

Redacted

04CR-21-1543-2

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

vs.

**SHAWNA RHAЕ CASH
6623 SHERITAN RD.
PINE BLUFF, AR 72740
DOB: 08/30/1998**

DEFENDANT

W/F

REDACTED AFFIDAVIT OF PROBABLE CAUSE FOR BOND

COMES NOW, Detective Keshia Guyll of the Benton County Sheriff's Office Criminal Investigations Division and does state that the records of the Benton County Sheriff's Office indicate that on June 26th, 2021, I was contacted by Lieutenant Hunter Petray and asked to respond to 139 N. Curtis Ave. in Pea Ridge, Arkansas, otherwise known as the White Oak Station, to assist in investigating the death of an on-duty Pea Ridge Police Officer. On my way to the scene, I learned the deceased Pea Ridge Police Officer, identified as Officer Kevin Apple, was attempting to make contact; along with fellow Pea Ridge Police Officer Brian Stamps, with two subjects in a vehicle when he was struck and ran over.

I arrived on scene and was briefed by other law enforcement officers present. I was told the officers were attempting to make contact with two subjects in a vehicle matching the description of a BOLO that had been put out by the Rogers Police Department earlier in the day. The suspect vehicle was parked at the White Oak Station gas pumps, facing southwest towards Slack Street (AR-72). The Rogers Police Department had released a BOLO via ACIC at approximately 11:24 a.m. for Non-Expiring Probable Cause for Felony Fleeing and Felony Theft.

During the course of the investigation, the driver of the suspect vehicle was identified as 22-year-old female, Shawna Rhae Cash, and the passenger as 18-year-old male, Elijah Michael Andazola.

Camera footage obtained from the White Oak Gas Station depicts the suspect vehicle parked at the gas pumps when a Pea Ridge Patrol car, driven by Officer Apple, pulled up in front of the suspect vehicle (facing it directly) while another Pea Ridge Patrol car, driven by Officer Stamps, pulled up directly behind it. Officer Apple exited his vehicle and stood by his left driver's side tire. The camera footage did not have audio but appeared as though Officer Apple was attempting to verbally engage with Cash and Andazola. Seven seconds after Officer Apple exited his vehicle, Shawna Cash accelerated backwards; slamming into Officer Stamps' vehicle. It appeared Officer Apple drew his service weapon and approached the front of the suspect vehicle; standing directly in front of it. Approximately three seconds later, Shawna Cash rapidly accelerated straight forward; striking Officer Apple. Officer Apple was carried on the front of the suspect vehicle for several feet until Cash steered slightly to the right; striking the front left-side of Officer Apple's patrol car, pinning him between the two vehicles. As Cash continued to accelerate, Officer Apple was dragged underneath Cash's vehicle. The vehicle accelerated out of camera view while still dragging Officer Apple underneath.

The Benton County Sheriff's Office Accident Reconstruction Team later determined Officer Apple was dragged approximately 149 feet through the gas station parking lot, over a curb, almost to the intersection of Townsend Way and Slack Street where his body came to rest. Officer Kevin Apple was pronounced dead at the scene.

Benton County Central Communications records reflect Cash fled; traveling westbound on Slack Street. Callers reported Cash traveling at a high rate of speed from Pea Ridge into the city of Bella Vista; where she engaged in a pursuit, fleeing from Bella Vista Police Officers until she wrecked out on Dartmoor Road in Bella Vista. Cash was detained immediately by officers and placed in the back of a patrol car. Andazola fled on foot; being apprehended a short time later in a camper at 11 Pine Street in Bella Vista. Both subjects were transported to the Benton County Sheriff's Office Criminal Investigations Division to be interviewed.

On June 26th, 2021, at approximately 1512 hours, an interview was conducted for Elijah Andazola at the Benton County Sheriff's Office, by Detective Michael Braswell. Andazola was placed in

interview room #2 and Detective Braswell went over his statement of rights from a form provided by the Benton County Sheriff's Office. Andazola acknowledged he understood his rights and he agreed to speak with Detective Braswell regarding the incident that occurred.

Andazola was very emotional before the interview began. Detective Braswell observed Andazola rubbing his eyes, tears running down his cheek, and his breathing was inconsistent. While Andazola was in the interview room alone, he mumbles quietly, "I am so sorry." To be noted; Detective Braswell provided Andazola a bottle of water prior to the interview beginning.

