

CRIMINAL INVESTIGATION DIVISION

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ASP-3-A

DATE: AUGUST 3, 1988
 DICTATED BY: INV. DON BIRDSONG
 DATE TYPED: AUGUST 4, 1988
 COPIES TO: INV. BIRDSONG
 LT. WILLIAMS
 SGT. PHILLIPS

INVESTIGATOR'S NOTES

On July 28, 1988, this investigator met with Special Prosecuting Attorney DAN HARMON in reference to a discussion concerning this case. Mr. HARMON gave this investigator a copy of a set of leads that the Grand Jury has requested that the Arkansas State Police pursue concerning this case.

COPY TO:

DEL. BY

DATE

L

FILE NUMBER: 67-587-88

CRIME: Homicide/Questionable Death

MW 8/2

RG: This will be a taped interview with Clifton Ollar. Clifton do you sloemny swear to tell the truth, the whole truth and nothing but the truth so help you God?

CO: Yes sir.

BP: Clifton remember back when I talked to you one day inreference to information you had given your sister.

CO: uh-hu

BP: You do work for Arkansas Highway Department?

CO: Yes sir.

BP: O.K. You know a Ken Cook?

CO: I don't know him, I've seen him.

BP: What about James Calloway?

CO: I know him through the car business.

BP: O.K. How did you know Mr. Calloway?

CO: Just talking to him at auctions, with my father, and he is the one that introduced me to him in the first place, and then his business partner Charley, I don't remember his last name. Has a little auto dealership on Highway 5. I bought a truck from him, a used Doge pickup from him, and other than that, thats the on association I had with him.

BP: O.K. You told me that you had met Ken Cook, black male.

CO: I seen him, I had him pointed out...inaudible.

BP: I was thinking you told me that you ^{meet} ~~meat~~ him out on the highway one day. You had ran into him or ~~somehting~~. ^{Something}

CO: Just been pointed out it's not, it's like thats Ken Cook, you now. That was Cook, thats what they told me. I didn't know his first name.

BP: O.K. It's been brought to our attention this information you told your sister that you heard some talk around, or something about that they might have something to do with the two boys deaths, out here on the railroad ^{tracks, where} ~~trcks, were~~ the train had hit them back ^{year} in August. If you would just tell us what information what you have heard about that.

CO: O.K. It is just totaly rumors and speculation, and they had robbed, I was telling you about Bill Donley, ^{supposedly} ~~suposely~~ had robbed him.

BP: O.K. He works for Arkansas Power & Light?

CO: Right.

BP: O.K.

CO: He was saying there was some rumors going around or he had over heard Calloway say that the boys had stolen some drugs from someone, and that they took them out on the railroad tracks, and did away with them.

CO: Is just ^{basically} ~~basically~~ the whole story.

DH: Who was ^{it} ~~they~~ that took them out on the railroad tracks, did he say?

CO: Well it was, it wasn't really said, it's kind of hard to explain. The way I heard it, This rumor, and these things get out of hand so bad sometimes, you just really don't know whats really going on.

BP: What did the rumor you heard, did you hear that Calloway and them had taken them out there, or that he was just telling that?

CO: The first time I heard that they had, the way I got it, was that they had done it.

BP: Calloway and Cook?

CO: And Cook, yea.

DB: Who did you get this from?

CO: Indirectly through Bill Donley.

DB: Bill Donley is the worker for AP&L that got robbed?

CO: Right.

DB: How do you know him?

CO: Thats my girlfriends brother.

BP: Get back on him being robbed, how was he robbed, was he making a deposit at a bank, or something, and they came up when he was making a deposit, or how did they robbe him?

CO: He was in there, the AP&L office, and he is a meter reader, some how th broke in or something, and then robbed him of the cash.

BP: He was in one of the offices and they came in there and robbed him.

CO: That's the way I ^{stood} ~~understand~~ it. Now that may not be the way it happened.

BP: Could he identify them, or did he just guess it was them, or how did he know it was one of them two, or both of them?

CO: I think, I'm not sure about this, but I think he identified Cook.

BP: Do you know when this occured?

CO: No sir, I don't

BP: The date?

CO: No. It has been several years ago. Like I was telling you over the ph they have got the word out for Bill, they are going to get him.

