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A-4: JONES HEARING

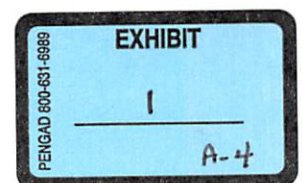
EXHIBIT ONE (1)

WAIVER HEARING FOR SHANE SAMUEL JONES

Licensure Action Case No.: LA 18 - 018

EXHIBIT LIST

EXHIBITS	DESCRIPTION OF DOCUMENTS
ADE – 1	Educator's License, valid to 12/31/2022
ADE – 2	Plea and Waiver , filed 7/23/18
ADE – 3	Prosecuting Attorney's Affidavit Form, dated 11/30/17
ADE – 4	Amended Sentencing Order, filed 8/13/2018
ADE – 5	Notice of Disqualifying Offense, dated 7/31/18
ADE – 6	Notice of Hearing, dated 9/14/2018
ADE – 7	Arkansas Code Annotated § 6-17-410 (2017)





ARKANSAS

DEPARTMENT OF EDUCATION

EDUCATOR'S LICENSE

SHANE SAMUEL JONES

BACHELORS

CODE	AREA	TYPE
GRADE LEVEL	VALID FROM	VALID TO
166	ENG LANG ARTS	STANDARD
7 - 12	1/1/2018	12/31/2022
167	SOCIAL STUDIES	STANDARD
7 - 12	1/1/2018	12/31/2022
254	MIDDLE SCHOOL MATH	STANDARD
4 - 8	1/1/2018	12/31/2022
255	MIDDLE SCHOOL ENGLISH	STANDARD
4 - 8	1/1/2018	12/31/2022
256	MIDDLE SCHOOL SOCIAL STUDIES	STANDARD
4 - 8	1/1/2018	12/31/2022

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COMMISSIONER OF EDUCATION

DIRECTOR - EDUCATOR LICENSURE

JUL 23 2018

W.D. O'Clock
Deputy

IN THE CIRCUIT COURT OF MILLER COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

VS.

NO. 46CR-18-116-2

DEFENDANT

Shane Samuel Jones

PLEA AND WAIVER

COMES NOW the Defendant and states:

1. That he/she has received a copy of the charges against him/her herein and, after discussing the same and the consequences of a plea of guilty to such charges with his/her attorney, understands the nature of the charges against him/her and the possible consequences of a conviction thereon. 39
2. That he/she is not innocent of said charges against him/her, did in fact commit the crimes with which he/she is charged and is guilty thereof beyond every reasonable doubt. 39
3. That he/she disclosed to his/her attorney the names and addresses of all persons known who could testify in his/her behalf, assisted his/her attorney in preparing his/her defense to the charges herein and related to his/her attorney all matters in mitigation. 39
4. That no promises, representations or threats have been made to or against him/her by anyone to induce or cause him/her to enter a plea of guilty to the charges herein. 39
5. That, by entering a plea of guilty herein, he/she waives and gives up (a) his/her right to persist in a plea of not guilty, (b) his/her right to remain silent and not to testify against himself, (c) his/her right to be confronted with witnesses against him/her and to cross-examine such witnesses under oath, (d) his/her right to compel witnesses to testify in his/her behalf, (e) his/her right to a jury trial to determine his/her guilt, (f) his/her right to appeal his/her conviction herein and (g) any and all objections to the proceedings herein against him/her. 39
6. That he/she acknowledges (a) that he/she is satisfied with the advice given him by his/her attorney (b) that his/her attorney acted diligently and competently in representing him/her herein and (c) that the court is not bound by any recommendation, if any, made by the Prosecuting Attorney or by the Probation Officer and is completely free to fix or assess such punishment as in the court's discretion deems appropriate, subject only to the maximum sentence prescribed by law. 39
7. That he/she has never been declared mentally incompetent for any reason, is not under the influence of alcohol or drugs and does not need or require psychiatric treatment. 39

WHEREFORE, Defendant requests that his/her plea of guilty to the charges herein be accepted and that such sentence herein be pronounced or imposed as the court now deems fit, proper and just.

