduled a hearing on the new trial motion, or motions, for Tuesday, meaning the Campbells would remain in state custody for at least a week before being able to post a bond.

Benca said the legal issues he plans to raise in seeking a new trial will include concerns that a trial juror apparently expressed to Cole after the verdict. Benca declined to elaborate.

McCastlain said she was told that a juror had expressed remorse about the guilty verdicts. She also said she was not overly concerned because it was not uncommon for jurors to regret their decisions.

Mark Hampton, an attorney for Kelly Campbell, said he also had a number of issues to bring before Cole at a new-trial hearing.

"This case is filled with more errors than any 10 cases I have had combined," Hampton said.

As an example, he said, "prejudicial and inflammatory" evidence introduced at trial about his client's alleged sexual relationship with state prison inmates housed at the Lonoke County jail as part of an inmate labor program had "poisoned" the jury.

One of those prisoners, Shane Scott, spent four days on the witness stand talking about his sexual relationship with Kelly Campbell. Later, Cole dismissed two charges against Kelly Campbell that accused her of furnishing prohibited articles — namely, sex — to Lonoke jail inmates.

"Clearly, the jury was unable to 'unring the bell' with respect to this inflammatory testimony, and [Kelly] Campbell is entitled to a mistrial," Hampton wrote in his motion, which he filed with the court Monday.

The judge also upheld the jury's request that the sentences run concurrently — or at the same time — meaning Jay Campbell will serve at most 40 years, and Kelly Campbell, 20 years.

Betty Campbell, Jay Campbell's mother, who was called by prosecutors to testify in the trial, said her son didn't deserve the sentence.

"I think it is terrible," she said. "I think they did him an injustice."

Another prosecution witness attending the sentencing, who declined to give her name because she said she was "terrified" of retribution, said the Campbells got what they deserved.

In Lonoke, local residents at five downtown businesses would not talk about the case or the Campbells.

"All I want to do is think positive thoughts about our town," said one man, who declined to give his name. "As far as I'm concerned, the rest is history."

Cole declared a mistrial April 2 in the case against Cox after he determined that McCastlain, as the alleged target of a purported plot by Cox to kill her, had a conflict of interest and could no longer prosecute the bail bondsman.

McCastlain has said she will ask the state to appoint a special prosecutor to re-file charges against Cox.

Three other people arrested in the Lonoke corruption investigation — former Lonoke Mayor Thomas Privett, former Lonoke Police Department dispatcher Amy Staley and another bail bondsman, Larry Norwood — face separate trials at later, as yet unspecified, dates.

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4-25-07

Lawyer expects couple to post bond



DAVID SCOLLI/Leader photo

Lonoke County Prosecutor Lona McCastlain (back to camera) Tuesday speaks to reporters after Jay and Kelly Campbell were sent to prison.

By JOHN HOFHEIMER

Leader staff writer

Former Lonoke Police Chief Jay Campbell and his wife Kelly could be freed on appeals bonds as early as Tuesday, but it could be more than a year before the state Supreme Court hears their appeal, Mark Hampton, her lawyer, said Thursday.

Jay Campbell is being held at the state Correction Department's Diagnostic Unit in Little Rock and Kelly is at the women's McPherson Unit at Newport.

Following a two-year corruption investigation and a two-month long trial, Jay Campbell was convicted of 23 counts and sentenced to 40 years in prison, and Kelly Campbell was convicted of 26 counts and sentenced to 20 years.

Most serious among his convictions were running a continuing criminal enterprise and conspiracy to manufacture methamphetamine. Both were convicted of several counts of residential burglary and obtaining a controlled substance by theft or fraud.

Hampton said he had been unsuccessful both

Please see COUPLE, Page 10A

► Couple

Continued from Page 1A
Wednesday and Thursday in talking to Kelly Campbell on the phone, but that he would continue his efforts. Hampton already has filed a motion seeking a directed verdict of not guilty or alternatively, a mistrial for his client. He alleges that her trial should have been separated from her husband's and that all the testimony about her alleged sexual relations with Lonoke Jail inmates, and other testimony involving her husband prejudiced the jury against her.

At the hearing Tuesday, Special Circuit Judge John Cole will rule on motions by Hampton and by Jay Campbell's lawyer Patrick Benca for a new trial. Such motions are routine and routinely denied, said Hampton, but are part of the process of covering all legal basis.

