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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET22 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☒ (b)(7)(C)☐ (k)(1)☒ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/17/1995

To: Little Rock

From: SA [REDACTED]

SQ 2

Approved By: [REDACTED]

Drafted By: [REDACTED]:sso

File Number(s): 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Memo alleging corruption on the part of [REDACTED]

Enclosures: Attached is a memo from case file [REDACTED]

Details: On September 6, 1988, [REDACTED]
Arkansas State Police (ASP), contacted Little Rock FBI Special
Agent (SA) [REDACTED]

Other allegations made were that a [REDACTED]
sells drugs for [REDACTED] as well as a white male known only
[REDACTED]

During this particular interview, it was discovered
that [REDACTED] was trying to use the ASP as well as the FBI
to impeach the informant and the officers involved in the case
that [REDACTED] was representing.

CC: 1 - SA [REDACTED]

♦♦

166C-LR-35380

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 21 1995	
FBI - LITTLE ROCK	

To: Little Rock From: SA [REDACTED]
Re: 166C-LR-35380, 08/17/1995

b7C

WORK COPY ROUTING SHEET

CC: 1 - SA [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION
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Section 552

Section 552a

☐ (b)(1)

☐ (b)(7)(A)

☐ (d)(5)

☐ (b)(2)

☐ (b)(7)(B)

☐ (j)(2)

☐ (b)(3)

☒ (b)(7)(C)

☐ (k)(1)

☒ (b)(7)(D)

☐ (k)(2)

☐ (b)(7)(E)

☐ (k)(3)

☐ (b)(7)(F)

☐ (k)(4)

☐ (b)(4)

☐ (b)(8)

☐ (k)(5)

☐ (b)(5)

☐ (b)(9)

☐ (k)(6)

☐ (b)(6)

☐ (k)(7)

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Memorandum



To : SAC, LITTLE ROCK (166C-LR-35380) (P) Date 8/16/95
(SQ 2)

From : SA [REDACTED] b7C
b7D

Subject: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION
OO: LITTLE ROCK

Attached to this memo is a picture of the Benton Police
Department Tactical Team called the COBRAS which appeared in the
"Benton Courier" on June 3, 1986. [REDACTED]
[REDACTED] County Sheriff [REDACTED]

PJC/ssc
(2) [REDACTED]

1*

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 16 1995	
FBI - LITTLE ROCK	

1

b2
b7C
b7D

advised that

Source reported that

SEARCHED INDEXED
SERIALIZED FILED
AUG 14 1995
FBI — LITTLE ROCK
92/17C

(COPY)

166C-LR-35380
PJC/ss0

1

ADMINISTRATIVE:

The following investigation was conducted by
Special Agent (SA) [REDACTED] on July 24, 1995:

b2
b7C
b7D

[REDACTED]

389

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 14 1995	
FBI - LITTLE ROCK	

[REDACTED] *OK/AF*

H

(COPY)

11

- 1 -

FEDERAL BUREAU OF INVESTIGATION

b7C
b7D Date of transcription 8/21/95

[REDACTED] white male, date of birth [REDACTED] was interviewed at the Federal Bureau of Investigation, 10825 Financial Centre Pkwy #200, Little Rock, Arkansas. After reading and signing an FD-395 "Advice of Rights" form and submitting to a polygraph examination, [REDACTED] provided the following information:

Following the polygraph examination, [REDACTED] wanted to clarify some points brought out in the pretest interview.

[REDACTED]

[REDACTED]

[REDACTED] said he thought this conversation could have

[REDACTED]

Investigation on 8/15/95 at Little Rock, Arkansas File # 166C-LR-35380 -390
by SA [REDACTED] tph tpb Date dictated 8/16/95

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/22/1995

To: Little Rock

From: SA [REDACTED]

SQ 2

Approved By: [REDACTED]

Drafted By: [REDACTED]

File Number(s): [REDACTED] (Pending)

56C-LR-35380

Title: [REDACTED]

Synopsis: Caseload synopsis.

Details: The purpose of this memo is to advise the Little Rock Division of writer's case status. Writer is going on maternity leave beginning August 22, 1995, to approximate date November 1, 1995.

Both [REDACTED]
Memo closed 7/5/95.

Case completed.

166C-LR-35380-391

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AUG 22 1995	

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Section 552a

□ (d)(5)

□ (j)(2)

□ (k)(1)

□ (k)(2)

□ (k)(3)

□ (k)(4)

□ (k)(5)

□ (k)(6)

□ (k)(7)

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166C-LR-35380

Continuation of FD-302 of

[REDACTED]

b7C

b7D

, On 6/27/95 , Page 4

[REDACTED] then furnished the following information regarding himself:

Home Address

Home Phone
Employment

Work Phone

[REDACTED]

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166C - LR - 35380 - 391

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To: Little Rock From: SA [REDACTED]
Re: [REDACTED] 08/22/1995

b7C

Source will send information via [REDACTED]
[REDACTED]

166C-LR-35380 - DON HENRY; KEVIN IVES

[REDACTED] polygraphed, passed. Leads set out to
interview [REDACTED] Letters summarizing the case sent to U. S.
Attorney. [REDACTED]

Introduced to SA [REDACTED] Continue to
evaluate for suitability as a source.

[REDACTED] UNSUB; [REDACTED]
[REDACTED]

All [REDACTED] leads covered.
[REDACTED]

All OKBOMB leads covered.

CC: 1 - SA [REDACTED]
1 - SA [REDACTED]

♦♦

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 11/14/1995

To: Little Rock

From: [REDACTED]

Squad 2

Contact: SA [REDACTED]

Ext. [REDACTED] b7C

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Telephonic contact with FBI Laboratory, SSA [REDACTED]
[REDACTED] Extension [REDACTED]

Details: For information of Little Rock, SSA [REDACTED] advised that the blood samples from captioned victims' clothing has degraded to the point that DNA tests are not possible. Upon completion of the remaining Laboratory tests, hairs and fibers, Little Rock will telephonically be notified followed by the Laboratory report.

♦♦

1

AGENT COPY SENT

ASA [REDACTED]
SAR [REDACTED]

SEARCHED	INDEXED
SERIALIZED	FILED
[REDACTED]	
[REDACTED]	

121 [REDACTED] b7C
131855081.EC

166C-LR-35380-393

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/01/1995

To: Little Rock

Attn: ASAC William C. Temple

From: SSA [REDACTED]

Squad 2

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 166C-LR-35380 (Pending)

Title: Unsub(s);
DONALD HENRY,
KEVIN IVES - Victims;
ITAR - Murder For Hire;
OO: Little Rock

Synopsis: SA [REDACTED] further explanation of his opinion
[REDACTED] allegations regarding [REDACTED]

Details: Reference FD-498, Polygraph Report of SA [REDACTED]
[REDACTED] 8/4/95. (Copy Attached)

On September 1, 1995, SA [REDACTED] was contacted regarding
his comments in the last paragraph of referenced FD-498,
specifically, "did [REDACTED] provide a reason as to why [REDACTED]
name?" SA [REDACTED] advised that [REDACTED] stated that he had
[REDACTED]

SA [REDACTED] further advised that [REDACTED] could never be used
as a witness against others, given his own criminal history and
willingness to fabricate stories for his own personal
aggrandizement.