Fine: \$ _____ Bailiff: \$100.00
Court Costs: \$150.00 Booking \$20.00
DNA Sample Fee: \$250.00 Transport Fee \$ _____
Sex Offender Reg \$250.00 Crime Stopper \$ _____
PD User Fee: \$ _____ Restitution \$ _____
PD Attorney Fee: \$ _____ Or To Be Determined
Drug Crime Fee: \$ _____
PLEA AGREEMENT: 2
JAIL CREDIT OF 2 DAYS OR TO BE DETERMINED

Shane Jones
DEFENDANT
[Signature]
ATTORNEY FOR DEFENSE

4 years ADC + 2 years SIS on each count to run Concurrent

DATE: 07/23/18

[Signature]
PROSECUTING ATTORNEY

Prosecuting Attorney's Affidavit Form
Authorized by: Chad Mitchell
Deputy Prosecuting Attorney

Date: 11/30/17

Case Number (CCN): A17-6081

Felony Affidavit: ☒

Misdemeanor Affidavit: ☐

In the District Court/Circuit Court of Texarkana, Miller County, Arkansas, Affidavit for Warrant of Arrest for the following person:

NAME: Shane Samuel Jones

DOB: [REDACTED] Race: White Sex: Male Height: 5'6" Weight: 160

SSN: [REDACTED] Eyes: Bro Hair: Bro

Address: [REDACTED]

City: [REDACTED] State: Ar Zip Code: [REDACTED]

Pursuant to rule 7.1 of the Arkansas Rules of Criminal Procedure, the undersigned affiant(s), being duly sworn, deposes and says that he has reason to believe that the above named person has committed the offense of violating (statute and citation):

1. 5-16-102 Voyeurism
2. 5-16-101 Video Voyeurism

on or about the 28th day of November, 2017.

Committed by unlawfully:

Voyeurism: As used in this section: "Nude or partially nude" means any person who has less than a fully opaque covering over the genitals, pubic area, buttocks, or breast of a female; "Private place" means a place where a person may reasonably expect to be safe from being observed without his or her knowledge and consent; and "Public accommodation" means a business, accommodation, refreshment, entertainment, recreation, or transportation facility where a good, service, facility, privilege, advantage, or accommodation is offered, sold, or otherwise made available to the public. A person commits the offense of voyeurism if for the purpose of sexual arousal or gratification, he or she knowingly: Without the consent of each person who is present in the private place, looks into a private place that is, or is part of, a public accommodation and in which a person may reasonably be expected to be nude or partially nude; or Enters another person's private property without the other person's consent and looks into any person's dwelling unit if all of the following apply: The person looks into the dwelling with the intent to intrude upon or interfere with a person's privacy; The person looks into a part

of the dwelling in which an individual is present; The individual present has a reasonable expectation of privacy in that part of the dwelling; and The individual present does not consent to the person's looking into that part of the dwelling. Except as provided in subdivision (c)(2) of this section, a violation of this section is a Class A misdemeanor. A violation of this section is a Class D felony if: A victim is under seventeen (17) years of age; and The person who commits the offense holds a position of trust or authority over the victim.

Crime of video voyeurism: It is unlawful to use any camera, videotape, photo-optical, photoelectric, or any other image recording device for the purpose of secretly observing, viewing, photographing, filming, or videotaping a person present in a residence, place of business, school, or other structure, or any room or particular location within that structure, if that person: Is in a private area out of public view; Has a reasonable expectation of privacy; and Has not consented to the observation. It is unlawful to knowingly use a camcorder, motion picture camera, photographic camera of any type, or other equipment that is concealed or disguised to secretly or surreptitiously videotape, film, photograph, record, or view by electronic means a person: For the purpose of viewing any portion of the person's body that is covered with clothing and for which the person has a reasonable expectation of privacy; Without the knowledge or consent of the person being videotaped, filmed, photographed, recorded, or viewed by electronic means; and

Under circumstances in which the person being videotaped, filmed, photographed, recorded, or viewed by electronic means has a reasonable expectation of privacy. A violation of subsection of this section is a Class D felony.

In Texarkana, Miller County, Arkansas against the peace and dignity of the State of Arkansas.

Facts constituting reasonable cause: On 11/27/17, I, Detective Caudle, was notified that Texarkana Texas Police Department Detective, Kristy Smith, was in the process of interviewing suspect, Shane Jones, in reference to a case of Invasive Video Recording on Saturday, November 25, 2017.

Detective Smith advised during the interview, Shane Jones freely admitted to filming students under the bathroom stalls at Trinity Christian School. Jones stated that he had approximately 10 of these videos stored on a black and grey flip-style Samsung cellular phone. Jones further stated that the phone was stored inside of a filing cabinet inside of his residence, located at [REDACTED]. Jones advised the videos were taken over the past two years. Jones informed Detective Smith that he also has approximately 5 videos

stored on his Apple iPhone (this phone is in TTPD property) from Trinity Christian School bathroom containing video of students using the bathroom. Jones advised these videos were taken since August 2017. It should be noted that Jones is an employee at Trinity Christian Schools.

Due to these circumstances, I am seeking a search warrant for this residence, believing it will contain pertinent evidence regarding the Crime of Video Voyeurism.