Andazola said he has known Cash since he was 15 years old. Andazola told Detective Braswell they were friends, but a few weeks ago they got romantic. Andazola mentioned to Detective Braswell he had a different girlfriend and Cash and he were not together.

Andazola said after Cash and he left Cash's brothers residence earlier that day, she pulled up to a mailbox and took some mail out of the mailbox. Andazola describes a black/gray truck following them after leaving the mailbox. Andazola said they started to head towards Pea Ridge (Andazola described the route they took was a back way to where his mother lives) and Cash pulled over at Walgreens (Walnut Address) because the truck was still following them. Andazola said the guy pulled a gun on Cash and him and ordered both of them to get out of their vehicle. Andazola said they both got out of the vehicle and sat on the concrete. Andazola said he went to get his phone out of the vehicle and Cash returned back to the vehicle and they drove away.

Andazola said when they got to the White Oak Station (139 N. Curtis Ave. Pea Ridge, Arkansas) Cash parked at pump #1. Andazola said he was in the front passenger seat when they pulled up to White Oak Station, and both Cash and he exited the vehicle and went into the White Oak Station. Andazola informed Detective Braswell they purchased a cup of ice, a pack of cigarettes, and ten dollars of gasoline. Andazola said after they purchased the items they returned to the vehicle and he put the gas in the vehicle. Andazola said Cash was in the driver seat and he got in the front passenger seat. Andazola said a cop pulled in front of their vehicle and the cop got out of his patrol vehicle. Andazola said at this point their vehicle was already started. Andazola said the cop told Cash and he to put their hands up (Andazola said he put his hands up). Andazola said the cop then

pointed at Cash and he. Detective Braswell asked Andazola if the cop was in uniform and Andazola replied, "Yes." Andazola said he did not know if Cash put her hands up because he was looking at the cop. Andazola stated he did not hear the cop give any other commands, he just heard him say, "Put your hands up." Andazola said Cash put the vehicle in reverse and backed into the vehicle behind them. Andazola said he did not know if he was in shock, but he did not hear any other communication from Cash or the cop.

Detective Braswell asked Andazola if he got a good look at the cop that was in front of him. Andazola described the cop as a white male and being bald. Detective Braswell asked Andazola if he were to show him a picture of the cop would he be able to tell him if it was the same cop he saw. Andazola said, "probably." Detective Braswell showed him a picture of the cop and immediately Andazola identified the picture as the cop he encountered and he began to get emotional turning his head away from the picture.

Detective Braswell asked Andazola if the cop pulled a gun out and Andazola said he believes the cop was reaching for his hip, but Andazola appeared to be unsure if the cop had a gun pulled out. Detective Braswell asked Andazola to sketch a drawing of what occurred during the incident. Andazola cooperated and drew a sketch of what happened. To be noted; Detective Braswell reviewed the video surveillance of the incident from White Oak Station and the sketch Andazola drew was consistent to the video footage of the incident.

Andazola said he did not know there was a cop behind their vehicle at the time of the incident. To be noted; Detective Braswell took a break from speaking with Andazola and he went to speak with Cash. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Andazola said the only time they were separated was when they wrecked out and he fled. Detective Braswell told Andazola the cop Cash ran over was no longer alive. Andazola said there was no conversation about running over the cop after the incident occurred. Andazola said Cash

made a comment to him after the incident stating, "We can never talk about this." Andazola said he did not respond to the comment Cash made to him and he didn't tell Detective Braswell that earlier because he said he just remembered.

[REDACTED]
[REDACTED]
[REDACTED]. Andazola said he did not know if he heard a gunshot and he was scared. To be noted; it appeared Andazola began to backtrack his statement after Detective Braswell told him the cop died.

[REDACTED]. Andazola said when Cash put their vehicle in reverse the cop drew his weapon, and when she drove forward the cop's hands were on the hood of the vehicle. Andazola stated he told Cash to please stop. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On June 26th, 2021, at approximately 1545 hours, an interview was conducted for Shawna Cash at the Benton County Sheriff's Office, by Detective Michael Braswell. Cash was placed in interview room #1 and Detective Braswell went over her statement of rights from a form provided by the Benton County Sheriff's Office. Cash acknowledged she understood her rights and she agreed to speak with Detective Braswell regarding the incident that occurred.

Cash was emotional when the interview began. Cash was sobbing/crying, rubbing her eyes, and speaking in a soft voice. Cash described Andazola as a future fiancé and they were together/dating. Cash said they have been off and on for six years and she used to be with Andazola's brother. Cash said the plan was they were going to go see Andazola's mother, but someone was following them.