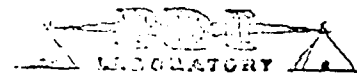
SEARCHED
SERIAL
SEP 01 1995

To: Little Rock From: SSA [REDACTED]
Re: 166C-LR-35380, 09/01/1995

b7c

1 - SAC
1 - ASAC
1 - #3 Supervisor
1 - #4 Supervisor
2 - 166C-LR-35380
(6)
/ajf

♦♦



CONCUR

Reviewed By: 182Date: 8/11/95

POLYGRAPH REPORT

DATE OF REPORT 8-4-95	DATE OF EXAMINATION 8-2-95	BUREAU FILE NUMBER	FIELD FILE NUMBER 166C-LR-35380
FIELD OFFICE OR AGENCY REQUESTING EXAMINATION LITTLE ROCK			
AUTHORIZING OFFICIAL SAC, LITTLE ROCK			DATE AUTHORIZED 7-10-95
EXAMINEE NAME (LAST, FIRST, MIDDLE) [REDACTED] b7C			

CASE TITLE

UNSUBS; AKA-ETAL;
DON HENRY AND KEVIN IVES-VICTIMS; MURDER-ITAR;
OO:LR

REFERENCES

50809510
X2

b7C

CASE SYNOPSIS/EXAMINER CONCLUSION

[REDACTED] had contacted [REDACTED] reference the murders of two Arkansas teenage boys Don Henry and Kevin Ives. [REDACTED] that [REDACTED] made allegations that the murders of the two boys and the subsequent cover up was accomplished by Saline County police officers and DA Dan Harmon. [REDACTED] was interviewed by the FBI and asked to submit to a polygraph. On 8-2-95, SA [REDACTED] traveled to the [REDACTED] to conduct the polygraph. [REDACTED] after having been advised of his rights as they pertain to the consent to interview by polygraph and after having waived those rights, [REDACTED] was polygraphed.

EXAMINERS CONCLUSIONS

It is the opinion of the examiner that the examinee when responding to relevant questions was deceptive (DI). Those relevant questions and examinee's responses were as follows:

b7E

[REDACTED]

Upon completion of this polygraph, [REDACTED] asked how he had done on the exam and was told by the examiner that he knew how he had done and that the examiner would discuss the results

EXAMINER NAME: b7C

POLYGRAPH EXAMINATION WORKSHEET

Date of Report 8-4-95		Date of Examination 8-2-95		Bureau File Number		Field File Number 166C-LR-35380	
Location of Examination [REDACTED]				Examiner Name [REDACTED]			
Examinee Name (Last, First, Middle) [REDACTED]						SSN [REDACTED]	
Date of Birth [REDACTED]		Age 40		Place of Birth [REDACTED]			
HT [REDACTED]	WT [REDACTED]	Sex M	Marital Status MARRIED		Current Address [REDACTED]		
Previous Polygraph Examination NO			Language During Exam ENGLISH		mince <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Education (Total Years GED) OBTAINED HIS GED [REDACTED]							

Employment History (AG)

NO MILITARY.

Health/Medication

HEALTH-GOOD. NO MEDICATION.

Arrests/Convictions

Check One Only		FBI/EMP/APP		Type of Investigation		Total Examiner Time (Include Travel)	
Subject		Special Agent		Criminal	X	24	Hours
Victim		Support		FCI			
Witness	X	Translator		Admin. Inquiry			
Suspect		Contract		PSP			
Asset				Applicant			
Informant		Leak Case	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	WITSEC			
Applicant				Other Federal			
FBI Employee							
						Estimated Property Value NA	

Date(s)	Time In	Time Out
8-2-95	10:00AM	12:30PM

Type Test	[REDACTED]
No. Series	[REDACTED]
No. Charts	[REDACTED]
Instrument Serial No.	[REDACTED]

Examination Results

DI	X	INC	
NDI		NO	

Pretest Admission		Confession	
Post Test Admission		Confession	X

Comments (Name of Witness or Interpreter)

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CONSENT TO INTERVIEW WITH POLYGRAPH

b7C

PLACE: [REDACTED]

DATE: 8.2.93

TIME: 10:17am

Before we begin an examination by means of the polygraph in connection with information that you provided to the FBI.

you must understand your rights.

YOUR RIGHTS

You have the right to refuse to take the polygraph test.

If you agree to take the polygraph test, you have the right to stop the test at any time.

If you agree to take the polygraph test, you have the right to refuse to answer any individual questions.

WAIVER AND CONSENT

I have read this statement of my rights and I understand what my rights are. I voluntarily agree to be examined by means of the polygraph during this interview. I understand and know what I am doing. No threats or promises have been used against me to obtain my consent to the use of the polygraph. I understand that the examination room (~~DOES~~) (DOES NOT) contain an observation device and that the examination (~~WILL~~) (WILL NOT) be monitored or recorded.

SIGNED [REDACTED]

(Examinee)

b7C

WITNESS: _____

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Section 552a

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| <input type="checkbox"/> (b)(3) | <input checked="" type="checkbox"/> (b)(7)(C) | <input type="checkbox"/> (k)(1) |
| _____ | <input type="checkbox"/> (b)(7)(D) | <input type="checkbox"/> (k)(2) |
| _____ | <input checked="" type="checkbox"/> (b)(7)(E) | <input type="checkbox"/> (k)(3) |
| _____ | <input type="checkbox"/> (b)(7)(F) | <input type="checkbox"/> (k)(4) |
| <input type="checkbox"/> (b)(4) | <input type="checkbox"/> (b)(8) | <input type="checkbox"/> (k)(5) |
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b7C
b7D
with him after the second polygraph was administered. [REDACTED] was told that the second exam concerned information that he had provided to the FBI about his [REDACTED]

[REDACTED] then told the examiner that he did not want to take any more polygraphs and confessed that he had made up all of the information that he had told to the reporter and to the FBI in hopes of getting [REDACTED]

[REDACTED] then stated that he had been [REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/10/1995

To: Little Rock

Attn: SAC I.C. Smith

From: SSA [REDACTED]
Squad 2
Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 80-611 (Pending)
166C-LR-35380 (Pending)

Title: UNSUBS;
DONALD HENRY,
KEVIN IVES - Victims;
ITAR-Murder For Hire;
OO: Little Rock

Synopsis: Telephonic contact with SA [REDACTED]
regarding a phone request from Micah Morrison of the Wall Street Journal.