On 11/27/17, at approximately 1400 hours, I, Detective Caudle, along with members of the Bi-State Narcotics Task Force, executed a search warrant at [REDACTED]. During the execution of the search warrant, these items were seized as follows:

1. One black and grey Samsung cell phone with Serial# A5000047B3CB3D

(Located by Det. Caudle inside of a filing cabinet in the home office)

2. One blue Samsung cell phone with model# SCH-A645

(Located by Det. Sturdevant inside of a filing cabinet in a dining room closet.)

3. One red and black HP laptop with Serial# 5CD7083D2V

(Located by Det. Caudle on a computer desk inside of the home office.)

4. One black Dell lap top with Serial# 4TRBRR1.

(Located by Det. Caudle inside of the home office closet.)

5. Four homemade DVDs

(Located by Det. Sturdevant inside of the hall closet.)

6. Miscellaneous letters and paperwork

(Located by Det. Colley inside of the master bedroom.)

7. Two cases containing DVDs

(Located by Det. Caudle inside of a filing cabinet in the home office.)

8. 3 notebooks

(Located by Det. Colley inside of the master bedroom.)

9. One black Canon camera, one black and gold Knox camera.

(Located by Det. Caudle inside of the guest room.)

A search warrant return was completed and left at the residence along with a property record. The evidence was then transported to Bi-State and placed into TAPD property.

On 11/28/17 I, Detective David Parker, was informed by TTPD Investigator Tabitha Smith that she was working a case against suspect, Shane Jones for allegedly videoing a minor while using the restroom at J.C. Penney located in Central Mall. Jones had admitted to Detective Smith that he held his cellular phone under the adjoining stall wall and videoed the boy. During her interview with Jones he advised he was a teacher at Trinity Christian School and had videoed several students using the restroom in the same manner.

At 1305 hours on the same date I spoke with Jones in the Bi-State jail and he agreed to accompany me to CID to conduct an interview. I began the interview by attempting to establish a rapport with the suspect at which time we conducted a joint TAPD Statement of Rights Form. Jones initialed and signed each line signifying his understanding and he waived his right to counsel electing to speak with me. Jones started by admitting to the video at the J.C. Penney but advised he didn't know it was a child. As we spoke further he claimed that he has done things like this in the past. He demonstrated leaning forward and holding the phone under the stall wall to video or photo the person next to him as they utilized the restroom. He did admit to conducting the same act on 2-3 students inside the student restroom at Trinity Christian School. After I dug deeper into this admittance he acknowledged that he did know that they were juvenile males he was recording. He then told me that he sits in the stall next to the students and would record them with his phone. He said that he doesn't know why he does it and would watch the video and immediately delete the video because he knew it was wrong. He then informed me that in 1992 he was diagnosed with A.D.D. which has something called Moments of Impulsivity. This was the reason he was doing these things but would delete. I continued the interview and asked him if he ever used the video footage to gain sexual gratification. He admitted that he would replay the deleted video in his imagination and would masturbate to the point of orgasm as he envisioned the people he videoed.

We moved the direction of the interview to a "Mentoring" group that Jones has been doing with 3 male student. I was given the names [REDACTED] and [REDACTED]. Jones advised that as a teaching style on a "spiritual level" he washed the boys feet as Jesus did to the disciples. He claimed the boys gave consent but that he did not request permission from school admin nor the boys parents. He did come forward and informed me this was in no way a sexual act and he was solely trying to teach them a spiritual lesson. I then moved the interview forward and informed Jones that we had served a search warrant on his home and had seized all of his electronics. I then asked him what I would find on these items when they were processed. He informed me of an adult male, Brandon Washington that had sent him penis pictures; he later admitted that he in fact had traded pictures of each others penis's with this friend. He did say that there would be some bathroom recordings on black and silver Samsung flip phone and others on the Iphone that is in TTPD evidence. The computers he claimed did not have any recordings on them but claimed he did have Homosexual and Heterosexual pornography on them. I told Jones that my main concern was what I would find on his electronic devices. He again said that he told me everything he could remember but does not think there will be anything else discovered.

The interview was terminated and Jones was escorted back to the jail without incident.

Shane Jones is being charged with Voyeurism and Video Voyeurism both of which are class D Felonies due to him admitting to looking under the stall initially and then subsequently videoing with incident without the knowledge or consent of the other party.

I swear that the allegations contained herein are the truth, the whole truth, and nothing but the truth.


