



CONFIDENTIAL

POLICE REPORT

Case No: 22CC/08

Date: 10.11.2014

Prepared By: [Signature]

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MAY 18-20, 2023
LITTLE ROCK,
ARKANSAS

2023 NATIONAL
HIGH SCHOOL
**MOCK TRIAL
CHAMPIONSHIP**



**ARKANSAS
MOCK TRIAL
FOUNDATION**

State of Arkansas
v. Scout Cumberland

ACKNOWLEDGEMENTS

The Arkansas Mock Trial Foundation, Inc. is honored and thrilled to host the 2023 National High School Mock Trial Championship (NHSMTTC) in Little Rock, Arkansas on May 18-20, 2023. Members of the Mock Trial Committee of the Arkansas Bar Association who have participated in the NHSMTTC (either as student competitors, coaches, or state coordinators) have dreamed of hosting this event in Arkansas for over a decade. Keenly aware that Arkansas has never before hosted, they felt strongly that the Natural State could provide a memorable and enjoyable experience for participating students. A few years ago, several determined members of that Committee decided to make their dream a reality, forming the Arkansas Mock Trial Foundation, Inc. (with substantial assistance from the Arkansas Bar Association and Arkansas Bar Foundation), and charging it with the mission of bringing the NHSMTTC to Little Rock.

The administration and officers of the Arkansas Bar Association and Arkansas Bar Foundation deserve special recognition for the resources they have provided the Arkansas Mock Trial Foundation. They never wavered in their support of its mission, even when faced with a challenge as daunting as a global pandemic.

The judges and staff for the United States District Court for the Eastern District of Arkansas also deserve our deepest gratitude. Not only have they opened the doors of their beautiful courthouse for this event, but they have also supported our endeavor in myriad other ways. They too are thrilled and honored to host this event.

The National Board members of the NHSMTTC have also been integral to our efforts. They have all been there and done that, and the Arkansas Mock Trial Foundation has leaned hard on their intrepid guidance at every step of the way, including the refining of these case materials.

In the ensuing years after formation of the Arkansas Mock Trial Foundation, dozens of volunteers have assisted with bringing this dream of hosting the NHSMTTC to fruition. Each of them has a day job. Each of them has a family. Yet they have donated their spare time, hard labor, and creative ideas to our cause. While they are too numerous to recognize here, they know who they are, and they know this could not have happened without each and every one of them.

In particular, several of those volunteers have worked tirelessly to develop these case materials, which we hope will entertain and challenge the teams participating in the 2023 NHSMTTC. The case beautifully foregrounds the roller coaster that is Arkansas history while also evoking timeless themes that continue to resonate in communities across the United States. The Arkansas Mock Trial Foundation strongly believes this case does justice to the preparation and hard work the participating students have put in to make it this far, as well as the diligence and spirit they will invest over the next six weeks

or so, as they prepare to test their mettle against the best and brightest from across the land. The volunteers who worked on the case materials include the following:

- Anthony L. McMullen, University of Central Arkansas
- Adam Jackson, Arkansas Attorney General's Office
- Brooke Gasaway, Arkansas Attorney General's Office
- Laura O'Hara, Quattlebaum, Grooms & Tull PLLC
- Jordan Slatten, formerly of Munson, Rowlett, Moore, & Boone P.A.
- Bennett Stuckey, Watton Law Group
- Olivia Moore, Hendrix College Mock Trial Student

Each of them deserves our respect and gratitude for the hard work and artful intelligence they used to craft and refine this fun and educational mock trial case. Enjoy, and best of luck!

CASE INTRODUCTION

Note: This introduction is for background purposes only and is of no legal consequence in the terms of the trial. Nothing in this document is admissible for any purpose.

The State of Arkansas has a colorful political history dating back to June 1836, when Arkansas was granted statehood. Around this time, wolves were a problem in the state. On December 4, 1837, the Arkansas House of Representatives was debating a bill to provide a \$2 bounty for each wolf killed. The bill required a magistrate to verify the wolf pelts, evidence of a wolf kill. Representative Joseph J. Anthony suggested requiring verification by the president of the recently chartered Real Estate Bank instead. Speaker of the House John Wilson, who happened to be said president, shouted at Anthony to sit down. When Anthony refused, Wilson drew a Bowie knife, said "I'll make you sit down," and charged Anthony.

The story continues:

Things happened so fast that even members of the House who saw it could not agree later on what happened. As Wilson charged toward Anthony, someone pushed a straight-backed chair between them. Anthony grabbed it to use it as a shield. When Wilson also took hold of the chair to wrest it out of the way, Anthony slashed at him with his own knife, nearly severing Wilson's left hand. He then either threw the knife at the speaker without effect or threw it on the floor. In either case, Wilson stabbed Anthony and he died almost instantly.¹

Needless to say, the session immediately adjourned.

Two days later, Wilson tendered his resignation from the House of Representatives. The resignation was refused, however, as members of the House preferred expulsion. The House subsequently affirmed a resolution removing him from the House without debate on a 36-4 vote (with four members abstaining because they were not present when the stabbing occurred). Wilson was charged with murder and tried in neighboring Saline County, where he was found guilty of "excusable homicide."

Who knew that, almost two centuries later, history would repeat itself at a school board meeting?

Riley Truman and Scout Cumberland were once good friends. They met at the University of Central Arkansas in Conway (about thirty miles from Little Rock). Eventually, they banded together to form an education consulting firm. They often disagreed on how to

¹ From Jerry E. Hinshaw, *Call the Roll: The First 150 Years of the Arkansas Legislature* (1986).

accomplish their goals, but their mutual goal of promoting education kept the business afloat.

The friendship finally ended after a company outing at Crater of Diamonds National Park in Murfreesboro, Arkansas. Before the trip started, Truman said, "You know, this is a company outing, so if anyone finds a big diamond, it belongs to the company." Everyone had a good laugh, presumably for two reasons. No one believed anyone would actually find anything worth writing about. And no one believed the company would actually try to claim anything that was found.

After ~~45~~ a few minutes of digging, Cumberland made an amazing find: a ten-carat diamond. An employee affectionately named the find *Le Gros Rocher Brillant* ("the Big Shiny Rock."). On the drive back to Little Rock, Truman kept talking about ways the firm could use *Le Gros Rocher Brillant* for self-promotion. Cumberland grew increasingly annoyed at Truman's "jokes." Four days later, Cumberland was served with a complaint filed by Truman's lawyer, demanding possession of the diamond. Cumberland filed a response without an attorney. Unfortunately, Cumberland responded too late, resulting in an automatic judgment in Truman's favor. *Le Gros Rocher Brillant* belonged to the business. But because Cumberland no longer wanted to be in business with Truman, the partnership dissolved, and the diamond was sold at auction. The friendship was broken.

Later, both Cumberland and Truman were elected to the Little Rock School Board. Their hostility toward each other was apparent, to the point of making others uncomfortable. This came to a climax during an executive session at a December 2, 2021 school board meeting. At this point, Cumberland started hurling insults toward Truman. After several minutes of this, Truman left the room, and Cumberland followed.

Though it is hard to tell what happened after the two left the room, we know that Cumberland shot Truman. Many suspect that Cumberland wanted Truman dead all along. And more than one person thought Cumberland intentionally provoked Truman to "justify" the shooting. The evidence was enough to convince the prosecuting attorney to charge Cumberland with murder in the first degree. Cumberland insists that the shooting was in self-defense.

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CRIMINAL DIVISION**

STATE OF ARKANSAS

V.

Case No.: 60-CR-2021-523

SCOUT CUMBERLAND

CRIMINAL INFORMATION

I, Prosecuting Attorney, 6th Judicial District, in the name, by the authority, and on behalf of the State of Arkansas, Pulaski County, charge the Defendant, SCOUT CUMBERLAND, with violating Arkansas Code Annotated section 5-10-102, MURDER IN THE FIRST DEGREE, committed as follows, to wit: said Defendant, in Pulaski County, on or about the 2nd of December, 2021, with the purpose of causing the death of another person, namely RILEY TRUMAN, did cause the death of that person. As a result, Defendant committed the offense of murder in the first degree, said offense being a Class Y felony, against the peace and dignity of the State of Arkansas.

I swear, under penalty of perjury, that the foregoing representations are true.

Melanie Kwan

Melanie Kwan, Prosecuting Attorney
Sixth Judicial District

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CRIMINAL DIVISION**

STATE OF ARKANSAS

V.

Case No.: 60-CR-2021-523

SCOUT CUMBERLAND

PRETRIAL HEARING ORDER

1. Trial Setting: This case is set for trial on May 19-20, 2023. If the defendant is found guilty, the appropriate sentence will be determined at a separate hearing.

2. Charges: The State has charged Scout Cumberland with murder in the first degree. At the pretrial hearing, Cumberland made a motion to have the jury instructed on the charge of manslaughter. The State opposed the motion. After considering arguments, the court GRANTS the motion. However, it is expected that the prosecution will seek a conviction for murder in the first degree, while the defense will seek an outright acquittal.

3. Introduction of Character Evidence: It is anticipated that both the prosecution and the defense will rely upon character evidence to establish their respective cases. Parties are to keep in mind the instructions from the Arkansas Supreme Court in *Schnarr v. State*, 2017 Ark. 10, at 5:

Where character evidence is offered in support of the contention that the deceased was the aggressor or to characterize and explain his acts, the defense is restricted to proof of general reputation in the community where the deceased lived, and may not show particular acts or conduct at specified times. . . . But, on the issue whether or not the accused had reasonable ground to believe himself in imminent danger, he may show his knowledge of specific instances of violence on the part of the deceased.

There is also an issue created by the unique procedures of the mock trial court. In a typical trial, once the defendant has presented their case-in-chief, the prosecution is given the opportunity to present evidence in rebuttal. Within the mock trial court, however, the prosecution must call of its witnesses in its case-in-chief and is not offered the opportunity for rebuttal. If strict adherence to the rules of evidence were followed, mock trial procedure would completely bar the prosecution from introducing evidence that it would have the chance to introduce if rebuttals were allowed. Given the expectation that the defendant will offer character evidence, the door is considered open for the state to also introduce character evidence in its case-in-chief.

Alternatively, teams may agree not to introduce any character evidence related to the victim or defendant. Such a stipulation must be agreed upon by both teams and announced at pre-trial to be binding. Further, no team is obligated to agree to such a stipulation.

4. Stipulations: The parties stipulate the following facts. These facts may be considered in the record. No witness may contradict knowledge of facts contained in the stipulations:

- a. No jurisdiction or venue issues exist in this case.
- b. All exhibits and signatures are authentic and accurate. No party may challenge the authenticity of an exhibit or signature.
- c. Chain of custody for evidence is not in dispute.
- d. Both sides have provided timely pretrial notice regarding testimony as to character evidence.
- e. Cumberland has waived the Fifth Amendment and state constitutional right against self-incrimination and will testify at trial. Either side may comment on the defendant's choice to testify during opening statements and/or during the prosecution's case, and any evidentiary objections contingent on the defendant's testifying may be made during the prosecution's case.
- f. Little Rock School Board member Addy Adams passed away on December 23, 2021.
- g. Exhibit 1 is a not-to-scale diagram of the school board meeting room created by the school board for its administrative use. The blue star was added by Officer Rayburn and indicates the location of Riley Truman's body when he arrived at the scene on ~~true and accurate diagram of the Little Rock School Board Meeting Room as it appeared on~~ December 2, 2021. The blue star on the diagram indicates where Riley Truman's body was located when Officer Alex Rayburn arrived at the scene. The names on the diagram show where the board members were sitting just before the meeting went into executive session.
- h. Exhibit 2 is a true and accurate copy of the letter announcing Judge Gasaway's ruling over the disposition of *Le Gros Rocher Brillant*. Judge Gasaway entered a final order consistent with the court's letter opinion the same day.
- i. Exhibit 3 is a true and accurate copy of an article that appeared in the *Arkansas Democrat-Gazette* on September 2, 2021.
- j. Exhibit 4 is a true and accurate copy of the receipt from the sale of *Le Gros Rocher Brillant*.
- k. Exhibit 5 is a true and accurate copy of the resolution presented at the November 18, 2021, school board meeting. The handwritten portion "Failed by a 2-2 vote" was written by Addy Adams.
- l. Exhibit 6 is a true and accurate copy of the short-form autopsy report prepared by Dr. Valerie Jenkins of the Arkansas State Crime Laboratory. Dr. Frankie Rose assisted in the autopsy.

- m. Exhibit 7 is a true and accurate copy of the report drafted by Dr. Frankie Rose.
- n. Exhibits 8 and 9 are the gun and knife owned by Scout Cumberland and Riley Truman, respectively. At all relevant times in the case, both were in the lawful possession of their owners. The legality of any use or alleged use, however, is not stipulated. Both exhibits should be treated as the physical evidence they represent (not a picture of it).
- o. Exhibit 10 is a true and accurate transcript of the 911 call placed on the evening of December 2, 2021.
- p. Exhibit 11 is a true and accurate copy of a text exchange between Riley Truman and Robin Weston. ~~Records from the phone company indicate t~~The texts were exchanged on November 19, 2021, at 8:43 a.m.
- q. Exhibit 12 is a true and accurate copy of a text exchange between Scout Cumberland and Charlie Goodman. ~~Records from the phone company indicate t~~The texts were exchanged on November 18, 2021 at 10:35 p.m.
- r. Exhibit 13 is a true and accurate copy of the police report filed by Officer Alex Rayburn.

5. Witnesses: The designated witnesses, and only these witnesses, may be called at trial. Only the party sponsoring their testimony may call them, but they may call them in any order:

Witnesses for the Prosecution

Alex Rayburn
Robin Weston
Drew Arden

Witnesses for the Defendant

Scout Cumberland
Dr. Charlie Goodman
Dr. Frankie Rose

6. Exhibits: Both parties have collectively identified the following exhibits, which have been pre-marked and may be offered into evidence by either party. Except as provided in the stipulations, no party has waived any objection to the admissibility of any exhibit.

- a. Exhibit 1: Diagram of school board meeting room
- b. Exhibit 2: Letter Opinion from Pulaski County Circuit Court
- c. Exhibit 3: *Arkansas Democrat-Gazette* Newspaper Article
- d. Exhibit 4: Receipt from the sale of *Le Gros Rocher Brillant*
- e. Exhibit 5: Proposed Resolution No. 2021-04 of the Little Rock School Board
- f. Exhibit 6: Short-Form Autopsy Report
- g. Exhibit 7: Report of Dr. Frankie Rose

- h. Exhibit 8: Scout Cumberland's Gun
- i. Exhibit 9: Riley Truman's Knife
- j. Exhibit 10: Transcript of 911 Call
- k. Exhibit 11: Text Exchange between Riley Truman and Robin Weston
- l. Exhibit 12: Text Exchange between Scout Cumberland and Charlie Goodman
- m. Exhibit 13: Police Report

IT IS SO ORDERED, this 1st day of April, 2023

Winston Caruthers

Judge Winston Caruthers

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CRIMINAL DIVISION**

STATE OF ARKANSAS

V. Case No.: _____

SCOUT CUMBERLAND

JURY INSTRUCTIONS

The faithful performance of your duties as jurors is essential to the administration of justice. It is my duty as judge to inform you of the law applicable to this case by instructions, and it is your duty to accept and follow them as a whole, not singling out one instruction to the exclusion of others. You should not consider any rule of law with which you may be familiar unless it is included in my instructions.

It is your duty to determine the facts from the evidence produced in this trial. You are to apply the law as contained in these instructions to the facts and render your verdict upon the evidence and law. You should not permit sympathy, prejudice, or like or dislike of any party to this action or of any attorney to influence your findings in this case.

In deciding the issues, you should consider the testimony of the witnesses and the exhibits received in evidence. The introduction of evidence in court is governed by law. You should accept without question my rulings as to the admissibility or rejection of evidence, drawing no inferences that by these rulings I have in any manner indicated my views on the merits of the case.

Opening statements, remarks during the trial, and closing arguments of the attorneys are not evidence but are made only to help you in understanding the evidence and applicable law. Any argument, statements, or remarks of attorneys having no basis in the evidence should be disregarded by you.

In considering the evidence in this case, you are not required to set aside your common knowledge, but you have a right to consider all the evidence in the light of your own observations and experiences in the affairs of life.

You are the sole judges of the weight of the evidence and the credibility of the witnesses. In determining the credibility of any witness and the weight to be given their testimony, you may take into consideration their demeanor while on the witness stand, any prejudice for or against a party, their means of acquiring knowledge concerning any matter to which they testified, any interest they may have in the outcome of the case, the consistency or inconsistency of their

testimony, its reasonableness or unreasonableness, and any other fact or circumstance tending to shed light upon the truth or falsity of their testimony.

A fact in dispute may be proved by circumstantial evidence as well as by direct evidence. A fact is established by direct evidence when, for example, it is proved by witnesses who testified to what they saw, heard, or experienced. A fact is established by circumstantial evidence when its existence can reasonably be inferred from other facts proved in the case. However, circumstantial evidence must be consistent with the guilt of the defendant and inconsistent with any other reasonable conclusion.

The State must prove beyond a reasonable doubt each element of the offense charged. On the other hand, the defendant is not required to prove their innocence.

The filing of an information is merely the means by which a person is brought to trial. It is not evidence and is not to be considered by you in determining the guilt or innocence of Scout Cumberland.

There is a presumption of the defendant's innocence in a criminal prosecution. In this case, Scout Cumberland is presumed to be innocent. That presumption of innocence attends and protects the defendant throughout the trial and should continue and prevail in your minds until you are convinced of their guilt beyond a reasonable doubt. Reasonable doubt is not a mere possible or imaginary doubt. It is a doubt that arises from your consideration of the evidence and one that would cause a careful person to pause and hesitate in the graver transactions of life. A juror is satisfied beyond a reasonable doubt if after an impartial consideration of all the evidence he or she has an abiding conviction of the truth of the charge.

If you find that the defendant is a person of good character, you may take that fact into consideration in determining their guilt or innocence, but if you believe from all the evidence in the case beyond a reasonable doubt that the defendant is guilty, you should so find, notwithstanding their good character.

You are instructed that evidence of other alleged crimes, wrongs or acts of Cumberland may not be considered by you to prove the character of Cumberland in order to show that they acted in conformity therewith. This evidence is not to be considered to establish a particular trait of character that they may have, nor is it to be considered to show that he acted similarly or accordingly on the day of the incident. This evidence is merely offered as evidence of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident. Whether any other alleged crimes, wrongs, or acts have been committed is for you to determine.

Cumberland is charged with the offense of murder in the first degree. This charge includes the lesser offense of manslaughter. You may find the defendant guilty of one of these offenses or you may acquit them outright. If you have reasonable doubt of the guilt of the defendant on the greater

offense, you may find them guilty only of the lesser offense. If you have a reasonable doubt as to the defendant's guilt of all offenses, you must find the defendant not guilty.

Cumberland is charged with the offense of murder in the first degree. To sustain this charge, the State must prove beyond a reasonable doubt that Cumberland, with the purpose of causing the death of Riley Truman, caused the death of Truman. A person acts purposely with respect to their conduct or a result of their conduct when it is the person's conscious object to engage in conduct of that nature or to cause the result.