BP: Where they charged in that robbery?

CO: No. Inaudible were dismissed.

BP: They were fired over that then? Then they put word out that they were going to get Bill?

CO: Yea.

BP: Get even with him and so forth?

CO: Yea.

BP: These rumors about inaudible boys on the track, Bill had told you about it, or your girlfriend told you?

CO: Well my girlfriend told me, and also here in the ^{past} ~~last~~ weekend, two weeker me and Bill has been discussing it a little bit, and trough word of mouth, stories got a little mixed up there.

DH: What have y'all discussed lately?

CO: I wasn't sure about the whole story, and everything, but it seems like Calloway has shortly after the murders took place, that Calloway was the one telling somebody around AP&L that he knew who did it. That they had stolen drugs, and therefore they took them out, and did away with them.

BP: Bill had heard this at work?

CO: Right.

BP: Did Calloway tell him in person, or did he just hear the rumor himself? Do you know?

CO: I'm not sure about that.

BP: Where does Bill live?

CO: He lives in Little Rock now.

BP: He still works for Arkansas Power & Light?

CO: Right.

BP: He is still a meter reader?

CO: Yes.

DH: When did you first hear this story?

CO: Approximately two months ago. Two or Three months ago. It has been right in that time frame.

BP: It has been made news again, since the Grand Jury? Or was it before that? It's been in the newspaper, and on the T.V. about the Grand Jury meeting.

CO: Around the same time. It's been about two months ago.

DH: And thats the first time you heard anything about it?

CO: Right. Other than what I've heard on the news, or course.

DB: How ^{Long} ~~long~~ have you known Bill Donley?

CO: A year and six months.

DB: And during that time, this is the first time he has brought this up to you?

CO: Other than the robbery. The robbery I have heard about quit often. Shortly after I ~~met~~ ^{met} him, he was telling me about him.

DH: So the only thing you know, is that Bill Donley told you that Calloway said that he knew who killed the boys, and why?

CO: Right.

DH: Did he tell Donley that he and Cook did it?

CO: No, he told them that he knew who did it. He told them, I am trying to get exact word here, Bill said that Calloway was running his mouth about the story at work. I am trying to think of exactly what he said. Said that Calloway had been talking to some other fellows, and he was in the imediatly vacenity, and he heard them discussing the, what had happened. He, just basiclly what I told yall aready.

DH: Are you afraid to tell on them?

CO: I'm not. I'm not afraid of most people. I'm afraid for Bill. I hate, cause you know, he is a meter reader, and they could catch him out any where.

DB: Does Bill seem ^{worried} ~~worred~~ about it?

CO: A little.

DH: Tell him we'll try to.....inaudible.

CO: All rihght.

DH: Inaudbile.... do you know anything else about Calloway and any of his criminal inaudible?

CO: Well I know he is not a very good inaudbile to Carl, everytime, they won't let him drive a car now. Off the bank inaudible, they won't let him do that. Pretty well that is about all I know of him, other than just by reputation.

DH: Do you work for your dad in the car business?

CO: No, I did for awhile.

DH: Last summer.

CO: Yea.

DH: Did you know either one of these two boys?

CO: No, those two were alot younger than I.

DH: Where did you go to school?

CO: Benton.

H: How old are you?

CO: 26.

DH: I don't have anything else.

BP: Do you have anything Richard?

RG: No.

BP: O.K. Present during this interview was self Sgt. Barney Phillips, Investigator Don Birdsong, Special Prosecutor Dan Harmon, and Deputy Prosecuting Attorney Richard Garrett. Todays date is July 5, 1988. Time is 10:30 a.m.