Cash said when she was at the White Oak Station everything happened so fast. Cash said she saw the cop when she pulled up to the gas station and he was off to the side. Cash said Andazola told her to go. Cash said she has mad issues with stressful situations and she freaks out. Cash said she

hit the gas and she tried to miss [REDACTED] Cash said when she got to White Oak Station, she parked her vehicle at the gas pump right in front of the door. Cash could not tell Detective Braswell what pump she was at. Cash said Andazola and her got out of the vehicle and both of them went into the White Oak Station. Cash said they purchased a cup of ice, cigarettes (Newports), and ten dollars' worth of gas. Cash said they returned to the vehicle and she got in the driver seat. Andazola put gas in the vehicle and then went back into the store; paying for more gas. He returned to the vehicle and put more gas in the vehicle. Cash said Andazola begged her to let him drive but she told him no because the jeep belonged to her friend (Cain).

Cash said the Pea Ridge cop pulled right in front of her. Cash said she did not see the cop behind her until the last second. Detective Braswell asked Cash if the cop ever got out of his patrol vehicle. Cash said, "Obviously he had too." Cash was asked if the cop approached her and said anything to her and she told Detective Braswell no he stood there and looked at her. Detective Braswell asked Cash if the cop ever raised his arm and pointed at her or pointed his weapon at her and she replied, "I do not know." Cash made a comment that it was hard to explain things sometimes because she blacks out.

[REDACTED]
[REDACTED]. Cash made the comment, "He parked in front of me so obviously I could not go forward." Cash said she backed up and hit something, but she did not know what it was. Cash said she started the vehicle, backed up and hit something, and then she drove forward. Detective Braswell asked Cash if she ran over the cop and she said she did not remember. Cash said she had sunglasses on and could not see. Cash said she could not even see over the steering wheel. Cash said she was looking at her phone and she freaked out. Cash said she blacked out and the blackouts were bad and she only remembered "bits and pieces". Cash later admitted that she may have ran him over.

Detective Braswell showed Cash a picture of the cop that she saw in front of her during the incident and she responded by saying that kind of looked like him. Cash said after she left White Oak Station, Andazola was telling her where to go, where to turn, and telling her to gun it. Cash said

she was scared, freaking out, and did not know what to do but run.

Detective Braswell asked Cash when the cop stepped out of his vehicle, did she think the cop was there for her. She told Detective Braswell no she did not think he was there for her.

Detective Braswell asked Cash if the cop told her to put her hands up and she replied, yes and she put her hands up (Cash demonstrated how her hands were up). Cash said that was when Andazola told her to go. Cash said she just went and did not know what else to do. Cash admitted to fleeing the scene. Cash said when she went to back her vehicle up, that was when the "guns came out". Detective Braswell asked her if the cop pointed the gun at her. Cash responded, stating, "I just said that." Cash said he never fired his weapon at her. Cash said when she dropped her hands, the vehicle was in drive. Cash said after she hit the cop, she did not stop the car and she went straight. Cash said she steered the wheel to go around him. Detective Braswell asked Cash why she did not stop the car and get out of the vehicle. Cash said she wished she could tell Detective Braswell, but she could not answer that for herself.

Detective Braswell asked Cash about an incident that occurred earlier that day and she told Detective Braswell she never went to Walgreens that day. Detective Braswell asked her about taking mail out of mailboxes and she admitted to taking mail out of the mailbox. [REDACTED]

[REDACTED] Cash corroborated the incident at Walgreens and said she gave the guy his check back. Cash said they did not have dope or guns on them. [REDACTED]

[REDACTED]. Cash said she smoked marijuana earlier that day and got high. Cash said she was not high when she was at the White Oak Station, though. Cash said after the incident occurred at White Oak Station, she did not consume any substances.

Cash said after the White Oak Station incident, a red truck was following her. Detective Braswell asked Cash when did Andazola talk with her about hitting the cop. Cash said Andazola told her he thought she hit him and she told him, "She did not look back to find out." Cash said Andazola's face was like he just saw a ghost. Detective Braswell asked Cash if she felt bad and she said she

felt "hella" bad. Cash said she looked at Andazola and told him she hoped he was ok. [REDACTED]
[REDACTED] Cash said the vehicle she was driving backfires and she was not sure if anyone was shooting at her or not.

Cash said she did not have data on her phone and she could only connect to wifi.