If you have a reasonable doubt of the defendant's guilt on the charge of murder in the first degree, you will then consider the charge of manslaughter. To sustain this charge, the State must prove beyond a reasonable doubt that Cumberland recklessly caused the death of Truman. A person acts recklessly with respect to the results of their conduct when they consciously disregard a substantial and unjustifiable risk that the results will occur. The risk must be of a nature and degree that disregard thereof constitutes a gross deviation from the standard of care that a reasonable person would observe in the same situation.

Cumberland asserts as a defense to the charges that they were acting in self-defense. This is a defense only if:

First: Cumberland reasonably believed that Truman was using or about to use unlawful physical force upon them; and

Second: Cumberland only used such force as they reasonably believed to be necessary.

A person is not required to retreat before using deadly physical force if they:

- (a) Are lawfully present at the location where deadly physical force is used;
- (b) Has a reasonable belief that the person against whom the deadly physical force is used is imminently threatening to cause death or serious physical injury to the person;
- (c) Is not the initial aggressor and has not provoked the person against whom the deadly physical force is used; and
- (d) Is not engaged in criminal activity that gives rise to the need for the use of deadly physical force at the time the deadly physical force is used.

However, Cumberland would not have been justified in using physical force upon another if:

- (a) With the purpose to cause physical injury or death to Truman, Cumberland provoked the use of unlawful physical force;
- (b) Cumberland was the initial aggressor; or

(c) Cumberland created the situation necessitating their conduct.

Cumberland, in asserting self-defense, is required only to raise a reasonable doubt in your minds. Consequently, if you believe that this defense has been shown to exist, or if the evidence leaves you with a reasonable doubt as to their guilt of murder, then you must find Cumberland not guilty. However, if you find that Cumberland recklessly or negligently formed the belief that they were justified in acting in self-defense or recklessly or negligently employed an excessive degree of force, then their actions would not be a defense to manslaughter. Negligence is where a person acts with respect to attendant circumstances or a result of their conduct when the person should be aware of a substantial and unjustifiable risk that the attendant circumstances exist, or the result will exist. The risk must be of such a nature and degree that the actor's failure to perceive the risk that involves a gross deviation from the standard of care that a reasonable person would observe in the actor's situation considering the nature and purpose of the actor's conduct and the circumstances known to the actor.

In your deliberations, you should not discuss the subject of punishment. If you return a verdict of guilty, the matter of punishment will be addressed in a separate proceeding.

Statement of Alex Rayburn

1 My name is Alex Rayburn, I am 47 years old, and I have been with the Little Rock Police
2 Department now for almost twenty years. I grew up in Fayetteville, in northwest Arkansas.
3 I graduated from Fayetteville High School in 1994, and I attended Arkansas State
4 University in Jonesboro. Students are required to take a whole bunch of general
5 education classes to start, and one of them changed my life. I took an Introduction to
6 Sociology class during freshman year, and I became fascinated with just thinking about
7 how people treated each other. The following semester, I took an Intro to Criminal Justice
8 course as an elective. I later decided to double major in sociology and criminology. I
9 graduated from ASU with my bachelor's in 1999. Soon after I graduated, there was an
10 opening at the ASU Campus Police Department. I had to go through the police academy,
11 but when I was done, I was welcomed into the department. Working for ASU allowed me
12 the opportunity to obtain a Master's in criminology. I finished that in 2002. But as much
13 as I enjoyed working as a campus law enforcement officer, I wanted a more typical law
14 enforcement position. So, I moved to Little Rock in 2003 when an opportunity became
15 available in its police department. I have been here ever since.

16 I have held several positions within the department, but I was promoted to lead homicide
17 detective in November 2021, about a month before Scout shot Riley. I spent the previous
18 five years assisting in other investigations. In that time, I assisted in investigating 15
19 homicides. I have no special training related specifically to ballistics, but I have assisted
20 in several investigations involving gunshot incidents, including five homicides involving
21 shootings. I'll be up front about this: about three months before I received my promotion
22 to lead detective, I investigated a homicide which involved a knife. I missed a key piece
23 of evidence from the crime lab indicating the defendant may have engaged in self-
24 defense. Shortly after the defendant was arrested, the deputy prosecuting attorney
25 approached me and identified my oversight. I had to put my tail between my legs before
26 the Court, ultimately. I wasn't thrilled to have this blot on my record, and for a moment I
27 thought the incident might ultimately affect my pension when I retire. But of course, I am
28 grateful for the judicial processes for serving as a second set of eyes so that we got the
29 facts correct and charges dropped against that person.

30 My spouse and I have three children, and they all attend Little Rock public schools.
31 Because we wanted to ensure that they were getting the best education possible, I started
32 attending local school board meetings. It wasn't long before I became good friends with
33 the late Addy Adams, the long-time member and secretary of the Board. Addy was
34 introverted, and at first, I thought that Addy had nothing interesting to say. But I quickly
35 discovered that Addy carefully listened to everyone else before summarizing discussions
36 and promoting consensus. Addy's children were close to the ages of our children, so our

37 families became close and even went on road trips together. My heart goes out to Addy's
38 kids. We were all devastated when Addy passed away a couple years ago.

39 I attended the November 18, 2021, school board meeting. I thought it was going to be a
40 routine meeting. You know, approve some personnel decisions, and get into some
41 curriculum questions. But there was the resolution to support the field trip to the Japanese
42 internment museum down in McGehee. Charlie Goodman introduced the resolution at the
43 meeting, but you could tell that Scout was fired up about it. Scout gave an impassioned
44 speech about the importance of educating students about American history—the good
45 parts and the bad. Scout mentioned walking around the campus at the University of
46 Central Arkansas and seeing all of the trees dedicated to the memories of those who lost
47 their lives in World War II. But Scout also wanted people to keep in mind the lives of
48 Japanese families who were uprooted for no other reason than that they happen to look
49 like the enemy. It was a moving speech, and I honestly thought the resolution would easily
50 pass.

51 Then Riley spoke. Riley brought up the school district's budget. The Little Rock School
52 District was not in any financial distress, but it was far from comfortable. Riley spoke of
53 fiscal priorities and thought field trips needed to be subordinated when the funding wasn't
54 there. But then, Riley made a remark that set Scout off. I still remember the vitriol in Riley's
55 voice when Riley stared directly at Scout and said, "And finally, even if we were sitting on
56 mountains of cash, we don't have enough time for another one of Cumberland's social
57 justice crusades." You could just look in Scout's eyes and tell that Scout did not appreciate
58 that remark. Scout might have jumped out of the chair right there but for Charlie's giving
59 Scout a stern look. Scout then just folded their arms and slumped down in their chair. In
60 the end, though, I guess Riley was persuasive. Charlie and Scout were the only two to
61 vote for the resolution. Riley, of course, voted against it. So did Robin Weston for some
62 reason. Addy abstained. With the vote tied, the resolution failed. A couple of days after
63 the meeting, I asked Addy why he abstained. He told me he thought the trip to McGehee
64 would be good for the students, especially since he doubted most Arkansans even knew
65 about it. But Addy didn't want to be pulled into whatever drama Scout and Riley seemed
66 to be working through.

67 Apparently, I should have attended the meeting on December 2, 2021. Of course, if I had,
68 I would possibly be testifying here in a different capacity. I missed it because I was helping
69 my youngest child prepare for her role in a big school play. (She got to play Hattie
70 Caraway, the first woman elected to serve a full term in the U.S. Senate.) Just as we
71 finished for the evening, shortly before 8 p.m., I received a call from my captain, reporting
72 a shooting incident at the school board meeting and I needed to get down there ASAP. It
73 took me about ten minutes to reach the building. I noted my arrival on the scene at
74 approximately 8:06 p.m.

75 My first task was to touch base with the building security on the scene. They weren't
76 witnesses to the events, but took control of the scene once the shooting occurred. They
77 indicated the board members were all in the board meeting room, and I was surprised to
78 learn the shooting involved just the board members.

79 I proceeded to the meeting room, and found Scout, Charlie, Addy, and Robin. I noticed
80 the EMT crew was just through a doorway to the back hallway to the Board offices, and I
81 proceeded that direction. That's when I saw a body covered in a white sheet on the floor.
82 The EMT lifted the sheet, and I confirmed it was Riley Truman. The EMT indicated Riley
83 was pronounced dead shortly before I arrived, from what appeared to be gunshot wounds.

84 I then overheard Scout and Addy arguing in the meeting room. This was unusual, since
85 I'd never seen Addy so upset. I don't know how long they argued before I noticed, but it
86 grabbed my attention when Addy cried out, "You just couldn't control yourself. Why
87 couldn't you leave Riley alone? You just murdered a good person. What's wrong with
88 you?" Addy was sobbing. I intervened and asked an EMT to tend to Addy while I spoke
89 first with Scout. I led Scout into the meeting room gallery away from the others and asked
90 what happened.

91 Scout explained that the Board went into executive session, and after some comments
92 that went back and forth, Riley grabbed Scout and made a threat similar to "don't test me"
93 or something like that, after which Riley began to walk outside of the meeting room toward
94 the board offices. Scout said they followed to continue the conversation, but once in the
95 hallway, Riley blocked the exit. The back and forth continued until Scout felt Riley was
96 reaching for a knife and was about to attack, at which point Scout grabbed for the gun
97 and fired two shots.

98 Scout told me, "I never imagined I would have to actually fire my gun like this. But if I
99 hadn't, you would be looking at my dead body instead of Riley's." Despite having shot
100 someone, Scout seemed unusually calm. Like it was no big deal. I've fortunately never
101 had to fire my weapon outside of the shooting range, but just the thought of it makes me
102 nervous. I've been to the scene of a number of unpremeditated shootings over the course
103 of my career, and anytime the shooter is still present at the scene, there is always some
104 type of reaction. Either some adrenaline is still going through their veins and they are
105 trying to calm themselves down, or they are in absolute shock and disbelief. So, seeing
106 Scout so calm after what happened seemed unusual. I advised Scout to remain in the
107 meeting room until I had spoken with everyone.

108 I then went to Addy, who immediately cried out, "When are you going to arrest Scout
109 Cumberland for the murder of Riley Truman?" This was the most expressive I've ever
110 seen Addy. It took me a good five minutes to calm Addy back down so that I could get a
111 statement. Addy said that, after the Board went into executive session, Scout just started

112 yelling at Riley. Addy could not recall everything Scout said, but Addy was definitely sure
113 that Scout yelled, "Yeah, I know that you aren't a racist or anything. But that has nothing
114 to do with you being the biggest" ... I'm sorry for saying this, but ... "the biggest piece of
115 'animal feces' I know." And no, the words used were not "animal feces." Addy said that
116 Riley stood up and walked out the door, but Scout followed and continued to scream
117 profanities and saying things like, "You can't handle anything that brings you down from
118 your ivory tower." Addy said that Riley said something to Scout, which Addy did not hear,
119 then all of a sudden, Scout yelled, "Make me!" Seconds later ... "boom, boom." Addy did
120 not see either Riley or Scout once they left the room, but only heard the continuing
121 commotion. I think Addy was really traumatized by the entire event. I called one of the
122 paramedics at the scene to check on Addy physically. Later, I asked another officer on
123 the scene to give Addy a lift home. I planned to follow-up after Addy had some more time
124 to settle down.

125 I then interviewed Robin Weston. Robin usually sat between Riley and Scout during the
126 school board meetings, and I confirmed Robin had done so on this occasion as well.
127 Robin had called 911 after the shooting. Robin's account to me was substantially similar
128 to the basic details I got from Addy, although Robin had a slightly better vantage point
129 and was able to see Riley even after the two entered the hallway. Robin did report
130 movement by Riley back toward the doorway, which was also toward where Scout was
131 standing just before the shooting and also said that Riley was making some motion with
132 his left hand. I tried to get Robin to demonstrate the movement, but Robin said that things
133 happened so quickly that they could not remember how the movement went.

134 I asked Robin about a possible knife. Robin explained that Riley usually had a knife with
135 him, but Robin did not recall specifically seeing it that evening. I also asked whether there
136 was any physicality between Riley and Scout before they left the meeting room. Robin
137 did not recall anything out of the ordinary. When I asked if there was anything Robin could
138 think of that would have led to this, Robin recalled seeing a parking-lot argument after the
139 November board meeting that was, in Robin's words, "heated." Robin reported largely
140 keeping out of the middle of Riley and Scout's disputes. However, Robin did share with
141 me a text exchange that they had with Riley the next day. Robin also reminded me about
142 Riley and Scout's history with their dissolved partnership and recommended that I talk to
143 Drew Arden, one of their former employees, for more information.

144 Finally, I interviewed Charlie Goodman. Charlie told me that there seemed to still be some
145 tension between Scout and Riley stemming from the last meeting. Charlie ~~d~~ spent much
146 of that December 2 meeting trying to figure out how to calm Scout down, indicating that
147 Riley seemed to be pushing Scout's buttons particularly hard that evening. Charlie was
148 trying to tune everything out after the blowup between the two of them started, until

149 hearing two loud bangs and immediately hitting the deck. When everything went silent,
150 Charlie went into the hallway and saw Riley on the floor bleeding.

151 Charlie started CPR and attempted to use a cotton mask to help stop the bleeding, but
152 there was nothing to be done. Riley was pretty much dead. Charlie did not recall whether
153 Riley did or did not have a knife that night, but Charlie did say that Riley grabbed Scout's
154 arm as Riley was leaving the meeting room. I asked if that was unusual, and Charlie
155 explained that between those two, it was.

156 At this point, I went back to the body. There was blood all over Riley's chest and face. I
157 observed, consistent with Charlie's statement, a piece of bloody cloth in the chest wound.
158 I did not touch the body, but I did observe a knife on Riley's person. It looked like a small
159 Bowie knife. The knife was partially un-sheathed, but the sheath was attached to Riley's
160 belt on his left side. I could not tell whether Riley (or someone else) had pulled the knife
161 out partially. Nor did I assess whether it could have slipped out partially when Riley hit the
162 floor. In hindsight, I wish I had studied it more.

163 I decided not to arrest Scout that evening. Scout claimed self-defense, and some
164 evidence suggested that could be true. However, I continued my investigation in the
165 following days, including waiting for a report from the medical examiner. I did advise Scout
166 to remain in Little Rock. In the meantime, I sought a subpoena for phone and text records
167 from both Riley's and Scout's phones.

168 To get background on the relationship between Scout and Riley, I found Drew Arden and
169 had a conversation with them the day after the shooting. Drew worked for Scout and Riley
170 when their partnership was still operating and knew both from their time in college. Drew
171 said the turning point in their relationship was a company trip to Crater of Diamonds where
172 Scout found a diamond, which Riley argued should belong to the company. Drew
173 appeared visibly upset when recalling the story. But one thing I got out of my conversation
174 with Drew was how angry Riley's actions to obtain the diamond made Scout. Drew told
175 me that Scout wanted to "personally make sure that Riley got what was coming to him." I
176 asked Drew whether Riley had any history of being violent. Drew could only recall a single
177 occasion where Riley had been in a fight—some argument with a guy at a sporting event
178 two years ago. Drew said that Riley injured his hand in that fight. But, according to Drew,
179 that was the only occasion in which Riley had ever been violent.

180 On December 9, I followed up with Addy. I first asked Addy whether he was okay after
181 everything that happened. Addy nodded, then said, "I didn't think much about it at the
182 time, but you should know that, before the meeting, I saw Scout get out of their car, open
183 their trunk, and move a gun from the trunk of the car to their inside jacket pocket." Addy
184 paused before saying, "I know that the two hated each other. I guess Scout really wanted
185 Riley dead."

186 I was also beginning to question whether the shooting was in self-defense. Three days
187 later, I received the autopsy report, which concluded the death was a homicide and largely
188 aligned with the facts I had. The report acknowledged additional “unremarkable”
189 information, to which I gave little mind as a result of the pathologist’s finding that they
190 were not relevant. I also reviewed some text message exchanges, which further
191 convinced me that Scout wanted Riley dead. I finished my report and presented the facts
192 to the prosecuting attorney, who filed charges against Scout and sought an arrest warrant.
193 I served the warrant and arrested Scout on December 14, 2021.

194 Unfortunately, a week after my last conversation with Addy, he got really sick and had to
195 be hospitalized. He never recovered and died a few days before Christmas—our family
196 was hit pretty hard by it. It was one of those things where one day, you are healthy, and
197 then all of a sudden, you are in the hospital. I never learned the official cause of death,
198 but the entire community was broken up about it. Like I said before, I really feel for Addy’s
199 kids. What a tragedy.

200 Scout and Riley could have done so much good for our community. Instead, Scout just
201 stayed perpetually angry at Riley and finally murdered him. Scout will probably find peace
202 one day. Too bad it is going to be in a prison cell.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Alex Rayburn

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/21/2024

Statement of Robin Weston

1 My name is Robin Weston, and I live in Little Rock, Arkansas. I celebrated my 70th
2 birthday last month by climbing Pinnacle Mountain in West Little Rock. I've lived in Little
3 Rock almost my entire life. My folks (bless their souls) owned a mom-and-pop restaurant
4 downtown on West Third Street. As a matter of fact, Weston's is still proudly serving the
5 citizens of Little Rock today. I don't have much to do with the business now though; my
6 sweet sister May took it over when my folks were no longer able to handle it in their old
7 age. But I'm there at least once a week.

8 When I was younger, I would work at the restaurant during the summer, school breaks,
9 and weekends to help out my folks. Our regular customers were lawyers, legislators, and
10 judges, considering our close proximity to the Capitol, the courts, and the downtown area.
11 While waiting tables, I would often overhear their conversation about what was going on
12 during the legislative session, what cases were about to go before the Arkansas Supreme
13 Court, and if I was lucky, I would overhear some juicy town gossip. Once I grew
14 comfortable with these regulars, I began to ask them questions about Arkansas history,
15 and to my surprise, they entertained me! Well more than entertained really, they began
16 giving me interesting facts about the state every time they came in—even without me
17 asking! For example, one time, a legislator told me that the State Capitol was built on the
18 site of the old state penitentiary! Once the legislator started telling this story, a lawyer
19 from a table next to him chimed in and told me that the Capitol's marble floors and walls
20 came from Vermont, its columns came from Colorado, and the grand staircases came
21 from Alabama. The limestone on the exterior of the building was quarried near Batesville,
22 Arkansas, and a softer Indiana limestone was used for the dome. I found all this
23 information so fascinating!

24 I was always interested in events of the past because I strongly believe we can learn from
25 history—we can either strive to repeat the good parts or try by all means to not make the
26 same mistakes. History and social studies were always my best grades in primary and
27 secondary school. I guess you could say that I was that nerdy kid in school—the one who
28 always had their nose in a book, eager to learn something new. But this paid off because
29 when I graduated from Little Rock Central High School—a historic site itself—I I knew
30 exactly what I was going to major in when I headed off to college . . . history, of course. I
31 attended the University of the Ozarks in Clarksville, Arkansas, and I loved every minute
32 of my college experience.

33 During college, I took a ton of history classes not only focusing on Arkansas history, but
34 also on U.S. history. I also minored in political science because of the influence my regular
35 customers (the lawyers, legislators, and judges) had on me during my younger years.
36 And luckily for me, my minor and major merged perfectly while I was writing my honors

37 thesis prior to receiving my undergraduate degree. My thesis, “When Words Failed,”
38 examined instances in Arkansas history in which differences were not resolved in the
39 political arena, but rather by violent duels. I guess you could say that I became a little
40 obsessed with this aspect of Arkansas history. How could I not after writing a thesis on
41 it? Even though dueling is uncivilized by today’s social norms, I can’t help but be
42 fascinated by how prevalent duels were in Arkansas history.