Details: On October 5, 1995, Micah Morrison, a Wall Street Journal writer contacted SA [REDACTED] Little Rock Media Coordinator, with a request to interview SA [REDACTED] regarding captioned investigation. SA [REDACTED] in turn, passed along Mr Morrison's request to the SAC who instructed SSA [REDACTED] to contact SA [REDACTED] and remind her of FBI policy regarding contact with the media.

On October 10, 1995, SA [REDACTED] was contacted at home by phone and advised of Mr. Morrison's request and further informed that if he should contact her, she should refer him to SA [REDACTED]. SA [REDACTED] advised that she understood and further advised that [REDACTED] is [REDACTED]

SA [REDACTED] was also reminded that SSA [REDACTED] had informed her early on in the investigation not to become personally involved in the investigation and to refrain from discussing the FBI's investigation. SA [REDACTED] stated that she understood this; [REDACTED] SA [REDACTED]

166C-LR-35380 394

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NOV 15 1995	
FBI - LITTLE ROCK	

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

To: Little Rock From: SSA [REDACTED]
Re: 80-611, 10/10/1995

b7C

[REDACTED]

SA [REDACTED] stated that in each instance, she has merely listened [REDACTED] was again instructed to limit her relation [REDACTED] to the facts in captioned matter.

- 1 - SAC
- 1 - ASAC
- 1 - 80-611
- 1 - 166C-LR-35380

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/07/1995

To: Little Rock

Attn: SAC

From: [REDACTED]

Squad 2

Contact: SA [REDACTED]

Ext. [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED] :sso

Case ID #: 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Message left for writer by a Christopher Rutty, "Pittsburgh Tribune Review" in New York.

Details: For information of Little Rock, on 12/05/1995, Christopher Rutty, "Pittsburgh Tribune Review," New York, left a recorded message on writer's phone recorder at the office.

Mr. Rutty advised that he is a reporter and would like to speak with Agent regarding the Ives-Henry investigation. A request was made for Agent to telephonically contact Mr. Rutty at (718) 229-8209.

If Mr. Rutty or any other media representative contacts writer, he/she will be referred to SA [REDACTED]

CC: 1 - SAC AGENT COPY SENT
1 - ASAC
1 - #2 Supervisor
1 - SA [REDACTED]
1 - SA [REDACTED]

166C-LR-35380

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 7 1995	
[REDACTED] AF/SPS	

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/04/1995

To: Little Rock

From: SA [REDACTED]
Squad 2

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 166C-LR-35380 (Pending)
80-611

Title: UNSUBS;
DONALD HENRY - VICTIM
KEVIN IVES - VICTIM
ITAR - MURDER FOR HIRE

Synopsis: Events while on maternity leave.

Administrative: Reference SSA [REDACTED] memo, dated 10/10/95, and SSA [REDACTED] telephone call to SA [REDACTED] 10/10/95.

Details: For information, Saline County Sheriff Judy Pridgen requested that Little Rock FBI take over investigation of captioned case in December 1993. This request was made to SSA [REDACTED]. SSA [REDACTED] wrote a communication, contacted AUSA Michael Johnson and opened the Ives-Henry investigation in December 1993 with the investigative responsibility being assigned to writer.

Due to the volatile nature of this case, writer expressed concern to SSA [REDACTED] and he assured writer that she would be given the support for an effective investigation.

Don Henry and Kevin Ives bodies were discovered when they were passed over by a Union Pacific train on 8/23/87. Since the time of their deaths, [REDACTED] has actively pursued the investigation into the death [REDACTED]

[REDACTED] the deaths [REDACTED] Dan Harmon during Harmon's investigation into the deaths of Don Henry and Kevin Ives.

166C-LR-35380-396

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 4 1995	
FBI - LITTLE ROCK	

To: Little Rock From: SA [REDACTED]
Re: 166C-LR-35380, 12/04/1995

b7C

[REDACTED] was and is currently in contact with [REDACTED]
[REDACTED]
Sheriff's Office during the investigation of the Ives-Henry
deaths. While [REDACTED] in this case, he
revealed to [REDACTED] the result of his investigation.
[REDACTED]
[REDACTED]

When this case was taken over by LR FBI, Saline County
Sheriff's Office made no secret of this. It became apparent the
Sheriff's Office was relieved of the responsibility of the Ives-
Henry investigation and referred all calls to LR, to include the
calls of [REDACTED]

Due to [REDACTED] case agent has
always attempted to deal [REDACTED] as well as
professionally.

Agent is particularly perturbed by the referenced memo
of SSA [REDACTED] Agent has worked this case virtually alone from
December, 1993, to October of 1994 at which time SA [REDACTED] began
assisting on said case.

This investigation was worked by a Task Force in Saline
County as well as an Arkansas State Police Task Force. Agent not
only reviewed all past investigation, which amounted to eight
volumes of files, but also reviewed all State Police files.

Agent was given virtually no support or guidance on
this case until SA [REDACTED] became involved with the case.

This case is very volatile in nature and agent will
continue to refer all media calls regarding this case or any
other case to SA [REDACTED] the Media Representation for the
Little Rock Division.

- 1 - SAC
- 1 - ASAC
- 1 - #2 Supvr for performance folder
- 1 - SA [REDACTED]

♦♦

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 1/4/96

FM FBI LITTLE ROCK (166C-LR-35380) (P)

TO FBI [REDACTED] /ROUTINE/

BT

UNCLAS

CITE: //3390//

SUBJECT: UNSUBS; KEVIN IVES (DECEASED); DON HENRY (DECEASED);
 ITAR - MURDER FOR HIRE; USE OF MINORS TO SELL AND DISTRIBUTE
 DRUGS; DOMESTIC POLICE COOPERATION; OO: LITTLE ROCK.

FOR INFORMATION OF [REDACTED] CAPTIONED VICTIMS' BODIES
 WERE DISCOVERED AFTER THEY HAD BEEN PASSED OVER BY A
 UNION PACIFIC TRAIN IN THE EARLY MORNING HOURS ON 8/23/87.
 THE INITIAL AUTOPSY RULING WAS ACCIDENTAL DEATH, BUT WAS LATER
 CHANGED TO INDICATE FOUL PLAY WAS INVOLVED IN THE BOYS'
 DEATHS.

PJC/sso
 (1)

166C-LR-35380-397

Searched _____
 Serialized _____
 Indexed _____
 Filed ny

Approved: 165/WW Original filename: SS0002W.004 (2)Time Received: 4:40 PM Telprep filename: SS000250.004MRI/JULIAN DATE: 1116/004 ISN: 002

FOX DATE & TIME OF ACCEPTANCE:

1/4/96, 2243 (4:43 PM) JWC

121 [REDACTED] 0455004.TEL

^PAGE 2 (166C-LR-35380) UNCLAS

NUMEROUS RUMORS SURROUND THE DEATHS OF HENRY AND IVES WITH THE MOST PERSISTENT BEING THAT THE BOYS HAPPENED UPON A METHAMPHETAMINE LAB PRIOR TO THEIR DEATHS.