Then Benca and Hampton will file notice of appeal with the judge, Hampton said, and after that, the Campbells will be eligible to be bonded out.

"After giving notice to the circuit court and the world that we intend to appeal," said Hampton, "next thing, we are requesting a transcript. I promise it will be a full seven months until it's ready. Then the record is lodged with the court of appeals or Supreme Court. Then we write briefs on the issues. The state has the right to respond. We can reply—I can't see it being submitted for at least 18 months."

Cole last week set Kelly Campbell's appeal bond at \$100,000 and Jay Campbell's at \$200,000. Prosecutor Lona McCastlain strenuously argued that the Campbells should not be free on appeal. Hampton said Thursday that he expected the friends and families of both Campbells to raise the 10 percent needed to post bond. "They are both broke, but family members are willing to put a lot of stuff on the line," Hampton said.

After formal sentencing by Cole last Tuesday, the Campbells were taken by Lonoke County sheriff's deputies to North Little Rock, where they submitted to hair-follicle analysis to check for drugs in their past, then to the Lonoke County Jail and finally to the state Correction Department.

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Arkansas Democrat  Gazette

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WEDNESDAY, MAY 2, 2007

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Campbells remain in jail, fail drug tests

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — Clad in prison whites, former Lonoke Police Chief Jay Campbell and his wife, Kelly, embraced before being led out of the Cabot District Courtroom on Tuesday after a special circuit judge reversed a decision to allow them out of prison on an appeal bond.

The ruling by special Circuit Judge John Cole was apparently unrelated to news that both Campbells had flunked drug



J. Campbell



K. Campbell

tests administered when they were taken into custody last week.

Kelly Campbell had opiates,

cocaine and methamphetamine in her system, while Jay Campbell was found with hydrocodone, a pain reliever that his attorney said was a legal prescription.

Jay Campbell has been sentenced to 40 years in prison, and Kelly Campbell has been sentenced to 20 years on felony convictions arising from a corruption investigation involving drugs, sex and abuse of an inmate-labor program. Both were in court Tuesday for a hearing

on motions filed by their attorneys asking for a new trial.

At their sentencing on April 24, Cole had set appeal bonds of \$250,000 for Jay Campbell and \$100,000 for Kelly Campbell, and both were expected to post bond Tuesday. Instead, Cole reversed his decision, saying that after further perusal of the Arkansas Rules of Appellate Procedure, he had determined that the Campbells were not eligible to bond out.

Rule Six of the Arkansas

Rules of Appellate Procedure in criminal cases states that a defendant should not be released on an appeal bond unless the court finds "[b]y clear and convincing evidence that the defendant is not likely to flee or that there is no substantial risk that the defendant will commit a serious crime, intimidate witnesses, harass or take retaliatory action against any juror, or otherwise interfere with the administration of justice or pose a danger to the

See **CAMPBELLS**, Page 4B

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Campbells

• Continued from Page 1B
safety of any other person.”

Cole said his earlier ruling only took into consideration his belief that the Campbells would not flee.

“That was an error on my part,” he said, declining to elaborate further.

Now, the Campbells will remain in state prison throughout the appeals process, which attorneys have said could take between one year and 15 months. Kelly Campbell is being held at the McPherson Unit in Newport. Jay Campbell is at the Diagnostic Unit in Pine Bluff.

Lonoke County Prosecuting Attorney Lona McCastlain said she was happy with the ruling, which she said the judge made before learning about the drug-screen results.

“And now, we are glad to get back to work,” she said, saying

she is relieved that the more than seven-week trial is over.

In court Tuesday, Kelly Campbell, who was sporting a shorter hairstyle, appeared agitated and mouthed to McCastlain that she wanted to speak with her. Jay Campbell could be seen whispering constantly to his wife, who repeatedly shook her head ‘no’ and at one point turned her back to her husband. She later ripped up a note her husband handed her.

Patrick Benca, who served as attorney for Jay Campbell throughout the trial, presented a motion asking for a new trial. Since Kelly Campbell was found innocent of engaging in a continuing criminal organization, Benca argued, there weren’t enough people involved in the supposed organization to convict Jay Campbell on the charge.

Mark Hampton, who served as attorney for Kelly Campbell during the trial, also asked the court to consider a motion for a new trial. He cited “inflammatory” evidence introduced about

his client’s sex life.

Cole denied both motions.

The two attorneys then asked to be relieved from duty so that new lawyers could be appointed to handle the Campbells’ appeals. They also asked that their clients be declared indigent. Cole granted both motions.