43 Although I loved my time in Clarksville and its small-town feel, I desperately missed “big
44 city” Little Rock. So, immediately after graduating, I moved back. I also married my high
45 school sweetheart, Sam, and we started our family. When I moved back to Little Rock,
46 there was an opening at Central High School for a history teacher. Well, I needed a job,
47 and this seemed like the perfect opportunity for me, but I was a little nervous considering
48 how young I was. But I guess the principal saw something special in me because she
49 offered me the job on the spot!

50 I taught at Central High for 36 years and then I decided it was time for me to retire in
51 2014. My children had all grown up and moved on with their own lives, and I wanted to
52 spend more time with Sam. I had also just gone through a full administrative inquiry into
53 an issue involving two of my students. They were disputing something related to a project
54 they had been assigned. The one was the school salutatorian that year and the other was
55 a solid B student. They just could not resolve their conflict. When I had to intervene, I
56 agreed with the salutatorian about how to resolve the matter. The other student filed a
57 complaint with the administration, alleging that I sided with the other student simply
58 because that student was president of the National Honor Society, of which I was the
59 long-time faculty advisor. I retired before it was resolved, and the student agreed to drop
60 the complaint at that point. I am not sure what the final resolution was.

61 I quickly learned that retirement was overrated. After my first month of retirement, I had
62 already finished twelve books! I had so much extra time that I didn’t know what to do with
63 myself. I tried to pick up a few new hobbies like hiking, gardening, and cooking, but that
64 just didn’t keep me busy enough. Plus, I wanted to contribute to my community in some
65 way. I missed the connection with the community and the joy I got from positively
66 influencing the students. So, that’s when I decided that I would run for a position on the
67 Little Rock School Board. I was first elected to the Board in 2015.

68 In 2021, Little Rock had two openings on the School Board. Addy really wanted two
69 younger people to join the board, and Addy told me about these two people, Riley Truman
70 and Scout Cumberland, who operated an education consulting firm and were passionate
71 about schools. Addy did not know much about them at the time, but Addy told me that he
72 had heard from others who used their services that Riley and Scout seemed very helpful
73 in supporting educational goals. Addy would later confess to me over drinks that he

74 wished he would have done more homework on them. He would have endorsed Riley in
75 a heartbeat. Scout . . . not so much. When I asked Addy why he did not like Scout, he
76 just replied, "We just did not need that negative energy on our board."

77 Riley was actually a student of mine in the last couple years before I retired. He stood out
78 among his peers, mostly in a good way. Riley was National Honor Society president his
79 senior year. He had more volunteer hours than the next two highest students combined.
80 He was just a few points away from being the class salutatorian, and he was liked by
81 most students. I do remember him having a stubborn side whenever he made his mind
82 up about something, even when presented evidence to the contrary. It landed him in some
83 hot water at times.

84 Because it had been a while since I had spoken to him, I wanted to catch up with Riley
85 and find out more about his work after high school, before deciding whether to
86 recommend he run for a board seat. So, I invited Riley to my parents' restaurant on May
87 17, 2021. He told me about his great experience at the College of Business at the
88 University of Central Arkansas, and how he wanted to use his acquired business acumen
89 for the public good. He told me about his educational consulting firm and his goal to
90 ensure students had an adequate education. He also recounted one particular "big win,"
91 as he called it. He showed me a knife he said he always carried as a sort of trophy for the
92 win. He said it was a gift from a friend and colleague. He was real proud of what that knife
93 represented, and he carried it like a soldier proudly carries a gun. He was very
94 comfortable wielding it.

95 I knew that Riley would be great for the school board. So, I invited him to another dinner
96 to meet Addy and Charlie Goodman. On May 29, we had dinner and continued the
97 conversation. I met Scout Cumberland for the first time that night, too. Riley and Scout
98 were still business partners in the education consulting firm. Riley and Scout seemed a
99 bit cold toward each other, but I tried not to worry about that. (At the time, I didn't know
100 that their partnership was essentially over.) I wanted to make sure that Riley would be a
101 good fit for the board before I threw my support behind him. Riley impressed Addy and
102 Charlie that evening. And when the meeting was over, I told Riley that he was going to
103 be running for the board. I had wanted to be pretty active in helping him campaign, but
104 Riley insisted that he just needed to get in front of the right people, and he could sell
105 himself. He suggested weekly meetings at the restaurant, and during those meetings, I
106 was either introducing him to people I thought he needed to know or telling him what
107 phone calls he needed to make. I don't know what Riley did outside of those meetings,
108 but whatever he did, it worked. He was elected to the board.

109 I was also aware that Charlie encouraged Scout to run for a seat as well. I didn't really
110 know Scout prior to Scout joining the board, but I thought we were really going to hit it off,

111 especially after Scout learned I was a retired history teacher. Just before the first board
112 meeting of the 2021-22 school year, Scout asked me if I had a particular favorite event in
113 Arkansas history, so of course I told Scout about my thesis, which I also taught my
114 students back when I was teaching. I tried to summarize it quickly, but I was not able to
115 give him a full account before we had to start the meeting. In fact, I was only able to tell
116 him about the Conway-Crittenden Duel of 1827 and how it impacted Arkansas history and
117 politics.

118 This duel was between Henry Wharton Conway and Robert Crittenden. Both moved to
119 Arkansas in the 1800s to pursue a career in politics. Interestingly, though, Crittenden was
120 initially a supporter of Conway, but as the election campaign progressed, tension grew
121 between the two men. Conway's opponent accused him of mishandling government
122 money that was supposed to be allocated to the Quapaw Indians along the way. Conway
123 publicly stated that Crittenden allowed him to keep some of the funds that were supposed
124 to go to the Quapaw Tribe. Crittenden, of course, denied this. But because of Conway's
125 political ties and his crafty efforts to cover up this story, he won the election. To defend
126 his honor, Crittenden challenged Conway to a duel on October 29, 1827. Like any other
127 duel, the men stood across from each other, back to back, until the moment came, and
128 they turned around and shot at each other. Crittenden's bullet struck Conway directly in
129 his chest, killing him. As a result of Conway's death, his political position needed to be
130 filled. Ironically, one of Crittenden's supporters (and his cousin), Ambrose Sevier, won the
131 special election and replaced Conway. Relaying the story immediately brought me back
132 into the classroom, and I was genuinely excited that someone other than me found these
133 duels so fascinating.

134 At the next meeting, Scout asked me for another story, so I told him about the most
135 important duel in state history, the Wilson-Anthony Duel on the statehouse floor on
136 December 4, 1837. The House was debating a bill about paying bounties on wolf scalps.
137 State Representative Major Joseph J. Anthony made a comment that the wolf scalps
138 should be verified by the bank president (Wilson). This angered Speaker John Wilson,
139 who set upon Anthony with a large Bowie knife and killed him. He was prosecuted by
140 Albert Pike, who, years later, would be involved in a duel with John Selden Roane, a
141 future Arkansas Governor. Ultimately, in the Wilson duel case, the jury returned a verdict
142 of "guilty of excusable homicide." Wilson celebrated the verdict by directing the sheriff to
143 take the jurors to a local tavern, and he paid for all they could drink that night. The justice
144 system sure was different back then!

145 Scout continued to ask me about other duels. Scout seemed entranced with each story.
146 Finally, I asked Scout, "Haven't I told you everything that there is to know about these
147 duels?" Scout responded, "I'm just really interested in them." It was like Scout was
148 obsessed with the duels for some reason, and that observation is coming from someone

149 who was fascinated with duels enough to write over 200 pages about them. At the time, I
150 thought this obsession with the duels was a little strange, but I never thought, until now,
151 that this obsession could have led to something as sinister as what happened during that
152 December 2021 board meeting. I mean, thinking back now, you know hindsight is always
153 20/20, but it seems like Scout admired the challengers in these duels.

154 As a member of the school board, I have heard the concerns of teachers and parents
155 alike. For example, during an open forum at Scout and Riley's second meeting on the
156 board, one of our teachers suggested that they be allowed to wear blue jeans on Mondays
157 and Fridays instead of just Fridays. Personally, I did not see a problem with this. I thought
158 that having teachers dressed casually would make them more approachable, hopefully
159 leading to our students being able to trust them whenever they had issues at school.

160 Riley was the first board member to respond and spoke in favor of the idea. But just as
161 Riley finished speaking, Scout went on this long diatribe about how teachers are
162 professionals and should always dress the part. No one argued about teachers being
163 professionals, but no one else on the board seemed to have the stomach to get into this
164 level of micromanaging teachers' classrooms or their attire. What was strange about the
165 entire debate, however, was that Scout showed no hint of being against the idea until
166 Riley started speaking. It led to a four-hour discussion, mostly dominated by Riley trying
167 to be supportive of the idea and Scout opposing anything that Riley said. In hindsight, I
168 wonder if this was just an instance of Scout antagonizing Riley for the sake of
169 antagonizing Riley.

170 The November 18 meeting was more of the same, but this time about field trips to former
171 Japanese internment camp sites in southeast Arkansas. Riley spoke out against this idea,
172 stating that the funding was just not there. The idea was voted down, and Scout was very
173 vocal about being disappointed. After the meeting, I turned on my phone and responded
174 to a couple of emails. Then I left the building. As I was walking toward my car, I overheard
175 Scout and Riley just absolutely screaming at each other. It made others in the area
176 uncomfortable, and I saw people scrambling to get to their cars and get out of there as
177 fast as possible. I do not remember the entire argument, but there is one part that stood
178 out. Scout yelled at Riley, "Typical. If I had your family's history, I wouldn't want to deal
179 with the past, either." Riley was visibly upset by that comment. Riley turned around swiftly
180 toward Scout. Mid-turn, I saw Riley's left hand go into his coat as if he was grabbing for
181 something, but both Riley and Scout stopped. Riley then said something that I didn't quite
182 hear (though I doubt that it would be worth repeating in polite company), then walked to
183 his car and sped off. I later texted Riley to ask about what happened that night, which was
184 unusual as I tended to avoid getting involved in their personal dispute, but for whatever
185 reason, I was concerned.

186 The most bizarre thing I have ever witnessed at a Little Rock School Board meeting
187 occurred on December 2, 2021, when Scout shot Riley. The meeting began as had
188 become usual: with tension in the air between Scout and Riley. But the tension between
189 the two at that meeting was particularly strong. I assumed it was leftover aggression from
190 the previous meeting, but I didn't think anything of it since it had unfortunately grown so
191 common.

192 After we finished our regular business during the December meeting, we needed to
193 discuss a personnel matter. So, the board moved to executive session, meaning the
194 meeting was no longer open to the public. After the public left the meeting room, Scout
195 started mumbling something. I actually sat right beside Scout (Riley was on my other side)
196 during the meetings, but I didn't catch exactly what Scout said. Thinking that Scout was
197 maybe speaking to me, I turned and asked Scout to repeat it. But I was shocked when
198 Scout ignored me, leaned forward, turned left, looked at Riley and started hurling insults.

199 As of this moment, for the life of me, I cannot remember exactly what it was that Scout
200 said, because I was just so taken off guard. But I can remember two things: the insults
201 were clearly aimed at Riley, and they included profanity, which I do not wish to repeat.
202 Other than the general hostility between the two, I did not notice anything specifically that
203 night that would have set Scout off. Certainly, it wasn't anything Riley had done at the
204 meeting. I sat between Riley and Scout all night. Scout was rather quiet throughout the
205 regular business meeting until the doors closed, but Riley and I had a delightful
206 conversation about our Christmas vacation plans.

207 Scout's insults went on and on for about two minutes without Riley saying anything. Riley
208 seemed to be trying to be the bigger person and just ignore Scout altogether. I even heard
209 Riley mumble "just ignore Scout" under his breath. But then, Scout said: "Nice work as
210 usual, Georgie V." At that point, Riley looked disgusted, stood up, and headed toward the
211 door to the board offices—I've never heard that phrase before, but it certainly seemed
212 upsetting to Riley. The verbal jostling continued as Riley walked past me and then Scout.
213 But Scout stood up and started following Riley out of the meeting room. I was particularly
214 glad that the two had decided to take their bickering somewhere else because I was quite
215 literally in the middle of this argument.

216 Riley must have noticed that Scout was following him a few steps after Riley left the room
217 because he appeared to stop just inside the hallway and turn to face Scout. I could not
218 see everything because they had made their way outside of the room. I clearly heard
219 Riley tell Scout to go back and sit back down. Scout very loudly yelled, "Make me." From
220 where I was sitting, Riley appeared to step and lean toward where Scout was standing,
221 and his left hand began to rise from his side. I don't know if Riley was going to attack
222 Scout or whether Riley was just beginning to move back into the meeting room and

223 making some kind of gesture. It was hard to tell what was going on. All I know is that I
224 then heard two gunshots. I initially ducked, then I got up with Charlie Goodman to see
225 what happened. The first clear thing I saw was Scout standing over Riley’s body. It was
226 weird, but Scout seemed awfully calm after just shooting someone. And then—and this
227 creeps me out—Scout just turned to us and said, “Riley finally got what was coming. Good
228 riddance.” I was shocked and returned to my chair to call 911. Charlie started CPR, and
229 building security rushed in and separated Scout from the rest of us. After that I spoke with
230 Officer Rayburn and gave my account of what happened.

231 Soon after the incident, there were rumors flying all over town about what exactly had
232 happened. Many suspected that Scout wanted Riley dead all along, which to me would
233 explain Scout’s fascination with the dueling, and some of the similarities I am now
234 noticing. Some even thought that Scout intentionally provoked Riley to “justify” shooting
235 him. Scout seemed to be fascinated with how each of the challengers in the historic duels
236 were actually able to convince their opponent to participate in a duel. One time, Scout
237 asked me, “Why didn’t they just say no?” Honestly, I’m not sure. I guess it was just a point
238 of pride. With what I knew about Scout and Riley’s history, mostly from Riley, coupled
239 with Scout’s intensive interest in duels, it certainly seemed plausible that Scout wanted to
240 provoke a challenge from Riley.

241 The day after the shooting, I called Scout and suggested that they resign from the Board.
242 Scout declined and hung up on me. After Addy’s passing, and with Charlie on Scout’s
243 side, we will have to wait for another election to get rid of Scout. Of course, an election
244 won’t be necessary when the jury convicts Scout of murder.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Robin Weston

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/21/2024

Statement of Drew Arden

1 My name is Drew Arden, and I am 26 years old. I currently live in Conway, Arkansas, but
2 I grew up in Hoxie, up in northeast Arkansas. I attended the University of Central Arkansas
3 majoring in history, with an emphasis on Arkansas history. I particularly enjoy U.S. history
4 from the Reconstruction Era following the Civil War to the middle of the Black Civil Rights
5 Movement—which in the 1950’s Arkansas featured prominently. Hoxie actually gets its
6 efforts overshadowed by what happened in Little Rock. In 1955, two years before the
7 story of the Little Rock Nine, our town’s school board became one of the first—if not the
8 first—school districts in the state to desegregate. My parents told me that it was for three
9 reasons: it was cheaper for the school system, it followed the law, and—most
10 importantly—it was just the right thing to do. Of course, not everyone saw it this way, and
11 members of the school community had to stand up for what they believed. When the
12 segregationists lost in Hoxie, though, they turned their attention to Little Rock and Central
13 High, and they had a powerful ally in Governor Orval Faubus.

14 While I was at UCA, I met Riley Truman. Even though Riley was majoring in business
15 and a year ahead of me, we had a few general education classes together. Riley often
16 made jokes in class and everyone, even the professors, liked Riley. But I heard Riley say
17 to someone one day that he was having some trouble in a history class he was taking. I
18 loved history and I was pretty good at it, if I do say so myself. So, I offered to tutor Riley
19 for his upcoming midterm. Right away, Riley and I just clicked. It turned out that he was
20 really interested in history but just didn’t know how to study for the exams. We worked on
21 that, and Riley nailed the midterm. After that, we ended up hanging out a lot, going to the
22 student center between classes to grab lunch or hanging out by the fountain out in front
23 of Irby Hall.

24 I never imagined my specific interests in U.S. history would intersect personally with
25 Riley’s life. As I said, Little Rock’s story in the history of the Civil Rights Movement
26 overshadows some of the other history. After the Supreme Court decided *Brown v. Board*
27 *of Education*, banning segregation in public schools, school districts around the country
28 struggled with complying with the decision. In 1957, nine Black students were chosen to
29 attend the previously all-white Central High School in Little Rock. Governor Faubus got
30 involved and activated the Arkansas National Guard to prevent the Black students from
31 entering Central High. President Dwight Eisenhower responded by ordering the 101st
32 Airborne Division to facilitate the desegregation of Central High. It was not the best
33 moment in Arkansas history, and the photographs taken memorialized that shameful time.

34 What does this have to do with Riley? Members of Riley’s family can be seen in those
35 photos protesting the desegregation of Little Rock Central and yelling at the Black
36 students as they entered the building. I could tell that the actions of Riley’s family really

37 bothered him, and he was eager to erase the image of his family from those photos. It
38 was obvious that Riley was always going to care deeply about making sure everyone had
39 access to good education. Riley loved seeing the difference that school could make in a
40 young person's life and how it could pull the person from the depths of their past, and it
41 didn't matter who the student was or what their background or socioeconomic class was
42 to Riley. That was a vision we shared. You know, people can say a lot of things about
43 Riley. There's no doubt Riley had a big personality. People might be able to accuse Riley
44 of not being diplomatic, as he could dig in his heels when he got behind a cause, but they
45 can never accuse Riley of not vigorously caring about the cause to which he dedicated
46 his life. It was who Riley was, inside and out.

47 Not only that, Riley had my back during one of my lowest points in college. Riley and I
48 took Intro to Philosophy together during my sophomore year. We had to draft a ten-page
49 paper as part of our midterm. I did not have time to spend on the assignment, so I turned
50 in a paper that I wrote during my freshman year that seemed close to the topic I was
51 supposed to write on. But only a few hours after turning in the paper I got an email from
52 the professor accusing me of plagiarism. Apparently, professors have software that
53 checks for plagiarism, and the software matched the paper I turned in to the paper that I
54 submitted in my freshman year. And the next day, the professor gave the entire class a
55 long lecture about academic integrity. She didn't mention my name, but I swear the
56 professor was staring at me the entire time. It was uncomfortable. After class, I let
57 everyone who would listen know how unfair that entire situation was. I was ready to send
58 a fiery email to the Dean, one that would have probably come off more angry than
59 necessary. But Riley calmed me down. Riley convinced me to schedule an appointment
60 with the professor before doing anything. I followed Riley's advice and scheduled the
61 meeting. The professor explained to me that it would have been fine had I used the same
62 research to write the paper, but the problem was that I turned in the same paper. I said
63 that I was sorry, and the professor accepted my apology. She even allowed me to
64 resubmit an original paper. But I would have never gone to my professor had Riley not
65 persuaded me to do so.

66 The one thing that always bothered me, though, was Riley's friendship with Scout
67 Cumberland. The same way Riley and I just clicked, Scout and I just didn't. It is hard for
68 me to explain why, but I guess you could say that I just never really trusted Scout. It
69 always seemed like there was a lot more going on under the surface than Scout wanted
70 anyone to know about. One minute, Scout would be fine and laughing and being normal.
71 The next, out of nowhere Scout would just snap . If we were all at a party or in a study
72 group, Scout's mood could just suddenly change. When that happened, it created a lot of
73 tension for the rest of us. And it felt like, as close as Riley and Scout were, Riley was the
74 person who could put Scout on edge easier than anyone. I pointed that out to Riley once,

75 but Riley said Scout just had an intense personality and not to pay it any mind. But I didn't
76 like it, and it was clear that Scout didn't like me much either.

