

PC AFFIDAVIT

I have been employed with the Onslow County Sheriff's Office (OCSO) since 1996 and I am currently a Captain with the OCSO. I received a Bachelor of Science in Criminal Justice from Bob Jones University. I successfully completed Basic Law Enforcement Training in December of 1998 at Coastal Carolina Community College. From August of 1992 until May, 1996 I worked as a public safety officer with Bob Jones University. Since June of 1996 I have been employed with the OCSO. I was a jailer from June of 1996 until May of 1997. From May of 1997 until August 1999 I was a crime scene investigator. From August 1999 to December 2001, I was assigned as a lieutenant with the Operations Division of the OCSO. In December 2001, I was promoted to Captain and served with the Operations Division of the OCSO. In 2005, I was assigned to head the Special Operations Division of the OCSO and I work with the Sheriff of Onslow County on a daily basis. I have investigated approximately four hundred crime scenes including numerous homicides. I have completed over 2,000 hours of training for the Sheriff's Office and I have been awarded the Advanced Law Enforcement Certificate from the State of North Carolina in recognition of the training that I have received. I have investigated numerous crimes involving the use of computers and other communication devices. I have worked investigations by myself, and I have worked investigations in conjunction with the United States Secret Service, the Federal Bureau of Investigations, and the North Carolina State Bureau of Investigations.

On May 3rd, 2008, at 3:00am, the Sheriff's Office held a briefing at the Courthouse to prepare for the service of a Search Warrant at Mickey's Club on Highway 258. Present at the briefing were sworn law enforcement officers from the Sheriff's Office, the Jacksonville Police Department, and NCIS. There were also several people from local media outlets that had been invited by the Sheriff.

Based on interviews conducted with law enforcement officers, and those media persons, I have been able to document the following facts:

After the briefing, Eugene, the cameraman for Channel 12, told his reporter, Heather Ford, that he would not be able to go on the Search Warrant because he knew too many of the people who frequented the club. Eugene and Heather got into an argument at the Sheriff's Office. Eugene left and did not go with the media and law enforcement to Mickey's.

When law enforcement arrived at the club, Captain Lewis heard one of the customers say "hey, ya'll their here, the cops are here for the raid." When Sgt. Ides approached the club manager, Jason Howard, Howard told Ides, "I knew ya'll were coming, I just got a text message on my phone".

Ides told me that some of the evidence that was known to be in the club and was being sought during the raid was not at the club and had been moved shortly before our arrival.

A Confidential and Reliable Informant told me yesterday that Eugene has a side business capturing video and photographs. The CRI told me that he has seen footage that Eugene shot from inside Club Mickey's on a previous date and that Eugene has worked for Club Mickey's prior to the date that the Search Warrant was served.

Based on the above, I have probable cause to believe a text message (or phone call) was sent and received on Jason Howard's phone from the time after the briefing and before law enforcement arrived at Club Mickey's. These phone calls or text messages would provide evidence of the crime of Resist Obstruct and Delay a Law Enforcement Officer in the Performance of their Duties.



Captain Riek Sutherland