THE TRAIN DEATHS HAVE RECENTLY BEEN FEATURED ON "UNSOLVED MYSTERIES" RESULTING IN NUMEROUS LEADS.

A [REDACTED] TELEPHONICALLY CONTACTED BENTON, ARKANSAS, POLICE DEPARTMENT. [REDACTED] ADVISED THAT AN INDIVIDUAL BY THE NAME OF [REDACTED]

[REDACTED] WITH THE DEATHS OF THESE BOYS. [REDACTED] AS ADVISED BY [REDACTED]

[REDACTED] ADVISED [REDACTED] THAT THE BOYS HAD GOTTEN TOO CLOSE TO THE METHAMPHETAMINE LABORATORY AND WERE KILLED AS A RESULT OF WHAT THEY SAW.

[REDACTED] EXPRESSED CONCERN FOR [REDACTED]

[REDACTED] DISCREETLY CONTACT [REDACTED]

[REDACTED] PHONE

[REDACTED] REGARDING INFORMATION PROVIDED TO THE BENTON POLICE DEPARTMENT. INTERVIEW [REDACTED]

^PAGE 3 (166C-LR-35380) UNCLAS

THOROUGHLY REGARDING WHAT [REDACTED] HAD REVEALED [REDACTED]
REGARDING VICTIMS HENRY AND IVES.

BT

06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/04/1996

To: ✓ Little Rock

From: [REDACTED]

Squad 7/Columbus RA

Contact: [REDACTED] b7C

Approved By: [REDACTED]

Drafted By: [REDACTED] jlm

Case ID #: 166C-LR-35380³⁹⁸ (Closed)

Title: UNSUB(S);
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND
DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Results of Little Rock lead to interview [REDACTED]

Enclosures: Enclosed is the original and two copies of the FD-302 reflecting the interview with [REDACTED] on 3/13/95.

Details: Re [REDACTED] airtel to Little Rock, dated 3/6/95; and telcall between SA [REDACTED] Little Rock Division, and SA [REDACTED] on 11/28/95.

The aforementioned lead results were inadvertently held in the [REDACTED] Division and were not forwarded to the Little Rock Division. It should be noted that the previously mentioned investigation was completed on or about 3/6/95.

Inasmuch as all requested investigation has been completed, this matter is being closed in the [REDACTED] Division.

CC: 1 - SA [REDACTED] b7C

♦♦

1

copy w. enclosure to SA [REDACTED] AGENT COPY SENT

AGENT COPY SENT

SSA [REDACTED]

AGENT COPY SENT

166C-LR-35380-398

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 26 1996	
FBI - LITTLE ROCK	

AW

FILE - LITTLE ROCK (111)

To: [REDACTED] From: [REDACTED]
Re: 166C-LR-35380, 01/04/1996

b7C

WORK COPY ROUTING SHEET

CC: 1 - SA [REDACTED]

♦♦

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

04/18/95

b7C
b7D

[REDACTED] male; date of birth [REDACTED]
[REDACTED] SSAN [REDACTED] residence, [REDACTED]
[REDACTED] after being advised of the identity of
the interviewing Agent and the nature of the interview, provided
the following information:

[REDACTED]

advised

Investigation on 03/13/95 at [REDACTED] file # 166C-LR-35380

by SA [REDACTED] bth Date dictated 03/21/95

166C-LR-35380

b7C
b7D

Continuation of FD-302 of [REDACTED]

, On 03/13/95, Page 2

advised

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/16/1995

To: Little Rock

Attn: SA [REDACTED]

From: CIRC [REDACTED]
ISU

Contact: SSA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]:tfs

Case ID #: 166C-35380 (Pending)

Title: UNSUBS;
KEVIN IVES - VICTIM (DECEASED);
DON HENRY - VICTIM (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION;
OO: LR

Synopsis: Requested interview and investigative assistance provided by ISU, no further action requested.

Reference: LR airtel dated 2/3/1995 and subsequent telcalls between SSA [REDACTED] and SA [REDACTED]

Details: Based upon information provided to the ISU by SA [REDACTED] interview and investigative strategies and other observations and considerations, were discussed concerning [REDACTED] of other individuals suspected in captioned case. All assistance requested of the ISU has been provided, and no further requests or communications have been received. Therefore, the ISU will take no further action in this matter unless requested by Little Rock.

CC: 2 - Little Rock
(1 - 166C-3580)
(1 - SA [REDACTED])
2 - CIRC
(1 - 266C-2580)
(1 - SSA [REDACTED])

11/16/96
1/5/96
paw

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 17 1995	
FBI - LITTLE ROCK	

349
PA

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/23/1996

To: / Little Rock

From: [REDACTED]

Squad 7

Contact: SA [REDACTED]

Ext. [REDACTED] b7c

Approved By: [REDACTED]

Drafted By: [REDACTED] JW

Case ID #: 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Report of investigation to date.

Details: Record checks have determined that [REDACTED]

[REDACTED] works evenings.
Numerous attempts have been made to telephonically contact [REDACTED] discreetly at home or at work. None have been successful to date. No contacts have been made with local authorities regarding [REDACTED]

[REDACTED] will continue to attempt to discreetly contact [REDACTED] Little Rock should consider if [REDACTED] cannot contact [REDACTED] discreetly whether more overt measures are appropriate.

♦♦

AGENT COPY SENT

1

166C-LR-35380-400

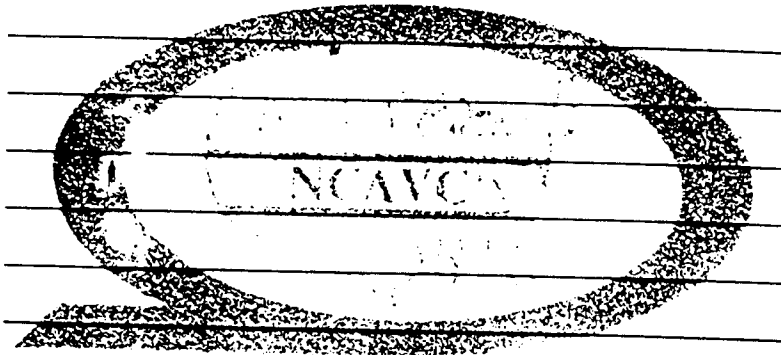
SEARCHED	INDEXED
SERIALIZED	FILED
JAN 30 1996	
FBI - LITTLE ROCK	

166C-LR-35380-400

Department of Justice
Federal Bureau of Investigation
FBI Academy

NATIONAL CENTER FOR THE ANALYSIS OF VIOLENT CRIME

**Here is the material
you requested . . .**



*Squad 2 Rotor
Original Serial (#399)
for file.*

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
JAN 19 1996	
FBI - NEW YORK	

CIRG / ISU

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☒ (b)(7)(C)☐ (k)(1)☒ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

_____ Pages were not considered for release as they are duplicative of _____

_____ Page(s) withheld for the following reason(s): _____

- ☒ The following number is to be used for reference regarding these pages:

166 C - LR - 35380 - 401

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X Deleted Page(s) X
X No Duplication Fee X
X for this page X
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XXXXXX
XXXXXX

(09/19/94)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/09/1996

To: Little Rock

Attn: ASAC William Temple

From: [REDACTED]

Approved By: [REDACTED]

JM Drafted By: [REDACTED]

Case ID #: 166C-LR-35380 (Pending)

Title: Don Henry - Victim;
Kevin Ives - Victim;
ITAR - Murder for Hire - Non OC;

Synopsis: Enclosed is the informant insert discussed on 2/5/96 by ASAC William Temple and SA [REDACTED]

Enclosures: Enclosed for Little Rock is a copy of an informant insert.