77 Admittedly, both Scout and I were a bit jealous of how easy it seemed for Riley while in
78 college. He was always the center of attention, well-liked by professors and other
79 students. He was in a ton of clubs and seemed to excel in every single class without a lot
80 of effort. I mean, how does one volunteer at the campus food pantry on Thursday, spend
81 the weekend traveling to debate tournaments, and still do well enough on exams to
82 graduate with honors? I recall Scout being really resentful, often mentioning that Scout
83 had to find time to study between shifts at Mylo Coffee just to keep a respectable GPA.

84 But Scout did share Riley's passion for education, which I guess is what connected them.
85 After graduation, Riley and Scout actually started their own education consulting firm. It
86 always seemed to me like Riley was the real brains behind that. Scout had a lot of
87 harebrained ideas and would get defensive whenever those ideas were the subject of
88 criticism. To be fair, Riley was always quick to shut Scout's ideas down—but those ideas
89 were often nonsense. Riley kept the business going, reining in Scout whenever
90 necessary. Because I trusted Riley, though, I accepted an offer to go work for them not
91 long after graduation.

92 I'm really proud of the work we did in the smaller communities in Arkansas. Arkansas is
93 not a large state. Little Rock has about 200,000 people, and northwest Arkansas is one
94 of the fastest growing areas in the nation. Beyond that, our state is full of small
95 communities, and some of those students get few opportunities to interact with others
96 outside of their schools. I did research on many of these small communities, Scout
97 developed those resources into an amazing Arkansas history curriculum, and Riley found
98 the resources to train teachers on how to use technology to connect and collaborate with
99 other classrooms to bring the curriculum to schools across the state. The technology
100 piece was the most difficult, but we found ways to get it done. We rolled out the initiative
101 in February 2020, so teachers could implement it for the next school year.

102 The history rollout was our biggest win, and I wanted to celebrate. Despite the usual
103 animosity, Scout and Riley were an effective team. I was excited about being on the
104 ground floor of it all (and the steady paycheck didn't hurt, either). So, I bought them a gift
105 to commemorate what I thought was going to be a successful partnership. For Riley, I
106 found this really nice mini-Bowie knife. Of course, it would have to be a mini-Bowie knife.
107 An actual Bowie knife would be huge. I had never seen Riley so excited to receive
108 anything. I recall him saying that it was one of the coolest gifts anyone had ever given
109 him. And he carried that thing everywhere—he was like a kid, showing it off. He liked to
110 keep it in a sheath on his belt. I had to warn him a couple of times to put it away while he
111 was showing it off. Someone could still get hurt with that thing if Riley was not careful.

112 Although it wasn't very big, the blade was extremely sharp. Still, it meant a lot to me to
113 see how excited he was about that gift.

114 As for Scout, I found this carving of a bear, which looked like a smaller version of the
115 carving of a bear outside of Wingo Hall at the University of Central Arkansas. It reminded
116 me of our days back in college. I thought it was cool and thoughtful, but you know that
117 look you give someone when you are trying to be nice after receiving a gift you don't like?
118 Scout definitely had that look. I guess I shouldn't be upset. It is a better reaction than one
119 of Scout's sudden mood swings.

120 On May 15, 2021, we took a company outing to Crater of Diamonds in Murfreesboro,
121 where Scout found a ten-carat diamond. I honestly couldn't believe it. I remember that
122 Riley was joking during the entire drive down there that anything that was found belonged
123 to the company. No one took this seriously. Scout and I joked about what we would do
124 with such a find. I mean, we didn't seriously expect to find anything valuable. But to our
125 surprise, all of us were there for maybe 45 minutes before Scout found it. I was excited
126 for Scout. I mean, I didn't know how much a rock like that was worth, but it had to have
127 some value.

128 But that afternoon took a weird turn. For Riley, everything was about the company and
129 furthering its goals—it was a life passion. And Riley just assumed this diamond was going
130 to be used for that, and Scout—well, Scout really didn't like that idea and made that known
131 loud and clear. Scout kept cool all day but all of a sudden, Scout just snapped, “the joke
132 isn't funny anymore, Georgie V.” At that point, the ride back to Little Rock went silent with
133 both Riley and Scout not saying a peep. Riley's whole thing, though, was that we had
134 been on a company outing, and that meant that the diamond didn't belong to Scout but
135 to the company. If I'm being honest, I didn't entirely agree with Riley that the diamond
136 was company property. I'm no expert in the law by any means, but it doesn't seem to me
137 that something that Scout found would belong to the company just because it happened
138 on a company outing. But I can say for sure that Riley felt the company's claim to the
139 diamond was completely valid. Nothing was going to convince Riley that this diamond
140 didn't belong to the company for the company to use to keep promoting education.

141 The next day I had lunch with Riley, and I remember Riley saying he was going to have
142 to sue Scout. I was thinking at the time that this would not go well. I tried to counsel Riley
143 that suing might blow the whole situation up, but when Riley set his mind on something,
144 it was hard to persuade him otherwise—he usually got his way and did whatever he could
145 to make sure it worked out that way. That single-mindedness was what made Riley both
146 great at what he did and, to some degree, his own worst enemy. Anyway, Riley found an
147 attorney who filed the complaint against Scout. It was maybe a week later that Scout
148 announced the partnership was over. It got to the point where the two of them couldn't

149 have a conversation at all, and the ensuing division of the company's assets, including
150 the forced sale of the diamond, was just chaotic. When it was finally over, part of me was
151 relieved not to have to deal with Scout every day. There was no doubt that Scout was, by
152 far, the most aggressive one during the entire process. Riley was stubborn, but Scout
153 was angry and loud and unreasonable. The other part of me was upset about being out
154 of a job now that Scout let the diamond override everything else. I attended the court
155 hearing, and Scout was furious when the court ruled that the diamond belonged to the
156 partnership. I remember it well—Scout actually promised to personally make sure that
157 Riley got what was coming to him and that he would not let Riley rewrite history. I had no
158 idea at the time just how serious Scout had been about that.

159 Ultimately, the dissolution of the company came at a good time for me. Just as that was
160 happening, the long-time archivist at UCA retired. I applied for the job immediately and
161 was thrilled to get it. I was back in the archives, using my degree more directly, and doing
162 what I loved to do. Of course, Riley and I were still good friends, and we talked most days.
163 I knew all about the work Riley was doing with the Little Rock School District and about
164 the fact that Scout was involved in that as well. Riley was committed to the school district
165 and determined not to let the conflict with Scout interfere. They even both joined the
166 school board, which I worried about. But I knew Riley was committed to his work before
167 anything else, and despite my reservations, I knew Scout also was passionate about
168 education. I was just glad I didn't have to be present for their arguments anymore.

169 The last time the three of us were together was at a Labor Day barbecue I hosted in 2021.
170 I didn't plan for the three of us to be together. I invited Riley. Scout found out about the
171 barbecue somehow and called me for more information. I didn't have the guts to tell Scout
172 that they were not invited. Maybe I was hoping Scout wouldn't cause a scene, especially
173 after the diamond sale occurred. And I thought Scout and Riley could hang out in their
174 own circles and have little interaction with each other. Things were fine to start. But at
175 some point, Riley started telling a story about something that happened to him in college.
176 And just like in college, Riley started to attract a lot of attention. Somehow, this set off
177 Scout. Scout stopped talking to others and confronted Riley. Riley said that he was just
178 trying to have a good time, like everyone else. Scout responded, "No one wants to listen
179 to your foolishness." Unfortunately, it reminded me of when we were back at UCA.
180 Everyone would be having a good time, and Scout would just suddenly go off. At first,
181 Riley gave Scout a gentle shove, but Scout responded with more force and they both
182 started ~~pushed~~pushing each other. Thankfully, everyone at the party told them to cut it
183 out, so they stopped before it escalated further. I'm just glad no one got hurt on my watch.

184 Before things got out of hand that night, Scout was talking about coming into possession
185 of a gun. Scout said it was inherited from a recently deceased uncle, but the timing
186 seemed suspicious to me. Scout seemed weirdly thrilled to have it and talked all about

187 their plans for learning how to handle it like an expert. I thought that was surprising,
188 because until that point, I recalled Scout wanted to have very little to do with guns and
189 was a strong advocate for gun control. So, even though Scout had supposedly just
190 inherited this gun, I thought it was strange that Scout had decided to really invest in
191 learning how to use it. I don't know if Scout had the gun that evening; if Scout did, I never
192 saw it even as Scout talked to people about it. I also don't know if Riley had his knife; I
193 never saw it that night.

194 Soon I became a lot more worried. Just before Thanksgiving I bumped into Scout while I
195 was out on a run on the Arkansas River Trail. I had never seen Scout while on a run
196 before, but suddenly Scout was right in front of me. Scout looked startled to see me. I
197 stopped and took my headphones out of my ears, and that was when I saw that Scout
198 had a gun holstered on their right hip, and Scout's right hand was right beside it. I had
199 this moment of instinctive fear. It only lasted a second. Maybe less. Scout saw my eyes
200 on the gun and moved their hand, reaching toward me to shake hands. I shook Scout's
201 hand and asked what Scout was doing out there. Scout said something about just going
202 for a walk after a trip to the firing range and needing to get some clarity. We made
203 awkward conversation for another minute or so, but when I mentioned Riley's name,
204 Scout's hand settled on the gun on Scout's hip. Whatever Scout said was normal. Nothing
205 out of the ordinary. But I remember that movement of Scout's hand, and ever since the
206 shooting happened, I've replayed that again and again in my head. Scout offered to show
207 me the gun, but I declined. After that day, I really started to worry that Scout was planning
208 to hurt Riley.

209 Of course, I didn't see what happened the day that Scout shot Riley. I wasn't there, and I
210 only heard about it ~~later~~when Officer Rayburn questioned me after the shooting. He said
211 that he was looking for some background information on Scout and Riley. I never believed
212 Scout shot Riley in self-defense. I remembered the way Scout's hand went to the gun
213 when I just mentioned Riley's name. A person who reacted like that would be looking for
214 any excuse. I know Riley, and Riley was not a violent person. Hard-headed and loud
215 maybe, but not violent. Maybe some shoving like at the barbecue, but nothing more and
216 only to extract himself from a situation. I remembered all those years that Scout pushed
217 and pushed, and Riley was never the one to raise his voice first or start a fight. Riley didn't
218 believe in handling things that way. I remember going out to dinner with Riley once, and
219 another patron wasn't looking where he was going and knocked right into Riley as Riley
220 was getting up to go to the bathroom. The patron was drunk and started yelling at Riley,
221 blaming him for being in the way. He even pushed Riley. I was ready to fight the man
222 myself! But Riley kept cool the entire time. There was only one time I saw Riley lose his
223 cool. It was two years ago at a sporting event. We had a few drinks, as did several others
224 at the game. When one guy started making a scene, Riley asked him to settle down. The
225 guy said, "Make me!" and then made what I would say was a threatening movement. Riley

226 responded by hitting back. No one was arrested or anything. Riley did some damage to
227 his hand, and we ended the evening in the emergency room. He had to undergo some
228 surgery to fix his hand—guess he has a good left hook. As I recall, that was shortly after
229 I joined the partnership.

230 Scout Cumberland, on the other hand, has always been quick to anger. Reactive.
231 Aggressive. And I know how much Scout hated Riley for what happened with the
232 diamond. When Scout got that gun, something in Scout changed. I don't know whether I
233 believe the story about Scout inheriting it. It seems more like a cover for making sure that
234 Scout could get revenge on Riley the moment the opportunity arose. And that's exactly
235 what Scout did.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Drew Arden

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/21/2024

Statement of Scout Cumberland

1 My name is Scout Cumberland. I am 27 years old. I was born and raised in Little Rock,
2 Arkansas. I graduated from the University of Central Arkansas in 2018 with a degree in
3 History and Education. Not only that, but I am a proud descendant of the founders of Stop
4 This Outrageous Purge (STOP). Everyone celebrates the Little Rock Nine and their
5 attendance at Little Rock Central in 1957, but that is not the end of the story. They call
6 1958-59 “The Lost Year” because Governor Orval Faubus closed all public high schools
7 in Little Rock to prevent desegregation. STOP was one of the organizations that helped
8 recall the segregationist members of the school board. My family’s legacy serves as a
9 constant reminder that it takes a lot of work to create a fair and just society, but there is
10 still a lot of work to do. I’m a firm believer that if we give ordinary people equal opportunity,
11 quality education, and a fair shot at the American Dream, they will do extraordinary things.
12 (Of course, I did not come up with that. That is from President Bill Clinton in his 1994
13 State of the Union Address.)

14 I met Riley Truman at freshman orientation at the University of Central Arkansas in 2014.
15 As soon as we met, we became best friends. I could immediately tell that Riley was
16 someone who would be going places, and I thought it would help me to hitch my wagon
17 to his star. It literally helped one night when I got into a small shoving match during one
18 of our team’s sporting events over another spectator getting drunk and causing a scene.
19 I had enough of it and confronted the person—Riley stepped in and calmed me down
20 before things escalated and security showed up.

21 Riley confided in me about his family’s political history. Before Riley explained about his
22 family’s background, Riley was adamant that it was in no way a reflection of his beliefs.
23 He recalled coming home after school in eighth grade and telling his parents about the
24 Little Rock Nine and showing them some of the pictures in his textbook about the events
25 of the desegregation of Little Rock Central. Riley’s parents became upset after seeing
26 those pictures. His parents knew that members of their respective families had been in
27 Little Rock around that time and sided with the segregationists, but this was the first time
28 they saw pictures. Those family members were publicly photographed screaming at Black
29 students entering Central High School. The photo is infamous in history books. When
30 Riley was telling me this, Riley seemed visibly uncomfortable. Riley often said, “I hate that
31 this is a part of my family. I am disgusted every time I see those photographs.”

32 Riley asked me if this family history changed the way I thought about him. I assured him
33 that it had not. Even though our families were on polar opposite sides of history, that did
34 not affect the way I saw Riley. At that time, I supported Riley’s efforts to distance himself
35 from his history. One day, we talked about how the British royal family changed their name
36 to Windsor to distance themselves from their German roots during World War I. Riley

37 didn't want to rebrand by changing his name but did want to change the legacy of his
38 name and was determined to do whatever he needed to ensure he was successful. I also
39 jokingly referred to Riley as "Georgie V" as a result of his setting out to change his family
40 legacy. He didn't seem to like the nickname, and I'll admit that I used it anytime he needed
41 to be put in his place.

42 Of course, I stayed in touch with Riley after graduation. In college, it seemed like we were
43 a powerhouse of a team. Every time Riley and I were together, we talked about how we
44 could see passionate young students grow into driven learners. In July 2019, Riley met
45 me for lunch at 42 Bar and Table at the Clinton Presidential Center and said that it was
46 finally time for the two of us to work together and do something great. He thought that
47 with my ideas and his business savvy, we could create new learning resources that would
48 motivate students.

49 There was only one thing that I was not excited about. Riley wanted to bring on board
50 one of our old college friends, Drew Arden. Drew was a year behind us in college. Like
51 Riley, Drew seemed to be one of those students for whom everything was easy. Unlike
52 Riley, I don't know how much Drew worked for it. Someone told me that Drew made it
53 through sophomore year by copying from other students' papers. I never knew for sure,
54 but given how vocal Drew was when a professor filed an academic misconduct report
55 against Drew, I believe it. I let Riley know that I had my reservations about Drew, but Riley
56 persuaded me that he and I would be in charge, and I knew we would need some early
57 help to succeed.

58 We called our firm Diamond State Educational Consulting. Getting things off the ground
59 was hard work, and I think we grew closer as business partners, but more distant as
60 friends. We had our first major victory in February 2020. We worked for months and
61 succeeded in one of our history initiatives, developing a cool tech-savvy curriculum about
62 Arkansas history. I remember Drew bought Riley and me gifts to celebrate. Riley was
63 given a cool knife and I was given a random bear carving—Drew always favored Riley
64 over me and wasn't shy about it. Riley loved that knife and carried it all the time, fastened
65 to his left hip—he got pretty quick at drawing it for fun and waving it around the office.

66 With COVID causing a pivot to virtual learning, our online curriculum really took off. But
67 even though we were doing okay financially, Riley and I weren't getting along. The
68 beginning of the end happened in May 2021. To ease some of the tension due to the
69 animosity between Riley and me, I decided we should have a company outing to the
70 Crater of Diamonds. I was surprised when Riley agreed to the trip given his tight grip on
71 all things financial, and he went so far as to make the plans for it. As the day approached,
72 I was really looking forward to it. I saw it as an opportunity for Riley and me to blow off
73 some steam and maybe get our friendship back on better footing. On the drive to

74 Murfreesboro, Drew and I were talking about what we could do if we found something
75 valuable. Drew said something about not wanting to part with any diamonds. I know that
76 I was thinking out loud about paying off some debts and maybe having some savings for
77 once in my life. That's when Riley chimed in. "You know, both of you have a better shot
78 of winning the lottery than finding a diamond down there." And yeah, he was right. Anytime
79 someone finds something big down there, it makes the news. We got a good laugh when
80 Riley said, "And you know, this is a company trip. This means that anything you find
81 belongs to the company." Drew and I laughed for the rest of the drive. And Riley was
82 laughing with us, too. I mean, we were having a good time.

83 But amazingly, we were at Crater of Diamonds for just a few minutes when I found a ten-
84 carat diamond. I was shocked. I truly felt like I had won the lottery. I remember Drew
85 calling it *Le Gros Rocher Brillant*, or "The Big Shiny Rock." The name just stuck. Honestly,
86 finding this diamond was huge for me. I was in a lot of debt after college, and I knew
87 selling the diamond would be life-changing for me.

88 However, on the drive back to Little Rock, Riley decided the diamond I found was the
89 company's diamond. I brushed it off and ignored Riley's remarks about the diamond. After
90 all, everyone knew Riley was joking about anything being found belonging to the
91 company. Of course, he wasn't being serious. Despite my ignoring it, Riley just kept going
92 on about it. Eventually, I told him the joke was no longer funny. I turned on the radio, and
93 we didn't say anything for the rest of the drive back to Little Rock.

94 When I got home, I thought the discussion was over, and I started doing some research
95 online to see if I could figure out how much the diamond was worth. I couldn't find anything
96 reliable, though, but what I found suggested it could be worth as little as \$100,000 (which
97 was nothing to blush at) and as much as \$200,000. I had planned to find an appraiser,
98 but a few days after the trip, I was served with a summons and complaint. I was shocked
99 that Riley was really suing me for the diamond. I'll admit I was angry. Riley had gotten
100 everything he'd ever wanted, as always. This was the first time in my life I felt like I had
101 won, and Riley was trying to take it from me.

102 At that point, Riley and I stopped talking. We couldn't be around each other without getting
103 into a screaming match about who owned the diamond. For about a week after being
104 served, I tried to continue the partnership, but it was clear that it was no longer
105 sustainable. So, I told Riley that the partnership was over.

