

Case Number 1304911

Prosecuting Attorney's Form Affidavit  
supplied by \_\_\_\_\_

Date: \_\_\_\_\_

**AFFIDAVIT FOR WARRANT OF ARREST FOR THE FOLLOWING PERSON**

**Andrea Clevenger**  
POTENTIAL DEFENDANT'S NAME  
**1009 Silvercreek Drive**  
**Sherwood, AR 72120**  
ADDRESS

**05-21-1980/white/female**  
DOB/RACE/SEX

**(501) 765-5966**  
PHONE NUMBER

**917327585**  
DRIVERS LICENSE NUMBER

Pursuant to Rule 7.1 of the Arkansas Rules of Criminal Procedure, the undersigned affiant(s) being duly sworn, deposes and says that he has reason to believe that the above-named person has committed the offense of violating Ark Code Ann.

**5-27-303 Engaging children in sexually explicit conduct for use in visual or print medium**

**B Felony**

on or about the 8 day of November 2013 Committed by unlawfully

(state statutory language)

**Any person who employs, uses, persuades, induces, entices, or coerces any child to engage in or who has a child assist any other person to engage in any sexually explicit conduct for the purpose of producing any visual or print medium depicting the sexually explicit conduct is guilty of a Class B felony for the first offense**

in Pulaski County, Arkansas, Against the peace and dignity of the State of Arkansas.

### **FACTS CONSTITUTING REASONABLE CAUSE**

I, Detective Frank Spence of the Sherwood Police Department, do attest the following statement is true and known to me through investigation:

At approximately 9:22 a.m., on November 27, 2013, I received a referral from the Arkansas Child Abuse Hotline regarding a juvenile victim, a 13 year- old white male, having disclosed being raped by Andrea M. Clevenger, (white/female/ DOB 05/21/1980), at her residence, in Sherwood, Arkansas. I contacted the juvenile victim's mother, the same date and arranged to meet the family in Little Rock, Arkansas, at 2:00 p.m., on November 29 for an interview.

The family met me as agreed and I conducted a recorded forensic interview with the juvenile victim. According to him, he had an acquaintance with the defendant's family until his parents discovered the sexual abuse, and on or about November 8, he had gone to Clevenger's home to visit. The juvenile victim said he was at the home when Clevenger began making advances toward him. The juvenile victim said Clevenger instructed him to sit on the couch in the common area of her residence and remove his pants, and he complied. The juvenile victim told me after he removed his pants at her direction, she got "on top" of him, put his penis in her vagina and engaged in sexual intercourse with him. The juvenile victim related she also told him to relay when he was close to ejaculation and when he did so; she removed his penis from her vagina and placed it in her mouth, where he ejaculated. He also told me she engaged him in oral sex by putting his penis in her mouth on two separate prior occasions, both times in mid to late October of 2013, while parked in her vehicle in an area unfamiliar to him. In addition, he said she sent him multiple multimedia messages depicting sexual explicit conduct, involving individuals unknown to him, and sent him pictures, depicting herself without clothing. The juvenile victim stated his belief that his father deleted the images when he discovered the relationship and took the telephone. The victim and his parents identified the suspect's telephone number, through which the two exchanged communications. Before leaving the Center, The juvenile victim's mother surrendered his mobile device, an Apple iPhone model to me and on December 3, 2013, I obtained a search and seizure warrant to conduct a digital forensic examination on the phone. Later that day, I conducted the digital forensic examination of the telephone, using a desktop version of Cellebrite Physical Analyzer software, which extracted the information residing on the memory of the iPhone. Upon reviewing the image file of the extraction, I located numerous images depicting females in various states of undress. Also in the image files were several images of an exposed penis.

Also on December 3, I contacted the victim's father and later that day he appeared at the police department and provided a written statement regarding his discovery of the inappropriate images he saw on the juvenile victim's telephone, as well as the victim's disclosure of Clevenger's assault.

Additionally, the victim related he had revealed the sexual acts to a juvenile witness, and used the witness' HTC mobile device to contact Clevenger and inform her of his parents' knowledge of the relationship. I contacted juvenile witness' mother, who transported her

son to the Sherwood Police Department on December 4, 2013. While there, they surrendered the telephone and he provided a written statement as to his knowledge of the abuse, confirming that the juvenile victim revealed the situation to him.

On December 4, I contacted Clevenger and requested she appear for an interview on December 5. A request to which she initially agreed; however, she failed to appear at the appointed time. When I contacted her, she advised she had retained an attorney, Erin Cassinelli and declined to appear for the interview upon advice of counsel.

On December 5, the juvenile victim's mother appeared at the police department with the victim and she provided a written statement, detailing her knowledge of events, including a text exchange between Clevenger her as well as a voice conversation the mother had with Clevenger via telephone, after discovery of the November 8 incident. The juvenile victim's mother said the telephone conversation occurred after she sent a text to Clevenger, revealing the victim's parents knew of Clevenger's exploitation of their son. In the text, Clevenger apologized for behavior, not specified in the text, and vowed to enter a rehabilitation facility. The juvenile victim's mother asserted Clevenger called her after the text messages and they discussed the manipulation and sexual contact at length and Clevenger admitted the acts occurred, but said the juvenile victim "doesn't act thirteen". The juvenile victim's mother provided screen shot captures of the aforementioned text messages, via electronic mail, which I saved to digital media and stored in evidence.

While the victim's mother wrote her statement, I published to the victim the images extracted from his telephone and he identified thirty-two (32) images as those he received from Clevenger. The juvenile victim said Clevenger claimed the pictures were of her sexual organs, and he believed them to be. However, no face is visible in them, but there are moles and skin flaws visible, which could identify the sender, given the distinct pattern. Of those images, eighteen (18) depicted bare breasts, seven (7) depicted breasts in a bra or corset, and six (6) depicted a bare vagina. The juvenile victim also identified the images of the penis as his, which he acknowledged capturing and sending to her. He said he only sent them upon her request for explicit images of him in exchange for the one she provided to him.

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

Detective Frank Spence  
Sherwood Police Department  
2201 East Kiehl Avenue, Sherwood, Arkansas 72120  
501-835-1425

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Affiants Signature

**IN THE SHERWOOD DISTRICT COURT OF PULASKI COUNTY, ARKANSAS**

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

District Court Clerk by \_\_\_\_\_  
(Deputy Clerk)

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

\_\_\_\_\_  
District Judge

\_\_\_\_\_  
District Court, Pulaski County, AR

Date \_\_\_\_\_