REPORT
of the
FBI
TECHNICAL SERVICES DIVISION
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

RECEIVED

JAN 11 89

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January 4 1989
CRIMINAL INVESTIGATION DIV.
ARKANSAS STATE POLICE
P.O. BOX 5901
LITTLE ROCK, AR. 72215

To: Mr. Dale Swesey
Criminal Investigation Division
Arkansas State Police
Post Office Box 5901
Little Rock, Arkansas 72215

FBI FILE NO. 63-19910
LAB. NO. 80622014 E QZ

Re: DON HENRY (DECEASED) AND
KEVIN IVES (DECEASED), VICTIMS; YOUR NO.
TRAIN INCIDENT

Examination requested by: FBI, Little Rock, Arkansas

Reference: Evidence Receipt dated June 21, 1988

Examination requested: Signal Analysis

~~XXXXXXXXXXXX~~

Result of examination:

In an attempt to imitate conditions just before captioned train incident, audio and vibration recordings were taken at the approximate accident location of seven railroad trains heading north on the eastern rail at bridge 3596, southwest of Little Rock, Arkansas, during the period June 22-24, 1988. Train speeds were determined by using a radar gun operated by the Arkansas State Police. These recordings were then examined at the Engineering Research Facility in Lorton, Virginia, using digital analysis equipment.

Graph one is an overall representation of the sound amplitude of the trains approaching the impact point, normalized to 50 miles per hour, using composite A/C weighting to reflect how the human ear senses audio information. The graph has an

Enlosures (3)

Page One

(Continued Over)

This examination has been made with the understanding that the evidence is connected with an official investigation of a criminal matter and that this report will be used for official purposes only, related to the investigation or a subsequent criminal prosecution. Authorization cannot be granted for the use of this report in connection with a civil proceeding.

Swesey

107-587

amplitude range of 45 to 100 decibels of sound pressure level [dB(SPL)] on the vertical axis and times starting from 21 seconds before impact on the horizontal axis. The average, maximum, and minimum amplitude levels are plotted for the recorded trains and the ambient level shown is the measured sound at 1:00 AM at the impact site. Graph two is identical to graph one except that A weighting only is used for all measurements. Graph two is only provided since some audio engineers prefer this type of weighting for all sound amplitudes.

To allow a better understanding of the amplitude levels, the following environments and sounds are listed with their approximate dB(SPL) value:

<u>Environment or Sound</u>	<u>dB(SPL)</u>
Average Residence	44
Private Business Office	50
Conversational Speech at 3 feet	62
Average Vehicular Traffic at 100 feet	68
Average Vehicular Traffic at 20 feet	72
Office with Adding Machines	78
Inside a Car in City Traffic	88
Heavy Trucks at 20 feet	93
Subway Train at 20 feet	97
Woodworking Shop	108
Thunder	113
Airport Runway	120

It should also be noted that a 1 dB change is barely noticeable by an expert listener under ideal conditions, a 3 dB increase would be apparent to most listeners, a 6 dB change reflects a definite aural difference, and a 10 dB increase would represent an approximate doubling of loudness to the listener.