Det. Affiant's Signature

Affiant's Signature


Name: D. Parker
100 N. State Line Avenue Box 17
Texarkana, AR 71854
Phone: 903-798-3154

Name:
Address:
City, State-Zip:
Phone:

Subscribed and Sworn to before me on this 30th day of Nov., 2017

District/Circuit Court Clerk: Caitlin D. Jones (Deputy Clerk)

I hereby find that this sworn affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the above named individual for the above stated offense, and I hereby authorize and direct the clerk to issue said warrant.


District /Circuit Court Judge

District/Circuit Court
Texarkana, Miller County, Arkansas

SENTENCING ORDER

AMENDED (SEX OFFENDER REG)

ELECTRONICALLY FILED

Miller County Circuit Court

Mary Pankey, Circuit Clerk

2018-Aug-13 08:41:20

46CR-18-166

C08SD02 : 3 Pages

IN THE CIRCUIT COURT OF Miller COUNTY, ARKANSAS,

Eighth South JUDICIAL DISTRICT 2 DIVISION

On 7/23/2018 the Defendant appeared before the Court, was advised of the nature of the charge(s), of Constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing.

Offender	Defendant [Last, First, MI]	JONES, SHANE SAMUEL	DOB	[REDACTED]	Sex	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Total Number of Counts	2
	SID#	[REDACTED]	Race & Ethnicity	<input checked="" type="checkbox"/> White <input type="checkbox"/> Other	<input type="checkbox"/> Black <input type="checkbox"/> Unknown	<input type="checkbox"/> Asian <input type="checkbox"/> Hispanic	<input type="checkbox"/> Native American	
	Supervision Status at Time of Offense							

Court Info	Judge	BRENT HALTOM	File Stamp
	Prosecuting Attorney/Deputy	KRISTIAN ROBERTSON	
	Defendant's Attorney	DANNY COOK & BART CRAYTOR	
	Change of Venue	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, from:			

Legal Statements	<input checked="" type="checkbox"/> Pursuant to A.C.A. 16-93-301 et seq., or <input type="checkbox"/> this Court, without making a finding of guilt or entering a judgment of guilt and with the consent of the Defendant defers further proceedings and places the Defendant on probation.	
	There being no legal cause shown by the Defendant, as requested, why judgment should not be pronounced, a judgment:	
	<input checked="" type="checkbox"/> is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. Defendant was advised of the conditions of the sentence and/or placement on probation and understands the consequences of violating those conditions. The Court retains jurisdiction during the period of probation/suspension and may change or set aside the conditions of probation/suspension for violations or failure to satisfy Department of Community Correction (D.C.C.) rules and regulations.	
	<input checked="" type="checkbox"/> of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Department of Correction (A.D.C.) for the term specified on each offense shown below.	
Defendant made a voluntary, knowing and intelligent waiver of right to counsel. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Offense # 1: Most Serious Offense	A.C.A. # / Name of Offense		5-16-102 - VOYEURISM		Case #	46CR-18-166-2		
	A.C.A. # Orig. Charge		ATN MIL007009741		Offense was	<input checked="" type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input checked="" type="checkbox"/> Acquitted		
	Offense Date	1/1/2017	Appeal from District Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Criminal History Score	0	Seriousness Level	4	Offense is	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Violation		
	Presumptive Sentence		<input type="checkbox"/> Prison Sentence of 0 to 0 months		<input checked="" type="checkbox"/> Community Corrections Center <input checked="" type="checkbox"/> Alternative Sanction			
	Number of Counts	1	Defendant	<input checked="" type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to Commit the Offense				
	Defendant Sentence		If probation or SIS accompanied by period of confinement, state time: _____ days _____ mths					
	<input checked="" type="checkbox"/> ADC <input type="checkbox"/> Jud Trans <input type="checkbox"/> Cnty Jail Imposed 48 months Probation 0 months SIS 24 months Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		Sentence was enhanced _____ months, pursuant to A.C.A. _____ Enhancement(s) is to run <input checked="" type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive					
	Defendant was sentenced as a habitual offender, pursuant to A.C.A. 5-4-501, subsection (a) (b) (c) (d)							
	Victim Information		N/A		Age			
	Defendant voluntarily, intelligently and knowingly entered a <input checked="" type="checkbox"/> negotiated plea of <input checked="" type="checkbox"/> guilty <input type="checkbox"/> nolo contendere <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty <input type="checkbox"/> nolo contendere		Defendant <input checked="" type="checkbox"/> 16-93-301 et seq. <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> Other _____ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input type="checkbox"/> was found guilty by the court & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury <input type="checkbox"/> was found guilty of lesser offense by <input type="checkbox"/> court <input type="checkbox"/> jury					
	Sentence is a Departure		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		Sentence Departure <input type="checkbox"/> Durational <input checked="" type="checkbox"/> Dispositional <input type="checkbox"/> Both If Durational, state how many months above/below the Presumptive Sentence _____ 0			
	Departure Reason		Mitigating # _____ or Aggravating # 14		(For Agg #17, Mit #9 or departure from guidelines, explain)			
	Sentence will run		<input type="checkbox"/> Consecutive <input checked="" type="checkbox"/> Concurrent		to Offense # EACH COUNT or to Case # _____			