106 I answered the complaint on my own because I could not afford a lawyer, but I happened
107 to be a week late. Listen, I had a lot going on. I had just lost my job and my best friend—
108 or who I thought was my best friend. So, yes, I did not respond within thirty days of
109 receiving the summons. I panicked completely when I heard that my lateness meant that

110 Riley might win. Honestly, I was so scared Riley would win, just one more time, that I
111 stopped caring to soften the blow when Riley would win again.

112 While all of this was going on, I was approached by Charlie Goodman about running one
113 of the vacant Little Rock School Board seats. We talked for about an hour, and I started
114 to see this as the new chapter I needed. When I said I wanted time to think about it,
115 Charlie suggested I come meet other members of the Board and share some ideas at a
116 dinner. It seemed like a good idea. But when I got to the dinner, I was shocked to discover
117 that Riley was also there. I wanted to leave, but, out of respect for Charlie, I stayed and
118 listened. Even during our worst arguments, Riley and I were equally committed to making
119 sure that every child—EVERY CHILD—had access to the best education our schools
120 could provide.

121 Next thing I knew, I was running for one of the open board spots. It was the first thing I
122 really felt excited about since the partnership ended. It would have been a lot of work, but
123 Charlie actually loaned me \$5,000 to help with the campaign. It took a lot of stress off me,
124 and I was just able to focus on getting my name out there and talking to the voters. In July
125 2021, I was elected to the school board. Later that evening, I found out that Riley was
126 also elected. Though I was nervous to see how Riley and I worked together after the
127 partnership ended, I was eager to work on making Little Rock schools the best they could
128 possibly be.

129 On August 3, 2021, we finally had a court hearing about the diamond. I thought I would
130 get a chance to explain the situation, and the judge would clearly see that it was my
131 diamond. But the judge only wanted to discuss why I was late in answering the complaint.
132 I tried to keep discussing the diamond, and I guess the Judge became frustrated and
133 found me in contempt of court over my insistence on bringing up the diamond. The whole
134 mess became bigger than the diamond, though. It was the fact that Riley always got
135 everything he wanted. Then he thought he deserved the diamond that *I found!* It wasn't
136 fair. But apparently, the fact that I answered the lawsuit late meant that I didn't get to
137 respond to his complaint at all. The court ruled that the diamond would have belonged to
138 the partnership, but because I had ended the partnership, the court said that we would
139 have to sell it and split the money. It just wasn't fair. I still wonder whether that so-called
140 judge knew some of Riley's family members or something.

141 After our first school board meeting on August 19, I thought there was a chance Riley and
142 I might be able to work together for the benefit of Little Rock students with no problem
143 and maybe even rekindle our friendship. We were initially confronted with the problem of
144 excessive cell phone use in class. It was like the early days of the partnership again. I
145 had the idea of putting secure charging stations in every school, and Riley made a few
146 phone calls and worked his connections. Next thing you know, there are secure charging

147 stations in every school. The teachers loved it because the phones were out of sight, and
148 the students loved it because they knew their phones were safe.

149 Unfortunately, things went downhill from there. Riley would usually scoff at any idea I
150 would propose for the district. For example, at one meeting, the board discussed where
151 we should allocate funding in every department. I wanted to devote more funding to social
152 studies classes. The teachers would be able to take the kids to museums, give them new
153 textbooks, and ask historians to come speak at the school. Not only did I want to allocate
154 enough funding to make this possible, but I was thoroughly impressed with the history
155 teachers' plans and syllabi for the classes. Riley, on the other hand, wanted to minimize
156 funding for history and instead put it into business classes. I have no issue with business
157 classes, and if Riley had given a genuine reason as to why he had opposed the funding
158 to social studies, I would have thought nothing of it. Instead, it seemed like he was only
159 opposed to funding social studies because I was in support of it.

160 It infuriated me that Riley was willing to compromise the students' education just to spite
161 me. So, I snapped, alright? After the meeting, I met Riley in the parking lot. I wanted to
162 confront Riley about the meeting, but I didn't want it to be in a professional setting like the
163 board meeting. I told Riley that his intentions were not pure and he wasn't fit to sit on the
164 School Board. I told Riley how disappointed I was in him, and how much he'd changed
165 since I first met him. Then, Riley began insulting me. He said I was weak, naive, and
166 unintelligent. He told me I had never been a leader, and I definitely would never
167 accomplish anything good in Little Rock. Riley began raising his voice at me, and it
168 honestly scared me. We got pretty heated, and I admit that I also raised my voice a couple
169 times, but I ended up driving away. I swear he smelled faintly of alcohol that night.

170 About two days later, I received a check in the mail. It was my half of the proceeds from
171 the sale of *Le Gros Rocher Brilliant*. Turns out my online research must have been wrong
172 somehow—the check was for only \$32,250. This was the first time I had thought about it
173 since the hearing. Actually, that's incorrect. It was the first time I thought about it since
174 having to pay that stupid contempt fine to the court. I don't know what that judge was
175 thinking or why that judge expected anyone to be calm. I was reading the details of the
176 sale, and I probably would have just cashed the check and moved on, except for one
177 thing. The document said the diamond was sold to Rosalee Truman. Rosalee was Riley's
178 GRANDMOTHER. I mean, after all of that, Riley's family ended up with my diamond. I
179 was devastated. And I still have no idea why the *Arkansas Democrat-Gazette* had to write
180 an article about it. Truman getting another win that he didn't deserve . . . that's not news.

181 The next day, I inherited a gun from my great uncle. I had never been interested in guns,
182 but my great uncle seemed to really want me to have it. I just could not understand why.
183 (And if he wanted me to have something, why couldn't he just give me cash like a normal

184 distant family member?) I have always been pretty vocal in my advocacy for gun control.
185 I just saw a better world being one with fewer guns. But for whatever reason, I now owned
186 a gun, and I didn't think that it would be right to sell this family heirloom. So, I went to the
187 local gun range and made some friends who taught me how to use it safely. I started to
188 carry it because I recognized that I needed to be comfortable holding a gun if I was going
189 to be a responsible gun owner. I'm still very supportive of gun regulation, and I don't find
190 that inconsistent with owning a gun so long as one knows how to own and use it safely.

191 As for my relationship with Riley, things were strained, of course. I was not surprised
192 when Riley exploded at me at Drew Arden's barbecue. I arrived and caught up with some
193 old friends. Everyone was having a good time until Riley started telling one of his
194 obnoxious, self-serving stories. I would not have cared except that Riley seemed intent
195 on monopolizing the whole party. So, I went up to Riley and told him to quiet down and
196 that he didn't always need to be the center of attention. Next thing you know, Riley starts
197 shoving me, and spilled some of his beer on me, too, so I started pushing back. But before
198 it could escalate, I noticed he had his knife on him, so I just stopped and walked away. It
199 wasn't worth getting into a fight or worse.

200 During the November 18, 2021 board meeting, I proposed an idea that I had during the
201 partnership—supporting field trips to the historic sites of the Japanese internment camps
202 in McGehee, Arkansas. I asked Charlie to sponsor the resolution, thinking that Charlie's
203 clout might help it move forward and avoid a clash with Riley, but I drafted the resolution,
204 and this idea was my baby. Riley opposed the field trip, but this wasn't just a passing
205 disagreement. Riley seemed to make defeating this resolution his personal mission. Riley
206 talked about funding, but there was ample funding for something this important to not just
207 American history but Arkansas history. I became so angry that I confronted Riley after the
208 meeting. I'm sure that I used some language that I probably should not repeat here. And
209 yeah, I may have said something about Riley's family, but Riley and his high and mighty
210 attitude impeding our educational work was just getting on my nerves. At every turn, Riley
211 was insistent on things going his way—the partnership, my diamond, the board
212 resolutions—it was always about him. I remember seeing Riley move as if he was going
213 to attack me. But rather than do anything, Riley just insulted me: "Scout, you're so
214 pathetic." Before I could respond, Riley got in his car and sped off.

215 A few days before Thanksgiving, I went to the gun range hoping I could get in some extra
216 practice while blowing off some steam, but that didn't seem to help. I actually saw Drew
217 while I was walking there. We had a little small talk, but nothing of note. Drew mentioned
218 something about Riley, and all I could do was just put my hands on my hips and sigh.

219 At the December meeting, I had planned to just keep to myself, speaking only when
220 necessary. Maybe being silent for so long finally got to me. After the public had shuffled

221 out of the meeting room, I said under my breath, “We probably have to close this meeting
222 in case some bad Arkansas history comes up. I know Riley wants to keep it quiet.” Riley
223 looked furious. After all he had said to me previously—the insults, threats, and constant
224 bickering—I couldn’t take it anymore. I went on for a couple minutes about the importance
225 of working together and how the professional relationship had taken a toxic turn. I told
226 Riley we would never be able to keep working together like this. Riley got up without
227 saying a word and bee-lined toward the office door. En route, Riley grabbed my arm and
228 said, “I’ve had quite enough of you.”

229 But I wasn’t finished talking, and yeah, I was angry. Riley was not going to walk out on
230 me, and I wanted to make sure he heard everything I said. So, I followed. I said that I
231 never held his family history against him, but that didn’t stop him from being a horrible
232 person putting himself before everyone. Riley turned to me and said, “You need to sit
233 down. You’ll be sorry if you keep following me.” I told Riley that he could not make me sit
234 down and that we needed to talk about this. At this point, we were both just in the hallway
235 off the meeting room on either side of the doorway, and Riley stopped and turned around
236 really fast. I saw the look on Riley’s face. I’ve known Riley a long time, and I’ve never
237 seen him look like that. His expression changed completely. He looked like he wanted to
238 hurt me. He quickly turned around, and as he was moving toward me, I saw his hand
239 move toward the handle of his knife.

240 I was scared for my life. There was not a lot of room to maneuver in that hallway,
241 especially where I was. There was nothing else I could do. Before I knew it, I reached
242 down for my gun and shot Riley. Actually, it was strange that I was even carrying it. I
243 brought it in but planned to take it off to show Charlie some of its unique features that I
244 learned from my pals at the gun club, but I never got around to that. I was so scared. I
245 thought Riley was going to stab me. I never thought in my life that I would have to fire my
246 gun at another person in order to protect myself. I don’t remember saying anything after
247 I had to shoot Riley—things were hazy—so if someone says I did, I can’t really dispute it.

248 As security arrived, Addy laid into me. The entire time, Addy was calling me a murderer.
249 I could not convince Addy that I was defending myself. Addy accused me of wanting Riley
250 dead, but I have no idea where Addy got that from unless Addy had been spending time
251 with Riley and only ever hearing one side of the story. Eventually, Officer Rayburn
252 intervened and took me aside for questioning. I told Officer Rayburn exactly what
253 happened, and Officer Rayburn seemed to think that night that the shooting was in self-
254 defense. I was shocked when I was placed under arrest a few weeks later.

255 I only shot Riley because Riley was coming at me with his knife. If I hadn’t taken action
256 to defend myself, I’d be the one in the ground now. That’s exactly what I told Robin when
257 they threatened to have me removed from the board if I did not resign.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Scout Cumberland

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public

State of Arkansas

My Commission Expires: 05/21/2024

Statement of Dr. Charlie Goodman

1 My name is Charlie Goodman. I am 55 years old, and I am a lifelong Arkansan. Although
2 I have lived in different suburbs of Little Rock—North Little Rock, Maumelle, and Bryant—
3 something has always brought me back to the capital city. In fact, I can't understand why
4 people decide to move away from Little Rock. I always say that Little Rock is a big city
5 with a small-town feeling. I just can't imagine living anywhere else. I suppose that's
6 because it is in my blood. Last year, my daughter got me a DNA kit for Christmas. After
7 searching many records, we traced our lineage all the way back to the 1600s, where we
8 found that we are related to Jean-Baptiste Bernard de la Harpe—the French explorer who
9 is credited for the discovery of Little Rock. Of course, when he first founded it, it was just
10 a rock formation which he called “La Petite Roche”—“the little rock.” But eventually, it
11 became Arkansas's state capital.

12 I graduated from North Little Rock High School in 1987. Afterward, I attended the
13 University of Arkansas at Little Rock, where I obtained my degree in biology. Upon
14 graduation from college, I enrolled at the University of Arkansas for Medical Sciences with
15 the intention of becoming a surgeon. I completed my surgical intern and residency
16 requirements at various hospitals in Little Rock. I graduated as number one in my class
17 and landed a job at Arkansas Children's Hospital, right here in Little Rock—my dream
18 job. I began my career as a general surgeon, but I soon specialized in the surgical fields
19 of neonatal, antenatal, and prenatal, which primarily deal with surgical techniques used
20 to treat birth defects in fetuses who are still in the womb. Because this is a relatively new
21 field of surgery, and one that takes an immense amount of skill and knowledge (not to
22 toot my own horn), I am one of the few qualified surgeons in this field at Arkansas
23 Children's Hospital. I love my job, and I love to give back to the community that has given
24 me so much. Even from my early days as a surgeon, I spent my time serving on various
25 boards of local nonprofits.

26 Then, out of the blue, I was asked to run for a position on the Little Rock School Board.
27 At the time, I didn't understand why. After all, I'm a doctor, not a teacher. But I guess
28 many in the education community knew me from my work organizing healthy-child
29 checkups for families in rural parts of the state. So, in 2007, I ran for the school board,
30 and when others found out that I was running, they dropped out of the race. I will admit
31 that, at first, I didn't know how to best contribute to the board. But then, the board was
32 discussing policies about hiring school nurses for when the students got sick in school.
33 At the time, some board members thought that just about any nurse would be qualified to
34 do the job. I emphasized two things. First, healthcare for children and young adults is very
35 different from that of adults. If we cared about our students—and I certainly did—then we
36 needed to keep that in mind. Second, just like school counselors, we should expect
37 students to tell nurses things that they wouldn't tell anyone else. Going deeper, we should

38 expect nurses to discover things that students would keep to themselves. And you wanted
39 someone who would be able to work with school personnel to ensure that the whole
40 student was treated. I was not a teacher, and they listened to me. I appreciated that. So,
41 whenever my term was up, I ran for re-election, and I was proud to remain on the board.

42 In 2021, we found ourselves needing two new board members. Many people in our
43 community would have been good for the board, but Addy suggested ~~hat~~that we talk to
44 Riley Truman and Scout Cumberland and ~~to~~ see if either of them were interested in
45 running. I had never met either of them before, but Addy convinced Robin Weston and
46 me that it would be worth talking to the two of them based on their work in their consulting
47 partnership. If the two of them could make a living giving advice to other schools and
48 school districts, Addy thought, then why not have them devoting that energy to the Little
49 Rock School District. Addy was one of those people who did not talk much, but when
50 Addy gave advice, it was always worth considering. Robin remembered Riley from their
51 days teaching at Central High, so Robin agreed to reconnect with him, while I agreed to
52 talk to Scout. Eventually, I thought it would be good for Scout to come to dinner with Addy,
53 Robin, and me to discuss the school board. When we got to the restaurant that evening,
54 Addy and Robin were already there with Riley.

55 I thought we had some pretty successful discussions at dinner, and everyone was looking
56 forward to what was in store for the future of Little Rock. However, it was evident that
57 there was tension between Riley and Scout. It was very obvious, and quite strange to me,
58 that Riley and Scout never actually spoke to each other, and the two seemed to go out of
59 their way to avoid eye contact with each other. As we were leaving dinner that night, we
60 all stood up to shake hands before we left the restaurant, and I noticed that Riley and
61 Scout didn't shake hands. It just so happened that Scout and I lingered in the parking lot
62 and ended up talking for about an hour after the rest of our dinner guests had left. I learned
63 quite a bit about Scout during our conversation.

64 First, I learned that Scout and Riley had actually been avoiding each other at dinner.
65 Apparently, Riley and Scout were great friends during college, so much so that they
66 decided to form a partnership together. However, their partnership ended abruptly when
67 the two had a dispute over some diamond. Scout told me that Riley claimed the diamond
68 belonged to the partnership even though Scout found it. That seemed a bit weird, but I'm
69 a doctor, not a lawyer.

70 It was obvious that Scout was bitter about this situation. To me, it also seemed that Scout
71 was hurt. Someone who Scout thought was their best friend had betrayed them. Scout
72 said, "Yeah, I'm angry that Riley is fighting me over this diamond, but I'm more upset that
73 Riley doesn't value our friendship as much as I do. And worse, I fear that Riley is going
74 to find a way to win like he always does, even when he shouldn't." I felt like I really bonded

75 with Scout during this conversation. We also talked about some ideas that Scout had for
76 the future of Little Rock. I thought Scout had some excellent ideas, and I continued to
77 believe that Scout would be a great fit for the Little Rock School Board. I also thought I
78 could be somewhat of a mentor to Scout—I saw a lot of potential.

79 Scout agreed to run, and I agreed to help Scout with the campaign. I helped Scout make
80 signs and stickers and even spoke at one of Scout's campaign events. Scout told me that
81 they were not really good at fundraising and felt even more uneasy asking people to give
82 money to a political campaign. So, to take some stress off Scout, I loaned Scout \$5,000
83 for use in the school board campaign. Scout made it clear that this was a loan, which
84 would be paid back as soon as possible. As of today, the loan remains unpaid.
85 Presumably, I'll never see that money if Scout ends up in prison.

86 Scout can be very passionate when talking about our community. I recall at one campaign
87 event someone in the audience asking about whether teachers should be able to carry
88 guns in schools. Before the person could finish their thought, Scout immediately went on
89 a five-minute—I hate to say it, but—rant on why it was such a bad idea. I had to take
90 Scout aside and let Scout know that they needed to be a bit more diplomatic when in an
91 election. Scout seemed to understand. As I left the campaign event, I saw Scout talking
92 to the person that had asked the question about guns in schools. I did not walk over to
93 figure out what they were talking about, but both seemed to be smiling and having a good
94 conversation.

95 I was ecstatic when the results of the election came back, and Scout had been elected to
96 the school board. Riley was also elected to the board. Scout told me that Scout was a
97 little nervous about serving with Riley because Scout didn't know if Riley would be able
98 to put their past behind them. Scout said, "I'm willing to have a professional relationship
99 with Riley because it is important for the success of Little Rock. I hope Riley feels the
100 same way."

101 There was initially some hope for that. One of the first challenges when Scout and Riley
102 joined the board was dealing with excessive cell phone usage in our high school
103 classrooms. When some teachers wanted phones banned, parents complained. Just
104 thinking out loud, Scout came up with the idea of having a safe place for students to store
105 their phones when in class. Riley asked for a recess during the meeting, made some
106 calls, and found a company that could deliver secure charging stations to every high
107 school in the district. Even better, Riley was able to talk the company into giving the district
108 a massive discount in exchange for some advertising space. Scout and Riley's
109 collaboration was the exact type of energy we wanted for the board. Unfortunately, that
110 spirit did not continue.

111 Every time the board had a meeting, Riley would make snide comments directed toward
112 Scout or he would scoff or roll his eyes at any idea Scout proposed—it didn't matter if the
113 ideas were great or off the beaten path. Scout never let this keep them from suggesting
114 ideas though; Scout usually just shrugged Riley's comments off. I thought there was some
115 hope that Scout could continue to block out the distraction. Scout was often discussing
116 history with Robin. One of Robin's areas of expertise is duels in Arkansas history. That's
117 a fascinating subject, and Scout was dialed right into those historical accounts Robin
118 provided. I was hopeful these interactions would help distract Scout from the conflict with
119 Riley, and I thought it was working. In hindsight, Scout's interest in Robin's stories may
120 have ultimately made Riley feel alienated. We all worked together, but Riley mostly
121 socialized with Robin during our meetings. So, when Robin started spending time with
122 Scout, it probably accounts for Riley's antics and button pushing on Scout.