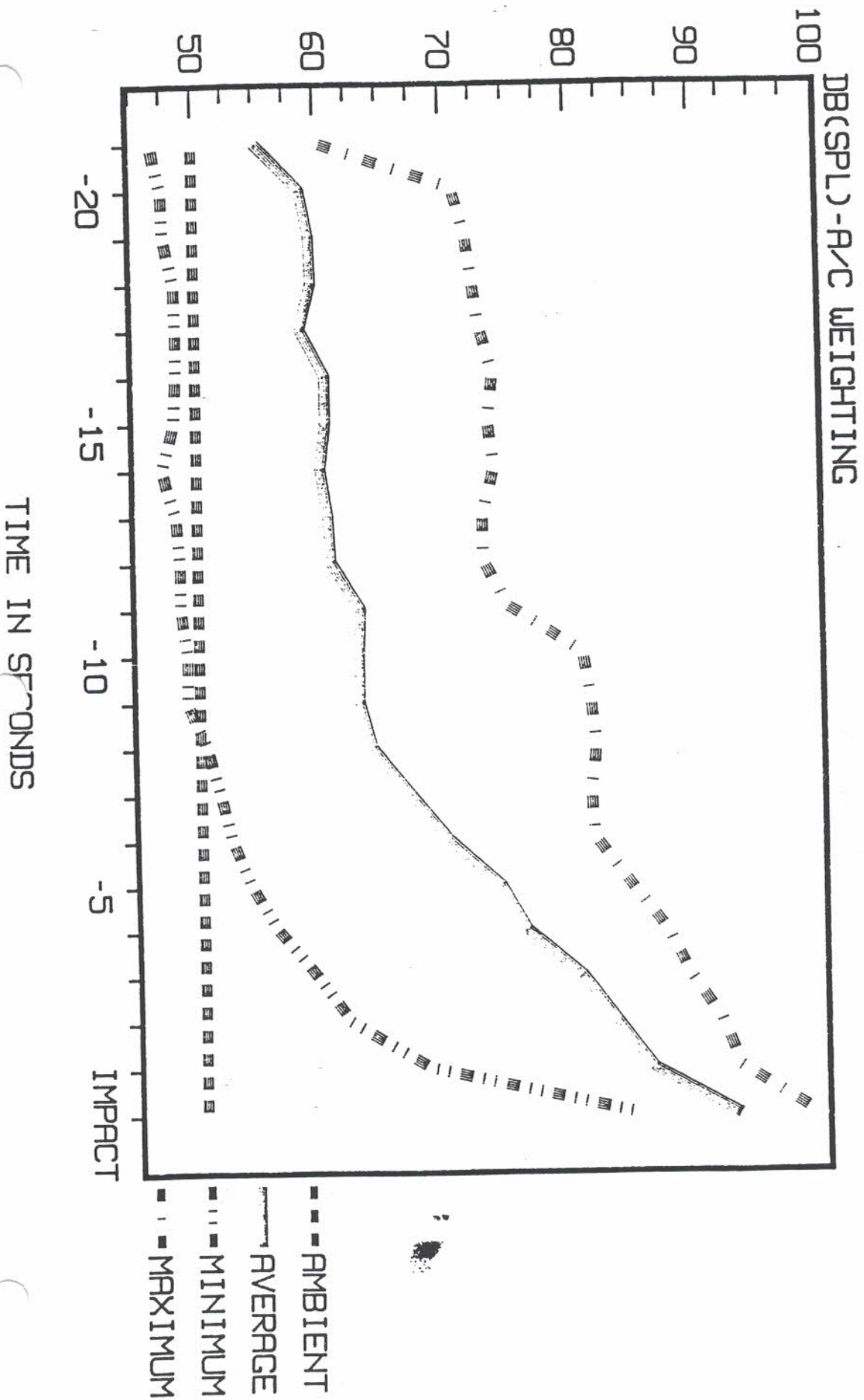
Graph one shows that the average sound level does not exceed 70 dB(SPL) until six seconds before the impact point and 80 dB(SPL) is not exceeded until three seconds before. The quietest train does not surpass 70 dB(SPL) until one second before the impact point, but the loudest train exceeds 80 dB(SPL) ten seconds before. All the line plots on graph one reflect a fairly gradual increase in amplitude over the 21-second range.

Graph three is an overall representation of the vibration level of the outside rail at the impact point for the approaching trains, normalized to 50 miles per hour, with G values from 0.0 to 3.2

on the vertical axis and the last six seconds preceding impact in the horizontal direction. As noted in this graph, the vibration is quite low until the last few seconds before impact. No graph is attached of the vibration level of the wooden crosstie at the impact point, since the values were extremely low until the last 0.5 second.