Detective Braswell told Cash the cop was no longer alive and she apologized. Cash said her intention was not to kill the guy it was to get gone. Detective Braswell explained to Cash there was no possible way for her to not know that she did not run the cop over. Cash said she did not know at that time. Cash later said she realized she ran over the cop when she saw Andazola's face when she asked him, "I wonder if he was ok." Cash said Andazola knows how she reacts and it was both of their faults. Cash said she was only going because she was being told to go.

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]. (Again, camera footage from the White Oak Station clearly showed Cash rapidly accelerating straight forward; striking Officer Apple and then steering slightly to the right.) Cash argued that she could barely see over the steering wheel and Detective Braswell argued with her that she drove to White Oak Station prior to the incident happening.

A criminal history check of Shawna Rhae Cash, DOB: 08/30/1998, W/F, revealed previous convictions of Domestic Battery 3rd Degree, Possession of Drug Paraphernalia, Felony Failure to Appear, Possession of Controlled Substance, and Theft of Property.

According to Arkansas Criminal Statutes:

§5-10-101 (a)(3) Class Y Felony, Capital Murder – A person commits Capital Murder if with the premeditated and deliberated purpose of causing the death of any law enforcement officer, the person causes the death of any person.

§5-13-204 (a)(1) Class D Felony, Aggravated Assault (Two Counts) – A person commits aggravated assault if, under circumstances manifesting extreme indifference to the value of human life, he or she purposely engages in conduct that creates a substantial danger of death or serious physical injury to another person.

§5-54-110 (a)(1) Class A Felony, First Degree Escape – A person commits the offense of first-degree escape if, at any time, including from the point of departure from confinement to the return to confinement, aided by another person actually present, he or she uses or threatens to use physical force in escaping from custody.

§5-54-125 (d)(3) Class C Felony, Fleeing – If a person knows that his or her immediate arrest or detention is being attempted by a duly authorized law enforcement officer, it is the lawful duty of the person to refrain from fleeing, either on foot or by means of any vehicle or conveyance. If serious physical injury to any person occurs as a direct result of fleeing by means of any vehicle or conveyance, the fleeing by means of any vehicle or conveyance offense is a Class C Felony.

§27-53-101 Class D Felony, Leaving Scene of Personal Injury Accident – The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident or as close thereto as possible, but shall immediately return to and in every event shall remain at the scene of the accident until he or she has fulfilled the requirements of §27-53-103.

§5-38-203 (a)(1) Class D Felony, Criminal Mischief 1st Degree (Two Counts) – A person commits the offense of criminal mischief in the first degree if he or she purposely and without legal justification destroys or causes damage to any property of another.

§5-54-102 (a)(1)(b)(1) Class A Misdemeanor, Obstructing Governmental Operations – A person commits the offense of obstructing governmental operations if the person knowingly obstructs, impairs, or hinders the performance of any governmental function. Obstructing governmental operations by using or threatening to use physical force is a Class A Misdemeanor.

§27-50-308 (a)(b)(1)(A) Misdemeanor, Reckless Driving – Any person who drives any vehicle in such a manner as to indicate a wanton disregard for the safety of persons or property is guilty of reckless driving.

Based on the above and foregoing the State joins me in requesting that Shawna Rhae Cash, W/F, 08/30/1998 be bound over on Probable Cause for committing the crimes of:

§5-10-101 (a)(3) Class Y Felony, Capital Murder

§5-13-204 (a)(1) Class D Felony, Aggravated Assault (Two Counts)

§5-54-110 (a)(1) Class A Felony, First Degree Escape

§5-54-125 (d)(3) Class C Felony, Fleeing

§27-53-101 Class D Felony, Leaving Scene of Personal Injury Accident

§5-38-203 (a)(1) Class D Felony, Criminal Mischief 1st Degree (Two Counts)

§5-54-102 (a)(1)(b)(1) Class A Misdemeanor, Obstructing Governmental Operations

§27-50-308 (a)(b)(1)(A) Misdemeanor, Reckless Driving

Based upon the foregoing, including the Defendant's risk of flight, the Defendant's criminal history, the nature of the crime, and the likelihood of conviction and the possible severity of penalty that could be imposed, the State joins me in requesting a **NO BOND** be issued.

det. Keshia Guyll
Detective Keshia Guyll, CID

STATE OF ARKANSAS
COUNTY OF BENTON

Subscribed and sworn to before me this 28th day of June, 2021.



