

INFORMATION  
IN THE CIRCUIT COURT OF BOONE COUNTY, ARKANSAS FILED FOR RECORD

THE STATE OF ARKANSAS


VS.

EARNEST DOYLE CHASTAIN, JR.

11-14-1965

CR2009-117-3

MURDER IN THE FIRST DEGREE, 5-10-102, CLASS Y FELONY;  
MAY 22 A 9:27  
JEANNIE STEEN, CLERK

POSSESSION OF FIREARMS BY CERTAIN PERSONS, 5-73-103, CLASS B FELONY;  
BY  DC

FELONY WITH FIREARM, 16-90-120,  
SENTENCING ENHANCEMENT.

I, RON KINCADE, PROSECUTING ATTORNEY WITHIN AND FOR THE FOURTEENTH JUDICIAL CIRCUIT OF THE STATE OF ARKANSAS, of which BOONE County is a part, in the name and by the authority of the State of Arkansas, on oath, accuse the defendant EARNEST DOYLE CHASTAIN, JR. of the crimes of: MURDER IN THE FIRST DEGREE, 5-10-102, CLASS Y FELONY; POSSESSION OF FIREARMS BY CERTAIN PERSONS, 5-73-103, CLASS B FELONY; and FELONY WITH FIREARM, 16-90-120, SENTENCING ENHANCEMENT; committed as follows, to-wit:

MURDER IN THE FIRST DEGREE:

On or about the 19<sup>TH</sup> day of MAY, 2009, in BOONE County, Arkansas, the defendant, with the purpose of causing the death of another person, did cause the death of any person, against the peace and dignity of the State of Arkansas, to wit: the defendant shot Susan Powers at least twice, once in the chest and at least once in the top of the head. The victim died as a result of these wounds.

POSSESSION OF FIREARMS BY CERTAIN PERSONS:

On or about the 19<sup>TH</sup> day of MAY, 2009, in BOONE County, Arkansas, the defendant possessed or owned a firearm, having been convicted of a felony, and the defendant's possession of the firearm involved the commission of another crime, against the peace and dignity of the State of Arkansas, to wit: the defendant fatally shot Susan Powers, having been previously convicted of felony Assault in the State of Oregon.

FELONY WITH FIREARM:

The State of Arkansas alleges that the defendant committed a felony offense with a firearm and is therefore subject to an additional period of confinement of up to 15 years.

RON KINCADE  
Prosecuting Attorney

*Wes Bradford*

WES BRADFORD  
Deputy Prosecuting Attorney

Subscribed and sworn to before me this 20<sup>th</sup> day of May 2009.

*Jamie Steen*

Circuit Clerk

Admit to bond in the Sum of \$ NO BOND

*Stephen*

Deputy Circuit Clerk



*[Signature]*

District Circuit Court Judge

Signed for Verification of Probable Cause

BCSO//King//5-20-09

wb

PAGE ONE OF THREE  
Boone County Sheriffs Department Criminal Case Number 09100244  
IN THE CIRCUIT COURT OF BOONE COUNTY, ARKANSAS  
IN THE MATTER OF:

Earnest Doyle Chastain, Jr. W/M DOB: 11/14/1965

REF: Request for Magistrates Determination of Probable Cause and Warrant of Arrest for the Defendant on the Charges of:

Murder in the first degree 5-10-102 Class Y Felony

**AFFIDAVIT**

Comes now the undersigned and, pursuant to Rule 7.1 of the Arkansas Rules of Criminal Procedure, makes affidavit under OATH to the following facts upon which the Affiant reasonably believes the above listed potential defendant has committed the above listed offense.

On 05/19/2009 with the purpose of causing death of another person, the listed defendant caused the death of Susan K. Powers in her residence in Boone County, Arkansas. That on 05/19/2009 at approximately 3PM the Boone County Sheriffs Department received a call of a possible shooting at the Powers residence from Barbara Burk, the mother of defendant. Information provided by Burk was that Chastain contacted her and advised her that he had killed Susan Powers during an argument. Details provided by dispatch to officers responding to the residence was that Chastain stated to her mother that he had shot her in the chest and twice in the head, then covered her up with an Indian blanket.