ADE Exhibit 4

1 of 3

Defendant's Full Name: JONES, SHANE SAMUEL

A.C.A. # / Name of Offense		5-16-101 - CRIME OF VIDEO VOYEURISM		Case # 46CR-18-166-2	
A.C.A. # Orig. Charge		ATN MIL007009741		Offense was <input checked="" type="checkbox"/> Nolle Prossed <input checked="" type="checkbox"/> Dismissed <input checked="" type="checkbox"/> Acquitted	
Offense Date		1/1/2017		Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Criminal History Score		0		Seriousness Level 3	
Offense is		<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Violation		Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D <input type="checkbox"/> U	
Presumptive Sentence		<input type="checkbox"/> Prison Sentence of 0 to 0 months		<input checked="" type="checkbox"/> Community Corrections Center <input checked="" type="checkbox"/> Alternative Sanction	
Number of Counts		1		Defendant <input checked="" type="checkbox"/> Attempted <input checked="" type="checkbox"/> Solicited <input checked="" type="checkbox"/> Conspired to Commit the Offense	
Defendant Sentence		If probation or SIS accompanied by period of confinement, state time: _____ days _____ mths			
<input checked="" type="checkbox"/> ADC <input type="checkbox"/> Jud Trans <input type="checkbox"/> Cnty Jail		Sentence was enhanced _____ months, pursuant to A.C.A. _____			
Imposed 48 months		Enhancement(s) is to run <input checked="" type="checkbox"/> Concurrent <input checked="" type="checkbox"/> Consecutive			
Probation 0 months		Defendant was sentenced as a habitual offender, pursuant to A.C.A. 5-4-501, subsection			
SIS 24 months		<input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)			
Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death					
Victim Information <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No		Age		Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
[Multiple Victims]				Race & Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic	
Defendant voluntarily, intelligently and knowingly entered a		Defendant <input checked="" type="checkbox"/> 16-93-301 et seq.			
<input checked="" type="checkbox"/> negotiated plea of		<input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> Other _____			
<input checked="" type="checkbox"/> guilty		<input type="checkbox"/> entered a plea and was sentenced by a jury.			
<input type="checkbox"/> nolo contendere		<input type="checkbox"/> was found guilty by the court & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury			
<input type="checkbox"/> plea directly to the court of		<input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury			
<input type="checkbox"/> guilty		<input type="checkbox"/> was found guilty of lesser offense by <input type="checkbox"/> court <input type="checkbox"/> jury			
<input type="checkbox"/> nolo contendere					
Sentence is a Departure		Sentence Departure <input type="checkbox"/> Durational <input checked="" type="checkbox"/> Dispositional <input type="checkbox"/> Both			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		If Durational, state how many months above/below the Presumptive Sentence _____ 0			
Departure Reason		Mitigating # _____ or Aggravating # 14 (For Agg #17, Mit #9 or departure from guidelines, explain)			
Sentence will run		<input type="checkbox"/> Consecutive <input checked="" type="checkbox"/> Concurrent to Offense # EACH COUNT or to Case # _____			