123 There was one meeting, though, where Scout lost their temper a bit, and I can't really
124 blame Scout. Scout had been putting up with Riley's attitude for a long time. I think it was
125 the meeting where we were allocating some extra funding that we had received from the
126 state. Scout and Riley got into a heated exchange about whether to devote more money
127 to social studies classes or business classes. I don't remember whether we came to a
128 final decision that evening. All I remember was Scout and Riley going back and forth.
129 Both made good points, but what struck me was that neither was willing to concede
130 anything. It was like arguing for the sake of arguing. At the end of the meeting, Riley
131 stormed out of the room as quickly as he could. Scout jumped out of Scout's seat and
132 immediately followed. I remember looking at Addy and Addy having this look on his face
133 as if he did not know what happened.

134 I didn't actually see what happened between Scout and Riley after this meeting, but Scout
135 told me later that they confronted Riley in the parking lot because they didn't want to make
136 a scene during the board meeting. Scout said, "Riley started yelling at me and hurling
137 insults, and I got scared. I was worried Riley was going to hit me. So, I just got in my car
138 and drove away before things escalated." I told Scout that was the right thing—Scout is
139 not one that believes in handling matters physically.

140 I continued to encourage Scout to ignore Riley, but when the board was discussing
141 whether to fund a field trip to a Japanese internment museum in McGehee, Arkansas
142 during our November 18 meeting, tensions rose between Riley and Scout. While it was
143 Scout's idea, I actually introduced it to the board because I supported the idea, and I
144 figured if I was the one who brought it up, then perhaps Riley wouldn't just thumb it down
145 as a matter of course, like he had all of Scout's other ideas. But while I was supportive of
146 the idea, to say Scout was over supportive would be an understatement. I had never seen
147 Scout so gung-ho about something. Scout had even invited some of the district's social
148 studies teachers to the meeting to talk about how much they liked the idea. However,

149 Riley strongly expressed his opinions against funding the field trip—more strongly than I
150 have ever seen any board member oppose anything.

151 While Riley was speaking, I glanced at Scout just to see how Scout was reacting to Riley,
152 and Scout seemed very uncomfortable. Scout was fidgeting in the seat, sweating, and
153 looked like they would rather be anywhere than at this meeting. In the end, it was only me
154 and Scout who voted in favor. Riley voted against it, and so did Robin. Addy abstained,
155 so we lacked a majority, and the resolution failed. I really don't know why either Robin or
156 Addy voted as they did for this sort of project. As soon as the meeting ended, Scout bolted
157 for the door and left. I didn't even have a chance to talk to Scout. I went to the restroom,
158 then left to go home. When I left the building, I could immediately hear Riley and Scout
159 yelling at each other. Both were furious. I didn't pay much attention to the argument
160 because it made me uncomfortable. I got in my car and hurried out of there as quickly as
161 possible. I did text Scout after the meeting, though, to make sure that Scout was okay.
162 Even if they had not gotten into that huge argument after the meeting, I needed to make
163 sure that Scout could move forward after the resolution failed.

164 Things got out of hand at the December 2 meeting. Scout did not say much during this
165 meeting. Scout just seemed tense and frustrated from the second Scout entered the room
166 and sat down. Scout was supposed to show me some neat features of the gun they
167 inherited, but I didn't bring it up because of how preoccupied Scout was—I figured I could
168 wait for another day.

169 At that December 2 meeting, we took care of a few routine things, then Robin stated that
170 we were moving into executive session. One of the elementary school teachers had filed
171 a grievance against the principal, and because we thought this could potentially be a
172 personnel issue, we did not want to discuss this in public. In any event, when the five of
173 us were alone in the room, Scout mumbled something about Arkansas history. Whatever
174 it was, it was enough to set Riley off, and the two were off to the races. Maybe a couple
175 minutes into it, Riley stood up and appeared to be walking toward the offices. Riley
176 immediately grabbed Scout's arm and shouted, "I've had quite enough of you." I was
177 surprised to see that Scout followed Riley, but in hindsight it had occurred before where
178 Riley left and Scout followed. I actually remember yelling "Let it go, Scout. It's not worth
179 it." But Scout didn't listen, instead going on about them working together and some such.
180 Then, everything happened so quickly. Riley and Scout both left the room but were just
181 outside the doorway. There was some more yelling—I couldn't see from where I was
182 sitting. Then I heard two loud popping noises. Instinctively I ducked down under the table,
183 so at that point I didn't see exactly what had happened.

184 When silence followed the noise, I got up from under the table, ran out of the room, and
185 saw Scout standing over Riley's body. Riley was lying on the ground with his hands

186 pressed to the left side of his chest. Blood was coming out from underneath Riley's hands.
187 Once I realized that Riley had been shot, my instincts and years of medical practice kicked
188 in. I couldn't tell you what anyone else in the room was doing because I needed to save
189 Riley's life. I immediately moved his hands and found the wound. I had a cloth mask in
190 my pocket. I pulled it out and stuffed it into the wound. Then I began to perform CPR.
191 Ultimately, there was nothing I could do to save Riley. I stopped CPR before the EMTs
192 arrived, as there was no heartbeat and hadn't been for several minutes. Once EMTs
193 arrived, they officially pronounced Riley dead.

194 It wasn't long before I was answering Officer Rayburn's questions about what happened.
195 I remember being asked about whether Riley had a knife. I did not recall seeing one at
196 the time, but that doesn't mean there wasn't a knife there. I have seen Riley fidgeting with
197 a knife in the past. I really was not paying attention to what was going on that night other
198 than trying to save Riley's life.

199 After the paramedics removed Riley's body and Officer Rayburn allowed us to leave, I
200 finally had a chance to find Scout. It took a while for me to find Scout, but when I finally
201 did, Scout was leaning against their car in the parking lot. Scout looked visibly upset, and
202 Scout was disheveled. I mean, Scout really looked out of it. Scout just kept muttering,
203 "Riley had a knife. Riley was going to kill me."

204 I have known Scout for quite some time now, and I know that Scout would not have
205 purposely killed Riley if they did not fear for their life. Scout always tried to get along with
206 Riley and avoid violence at all costs. I feel bad for Scout because I know Scout feels
207 terrible that this is how the relationship with Riley ended. But Scout had no other choice.

208 Robin called me the night after the incident with a proposal to encourage Scout to resign
209 or else force Scout off the board. I said it was my view that we needed to let this resolve
210 itself before we make any decisions. Robin seemed exasperated and said, "I just knew
211 you would back Scout in this," and then disconnected the call before I could respond. I
212 did not call Robin back. I wasn't supporting Scout, but this was a unique situation that
213 needed to be resolved by the judicial process.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Charlie Goodman

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public

State of Arkansas

My Commission Expires: 05/21/2024

Statement of Dr. Frankie Rose

1 My name is Frankie Rose. I was a forensic pathologist at the Arkansas State Crime
2 Laboratory in the Medical Examiner's section for thirty years, until my departure in
3 February 2022. Pathology is the study of disease and injuries in humans. I assisted in the
4 autopsy of Riley Truman. Although the autopsy was conducted by my former colleague,
5 Dr. Valerie Jenkins, and represents her conclusions, I was present and assisted in all
6 aspects of the autopsy. After retiring from the Crime Lab, I was hired by the defense to
7 provide expert review of the autopsy and its findings.

8 Let me back up a little and tell you about myself. I am 63 years old and a resident of North
9 Little Rock, Arkansas. I was born and raised in a little town in Northeast Arkansas called
10 Gosnell. It's near Blytheville, about an hour from Jonesboro in the bootheel. You know
11 how Missouri and Arkansas fit together like the heel of a boot? That's why we call it the
12 bootheel. I went to undergrad at the University of Arkansas in Fayetteville, where I was
13 part of the Track and Field team. Did you know the University of Arkansas Track and Field
14 team has 35 national championships? Woo Pig Soie! I majored in biology. After
15 graduation, I went to the University of Arkansas for Medical Sciences, or UAMS, for
16 medical school. I graduated from medical school in 1985. Originally, I wanted to be in
17 emergency medicine, so I began my residency in the emergency department at UAMS. I
18 switched over to pathology residency, which is a five-year program. I did that at UAMS as
19 well. When I finished that residency, I did one year in a forensic pathology fellowship in
20 Miami, Florida. Afterwards, I returned to Little Rock.

21 Before I retired, I had been a forensic pathologist for the crime lab for over 30 years and
22 completed over 2500 autopsies myself, while assisting in another 1500. When doing an
23 autopsy, we are asked to render an opinion as to the cause and manner of death. Those
24 are two separate-but-related things. Manner of death is simple, as it is one of five things:
25 homicide, suicide, natural, accident, or undetermined. We all die, and when we do, it will
26 fall into one of those categories. Cause of death is the thing that directly caused the
27 person to die. For cause of death, we examine the body, determine if there are any injuries
28 or natural disease, and conduct toxicology testing to see if any drugs may have caused
29 or contributed to the death. Basically, the autopsy is what is used to determine the cause
30 of death. The manner of death is the autopsy findings, plus the investigative findings.

31 I have testified in my capacity as a forensic pathologist with the State Crime Lab in
32 probably about one-third of the autopsies in which I was lead investigator. Not all
33 autopsies result in court testimony; it just depends on the unique circumstances of any
34 one autopsy. It is important to clarify that our work is independent—we do not represent
35 the prosecution or defense when testifying as a member of the crime lab. It is perhaps
36 not surprising that gunshot deaths are the most common incident we see at the crime

37 lab—many of which are accidental, such as hunting incidents, but certainly some are
38 intentional.

39 As a result, I spent considerable time in my career researching—and ultimately
40 publishing—an article in the *Journal of Forensic Science* called “Bullet Meets Body: A
41 Study on Small Caliber Bullets and the Effects on the Human Body.” The article was peer
42 reviewed and published in leading pathology trade journals. It even won me a top
43 researcher award at the American Academy of Forensic Sciences annual meeting in
44 2015. The article was a survey about how small caliber bullets, when fired at a human
45 body at various ranges and in various circumstances, tells the story of the manner of
46 death. It was, in effect, a case study of many cases I had worked on and researched over
47 thirty years, which illuminated consistent patterns of impact. It identified trends and
48 probabilities that others in the industry could review and use to help them reach
49 conclusions in their cases for which there are factual similarities. Unfortunately, in this line
50 of work, there are few absolutes, and no two cases are exactly alike. But we can
51 determine, with a high degree of probability, the most likely manner of death—that is our
52 core job, after all. That is not to say that every reader has bought into these conclusions.
53 There have recently been a couple papers purporting to show some contrary opinions,
54 but I have not researched those papers thoroughly to discern their shortcomings. And of
55 course, Dr. Jenkins did not accept the conclusions I would have reached based on my
56 research.

57 On December 4, 2021, I was working in the Crime Lab. I was assigned to assist Dr.
58 Jenkins in an autopsy for a body identified as Riley Truman. The investigative notes we
59 had at that time indicated he was the victim of a shooting. Our first task was to prepare
60 the body for autopsy. This involves opening the body bag and photographing the body in
61 the manner in which it was received (i.e., clothed), examining the physical evidence of
62 note, and then removing the body bag and clothing and preserving them for any later
63 investigation needs. We then take another round of photographs of the unclothed body,
64 and take particular note of any scars, injuries, or other skin level anomalies so that we
65 can go back and investigate each—essentially creating a catalog of items to investigate.
66 The body is then cleaned. The body is now ready for investigation.

67 The cleaned body was placed on the autopsy table in the supine position (facing
68 upwards), and an initial set of full-body X-rays were taken. Because we knew the
69 individual had been the victim of a shooting, we started our work reviewing the
70 corresponding wounds which likely resulted from a shooting. There were two we noted
71 during our pre-review. The first was on the left side of the individual’s chest. The second
72 was on the individual’s head.

73 The chest injury included a piece of cloth that appeared to have been shoved into the
74 wound. That indicated to us that someone had tried to slow the bleeding after the gunshot
75 occurred. The back portion of the body did not have a similar wound, so we knew the
76 bullet should be inside the body still. We performed a localized X-ray of the chest to
77 determine the location of the bullet. The X-ray revealed the bullet was in fragments, the
78 largest of which lodged in the “neck” of the fifth rib. Fragments also appeared to be on the
79 top of the anterior section of the fourth rib and in the heart itself.

80 We retrieved fragments from the fourth rib and were able to trace the trajectory of the
81 bullet based on internal damage to the tissue, including both the lung and the heart. Of
82 course, the final resting place of any fragments on the neck of the fifth rib provided the
83 final resting place of the bullet. The bullet caused damage that ran from the victim’s chest
84 slightly upward toward the neck of the fifth rib. Human ribs wrap from the back, around
85 toward the sternum, and in so doing, they form in a downward sloping direction. So, the
86 fourth rib on the back of the body sits higher than it does on the anterior part of the body.
87 Thus, the damage from the top of the fourth rib that ended along the neck of the fifth rib
88 would, if linear, have traveled in a slightly upward direction of about 3-5 degrees off level—
89 so nearly level. The damage also showed a path from the left side of the chest slightly
90 inward toward the center of the body, moving from the individual’s left to right as it entered
91 and traveled through the body.

92 There was also mild stippling on the skin around the wound entry and on the clothing.
93 There are three different types of gunshot wounds. The first is a contact wound, meaning
94 the barrel of the gun is pressed firmly up against the skin or a short distance away, no
95 more than 12 inches at the most. There, you see the soot powder on the skin and burning
96 the skin. You often see gunpowder burns in the wound and tearing of the skin around the
97 wound entrance.

98 The second type of gunshot wounds are intermediate gunshot wounds where you see
99 stippling, which is the burnt and unburnt grains of powder on the skin. The powder
100 embeds in the skin or the clothing surrounding the wound. You can see all these little
101 marks around the wound, like little puncture marks. That’s the gunpowder as it embeds
102 in the skin. It cannot be wiped off. It’s like tattooing as it just stays there. Stippling occurs
103 at around one yard (36 inches) away or less.

104 The third type of gunshot wound is a distant gunshot wound. You will not see stippling,
105 burning, or soot on the skin or clothing. This occurs at a distance of one yard or greater.

106 Here, we found stippling on Truman’s right temple and on his clothing around the chest
107 gunshot wound. We did not find gun powder in the wounds or tearing of the wounds. That
108 indicates that the shooting occurred at a range of between 12 inches and 36 inches—that

109 being the distance between the barrel of the gun and the point of impact. That was
110 consistent with the investigative information we were provided.

111 It was difficult to determine at what angle the bullet entered the body. The fragments along
112 with the deposit of fragments on the top of the fourth rib may indicate a change in
113 trajectory—a ricochet—once the bullet entered the body. Ultimately, Dr. Jenkins was
114 unwilling to conclude a unique trajectory for this reason, leaving that question
115 undetermined. She believed the fragment on the fourth rib was most likely a ricochet
116 moment, and thus could not reach a conclusion regarding a proper trajectory.

117 I disagreed. We discussed this at the time. I argued that in similar cases where the
118 investigative notes and physical evidence supported a close proximity between the gun
119 and the victim, the velocity of the bullet would usually be great and instead the most likely
120 effect would be a shearing of the bone, if anything, but without a change in trajectory of
121 the bullet. Thus, the tissue damage would reliably provide an angle of attack, as it were.
122 It is worth noting that the bone of the fourth rib did not shear or chip. However, that is not
123 dispositive because bone is very strong, especially if it's healthy bone. Furthermore, we
124 cannot say for certain exactly how far the gun was away from the wound entry, just that
125 it was between one and three feet away. And within those ranges, the fact that the bone
126 was not damaged suggests a distance on the greater end of that range. And what is more,
127 the fact that the bullet fragmented may indicate a weakness in the bullet that made it
128 unlikely, at such a close proximity, to cause bone damage when making a glancing blow—
129 instead of part of the bone shearing off, part of the bullet may have broken as it passed
130 the bone. As I said before, I was not the lead pathologist. So, we consulted with one
131 another, but ultimately the conclusions reached by Dr. Jenkins were the final findings of
132 the autopsy. The conclusion was not unreasonable based on the facts, but was not, in
133 my view, the most likely conclusion based on the evidence available, and had I been the
134 lead pathologist, I would have concluded differently.

135 The toxicology report showed mild intoxication by alcohol just under the legal limit for
136 driving. This was noted in the report, but no conclusions were drawn from it since the
137 individual was not driving or engaging in otherwise dangerous activities at the time of
138 death. At the time I agreed.

139 The gunshot wound to the chest was the cause of death. To be sure, we investigated
140 other markings, but based on our review of this trauma, it would have caused death by
141 itself. The gunshot wound to the head was only a glancing blow—painful, but would not
142 have been fatal. The body had a few other injuries we reviewed as well. Ultimately, those
143 were not fresh injuries so we concluded they did not impact the cause of death directly.
144 For Dr. Jenkins, that was the end of the inquiry into those injuries, and they were noted
145 in the report as unremarkable, but never examined in detail. I thought they should be

146 identified for the investigators—let us provide the information we have and let the
147 investigators do what they will with them.

148 We read the investigative notes from Officer Rayburn. It was reported that Truman was
149 shot intentionally by another person. As such, we determined the death to be a homicide.
150 This finding is summarized in the Arkansas State Crime Laboratory’s official report, which
151 is Exhibit 6. That is a short form that would be sent to the law enforcement office that
152 submitted the body for the autopsy. I did not sign the report as I was not the pathologist
153 of record on this case, ~~but my assistance is noted in the report~~. It was reviewed by Dr.
154 Anthony Tinsley, who is the chief medical examiner for the Crime Laboratory. I relied on
155 Exhibit 6, in part, for my review of the case. And my essential findings were provided in
156 writing at the request of the defense. As I explained there, the conclusions in the autopsy
157 report are not the conclusions I would have reached. It is my conclusion to a reasonable
158 degree of scientific certainty, based upon the evidence available, that Riley Truman was
159 shot while making aggressive and likely threatening movements toward Scout
160 Cumberland.

161 As I said before, I was a forensic pathologist at the Arkansas State Crime Laboratory for
162 thirty years. I left that place of employment on February 22, 2022. I was given the option
163 to retire or be terminated. They said it was because I had made mistakes in a few of my
164 autopsies. It is true that in two previous cases, I mixed up the bullets recovered from the
165 victims. I testified in one of those cases, and as a result, I was cross examined pretty hard
166 in court for the discrepancy and the case ended in mistrial. The error was corrected, and
167 the case reached a verdict in the second trial. In another case, I marked the wrong box
168 indicating an accident was a suicide as the manner of death. I also testified in that case,
169 but I caught my error before trial and clarified the mistake on the stand. The jury reached
170 a verdict in that case.

171 The mistakes were the result of being overworked and forms and labels being too small.
172 During the month of December, when Truman’s body arrived, we had performed 52
173 autopsies. However, I did not make any mistakes in this case. In fact, Dr. Jenkins was the
174 one that editorialized the evidence in this case, coloring how law enforcement may view
175 the evidence in a restrictive way.

176 This was a politically fraught case, and the director of the crime lab did not want this case
177 to drag out or become a circus. However, I think that I was asked to resign because when
178 asked by the defense about the autopsy, I revealed my differing conclusions. Dr. Jenkins
179 found out that I talked to the defense without her and made a complaint. I was approached
180 by my supervisor two days after the complaint was lodged and given the choice to retire
181 or be terminated. After I retired, I was hired by the defense to be an expert witness.