Cole appointed a public defender to represent Kelly Campbell temporarily and to advise her about her desire to speak with the prosecutor. After speaking with that attorney, Kelly Campbell decided not to talk to McCastlain, who would not speculate on what Kelly Campbell wanted to tell her.

As the Campbells were led to patrol cars to be taken back to prison, friends and family members cried.

Tammy Crow, Kelly Campbell’s sister, called out, “I love you Kelly; I love you Jay,” as the cars drove away. Crow said she is taking care of the Campbells’ three children,

Carolyn Hougland, Kelly

Campbell’s mother, said her family would remain strong. “I’ll be there for my daughter as long as I live.”

Also Tuesday, Cole signed an order appointing Pulaski County Prosecuting Attorney Larry Jegley as a special prosecutor to handle cases against bail bondsmen Larry Norwood and Bobby Junior Cox.

Cole declared a mistrial April 2 in the case against Cox after he determined that McCastlain, as the alleged target of a purported plot by Cox to kill her, had a conflict of interest and could no longer prosecute the bail bondsmen.

Jegley was not in his office Tuesday and could not be reached.

*Page 2 of 2
New Spz 5-2-07*

Pushed to frame pal, witness says

In trial of Lonoke 3, confessed meth cook tells of complex setup

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — An admitted methamphetamine cook testified Thursday that former Lonoke Police Chief Jay Campbell and Bobby Junior Cox, a bail bondsman, recruited him to cook and plant drugs on someone in hopes that person would turn in a fugitive who had jumped a substantial bond posted by Cox.

The statements came in the 16th day of testimony in the felony trial of Campbell; his wife, Kelly Campbell; and Cox. The three are accused of conspiring as part of a criminal organization seeking drugs, sex and money.

For most of the previous 15 days of testimony, prosecutors have focused on the myriad charges against the Campbells.

Thursday was the first significant mention of the criminal counts facing Cox, which are manufacturing a controlled substance, terroristic threatening and intimidating a juror, witness or informant.

The charges against Cox relate to allegations made by Ronald Adams, the admitted drug cook and user. Adams told the Lonoke County jury that he and two friends, Roger Light and Gene Beasley, often used drugs together. In early May 2004, Adams said, Beasley failed to appear in court, jumping a substantial bond posted by Cox, and became a fugitive.

Knowing that he was friends with Beasley, Adams said, Cox asked for his help in locating the fugitive.

"[Cox] had over \$300,000 worth of bonds on him [Beasley]," Adams said. "He was pretty much desperate to find him and he thought I could help him."

Shortly after Beasley disappeared, Adams testified, Lonoke County sheriff's deputies raided his home and "set him up," resulting in his arrest on a charge of manufacturing methamphetamines. Adams said he suspected Cox had something to do with the raid.

After his arrest, Adams said, Cox contacted him again and promised to "make the charges go away" if he could help find Beasley. The witness said he believed Cox was referring to the new Lonoke County charges, as well as charges pending in Jacksonville. In addition, Cox was offering a \$25,000 reward for information leading to the capture of Beasley, according to evidence previously introduced at the trial.

Adams said he tried to help the bail bondsman, but that, eventually, Cox and another bail bondsman, Larry Norwood, decided to "step up" their search for Beasley. He said the pair concocted a scheme to have Adams cook methamphetamine and plant it on Light in the hopes that Light would give up Beasley.

(Lonoke County Prosecuting Attorney Lona McCastlain has charged Norwood in connection with this allegation. A trial is pending.)

"He asked me would I cook some drugs and make sure that Roger gets them and, as soon as I do that and Roger has [the drugs], to call him," Adams said of Cox. "The police were waiting down the road to stop Roger, and that's all I had to do. ... At that point, he would take care of my charges in Lonoke and take care of my charges in Jacksonville."

He said Jay Campbell, then the Lonoke police chief, was part of the scheme, too.

Adams made other allegations during his testimony: He said Cox and Norwood took him to the Jacksonville city attorney's office, where they threatened to beat him up if he didn't help them, that Jacksonville District Judge Robert Batton was going to accept a bribe from Cox to drop the charges Adams faced in Jacksonville, that members of a federal Drug Enforcement Administration task force conspired to break into his home to steal a videotape and that an FBI agent refused to listen to his story.