Details: Due to the sensitivity of the enclosed insert, the insert has not been loaded into ACS.

♦♦

[Signature]
2/14/96

SAC *[Signature]*

166C-LR-35380-402
SEARCHED INDEXED
SERIALIZED FILED
FBI - LITTLE ROCK

166C-LR-35380-402

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/04/1996

To: ✓ Little Rock

From: [REDACTED]

Squad 7

Contact: SA [REDACTED] Ext. [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED] jw

Case ID #: 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Report of investigation to date.

Details: [REDACTED] interviewed 3/1/96. Original and copy of FD-302 are enclosed for Little Rock AR. [REDACTED] advised that

[REDACTED] further advises that [REDACTED] called his

[REDACTED] advised she would obtain telephone toll records for this telephone and furnish same to the FBI. As soon as these are available they will be forwarded to Little Rock.

♦♦

AGENT COPY SENT 1

166C-LR-35380-403

SEARCHED	INDEXED
SERIALIZED	FILED

MAR 7 1996

166C-LR-35380-423

- 1 -

FEDERAL BUREAU OF INVESTIGATION

b7C
b7D
Date of transcription

3/4/96

[REDACTED] furnished the following information after being apprised of the identity of the interviewing agent and the nature of the inquiry:

[REDACTED]

Investigation on 3/1/96

at [REDACTED]

File # 166C-LR-35380 - 404

by Special Agent [REDACTED]

Date dictated 3/4/96

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

166C-LR-35380

b7c
b7d

Continuation of FD-302 of

, On 3/1/96 , Page 2

advised

The following description of [REDACTED] was obtained by observation and interview:

Race: White Sex: Female DOB:

Current Address (parents):

Social Security Number:

Height: [REDACTED] Weight: [REDACTED] pounds

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/04/1996

To: ✓Little Rock

From: [REDACTED]

Squad 7

Contact: SA [REDACTED]

Ext. [REDACTED] 67C

Approved By: [REDACTED] *ASB*

Drafted By: [REDACTED] jw

Case ID #: 166C-LR-35380 (Pending)

Title: UNSUBS;
KEVIN IVES (DECEASED);
DON HENRY (DECEASED);
ITAR - MURDER FOR HIRE;
USE OF MINORS TO SELL AND DISTRIBUTE DRUGS;
DOMESTIC POLICE COOPERATION

Synopsis: Report of investigation to date.

Details: [REDACTED] was employed at [REDACTED]
[REDACTED] has social security
number [REDACTED] and reported an address of [REDACTED]
[REDACTED] A check of NCIC criminal history found [REDACTED]

[REDACTED] is
described in NCIC as follows:
male, white, DPOB: [REDACTED]
[REDACTED], brown hair and eyes, aliases:
[REDACTED] He is
known to use differing dates of birth and social security
numbers. He has a [REDACTED]
employer believes that he [REDACTED]

♦♦

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 12 1996	
FBI - LITTLE ROCK	

166C-LR-35380-40E



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

10825 Financial Centre Pkwy., #200
Little Rock, Arkansas 72211
May 2, 1996

Honorable Paula J. Casey
United States Attorney
Eastern District of Arkansas
Little Rock, Arkansas 72201

Re: Unknown Subjects;
Kevin Ives (Deceased);
Don Henry (Deceased);
Interstate Transportation in Aid
of Racketeering - Murder For Hire;
Use of Minors to Sell and Distribute Drugs;
Domestic Police Cooperation

b7C

Dear Ms. Casey:

On July 31, 1995, this office furnished you with a letter, the purpose of which was to provide an overview of theories and remaining investigation in this matter, which you had previously requested. In addition, I requested an opinion as to the following: 1) whether continued investigation appears warranted and, if so, 2) the nature of the FBI's jurisdiction in this matter.

In subsequent conversations with you, I advised I would provide you with the results of the remaining case investigation initiatives and make recommendations regarding further investigative actions.

As noted in the above referenced letter, remaining investigation included polygraphs of [REDACTED] who claimed to have knowledge of the deaths of Kevin Ives and Don Henry.

The [REDACTED] to be polygraphed was [REDACTED] who was interviewed in [REDACTED] August 2, 1995.

Basically, he showed deception in all relevant areas, and admitted lying about his knowledge of the deaths of Henry and Ives.

1 - Addressee
1 - 166C-LR-35380
ICS/skf
(2)

166C-LR-35380 - 406

Searched
Serialized
Indexed
Filed

123SKF03.LET

On August 2, 1995, [REDACTED] was also polygraphed in [REDACTED] where he [REDACTED] b7C

The relevant questions and his responses are as follows:

1. [REDACTED]

Response: yes.

2. [REDACTED]

Response: yes.

It was the opinion of the examiner that [REDACTED] when responding to the relevant questions, was not deceptive.

[REDACTED] advised that he had no direct knowledge of the deaths of Ives and Henry.

[REDACTED] was interviewed on August 3, 1995, by Special Agent [REDACTED]. That interview, in pertinent part as related to the Ives-Henry matter, is as follows:

"...the topic of the Ives-Henry deaths came up. [REDACTED]

[REDACTED] stated that Special Agent [REDACTED] of the Bureau of Alcohol, Tobacco and Firearms was also present during that conversation.

As a result of that interview, [REDACTED] polygraphed on August 15, 1995, and was asked the following relevant questions:

1. [REDACTED]

Response: no.

b7C

2. [REDACTED]

Response: no.

3. [REDACTED]

Response: yes.

His responses were considered non-deceptive.

On April 30, 1996, I telephonically contacted Special Agent [REDACTED] his current place of assignment. He confirmed [REDACTED]

In addition to these polygraphs, the letter noted evidence had been submitted to the FBI Laboratory for analyses. The FBI Laboratory has advised the body fluids found on the clothing of the victims had degraded to the point DNA analysis is impossible. Further, human hairs found on the clothing and a latent print found on the scope of the rifle located at the scene were compared with negative results with hair samples and fingerprints obtained by subpoena from five individuals. No hair samples or fingerprints from the victims were available for comparison purposes.