Additional Offense #2

Defendant's Full Name: JONES, SHANE SAMUEL

Special Conditions	Sex Offenses		Domestic Violence Offenses	
	Defendant has been adjudicated guilty of an offense requiring sex offender registration and must complete the Sex Offender Registration Form and pay the Mandatory Sex Offender Fee. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Defendant has been adjudicated guilty of a domestic-violence related offense and must pay additional court costs of \$25 under Act 583 of 2017. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Defendant has committed an aggravated sex offense as defined in A.C.A. 12-12-903 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Defendant was originally charged with a domestic-violence related offense. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Defendant is alleged to be a sexually dangerous person and is ordered to undergo an evaluation at a facility designated by A.D.C. pursuant to A.C.A. 12-12-918. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If Yes, state the A.C.A. # of the Offense	
Fines, Fees, Restitution	Defendant has been adjudicated guilty of an offense requiring registration and has previously been adjudicated guilty of a prior sex offense under a separate case number. If yes, list prior case numbers. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Case Number(s)		If Yes to either question, identify the relationship of the victim to the Defendant by offense number.	
	DNA Sample / Qualifying Offenses		Drug Crime	
	Defendant has been adjudicated guilty of a qualifying offense or repeat offense as defined in A.C.A. 12-12-1103. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Defendant has been adjudicated guilty of a drug crime as defined in A.C.A. 12-17-101. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Defendant is ordered to have a DNA sample drawn at <input type="checkbox"/> a D.C.C. Facility <input checked="" type="checkbox"/> the A.D.C. <input type="checkbox"/> Other			
Sentence Options	Court Costs \$150.00		Restitution	
	Fines \$0.00		Payable to (If multiple beneficiaries, give names and payment priority)	
	Booking/Admin Fees (\$20) \$20.00		Terms <input checked="" type="checkbox"/> Due Immediately <input type="checkbox"/> Installments of: _____ <input checked="" type="checkbox"/> Payments must be made within _____ days of release from A.D.C. <input checked="" type="checkbox"/> Upon release from confinement, Defendant must return to court to establish payment of restitution. <input checked="" type="checkbox"/> Restitution is joint and several with co-defendant(s) who was found guilty. List name(s) and case number(s).	
	Drug Crime Assessment Fee (\$125) \$0.00			
DNA Sample Fee (\$250) \$250.00				
Signature	Children's Advocacy Center Fund Fee \$0.00			
	Public Defender User Fee (\$25) \$0.00			
	Public Defender Attorney Fee \$0.00			
	Other (explain below) \$100.00 BAILIFF FEE			
Defendant was convicted of a target offense(s) and is sentenced pursuant to provisions of the Community Punishment Act. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No The Court hereby orders a judicial transfer to the Department of Community Correction. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Pursuant to Community Punishment Act, the defendant shall be eligible to have his/her records sealed. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Extended Juvenile Jurisdiction Applied <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
JAIL TIME CREDIT In days: 2 TOTAL TIME TO BE SERVED FOR ALL OFFENSES In months: 48 <input checked="" type="checkbox"/> Life <input type="checkbox"/> LWOP Death Penalty <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, State Execution Date				
DEFENDANT IS ASSIGNED TO: <input checked="" type="checkbox"/> ADC <input type="checkbox"/> ADC, Admin. Transfer Authorized <input type="checkbox"/> CCC <input type="checkbox"/> COUNTY JAIL <input type="checkbox"/> PROBATION <input type="checkbox"/> SIS				
Conditions of disposition or probation are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Defendant has previously failed a drug court program				
A copy of the Pre-sentence investigation on sentencing information is attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No A copy of the Prosecutor's Short Report is attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
DEFENDANT WAS INFORMED OF APPELLATE RIGHTS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Appeal Bond \$				
The County Sheriff is hereby ordered to : <input type="checkbox"/> transport the defendant to county jail <input type="checkbox"/> take custody for referral to CCC <input checked="" type="checkbox"/> transport to ADC				
Defendant shall report to DCC probation officer for report date to CCC <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Prosecuting Attorney/Deputy Signature: <i>Kristian Robertson</i> Date: 8-8-18 Print Name: KRISTIAN ROBERTSON				
Circuit Judge Signature: <i>Brent Haltom</i> Date: 8-9-2018 Print Name: BRENT HALTOM				
Additional Info CCN A17-6081				



Arkansas Department of Education

Transforming Arkansas to lead the nation in student-focused education

AELS CID: [REDACTED]

July 31, 2018

PERSONAL AND CONFIDENTIAL

Shane S. Jones
[REDACTED]

VIA FIRST CLASS AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED NO.: [REDACTED] **9450**

Re: Criminal Background Check

Dear Mr. Jones:

Arkansas law provides that the State Board of Education shall not issue, or renew, and shall revoke the license of any person who pleads guilty or no contest to, or is convicted of certain enumerated offenses in accordance with Ark. Code Ann. § 6-17-410(c). The Department of Education has received information that you pled guilty of the following disqualifying offense pursuant to Ark. Code Ann. § 6-17-410(c):

Date: July 23, 2018

Offense(s): Voyeurism, Class D Felony and Video Voyeurism, Class D Felony

Jurisdiction: Miller County Circuit Court, Arkansas

In addition, you are ineligible for employment in any public school under Ark. Code Ann. § 6-17-411. Therefore, the Department will recommend that the State Board of Education revoke your teaching license.

You are entitled to a hearing in front of the State Board of Education regarding revocation of your license. *Ark. Code Ann. § 6-17-410(f) authorizes the State Board to grant waivers of the licensure eligibility provisions of § 6-17-410(c) upon request of an affected applicant for licensure.* To request a hearing for a waiver of the disqualifying offense, you must submit your written request to this office, by mail or by email, within thirty (30) days of the date of this letter.