NOTARY PUBLIC

My commission expires: 5/22/22

APPROVED: Bryan Sexton via Email
DEPUTYPROSECUTING ATTORNEY



IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

STATE OF ARKANSAS

PLANTIFF

VS

SHAWNA RHAË CASH
6623 SHERITAN RD.
PINE BLUFF, AR 72740
DOB: 08/30/1998

DEFENDANT

W/F

ORDER OF PROBABLE CAUSE AND ORDER TO APPEAR

Now on this 28th day of June, 2021, came on for consideration in the matter of Probable Cause for the continued detention of **Shawna Rhae Cash** witnesses having been sworn and evidence having been taken, the court finds that there is sufficient probable cause for detaining **Shawna Rhae Cash** for the offenses(s) of:

§5-10-101 (a)(3) Class Y Felony, Capital Murder

§5-13-204 (a)(1) Class D Felony, Aggravated Assault (Two Counts)

§5-54-110 (a)(1) Class A Felony, First Degree Escape

§5-54-125 (d)(3) Class C Felony, Fleeing

§27-53-101 Class D Felony, Leaving Scene of Personal Injury Accident

§5-38-203 (a)(1) Class D Felony, Criminal Mischief 1st Degree (Two Counts)

§5-54-102 (a)(1)(b)(1) Class A Misdemeanor, Obstructing Governmental Operations

§27-50-308 (a)(b)(1)(A) Misdemeanor, Reckless Driving

WHEREFORE, IT IS HEREBY ORDERED that the Defendant be released on his personal recognizance and Defendant is hereby ordered to appear on the ___ day of _____, 20__, at _____ a.m. in the Benton County Circuit Court Division I / II for further proceedings.

OR

WHEREFORE, IT IS HEREBY ORDERED that the Defendant be detained upon probable cause for the offenses(s) set forth hereinabove in the custody of the Sheriff of Benton County, Arkansas, pending further proceedings.

IT IS FURTHER ORDERED that bail be set in the amount of \$ NO BOND to ensure the Defendant's future appearances, and should such be posted on behalf of Defendant, the Defendant is hereby ordered to appear on the 26th day of July, 2021, at 1:30pm in the Benton County Circuit Court Division VI for further proceedings.

THE NATURE OF THE BAIL IS ORDERED TO BE:

X Cash or corporate surety bond
 10% deposit
 Defendant's unsecured signature bond

IT IS FURTHER ORDERED that:

X
_____, Attorney at Law, be appointed to represent the Defendant.

No attorney be appointed at this time.

Brad Kane

JUDGE Brad Kane

PRETRIAL RELEASE INQUIRY

Date: 06-28-2021

(BCSO)

Name: Shawna Rhae Cash DOB: 8/30/1998

<u>COURT</u>	<u>CHARGE</u>	<u>ARR DATE</u>	<u>REC BOND</u>	<u>BOND</u>
<u>Div II</u>		<u>7-26-21</u> <u>@ 1:30pm</u>	<u>No bond</u>	<u>NO Bond</u>
	§5-10-101 (a)(3) Class Y Felony, Capital Murder			
	§5-13-204 (a)(1) Class D Felony, Aggravated Assault (Two Counts)			
	§5-54-110 (a)(1) Class A Felony, First Degree Escape			
	§5-54-125 (d)(3) Class C Felony, Fleeing			
	§27-53-101 Class D Felony, Leaving Scene of Personal Injury Accident			
	§5-38-203 (a)(1) Class D Felony, Criminal Mischief 1 st Degree (Two Counts)			
	§5-54-102 (a)(1)(b)(1) Class A Misdemeanor, Obstructing Governmental Operations			
	§27-50-308 (a)(b)(1)(A) Misdemeanor, Reckless Driving			

TRANSPORTATION:

EMPLOYMENT:

AREA TIES, TENURE:

OTHER (INDIGENCY CONSIDERATIONS, PRIORS, PC FINDING, RULE 8 FACTORS, ETC):

RESTRICTIONS:

NO CONTACT ORDER: _____

PUBLIC DEFENDER APPOINTED _____

Brad Cann
MAGISTRATE/JUDGE
Brad Cann

RR

04CR-21-1543-2

ELECTRONICALLY FILED
Benton County Circuit Court
Brenda DeShields, Circuit Clerk
2021-Jun-28 16:14:11
04CR-21-1543
C19WD02 : 15 Pages

Per the Administrative order signed December 2015 this case shall be assigned to Division 2 to Coincide with Case #(s)

CR19-0218-2 CR19-3127-2 CR19-1586-2

Shawna Cash