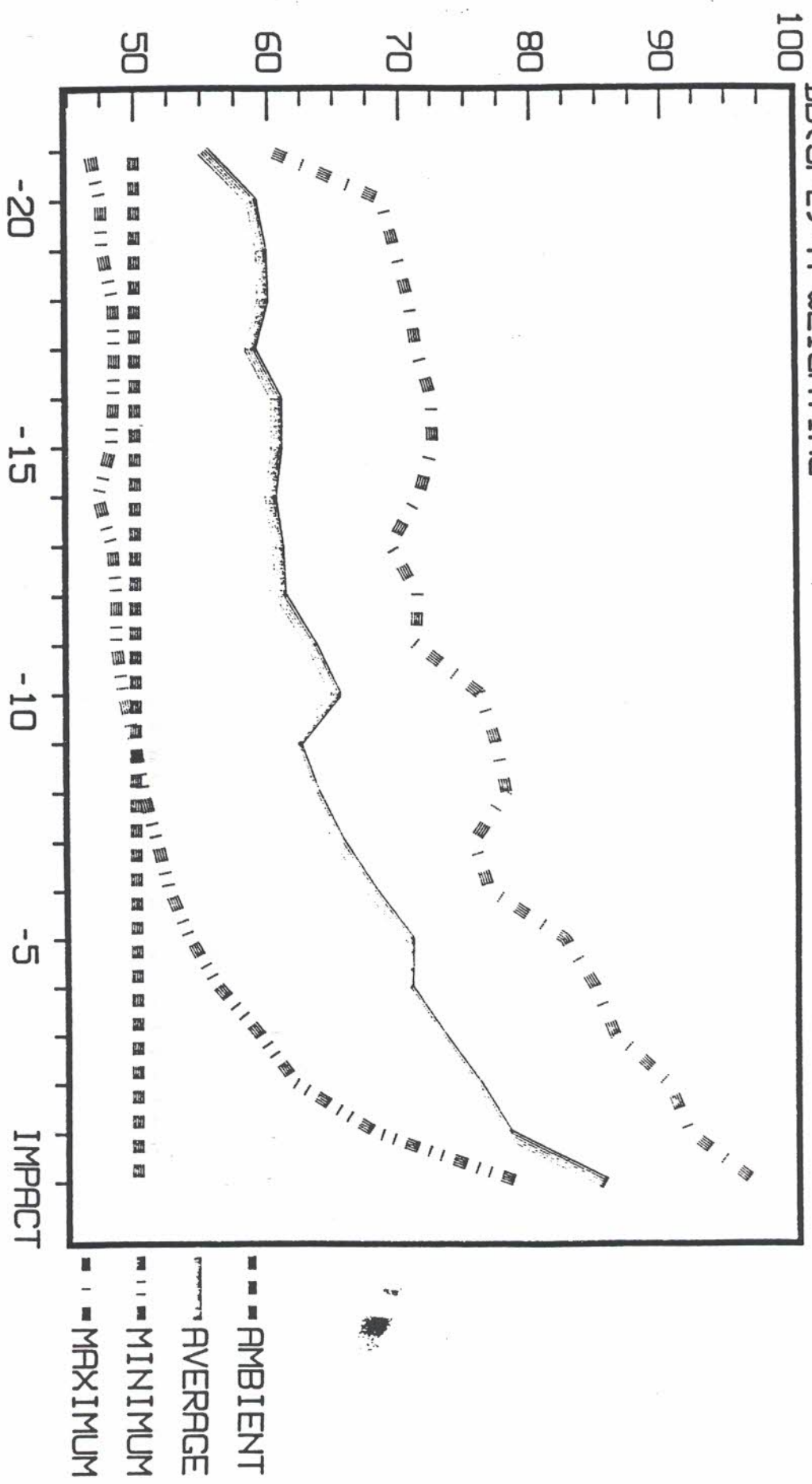
Supervisory Special Agent Bruce E. Koenig conducted this signal analysis examination.