Finally, a lead resulting from the "Unsolved Mysteries" television show was developed. A lead was forwarded to Conyers, Georgia, but that investigation failed to develop any pertinent information relating to this matter.

As you recall, it was earlier alleged that [REDACTED] supplied cocaine to minors. There were also allegations of a conspiracy to commit murders, as a result of possible offenses charged under Title 21. In December, 1993, First Assistant United States Attorney Michael Johnson advised if the allegations were corroborated, then federal jurisdiction may exist. In the ensuing twenty-eight months since that decision, extensive investigation has failed to support those allegations.

b7C

Certainly there are some troublesome aspects to the investigation. In particular, there is the failed polygraph by [REDACTED] During the polygraph examinations [REDACTED]

[REDACTED] but steadfastly denied any involvement in the deaths, the results of the polygraph notwithstanding. It is noted that [REDACTED] was one of the five individuals whose hair samples and fingerprints were submitted to the FBI Laboratory for comparison as described above, with negative results.

While there are indications of misconduct within the Saline County criminal justice system, these have not developed into offenses that warrant further federal investigation into the deaths of Ives and Henry. Your office, along with the FBI, is aggressively pursuing an investigation in Saline County involving the criminal justice system.

Based on the foregoing, it is my recommendation that the FBI conduct no further investigation into this matter.

Sincerely yours,

Ivian C. Smith
Special Agent in Charge
FBI, State of Arkansas

b2
b7C
b7D

The source related that [REDACTED] the murders of Kevin Ives and Don Henry near Alexander, Arkansas on August 22, 1987. The source [REDACTED]

The source believes that [REDACTED] has been interviewed by SA [REDACTED] Little Rock, FBI, and may have been polygraphed.

SEARCHED INDEXED
SERIALIZED FILED
MAY 21 1996
FBI — LITTLE ROCK

166C-LR-35380-407

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 05/07/1996

To: Little Rock

From: [REDACTED]

IS-4

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 166C-LR-35380 (Pending)

Title: Henry, Don - Victim;
Ives, Kevin - Victim;
ITAR - Murder for Hire - Non OC;

Synopsis: [REDACTED]

Enclosures: Enclosed for Little Rock are two (2) copies of an informant insert and an [REDACTED]

Details: On May 7, 1996, a [REDACTED] source, [REDACTED]

The source cautioned that this may be an attempt on the part of [REDACTED] to manipulate the FBI.

♦♦

AGENT COPY SENT

AGENT COPY SENT

cc to SA [REDACTED]
with enclosure.

166C-LR-35380

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 21 1996	
FBI - LITTLE ROCK	

166C-LR-35380-408

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA
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1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☒ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of _____

Page(s) withheld for the following reason(s): _____

☒ The following number is to be used for reference regarding these pages:

166C-LR-35380-408 pg 2

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

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☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

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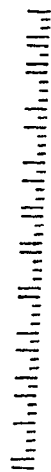
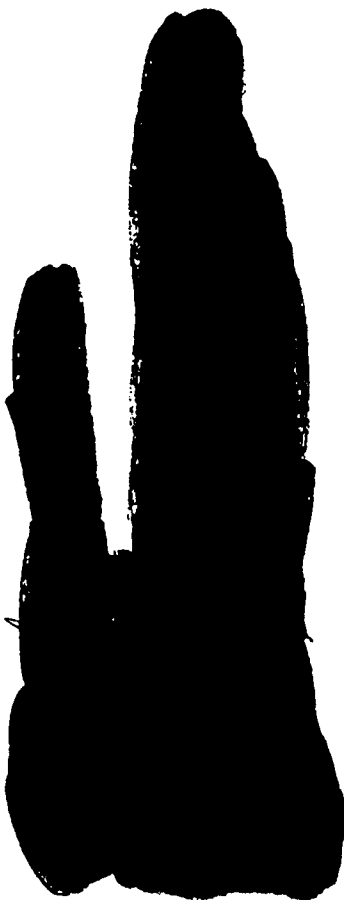
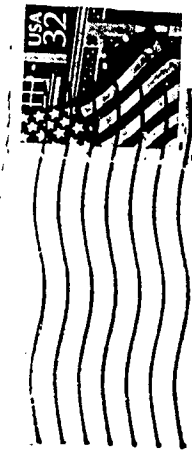
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FBI hasn't ruled out train deaths probe

By JERRY BREEDEN
Courier Staff Writer

An FBI investigation into the deaths nine years ago of two Saline County teen-age boys hasn't been officially ruled out, according to the state's leading FBI agent.

I.C. Smith told *The Benton Courier* on Tuesday he takes exception with certain statements made recently about the FBI's involvement by Jean Duffey, a former 7th Judicial District assistant prosecutor and one-time administrator of the district's now-disbanded drug task force.

Smith is chief of all FBI agents in Arkansas.

He said he believes Duffey was mistaken when she said in a recent Little Rock radio station interview that the Bureau participated in a coverup of the Aug. 23, 1987, deaths of Kevin Ives, then 17, and Don Henry, then 16.

Their bodies were found on the railroad tracks near the Shobe Road Crossing, where the youths allegedly had been run over by a Union Pacific train.

During the interview, Duffey — speaking by phone from the Houston, Texas, area — also said that Special Agent Bill Temple last Nov. 29 told Ives' mother, Linda Ives of Benton, that:

"In light of the fact that there is no evidence of anything, it is time you consider the fact that a crime was never committed"

Smith said Temple is "a caring individual" who "has been very concerned, because he has been so badly misquoted."

Smith said the meeting between Temple and Linda Ives took place in Smith's office. Smith said he was not there at the time, but that he is convinced Temple said nothing to Ives in such a "cold-hearted" manner.

Circumstances surrounding the deaths were examined during a public prosecutor's hearing and a grand jury probe that lasted eight months.

Seventh Judicial District Prosecuting Attorney Dan Harmon, as special deputy prosecutor at the time, spearheaded those inquiries.

The grand jury rejected a ruling by then-state medical examiner Dr. Fahmy Malak, who said the deaths were accidental.

Jurors based their findings on second autopsies performed by a Georgia forensic pathologist.

His findings were that Henry had suffered a stab wound in the back, and that Ives had been subjected to a facial beating before they were struck by the train.

Smith said there still remains "some doubt as to the causes of death" and that both he and Temple "have great empathy for the families" of the two boys.

He also said cases such as the Ives-Henry deaths are an investigator's nightmare. "They are terribly frustrating," Smith said, "because we can't put an end to them."

Smith noted that the FBI's main obstacle is "the very real problem of determining whether federal jurisdiction would apply."

(Indicate page, name of newspaper, city and state.)

Arkansas Democrat-Gazette
Little Rock, Arkansas

Date: 1/31/96

Edition:

Title:

Character: 166C-LR-35380

or
Classification:

Submitting Office: LR

Indexing:

That question, he said, would have to be decided by U.S. Attorney Paula Casey's office.