182 The defense is paying me \$500 per hour to work on this case. To date, I have completed
183 10 hours of work reviewing the findings and preparing to testify. Of course, this does not
184 include the time I spent working on the autopsy while working for the Crime Lab. Still, this
185 is more than four times what I made per hour working for the state. I will receive an
186 additional \$10,000 for my time and travel expenses for my testimony at trial. I hope that
187 this new stage in my career will be as fruitful and satisfying as the last.

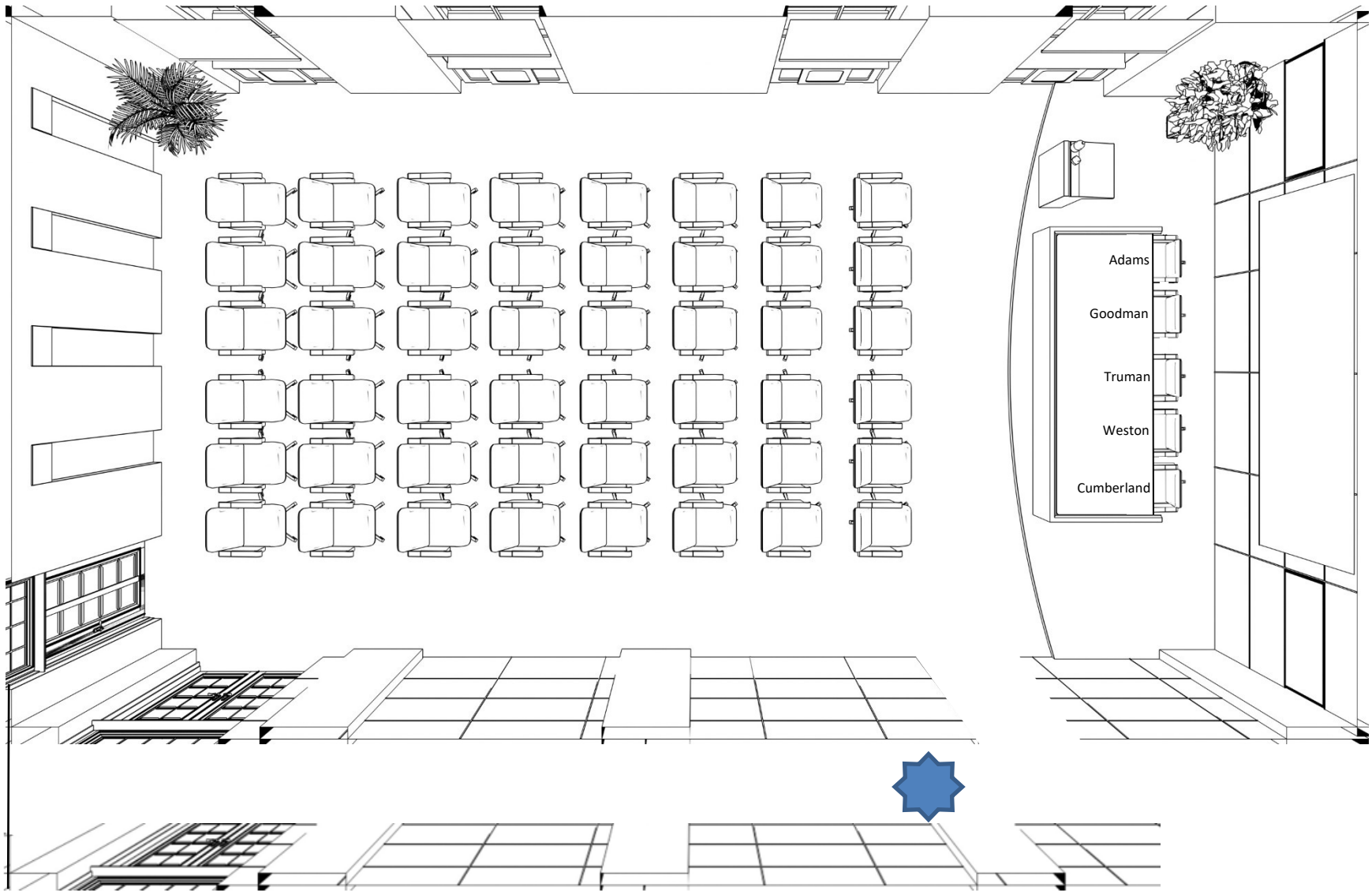
I affirm under penalty of perjury that the foregoing is true and correct to the best of my belief and knowledge.

Frankie Rose

SIGNED AND SWORN to before me at 8:00 a.m. on the day of this round of the 2023 National High School Mock Trial Championship.

Henry McDonald

Henry McDonald, Notary Public
State of Arkansas
My Commission Expires: 05/21/2024





6TH JUDICIAL DISTRICT
26TH DIVISION

JACKSON GASAWAY
CIRCUIT JUDGE

PULASKI AND PERRY
COUNTIES

PULASKI COUNTY COURTHOUSE, RM. 610
401 W. MARKHAM STREET
LITTLE ROCK, AR 72201

Friday, August 13, 2021

To the Parties:

Thank you for your well-written arguments on this matter. In the end, I have no choice but to order that the diamond be sold and the proceeds used to wind up the affairs of Diamond State Educational Consulting. The basis for the ruling is as follows.

On May 17, 2021, Truman filed a replevin complaint on behalf of Diamond State Educational Consulting against Cumberland for possession of a diamond known as *Le Gros Rocher Brillant*. The complaint alleged that Cumberland found the diamond while on a company-sponsored trip to Crater of Diamonds Park in Murfreesboro, Arkansas, and that Cumberland was acting in the course and scope of the partnership when the diamond was found. Therefore, the complaint alleged, the diamond was partnership property.

Court records show (and Cumberland does not dispute) that Cumberland was served with a copy of the complaint on May 19, 2021. Cumberland filed an answer *pro se* to the complaint on June 25, 2021, one week beyond the thirty days given to defendants to respond pursuant to Rule 12 of the Arkansas Rules of Civil Procedure. Soon after filing the answer, Truman filed a motion to strike the answer and for a default.

Cumberland requests that Truman's motion be denied and presented a sworn affidavit stating that Cumberland had trouble finding an attorney and eventually realized that they would have to defend the lawsuit *pro se*, thus resulting in a late response. Cumberland would have this court excuse the untimely response and allow this case to proceed on the merits anyway, but to allow this would "give sanction to a slipshod treatment of writs of summons by defendants." *B&F Engineering, Inc. v. Cotroneo*, 309 Ark. 175, 180, 830 S.W.2d 835, 838 (1992). While the court sympathizes with Cumberland having to go through this process without counsel, this court must hold *pro se* litigants to the same standards as licensed attorneys. See *Lucas v. Jones*, 2012 Ark. 365, 423 S.W.3d 580; *Crutchfield v. Tyson Foods, Inc.*, 2017 Ark. App. 121, 514 S.W.3d 499.

Cumberland also argues that a default is not proper because, in Cumberland's words, "no reasonable person could conclude that the partnership has any claim to this property." Admittedly, the court is skeptical of the partnership's claim to the diamond. The court is also reminded that "[d]efault judgments are not favorites of the law," *B&F Engineering*, 309 Ark. at 178, 830 S.W.2d at 837, and that our rules of civil procedure "reflect[] a preference for deciding cases on the merits rather than on technicalities." *Id.* At the same time, however, Cumberland has failed to provide an adequate basis for accepting an untimely answer. Had Cumberland attempted to file on time but was prevented from doing so due to some technicality, see *Perry v. Bale Chevrolet Co.*, 263 Ark. 552, 566 S.W.2d 150 (1978) (reversing a default judgment when the clerk of the court previously rejected a handwritten answer due to it not following the court's rules), then things might be different. But that isn't what happened here. The Arkansas Supreme Court affirmed the default judgment in *B&F Engineering* when the insurance company erroneously thought that an answer had already been filed. And it upheld another default judgment in *Layman v. Bone*, 333 Ark. 121, 967 S.W.2d 561 (1998), where the defendant told his attorney the wrong date in which he received service, resulting in the answer in that case being filed one day late. Because there is nothing in the record showing at least an attempt by Cumberland to file a timely answer, this court is left with no choice but to grant Truman's motion.

The Court GRANTS Truman's motion to strike Cumberland's answer and, pursuant to Rule 55(a) of the Arkansas Rules of Civil Procedure, a default judgment is entered against Cumberland. *Le Gros Rocher Brillant* is the property of the partnership.

During the hearing on the parties' motions, Cumberland indicated that they were in the process of ending the partnership. If the partnership is indeed ending and Cumberland and Truman are unable to agree to ownership of *Le Gros Rocher Brillant*, the diamond shall be sold at auction to the highest bidder, and the proceeds from the auction (after expenses) shall be split between the parties.

Finally, during the hearing on Truman's motion, Cumberland made numerous insulting and inappropriate comments toward Truman. Throughout the hearing, Cumberland had to be reminded at least three times to direct comments to the court, not to Truman or Truman's attorney. Along with that third reminder, I warned that another comment would result in Cumberland being held in contempt. While the court did not issue a ruling during the hearing, I remarked that I likely would not be ruling in Cumberland's favor. At that point, Cumberland turned to Truman and said, "One of these days, I will personally make sure you are getting what is coming to you." Threats like that are inappropriate anywhere, but especially in a court of law. Therefore, I am holding Cumberland in contempt, and Cumberland will therefore pay a \$1000 fine to the court. Payment is due within 30 days of the date of this letter.

The Court will enter an order consistent with this letter.

Sincerely,

Jackson Gasaway

Judge Jackson Gasaway
26th Division
Pulaski County Circuit Court



Saga of Diamond Ends at Auction

By: S. Yancy | 9.2.2021



A dispute over ownership of one of the largest diamonds found in Arkansas recently ended when the diamond was sold at auction. *Le Gros Rocher Brillant*, a ten-carat diamond found at Crater of Diamonds State Park was sold by the Pulaski County Auction House for \$65,500.

The diamond was found by Scout Cumberland, former co-owner of Diamond State Educational Consulting, on a company outing. The name *Le Gros Rocher Brillant* translates to “the big shiny rock” and, according to former Diamond State employee Drew Arden, was a play on La Petite Roche, from which the city Little Rock gets its name. A portion of the “little rock” can be found in Riverfront Park, located in the city’s River Market District.

The diamond was found at Crater of Diamonds State Park in Murfreesboro, Arkansas, located about 100 miles southwest of Little Rock. It is the only place in the United States where one can find naturally occurring diamonds. Members of the public are allowed to search the crater for diamonds and keep anything they find. Finds, however, are rare. Diamonds such as *Le Gros Rocher Brillant* are extraordinary. At ten carats, it is one of the largest to be found. The largest is the 40.23-carat “Uncle Sam” diamond, discovered in 1924. The diamond has been cut twice, and a 12.42-carat, emerald-cut portion of the diamond currently sits of display at the Smithsonian Museum.

Riley Truman, the other co-owner of Diamond State, claimed ownership of *Le Gros Rocher Brillant* on behalf of the company. When Cumberland and Truman could not agree to ownership, Truman sued Cumberland on behalf of Diamond State. On Friday, August 13, 2021, the Pulaski County Circuit Court ruled that the diamond belonged to Diamond State. The court also ordered Cumberland to pay a \$1,000 fine for comments that Cumberland made during trial.

Because Cumberland and Truman could not settle on ownership of the diamond, it was sold at auction. The winning bidder, Rosalee Truman, is the grandmother of Riley Truman. When asked why she was interested, Mrs. Truman said, “This was such a great find, and I know that my grandson really wanted it.”

When asked for comment, Cumberland said, “Who cares. Riley wins again, and this newspaper is just hyping him up even more when he doesn’t deserve it. People like that eventually get what’s coming to them.”



Pulaski County Auction House

INVOICE

September 1, 2021

Bill from:
Pulaski County Auction House
55 Rich Ct.
Little Rock, Arkansas 72201

Lot Name: Le Gros Rocher Brilliant
Lot Description: ten-carat diamond
Appraised Value: \$62,000

Seller:
Diamond State Educational Consulting
Seller's Address: 10323 W. Emerald
Ave., Little Rock, AR 72248

Buyer: Rosalee Truman
Buyer's Address: 15 S. Riverdale Way,
Little Rock, AR 72205

Purchase Price: \$65,500

Notes: Diamond State Educational Consulting has gone out of business. Proceeds of the sale, after administrative expenses, to be equally divided and remitted to Scout Cumberland and Riley Truman.

RESOLUTION NO. 2021-04

A RESOLUTION TO FUND A FIELD TRIP TO THE WORLD WAR II JAPANESE INTERNMENT MUSEUM FOR ALL LITTLE ROCK SCHOOL DISTRICT HIGH SCHOOL STUDENTS ENROLLED IN A UNITED STATES HISTORY COURSE; AND FOR OTHER PURPOSES.

WHEREAS, during World War II, approximately 110,000 people of Japanese descent, including American citizens, were wrongfully detained in “relocation centers” across the country; and

WHEREAS, two of those centers were located in Arkansas: the Jerome camp, located in sections of Chicot and Drew Counties, and the Rohwer camp, located in Desha County; and

WHEREAS, while little of the original camps remain today, the World War II Japanese American Internment Museum has been created in McGehee, Arkansas, to preserve and inform citizens about this important part of U.S. and Arkansas history; and

WHEREAS, it is important for students to have a complete view of history;

NOW, THEREFORE, BE IT RESOLVED BY THE LITTLE ROCK SCHOOL DISTRICT BOARD:

That all high school courses in United States history contain in their discussion of World War II a lecture on Japanese American Relocation Centers.

BE IT FURTHER RESOLVED:

That the Little Rock School District fund a field trip to the World War II Japanese Internment Museum for high school students enrolled in a United States history course.

Action of Board: *Failed by a 2-2 vote*

Proposed By: Charlie Goodman, Board Member

Arkansas State Crime Laboratory

P.O. Box 8500
3 Natural Resources Drive
Little Rock, AR 72215

Medical Examiner Division

Case No.: 2021-351

Name: TRUMAN, Riley

Age: 27

Date of Exam: Dec. 4, 2021

Sex: Male

County: Pulaski

Autopsy Report – Short Form

SUMMARY:

Cause of Death: Gunshot wound (GSW) to the chest.

Secondary Cause: None

Manner of Death: Homicide

FINDINGS:

Subject is a 27-year-old male, appearing in good physical health. Two notable immediate injuries. Subject pronounced dead at scene of incident—reportedly a shooting.

Superficial laceration to the anterior right temple, approximately five centimeters above the right eye and similarly five centimeters from the midline. Laceration is approximately four centimeters in length. No foreign debris observed or recovered. Laceration would not have been fatal. See attached diagram, Injury A.

Penetrating injury cause by foreign object observed approximately five centimeters directly below the subject's left nipple. Upon X-Ray and further examination, the foreign object appears to have been small and remains in the body in fragments. Object determined to be bullet based on police reporting that accompanied the body and confirmed with removal of objects. Damage caused by the object identified to the lung and heart. This injury was fatal and was the cause of death. See attached diagram, Injury B.

Blood Alcohol Content: .07

CONCLUSIONS:

Cause of death is the penetrating injury to the chest, Injury B. Manner of death is determined to be homicide.

As the bullet entered the body it most likely ricocheted off one of the subject's ribs and fragmented. While we know where the object entered the body and where its fragments ceased moving, it presents an unclear narrative as to how the object moved through the body. Because of the apparent ricochet and fragmenting, I cannot conclude from this anything scientifically meaningful about how the subject was standing as compared to the shooter or how the subject was interacting with the shooter at the time other than the distance between the two: Stippling places the two between 2 and 5 feet of each other most likely, and that is borne out by generally by the police reported details.

Additionally, the relative proximities of the two injuries does not rise to the level of scientific significance in this case. First, it cannot be determined which injury occurred first, the head wound or the chest wound. More importantly, however, is that the order in which the injuries occurred is itself most likely meaningless in this case. The fact that two injuries occurred to two different parts of the body does not necessitate unique movement by the shooter or the victim. Poor weapon control is the most common reason for hitting targets inconsistently when firing guns, and that is especially true if the shooter is a novice. The police reporting does not identify an eyewitness to the shooter's actions, and while the victim was standing, the reports show us little more that weighs on the locations of the injuries. Without more, it is impossible to conclude anything meaningful from the locations of the injuries. As a result, homicide, an intentional killing, is the only outcome I can reach at this time. In my professional opinion, the evidence is insufficient from which to draw further conclusions about the death.

The subject was not operating a vehicle or other machinery at the time. Toxicology unremarkable.

Other findings unremarkable.

Verification:

Valerie Jenkins

Valerie Jenkins, M.D.

Associate Medical Examiner – Pathologist of Record

Dec. 4, 2021

Date

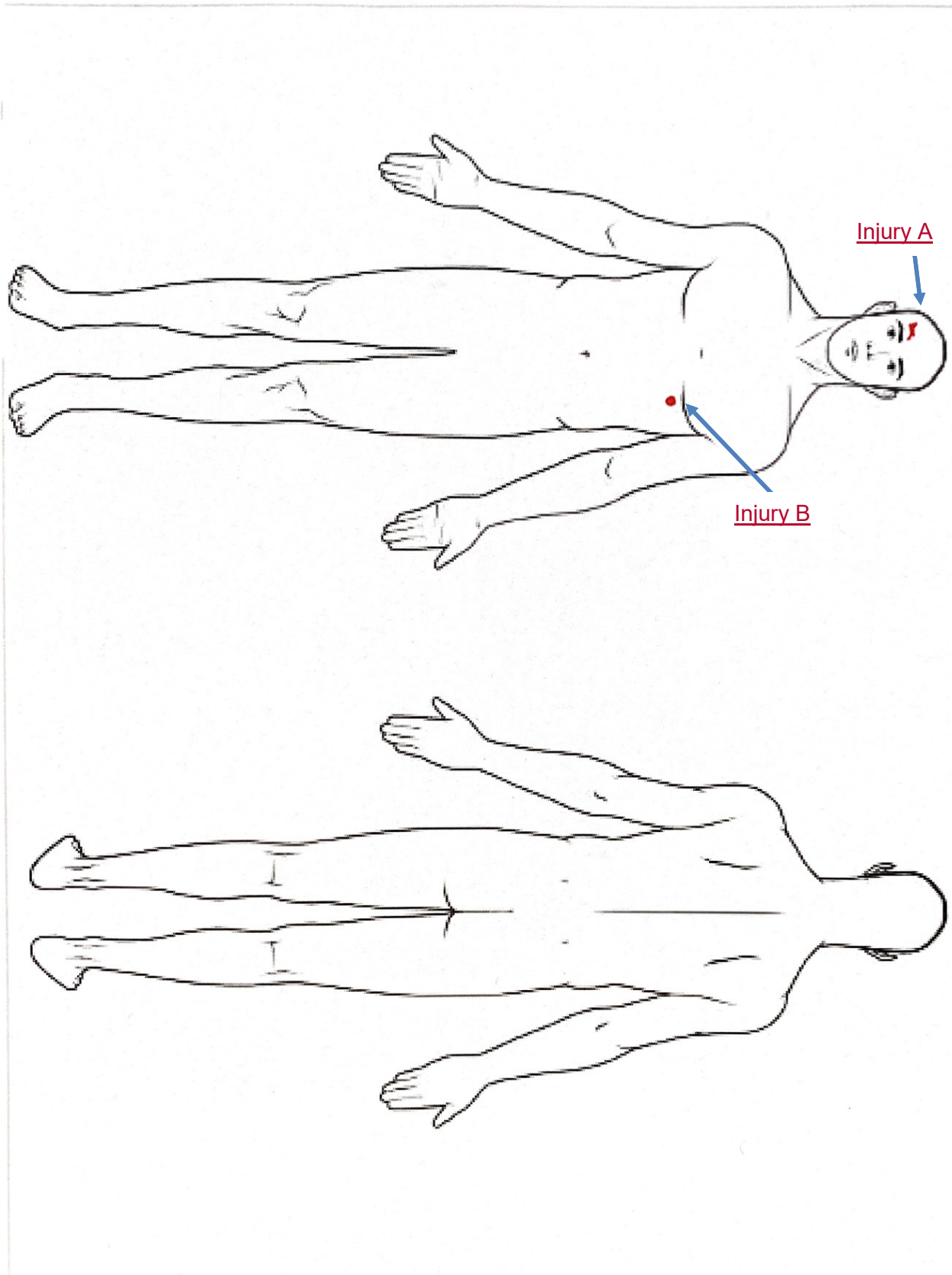
Anthony Tinsley

Anthony Tinsley, M.D.