State Board of Education meetings occur once a month and are available to the public through live video-streaming. A request to be placed on the agenda must be received not less than three weeks before the meeting date. The Board meets in the Auditorium of the Arkansas Department of Education – Arch Ford Education Building, Four Capitol Mall, in Little Rock, Arkansas.

Meeting dates may be found at: http://www.arkansased.org/events/event_categories/state-board-of-education

The circumstances that the State Board may consider include, but are not limited to:

- The age at which the crime or incident was committed
- The circumstances surrounding the crime or incident
- The length of time since the crime or incident
- Subsequent work history
- Employment references
- Character references
- Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

If you request a hearing, you will be asked to provide a written statement, and any supporting documents that address those considerations. Examples of pertinent documents include: the names and phone numbers of persons who may verify information contained in your statement or documentation. Alternatively, you may consent to the surrender of your license. (See enclosed form). The consent to surrender your license would be placed on the State Board's consent agenda at the next possible meeting. You may obtain information concerning the disqualifying offense or schedule a hearing to request a waiver from the State Board of Education by contacting the Arkansas Department of Education, Educator Licensure and Effectiveness, Simone Blagg, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201, (501) 682-5729; or by email at: Simone.Blagg@arkansas.gov.

Sincerely,

/s/ Simone Blagg

Simone Blagg, Attorney
Educator Effectiveness & Licensure

Enclosures: Requesting a Waiver
Consent Form

cc: Cheryl Reinhart, Director of Educator Licensure



REQUESTING A WAIVER OF A DISQUALIFYING OFFENSE

You have been notified that, as a result of the background check reviewed by the Arkansas Department of Education, you are disqualified for licensure and for employment with a charter school, school district, or education service cooperative, and that you are entitled to request a waiver of that disqualification from the State Board of Education. Below are the steps to follow to seek a waiver.

Ark. Code Ann. § 6-17-410

Provides that the Department of Education shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of [certain listed] offenses, *including offenses which have been expunged or pardoned.*

Ark. Code Ann. § 6-17-411

Requires a background check for initial employment with a charter school, school district, or education service cooperative.

1 Request a Hearing

To request a hearing for a waiver of the disqualifying offense, you must submit your written request to the Department by mail, fax, or email, within thirty (30) days of the date you are notified of the disqualification.

You may, but are not required to be, represented by an attorney at any stage of this process.

2 Provide Documentation

The Department will confirm your request for a waiver and ask you to provide a written statement and any supporting documents that at a minimum address the circumstances that the Board will consider (see STEP 3), including the names and phone numbers of persons who may verify information contained in your statement or documentation. You must also provide a signed and notarized form providing authorization for the release of criminal records from courts and law enforcement. If your documentation is received less than six (6) weeks before the scheduled State Board meeting the matter may be postponed until after all documentation is received and reviewed by the Department.

3 Accept or Reject the Department's Recommendation

After reviewing the documentation received from you or from other agencies, the Department will advise you of its decision to:

- Recommend a waiver to the State Board, including any conditions for licensure, such as:

- Probation or suspension for a specific period of time;
- Counseling, rehabilitation, or training;
- Background check at end of probation or suspension;
- No other disqualifying offenses or ethics violations during the probation or suspension period;
- Recommend that the State Board not issue, not renew, or revoke the license as applicable; or
- Decline to make a recommendation.

You will be given the opportunity to accept or reject the recommendation.

- If you **accept** the recommendation, the matter will be placed on the State Board's consent agenda. The consent agenda is voted on at that public meeting, and therefore, any documents presented to the State Board are public. If the matter is submitted on the consent agenda, you do not have to appear at the meeting. However, sometimes the State Board members have questions, and you may want to be there to respond to those questions. The State Board has the final decision and may accept a recommendation on the consent agenda or reject the recommendation and afford the educator the opportunity for a hearing at a later date.
- If you **reject** the recommendation, you will proceed to a hearing.

4 State Board Hearing

If you request a hearing, you should appear at the meeting and be prepared to present your case and answer questions from the State Board members. If you request a hearing and do not appear, the State Board may decide the matter without you being present. Hearings are conducted at a public meeting of the State Board that is videoed by live streaming and archived. All documents provided to the State Board are public record. You should consult the Rules Governing Background Checks and Licensure Revocation for information on the hearing process (Section 8). The rules are online at <http://www.arkansased.org/> under Rules – Current.

The circumstances that the State Board may consider includes, but is not limited to:

- The age at which the crime or incident was committed
- The circumstances surrounding the crime or incident
- The length of time since the crime or incident
- Subsequent work history
- Employment references
- Character references
- Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

The State Board typically makes a decision at the time of the State Board meeting at which the consent agenda or hearing is considered.