While she said she "can't comment on any particular case," Casey told *The Benton Courier* that her office "always works very closely with the FBI."

Any decision would likely be the outcome of a joint investigation by both the FBI and U.S. Attorney's office.

Rumors were rampant at the time of the deaths. One was that the boys were killed because they stumbled upon "some drug runners" in action, Smith said.

He also said that the drug-runners scenario was widely talked about by one lawman in particular. He, according to Smith, only perpetuated the rumor and did nothing official to get at the truth.

"If any lawman has knowledge of a crime, especially one as serious as murder, he is being negligent of his duties not to pursue it in an official, professional manner," Smith said.

While speculation about the boys' deaths has been rampant, the investigation appears to be stuck on high-center.

Or is it?

"I will say this," Smith noted. "There may be some foul play involved in the deaths of those boys, and I would be will

See TRAIN, page 7

Continued from page 1

ing to meet personally with Mrs. Ives and discuss the case."

In the meantime, Smith said, the FBI's forensic laboratory in Washington, D.C., still has in its possession certain evidence connected with the case.

It will be kept there in storage until a legal decision is reached on how the matter is to be pursued.

Smith was adamant about not wanting to give the families of the youths cause for building on false hopes.

Unless and until an official declaration of the causes of death can be made, the matter will continue to be subject to conjecture.

Even if the deaths are shown to be homicides, he said, that — in and of itself — would not mean that federal intervention is warranted.

└─┘



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Attn: [REDACTED]
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b7C

From: FBI - Little Rock
(Name of Office)

Subject: Don Henry (Deceased);
Kevin Ives (Deceased);

Special Handling Instructions: Please handcarry to
[REDACTED]

Originator's Name: [REDACTED]

Telephone: _____

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Federal Bureau of Investigation

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

10825 Financial Centre Pkwy., #200
Little Rock, Arkansas 72211
July 31, 1995

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

Re: Unknown Subjects;
Kevin Ives (Deceased);
Don Henry (Deceased);
Interstate Transportation in
Aid of Racketeering - Murder For Hire;
Use of Minors to Sell and Distribute Drugs;
Domestic Police Cooperation

Dear Ms. Casey:

The purpose of this letter is to provide the United States Attorney's Office with an overview of theories in this matter as requested.

On May 26, 1988, Circuit Judge John W. Cole wrote a letter to then Special Agent in Charge (SAC) Don K. Pettus requesting that the Federal Bureau of Investigation (FBI) conduct an investigation into the deaths of Kevin Ives and Don Henry.

On June 2, 1988, SAC Pettus responded to Judge John Cole. SAC Pettus advised that the Arkansas State Police (ASP) was conducting the investigation into the Ives-Henry deaths and that, under pertinent authorizing statutes, the FBI is allowed to cooperate and offer the full forensic services of the FBI Laboratory and the FBI Identification Division in Washington, D. C. SAC Pettus advised Judge Cole that information should continue to be furnished to the ASP who would then direct information and requests to the FBI.

On June 13, 1988, Major Doug Stevens, ASP, requested assistance in taking acoustical/decibel measurements on the railroad track concerning the deaths of Henry and Ives.

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

Based on Major Stevens' request, FBI Headquarters, Engineering Section, was contacted. [REDACTED] advised that the Engineering Section would perform the requested tests.

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b7D

On January 4, 1989, the FBI Laboratory furnished the results of the decibel test conducted regarding the noise of an oncoming train. These results were furnished to ASP. In addition, all information in the FBI file pertaining to this matter, which was obtained from May 26, 1988, to December 18, 1993, was also furnished to ASP.

On December 18, 1993, Supervisory Special Agent (SSA) [REDACTED] opened the Ives-Henry case based on a review of information contained in the file from May 26, 1988, to December 18, 1993. The following reasons were cited for opening this investigation:

(1) On December 16, 1993, Saline County Sheriff Judy Pridgen personally appeared at the Little Rock FBI Office and requested an FBI investigation into this matter. [REDACTED]

(2) [REDACTED]

(3) In a newspaper article dated June 15, 1990, in the "Arkansas Democrat Gazette," James Davis Callaway was reported as being implicated in the victims' deaths. According to the article, Paul William Criswell, a former employee of Callaway's, was charged with possession of a controlled substance during 1990. Criswell had told his girlfriend that Henry and Ives were trying to steal cocaine from Callaway's home and were caught in the act and killed.

Based on the foregoing and the fact that CW [REDACTED] passed a Saline County Sheriff's Office polygraph on most of his first statement, this matter was discussed with First Assistant United States Attorney (AUSA) Michael Johnson on December 16, 1993; December 17, 1993; and December 18, 1993. AUSA Johnson advised that the allegations relating to [REDACTED] the purview of Title 21, U. S.

Code, Section 859, and that conspiracy to commit a murder as a result of offenses charged under Title 21 are Federal violations and would be prosecuted if corroborated. To date, these allegations have not been corroborated.

Additional theories outlined below have been provided to the FBI by various sources:

(1) Don Henry and Kevin Ives were in a marijuana-induced sleep when they were passed over by a Union-Pacific train.

(2) Don Henry and Kevin Ives accidentally came upon a methamphetamine laboratory where they saw law enforcement individuals. Henry and Ives were to be intimidated and taught a lesson when one boy was accidentally killed, and, therefore, the other boy was killed as well.

(3) Don Henry and Kevin Ives were going to rip off drugs from a location near Don Henry's home. The boys were caught in the act and killed.

In January 1994, the Little Rock Division took receipt of the only remaining evidence from the Ives-Henry case from Saline County. The evidence in this case consisted of:

- Two (2) pairs of jeans
- Two (2) pairs of underwear
- Two (2) pairs of tennis shoes
- Two (2) shirts
- One (1) .22 rifle with a scope

The FBI Laboratory examined this evidence and determined the following:

Located on the clothing are:

- Caucasian hairs;
- Sperm located in the underwear of Don Henry;
- Fingerprints located on the scope lens of the gun

The following individuals were subpoenaed for samples of blood, hair, and fingerprints for comparison with evidence found on the boys' clothing based on allegations of their involvement in the deaths:



b7C

The FBI Laboratory advised that latent fingerprints did not match the fingerprints submitted for these individuals. The other requested tests have not yet been completed.

The following individuals have been polygraphed regarding statements provided to the FBI:

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[REDACTED] was interviewed and polygraphed regarding his involvement in the deaths of Don Henry and Kevin Ives. [REDACTED] passed the polygraph. It was the opinion of FBI polygrapher [REDACTED] that [REDACTED] was not involved with the deaths of these individuals.