Chief Medical Examiner – Reviewer

Dec. 11, 2022

Date



Created for and at the direction of: Scout Cumberland Defense Team
On the Medical Findings during Autopsy of Riley Truman
Completed: July 18, 2022 By: Dr. Frankie Rose

I, Dr. Frankie Rose, the undersigned, assisted Dr. Valerie Jenkins in the forensic medical examination of Riley Truman on December 4, 2021, during the course of my employment at the Arkansas State Crime Laboratory. I was contacted by the defense team for Scout Cumberland to determine whether the medical findings of the forensic examination of Truman's body could support a claim of justification. I believe the findings could be consistent with a claim of justification and am detailing my findings in this report. Further, in reviewing the official report from the Arkansas State Crime Laboratory in order to prepare my findings, I discovered several shortcomings, which are also detailed in this report.

The official pathology findings are misleading for four reasons: (1) the trajectory of the bullets most likely indicate that Truman was facing the shooter; (2) there were other suspicious injuries; (3) Truman was legally intoxicated at the time of the shooting, and (4) the location of each injury indicates a rash movement rather than a purposeful shot.

First, as far as forensic pathology and the trajectory of the bullet, I can say that if Truman was standing at the time of the shooting, which witnesses seem to say he was, his body would have had to have been at a 25-35 degree angle to the shooter with the left side of the body slightly in front of the right side to account for the bullet trajectory. To put that in a frame of reference, had Truman been directly facing the shooter with both shoulders squared, I would have said that Truman was at 0 degrees to the shooter. Had Truman had his back to the shooter, I would say that he was 180 degrees to the shooter.

The trajectory of the bullet is consistent with a witness description of the shooting in which the individual was facing their shooter with their left foot further forward than the right—that accounts for the bullet moving from the individual's left to right as it passed through his body with the most likely reality that it entered cleanly without ricochet. The bullet trajectory appears to be consistent with a witness statement that Truman was advancing towards the shooter with the left arm. However, based solely on the ballistics, I cannot say with one hundred percent scientific certainty whether Truman was lunging to attack, or merely turning his body at that time. But I certainly believe based on all of the information available, both the science and the witness testimony, that lunging is the most likely situation based on the evidence available. Unless you have a video, you cannot say with one hundred percent certainty. People are moving around and situations like this are dynamic. The only thing I can say with scientific certainty is how the bullets traveled through the body. Everything else is gleaned from the circumstances.

The additional injuries I thought important to note during the autopsy, the importance of which was rejected by Dr. Jenkins, actually proved more important once I reviewed witness statements for this case. As I stated before, there was evidence of trauma to the individual's hand that was surgically repaired. What I didn't know then was how this injury illuminated Riley Truman as an individual who might, consistent with the statements of Scout Cumberland, constantly degrade. Arden reported the injury occurred in a bar altercation. If some degree of

intoxication took the aggression past mere words on the night the fight occurred, the fact that Riley was mildly intoxicated the evening of the shooting suggests a likely transition from aggression to physical conduct—in alignment with witness statements indicating he lunged and moved toward Scout Cumberland just before the shooting happened.

Finally, the location of each injury is important, especially when aligned with the bullet trajectory. The chest injury was on the victim's ~~right-left~~ side, and the trajectory was upward and to the left slightly. The second injury to the head was a glancing blow on the ~~left-right~~ side of the victim's head. If you draw a line, you begin to develop a timeline of the two injuries—the shooter's hand rising with the gun firing once causing the fatal blow the chest continuing to move upward and to the left until the second shot which causes the glancing blow to the victim's head. This demonstrates a rash movement while shooting—not a set and purposeful firing of the gun, at least in a very experienced shooter. The less competent the shooter, the more stress and lack of skill degrade our ability to discern what happened from any shot or shots.

In sum, these findings cause me to conclude that this was most likely a reactionary shooting, which is to say defensive.

Frankie Rose
Frankie Rose, M.D.
Forensic Pathologist – Retired

July 18, 2022
Date





Exhibit 9: Truman's Knife

9-1-1 Call Transcript
December 2, 2021
Beginning at 19:51

Operator: 911. What is your emergency?

Weston: Yeah. Get someone down here, they shot him!

Operator: There was a shooting?

Weston: Yes.

Operator: Where did this happen?

Weston: We're at the school board offices . . . ummm . . . the address is 1537 North Mockingbird.

Operator: Okay we will dispatch law enforcement. Are there injuries?

Weston: Yes.

Operator: Okay I will also dispatch EMTs.

Operator: And what is your name?

Weston: Robin Weston

Operator: When did the shooting happen?

Weston: It just happened.

Operator: Just happened? As in an hour ago? Thirty-minutes ago?

Weston: Less than two minutes ago. [Muffled] Calm down. I'm trying to get some help.

Operator: Are you safe right now?

Weston: I think so.

Operator: Is the shooter still there?

Weston: Yes, it was Scout Cumberland, one of the Board members.

Operator: But you feel safe in this moment despite the shooter being present?

Weston: Yes, I think so—building security is here and Scout isn't threatening or anything.

Operator: Okay great. And you said someone was injured?

Weston: Yes, Riley Truman was shot.

Operator: And where is Riley now?

Weston: Laying on the floor, Charlie is giving CPR.

Operator: Who is Charlie?

Weston: Another board member; Charlie is a doctor.

Operator: Okay, EMTs will be there shortly to help.

Weston: [muffled] Charlie, EMTs are on the way.

Operator: There is a lot of shouting in the background, are you sure you are okay?

Weston: Yes, I think so. [muffled] Can you two be quiet I am on the phone with 911. One of the other board members is pretty shaken up and is being loud, but not threatening.

Operator: Okay. Help is on the way, stay on the line with me until they arrive, okay?

Weston: Okay. [muffled] Help is on the way, just hold tight.

Operator: Robin, will you tell me what happened, step by step?

Weston: Sure . . . okay, well we were in our meeting and nothing was out of the ordinary. We started an executive session and that's when things went downhill.

Operator: How so?

Weston: Well, out of nowhere, Scout just started saying rude things to Riley, and after a few minutes of just that, Riley got up and left the room, but Scout went after him. And once they were in the hallway, that's when it happened.

Operator: The shooting?

Weston: Yes.

Operator: Did you actually see the gun?

Weston: No, I could only see part of Riley standing. He stopped leaving, turned around to likely come back to the meeting room and that's when the shots happened.

Operator: Was anyone else outside the room with them?

Weston: No, not that I know of—those are our private office/work spaces and there should have been no one, and I haven't seen or heard anyone else was there at this point.

Operator: Okay, thank you. Do you have reason to know why the shooting might have occurred?

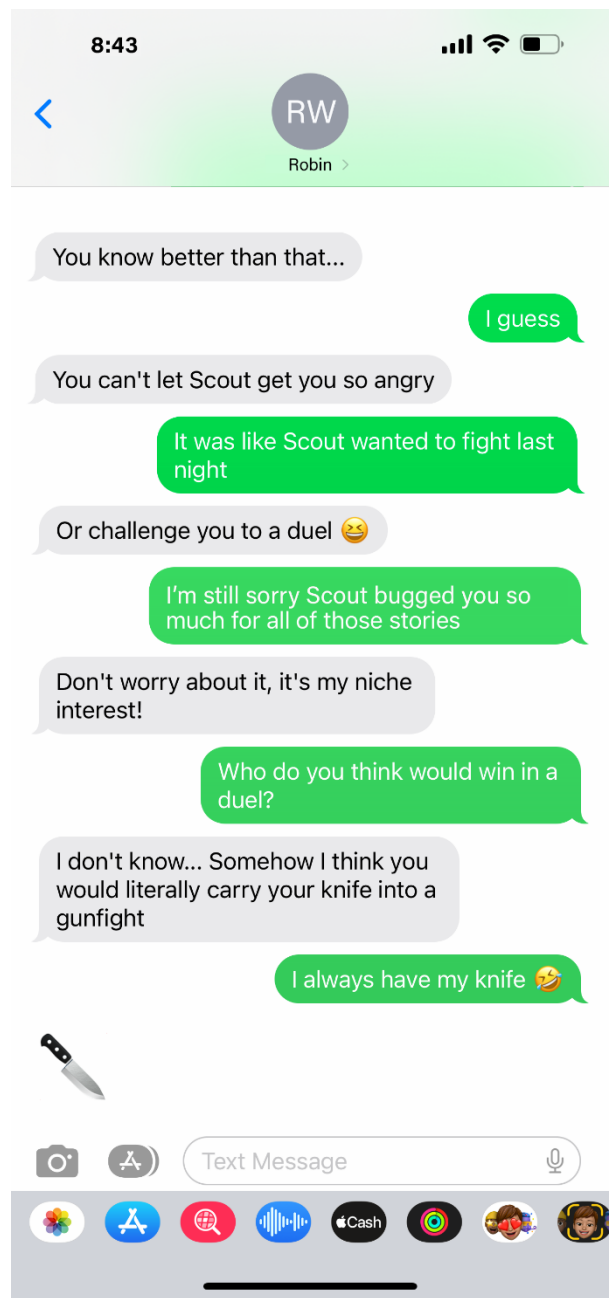
Weston: I'm sorry, can you say that again, I'm still just feeling flustered by this all.

Operator: Sure, do you know why scout shot Riley?

Weston: Well, the two of them had lots of conflicts, it was no secret. Scout was always overbearing on Riley. Scout really seemed out to get Riley after their business ended. Riley and I spoke about it a few times. Riley had a vision that Scout never did. Riley was going places, but Scout was never going to . . . [muffled] oh goodness, the EMTs are here!

Operator: Okay, if the EMTs are there, and you feel safe, you can disconnect the call now.

* * * line disconnects * * *





Status Active	Exception Clearance	Date	Reporting Officer	ORI/Agency
	Not Applicable		Rayburn, Alex	AR023
	Assigned Officer		Entered By	Approving Officer
			arayburn	
Assisting Officers				

Complainant

SSN/ID/TIN redacted	Title	Name Goodman, Charlie	DOB 12/23/1967	Age 53	Sex
		Home Phone (501) 555-3409	Work Phone	Other Phone	DL (#, ST) 908456791, AR
US Citizen Yes	Legal Alien	Doc Type	Immig Doc #	Nationality	
Home Address 15 W. Rock St., Little Rock, AR 72201				Employer	
Work Address				Occupation Doctor	

Offenses

Incident Location 1537 N. Mockingbird, Little Rock, AR			Zone		
Earliest Possible Date 12/02/2021	Time 19:45	Latest Possible Date 12/02/2021	Time 20:05		

#	Statute/Code	Description	Fel/Misd	Att/Comp	Loc	Bias	Wpn	CATypes
1	5-10-102A(2)	Homicide - MURDER - 1ST DEGREE / PURPOSE TO CAUSE DEATH, CAUSES DEATH	Felony	Completed	11	88	12	
2								

						Method Of Entry n/a	# Prems 0
--	--	--	--	--	--	------------------------	--------------

Location Types 01 Air/Bus/Train Terminal 02 Bank/S&L 03 Bar/Night Club 04 Church/Synag/Temple 05 Commercial/Off Bldg 06 Construction Site 07 Convenience Store 08 Dept/Discount Store 09 Drug Str/Dr Off/Hosp 10 Field/Woods 11 Govt/Public Bldg 12 Grocery/Supermarket 13 Hway/Road/Alley 14 Hotel/Motel 15 Jail/Prison 16 Lake/Waterway 17 Liquor Store 18 Parking Lot/Garage 19 Rental Storage 20 Residence/Home 21 Restaurant 22 Service/Gas Station 23 Specialty Store 24 Unknown/Other 25 Unknown/Other	37 Abandoned/Condemned Structure 38 Amusement Park 39 Arena/Stadium/Fair grounds/Coliseum 40 ATM Separate from Bank 41 Auto Dealership New/Used 42 Camp/Campground 44 Daycare Facility 45 Dock/Wharf/Freight/ Modal Terminal 46 Farm Facility 47 Gambling Facility/Casino/Race Track	48 Industrial Site 49 Military Installation 50 Park/Playground 51 Rest Area 52 School -College/ University 53 School - Elementary/Secondary 54 Shelter -Mission/ Homeless 55 Shopping Mall 56 Tribal Lands 57 Community Center 58 Cyberspace	Bias Motivation Codes ANTI- 11 White 12 Black or African American 13 American Indian or Alaska Native 14 Asian 15 Multi-races, Group 16 Native Hawaiian or Other Pacific Islander 21 Jewish 22 Catholic 23 Protestant 24 Islamic (Muslim) 25 Other Religion 26 Multi-religious group 27 Atheist/Agnostic 31 Arab 32 Hispanic or Latino 33 Not Hispanic or Latino 41 Gay (male) 42 Lesbian 43 Lesbian, Gay, Bisexual, or Transgender, Mixed Group (LGBT) 44 Heterosexual 45 Bisexual 51 Phys Disability 52 Mental Disability 61 Male 62 Female 71 Transgender 72 Gender Non-Conforming 88 None 99 Unknown
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Suspected Of Using	Criminal Activity Types		Weapon Type(s)	20 Knife/Cutting Instr	65 Fire/Incendiary Device
	B Buying/Receiving P Possessing/Concealing D Distributing/Selling E Exploiting Children A Simple/Gross Neglect F Organized Abuse	C Cultivating/Manuf/Publishing O Operating/Promoting/Assisting T Transport/Import/Transmit U Using/Consuming I Intentional Abuse & Torment S Sexual Animal Abuse		11 Firearm 12 Handgun 13 Rifle 14 Shotgun 15 Other Firearm	30 Blunt Object 35 Motor Vehicle 40 Personal Weapons 50 Poison 60 Explosives

Victim #1		Event #s Related 1						
SSN/ID/TIN redacted	Title	Name Truman, Riley			DOB 06/15/1995	Age 26	Sex M	Resident Status
		Home Phone (501) 555-8243		Work Phone	Other Phone	DL (#, ST) 648157895, AR		
US Citizen Yes	Legal Alien	Doc Type		Immig Doc #	Nationality			
Home Address 7352 S. Market St., Little Rock, AR 72232					Employer			
Work Address					Occupation Educational Consultant			
Victim Type Individual	Injury Type Gunshot	Aggravated Assault/Homicide Circumstances			Relationship To Suspect Former Business Partner			
Justifiable Homicide Circumstances Victim in possession of knife				Taken to: (Hospital Name) n/a (victim pronounced dead at scene)				
Injury Description Two gunshots: head, chest								

Suspect #1 - Arrestee #20-A00044

SSN/ID/TIN redacted	Title	Name Cumberland, Scout			DOB 09/01/1995	Age 26	Sex U	
		Home Phone (501) 555-1002		Work Phone	Other Phone	DL (#, ST) 648000000, AR		
US Citizen Yes	Legal Alien	Doc Type		Immig Doc #	Nationality			
Home Address 1957 Daisy Bates Gatson Drive, Little Rock, AR 72202					Employer			
Work Address					Occupation Unemployed			
Height -	Weight -	Eyes	Build	AKA				

Arresting Officer 528 - Rayburn, Alex	Arrest Date 12/14/2021	Time 12:17	Arrest Type	Warrant Number 2021310	Juv Disp	Disposition Date
Multiple Clearance Indicator Arrest Cleared Incident		BAC	BAC Operator	Arrest Location Suspect's Home		Zone
Weapons At Arrest 01 - Unarmed				Court Date	Court Name	Time

Witness #1

SSN/ID/TIN	Title	Name			DOB	Age	Sex	
Race		Ethnicity	Home Phone	Work Phone	Other Phone	DL (#, ST)		
US Citizen	Legal Alien	Doc Type		Immig Doc #	Nationality			
Home Address					Employer			
Work Address					Occupation			

Narrative & Statements

Narrative - Rayburn, Alex - 12/03/2021 (Initial)

On 12/02/2021 at approximately 19:55, I received a call indicating that there had been a shooting at the Little Rock School Board school meeting. I arrived at the scene at approximately 20:06. Building security directed me to a meeting room where board members were present. Just before arriving to the room, I observed a white sheet on the floor. The sheet covered the body of the victim. Victim was dead on arrival, the result of two gunshot wounds. I took statements from suspect, Addy Adams, Charlie Goodman, and Robin Weston.

Suspect stated that they followed victim out of the meeting room after an argument. Suspect stated that victim reached for a knife and that suspect pulled out their gun and shot twice. Suspect said that they shot victim in self-defense. Suspect had a calm demeanor throughout the interview.

Adams demanded that I arrest suspect. Adams said that suspect yelled to victim, "I know that you aren't a racist or anything. But that has nothing to do with you being the biggest piece of [redacted] I know." Adams said that victim left the room and that suspect followed and continued to scream profanities. Adams said that he did not hear everything, but he heard suspect yell, "You can't handle anything that brings you down from your ivory tower." Adams also heard suspect yell, "Make me," followed seconds later by two gun shots. Chose not to continue the interview, as Adams was visible distraught.

Weston stated that they were sitting between suspect and victim when the argument began. Weston's account was similar to Adams' account, but Weston said that he observed victim make a movement with his left hand immediately before the shooting. Weston recounted that suspect owned a knife and often had it in his possession. Weston also recounted a confrontation between suspect and victim after a previous board meeting.

Goodman stated that he attempted CPR after the shooting but that nothing could be done. Goodman also recalled tension between suspect and victim.

No arrest at this time. Likely self-defense.

12/15/2021 (addendum)

Further interview with Drew Arden, former employee of suspect and victim. Arden stated that suspect and victim previously had a dispute over ownership of a diamond and that suspect and victim that they would "personally make sure that Riley got what was coming to him." Text messages recovered from phones from suspect and victim confirm continued hostility between the two. Asked Arden whether he had known victim to be violent. Arden said that victim was not violent and could only recall one incident involving a fight at a sporting event, resulting in injuries to victim's hand.

I followed up with Adams. Adams stated that, before the meeting, he saw suspect take the gun from the trunk of their car to their inside jacket pocket. I also received an autopsy report, concluding that the death was a homicide.

Suspect arrested on 12/14/2021.