Arkansas Department of Education

Transforming Arkansas to lead the nation in student-focused education

AELS CID: [REDACTED]

September 14, 2018

PERSONAL AND CONFIDENTIAL

Shane S. Jones
[REDACTED]

VIA FIRST-CLASS & CERTIFIED MAIL

RETURN RECEIPT REQUESTED NO.: [REDACTED] **9474**

RE: Shane S. Jones - Revocation Hearing

Dear Mr. Jones:

A hearing will be held on **October 11, 2018** to determine whether your license will be revoked pursuant to Ark. Code Ann. § 6-17-410(c). The State Board meets at **10:00 a.m.** in the **Auditorium of the Arkansas Department of Education – Arch Ford Education Building, Four Capitol Mall, in Little Rock.** The time at which agenda items are heard is within the State Board's discretion, therefore I cannot provide a specific time. However, you will be able to view the agenda on the ADE website once it is published.

If you have any questions, please feel free to contact Ms. Simoné Blagg at (501)682-5729, or by email at Simone.Blagg@arkansas.gov.

Sincerely,

/s/ Simoné Blagg

Simoné Blagg, Attorney
Educator Effectiveness/Licensure

Enclosure: Request for Sealed Records Form

Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 17 Personnel
Subchapter 4-- Licensure Generally

A.C.A. § 6-17-410

[A.C.A. § 6-17-410 \(Lexis Advance through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission\)](#)

6-17-410. Teacher licensure -- Application, renewal application, revocation, suspension, and probation -- Definitions.

(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

- (1) Capital murder as prohibited in § 5-10-101;
- (2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;
- (3) Manslaughter as prohibited in § 5-10-104;
- (4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;
- (5) Aggravated assault as prohibited in § 5-13-204;
- (6) Terroristic threatening in the first degree as prohibited in § 5-13-301;

- (7) Kidnapping as prohibited in § 5-11-102;
- (8) Rape as prohibited in § 5-14-103;
- (9) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 -- 5-14-127;
- (10) Incest as prohibited in § 5-26-202;
- (11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;
- (12) Distribution to minors as prohibited in § 5-64-406;
- (13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;
- (14) Sexual indecency with a child as prohibited in § 5-14-110;
- (15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;
- (16) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;
- (17) False imprisonment in the first degree as prohibited in § 5-11-103;
- (18) Permanent detention or restraint as prohibited in § 5-11-106;
- (19) Permitting abuse of a child as prohibited in § 5-27-221(a);
- (20) Negligent homicide as prohibited by § 5-10-105(a);
- (21) Assault in the first degree as prohibited by § 5-13-205;
- (22) Coercion as prohibited by § 5-13-208;
- (23) Public sexual indecency as prohibited by § 5-14-111;
- (24) Indecent exposure as prohibited by § 5-14-112;

- (25) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;
- (26) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;
- (27) Computer child pornography as prohibited in § 5-27-603;
- (28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605;
- (29) Felony theft as prohibited in §§ 5-36-103 -- 5-36-106 and 5-36-202;
- (30) Robbery as prohibited by §§ 5-12-102 and 5-12-103;
- (31) Breaking or entering as prohibited by § 5-39-202;
- (32) Burglary as prohibited by § 5-39-201 and aggravated residential burglary as prohibited by § 5-39-204;
- (33) Forgery as prohibited by § 5-37-201;
- (34) Video voyeurism as prohibited by § 5-16-101;
- (35) Domestic battering in the first degree as prohibited by § 5-26-303;
- (36) Domestic battering in the second degree as prohibited by § 5-26-304;
- (37) Felony violation of an order of protection as prohibited by § 5-53-134;
- (38) Prostitution as prohibited by § 5-70-102;
- (39) Sexual solicitation as prohibited by § 5-70-103;
- (40) Promoting prostitution in the first degree as prohibited by § 5-70-104;
- (41) Promoting prostitution in the second degree as prohibited by § 5-70-105;
- (42) Stalking as prohibited by § 5-71-229;
- (43) Failure to notify by a mandated reporter in the first degree as prohibited by § 12-18-201;

(44) Any felony not listed in this subsection and involving physical or sexual injury, mistreatment, or abuse against another;

(45) Aggravated assault upon a law enforcement officer or an employee of a correctional facility, § 5-13-211, if a Class Y felony;

(46) Sexual extortion, § 5-14-113; and

(47) Failure to comply with the registration and reporting requirements of § 12-12-904.

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
 COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas State Department of Education, State Board of Education, in Little Rock, Arkansas, on October 11, 2018, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: October 20, 2018.



Sharon K. Hill

SHARON K. HILL, CCR
 Certified Court Reporter
 Certificate No. 670