GRAPH 1; LABORATORY NUMBER 80622014 E QZ
SOUND AMPLITUDE OF TRAINS APPROACHING
IMPACT POINT



GRAPH 2; LABORATORY NUMBER 80622014 E QZ
SOUND AMPLITUDE OF TRAINS APPROACHING
IMPACT POINT

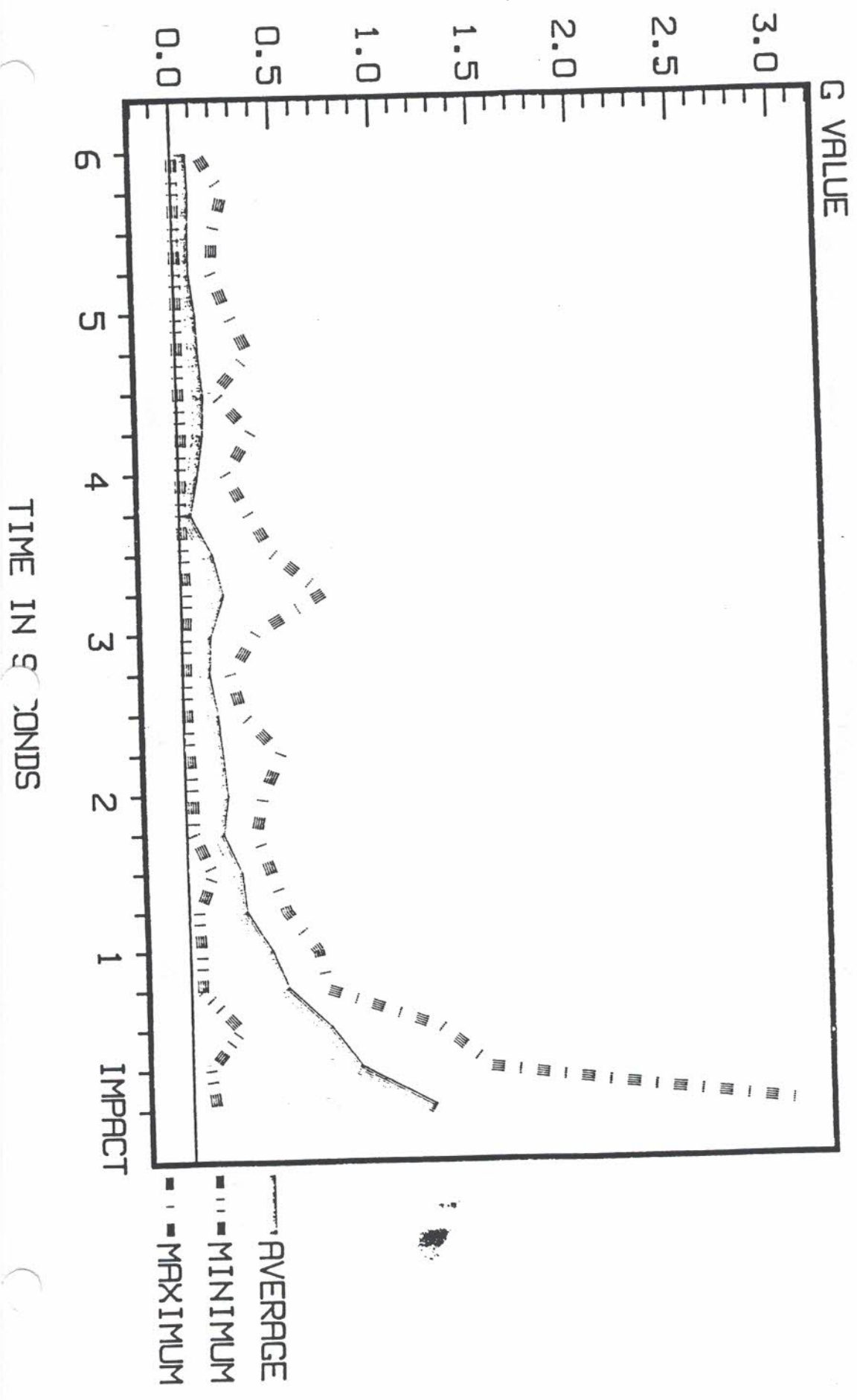
DB(SPL)-A WEIGHTING



TIME IN SECONDS

- AMBIENT
- _____ AVERAGE
- MINIMUM
- . - . MAXIMUM

GRAPH 3; LABORATORY NUMBER 80622014 E QZ
 VIBRATION LEVEL ON RAIL OF TRAINS
 APPROACHING IMPACT POINT



M E M O R A N D U M

TO: Lt. Doug Williams
FROM: Inv. Dave Dillinger
RE: Hypnosis of witnesses, 67-587

As per your request, I contacted the Little Rock office of the FBI concerning the hypnosis of the train crew in this case for the purpose of memory enhancement. According to SA Jim Hardesty, the FBI utilizes hypnosis to enhance the memories of witnesses, but their agents do not do it. They employ outside professionals, with an agent trained in hypnosis setting in to ask the questions after the subject is in the hypnotic state.

I have contacted Mr. Rob Robinson of Psych-Research, Inc. of Little Rock. (663-2553) I have spoken to him before and he appears to be a competent hypnotist, experienced in forensic work. He quoted a price of \$75.00 per subject, a 50% cut from his usual \$150.00 fee. As I said, Mr. Robinson appears to be capable, but I suggest that we contact other police agencies for whom he has done work in the past to see if they were satisfied with the results before retaining him.

Please advise if you wish me to pursue this course of inquiry.

cc/ 67-587
DILLINGER
BIRDSONG