Upon officers arrival to the residence entry was made finding Powers deceased under a blanket on the floor. Investigators found that Powers did have what appeared to be a gunshot wound to the chest and at least one shot to the top of the head.

Affiant King along with Investigator Rick Hill with the Taney County Sheriffs Department conducted a recorded interview with Barbara Burk at the Hollister Police Department. During that interview Burk advised that she initially received a call from Chastain and that he eventually showed up at her residence in Hollister. Burk described details of the initial call made by Chastain where he indicated that he had killed Powers. Burk said that she didn't initially believe that Chastain was being truthful with her, but added when he arrived at her residence to drop off the pets from the Powers residence for her to take care of, he told her "momma, I really killed her." Burk said that she asked him what happened. He indicated that she was cussing him and threw a glass of whiskey in his face. Burk said that Chastain told her that he shot her in the chest and that she was still cussing him and suffering, so he shot her in the head. Burk indicated that Chastain told her that she didn't deserve what she got, but she was mean. During this interview

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Burk indicated that Chastain had the victim's cell phone with him and that number was later identified as [REDACTED].

Charles Hanson, who is an acquaintance of both Powers and Chastain, provided a statement to Investigator Groves that he was contacted by a co-worker of Barbara Burks at approximately 11AM on 05/19/2009. Hanson learned of the possible shooting involving Susan. Hanson attempted contact with Susan Powers on her cell phone that he had provided her. [REDACTED] Hanson stated that the initial call that he made, someone had picked up the phone but there was no conversation. Hanson attempted a second call where he spoke with Chastain. Hanson asked to speak with Susan. Chastain advised him that she was in the shower. Hanson stated that he would call back later. Hanson attempted to make contact again with Susan that afternoon. Hanson reported that Chastain again answered the phone. When he asked to speak with Susan, Chastain told him that he shot her and that she was dead. Hanson stated that Chastain told him that he still had the gun that he shot her with and that he was going to kill himself. Hanson also stated that Chastain told him that he was not in Missouri or Arkansas.

At approximately 4:45PM Affiant King made contact with Chastain on the cell phone belonging to Powers. Affiant King informed Chastain that this agency needed to speak to him regarding Powers death. Chastain stated to this investigator that he knew what he did was wrong and that he intended on killing himself. Chastain said that he did want to speak with his daughter in Oregon before he done so. This investigator entered a negotiation with Chastain that arrangements would be made for him to speak with his daughter if he was willing to turn himself in. Chastain stated that he was in Oklahoma and agreed to turn himself into the Boone County Sheriffs Department. Chastain estimated that he was approximately (3) hours away from the department. Chastain never showed up to the Boone County Sheriffs Department and additional attempts to make contact with him were negative.

It is Affiants knowledge through the course of interviews of witnesses that the defendant in this case has established an off and on relationship with the victim for the last (5) years. Information provided is that the two had re-established the relationship sometime around February of 2009, which they lived together. That on the date of the death and what was reported as a domestic argument that occurred between the two. The

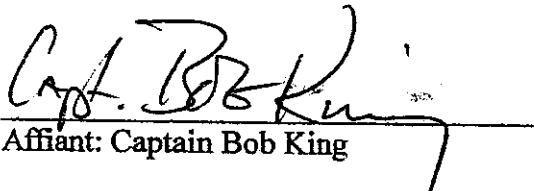
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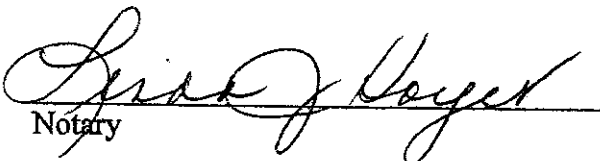
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argument led to the deliberate shooting that took the life of Susan Powers, combined with statements obtained from Burk, Hanson, and this affiant's phone conversation with Chastain, this Affiant reasonably believes that the listed defendant did commit this act.

  
Affiant: Captain Bob King

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of May, 2009

  
Notary



Commission Expires:

I hereby find that this sworn affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the above named individual for the above stated offenses.

  
Judge

Boone County District  
Court