[REDACTED] submitted samples of blood and hair under subpoena and submitted to an FBI polygraph regarding involvement in the Ives-Henry situation. After three polygraph examinations, which all indicated deception, [REDACTED] left the Little Rock Office of the FBI. Examiners at the FBI Laboratory advised that [REDACTED] failure of these polygraphs indicates he is either involved in or a perpetrator of the crime.

[REDACTED] was also subpoenaed for samples of blood, hair, and fingerprints. [REDACTED] was polygraphed regarding his involvement in the deaths of Don Henry and Kevin Ives. A prior interview and passed polygraph of [REDACTED] was involved in the deaths of Henry and Ives due to their stealing some cocaine. After the polygraph of [REDACTED] it was the opinion of polygrapher [REDACTED] was not involved in the deaths of Henry and Ives.

Investigation in this matter is continuing, to include planned polygraphs of [REDACTED] claiming to have personal knowledge regarding the deaths of Henry and Ives. The results of these interviews and polygraphs will be furnished to your office promptly by separate communication. In addition, results of FBI Laboratory tests described above will be furnished to you when completed.


At this time, no evidence exists to corroborate the numerous allegations of murder. In addition, this case has been worked under a variety of investigative areas (e.g., Interstate Transportation in Aid of Racketeering - Murder for Hire, Use of Minors to Sell and Distribute Drugs, and Domestic Police Cooperation). Based on results of the investigation to date,

I would like to request opinion(s) as to the following: 1) whether continued investigation appears to be warranted and, if so, 2) the nature of the FBI's jurisdiction in this matter.

Sincerely yours,

Ivian C. Smith
Special Agent in Charge

By:

 b7C
Supervisory Special Agent

(Mount Clipping in Space Below)

Linda Ives responds to FBI interview

By JERRY BREEDEN
Courier Staff Writer

The mother of one of two Bryant teen-age boys who died under mysterious circumstances nine years ago, says "the FBI is participating in a coverup" of the controversial case.

Linda Ives, whose son, Kevin Ives, then 17, and his friend, Don Henry, then 16, made that allegation — and others — in response to a story in *The Benton Courier* Wednesday.

Ives takes exception to several statements by I.C. Smith, special agent in charge of the FBI in Arkansas.

One of those statements was that the Bureau has not abandoned the investigation into the controversial case.

Ives and others are convinced the boys were murdered before their bodies were placed on a railroad track near Alexander and run over by a locomotive on Aug. 23, 1987.

A grand jury that examined the evidence over an eight-month period ruled that the boys were murdered.

"The FBI has been investigating this case since December 1993, when a witness who was on the scene the night of the murders came forward," Ives said, in an electronic facsimile to *The Benton Courier*.

She said the FBI officially entered the case in February 1994.

"The FBI worked the case for 18 months with agent Phyllis Cournan assigned to it," Ives said. "Cournan's supervisor is Al Finch. Finch assured me on Feb. 28 and again on March 1 that the case would be solved by the end of the year (1994)."

"I assumed Finch's confidence in the case stemmed from the testimony of the witness who had come forward and other corroborating witnesses' information, which I

was aware of," Ives wrote.

She said she was assured "over and over that progress was being made and that the investigation was progressing very well."

"They know who the killers are."

The Bureau also knows "who orchestrated and participated in the coverup; a list which includes county, state and federal officials," Ives charges.

"I was told that the only ones failing polygraphs were cops," she said.

She said she drew the coverup conclusion after meeting with Special Agent Bill Temple last Nov. 29.

She said Temple told her "that it's time for me to realize that a crime was never committed."

"A logical person could not come to any other conclusion, except that the FBI is participating in a coverup," Ives said.

In his interview, Smith said
See IVES, page 12

(Indicate page, name of newspaper, city and state.)

The Benton Courier
Benton, AR

Date: 2/6/96

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Temple is "a caring individual" who "has been very concerned, because he has been so badly misquoted."

Smith said he is convinced that Temple said nothing to Ives in such a "cold-hearted" manner.

The chief agent also said there is still "some doubt as to the causes of death" and that both he and Temple "have great empathy" for both families.

Ives said she stands by the quote as she attributed it to Temple. "And there are other witnesses to his statement," she said. She said Temple's "concern and discomfort stems from the fact that he was quoted, not misquoted."

Although the Nov. 29 meeting took place in Smith's office, he wasn't there. Ives said Smith "did not even bother to contact me or my husband to ask about the 'cold-hearted' statement."

"They show their empathy for me by adding insult to injury by calling me a liar."

Ives called for Temple to admit he has not been misquoted, and that he and Smith "both owe me a public apology."

As for the cause of the deaths, Ives noted that Dr. Joseph Burton, a widely known and respected forensic pathologist from Atlanta, Ga., and seven forensic investigators examined the evidence.

"...It was unquestionably the opinion of all of them that Kevin and Don were murdered."

Ives said the FBI "can doubletalk all they want. The

important fact is: There are two dead children and the manner of death is murder. What are they going to do about it?"

During the interview, Smith also said there is some question about the FBI's jurisdiction in the case.

Ives said Finch discussed jurisdiction with the U.S. Attorney's office before the Bureau became involved. Finch also "discussed that matter with John Brown, former Saline County investigator (and now police chief at Alexander)," Ives said.

"Their jurisdiction is in the area of public official involvement and/or interstate drug trafficking," Ives said.

She also said former Little Rock-based U.S. Attorney Chuck Fairbanks, in 1991, stopped a two-year (1989-90) investigation of the case in 1991.

Ives said she finds it "ludicrous for anyone to believe that the FBI or U.S. Attorney's office would work a case for years without knowing whether or not they have jurisdiction."

Smith told *The Benton Courier* that one lawman in particular perpetuated rumors surrounding the deaths and did nothing official to get at the truth.

He did not name the officer.

Ives, however, said she is "quite certain" that Smith was talking about Brown. He, according to Ives, "developed significant evidence" in the case during a 1 1/2-year investigation.

"...State police officials and ... (former) drug czar Robert Shepherd" interfered with Brown's probe," Ives said.

She also said when Brown requested assistance from the FBI, they "instructed Brown to turn over all of the evidence in the case" to the Bureau, which he did. Judy Pridgen (Saline County sheriff) pulled John Brown off the case and he resigned from the sheriff's office.

"The only persons who now appear negligent in their duties is the FBI," Ives said.

Ives said when she asked for a meeting with the FBI last November, "my initial request was to meet with Smith, but I was told it should be with his assistant, Temple."

"I would welcome the opportunity to meet with Smith," she added.

Smith said in his interview that he would be willing to meet and discuss the case with Ives.

During the November meeting, Temple said a summary of the case with a request for advice was sent to Paula Casey's office in July 1995, Ives said.

"How long does it take to get a response from the U.S. Attorney's office? Temple said he didn't know," Ives added.

She also said both Temple and Cournan told her "that when the file is closed," it could be obtained by filing a Freedom of Information request.

"I can only assume from that statement," Ives said, "that the FBI has no intention of pursuing the murderers of my child."