During cross-examination, Mark Hampton, an attorney for Kelly Campbell, hammered Adams on all of these allegations against law enforcement personnel.

"All of these people failed you?" Hampton said, referring to the Jacksonville city attorney's office, Judge Batton, DEA agents and the FBI.

"Yes, I would say so," Adams replied.

"The only person you were able to convince of the truth of your story was Ms. McCastlain's investigator, Charles McLemore," Hampton said. McLemore is an Arkansas State Police investigator.

"He told me from the beginning that he thought there was something shady I had gone through and he wanted to find out the facts," Adams said, referring to McLemore. "I told him everything I knew."

Craig Edwards, a North Little Rock police officer who served for a time as a member of a DEA task force, testified that he and another task-force member had interviewed Adams at the DEA office in Little Rock.

Adams told a "confusing story" involving allegations that Jay Campbell was involved with methamphetamines, Edwards said. He informed his supervisor, who advised him not to pursue the allegations, the former DEA officer said.

John Seaberg, an agent with the FBI office in Little Rock, testified that he issued a federal arrest warrant for Beasley at the request of McCastlain's office. While he was searching for Beasley, Seaberg said, he met with Adams. The agent said Adams told a story about having made contact with Beasley through an unidentified man, who met him at a mall in North Little Rock and handed him a cell phone. Adams told him that Beasley was on the line, Seaberg said.

"I said, 'That sounds a little far-fetched to me,'" Seaberg said.

When Adams tried to tell Seaberg about taking part in the arrest of Roger Light, Seaberg said, he told Adams he didn't want to hear about it because that was between Adams and whatever law enforcement agency Adams was working with at the time.

Testimony is to resume at 9 a.m. today in the Cabot District Court room, where the circuit court trial is being held.

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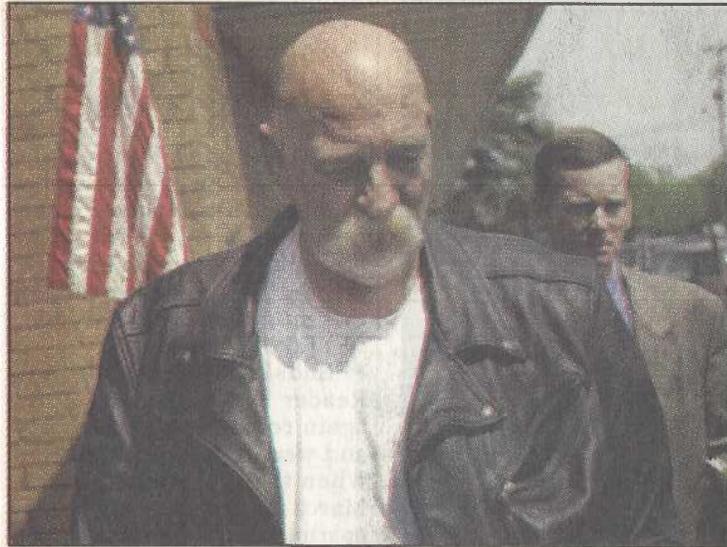
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SATURDAY, MARCH 31, 2007



Arkansas Democrat-Gazette/BENJAMIN KRAIN

Ron Tyler leaves the courtroom in Cabot on Friday after testifying, outside the jury's presence, that one of the three defendants in the Lonoke corruption trial asked him to kill a prosecution witness and the prosecuting attorney.

Motion for a mistrial denied in Lonoke case

Felon testifies prosecutor, witness on hit list

BY MICHELLE HILLEN
ARKANSAS DEMOCRAT-GAZETTE

CABOT — A circuit judge denied a motion for a mistrial Friday in the Lonoke corruption case after a convicted felon testified outside the jury's presence that one of the three defendants asked him to kill both a prosecution witness and Lonoke County Prosecuting Attorney Lona McCastlain.

The man said the co-defendant, Bobby Junior Cox, also asked him to set fire to McCastlain's home and the Lonoke County courthouse.

The statements came before the 17th day of open-court testimony resumed in the trial of Cox; former Lonoke Police Chief Jay Campbell; and his wife, Kelly Campbell.

The three are accused of conspiring as part of a criminal

organization seeking drugs, sex and money.

Ron Tyler, an Arkansas man who said he had been in the penitentiary seven times — including a stay in a federal prison in Minnesota — testified that Cox had asked him to kill both McCastlain and a man named Ron Adams.

Adams, a prosecution See **LONOKE**, Page 10B

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