

VICTIM SPEAKS OUT; HOPES TO HELP OTHERS



Joshua Adam Caudill

Caudill to spend 7 1/2 years in prison

BY TOM WILMOTH
Editor
news@bedfordbulletin.com

Editor's note: Normally the Bulletin does not identify the victims of sexual crimes, but the victim in this case gave her approval to use her name.

Calling a 45-second voicemail recording made during the rape of a Forest woman "haunting," Bedford

See **PLEA 2A**

Wants to be a voice for other rape victims

BY TOM WILMOTH
Editor
news@bedfordbulletin.com

After seeing the man who raped her admit in court that he was guilty of the crime, 22-year-old

Kayla Cotten said she will never be able to totally forget what happened to her on the evening of July 5, 2018.

On that evening,

See **VOICE 2A**

Plea:

From Page 1

County Commonwealth's Attorney Wes Nance noted that recording proved to be an important piece of evidence in getting the defendant to plead guilty to the charge during a hearing in Circuit Court Tuesday.

Joshua Adam Caudill, 28, pleaded guilty to the rape charge and as part of a plea agreement, will have to serve 7 ½ years in prison for that conviction. Overall, Caudill received a 20-year sentence with the remaining time of that sentence suspended.

In addition, the plea agreement called for a second felony charge of object sexual penetration to be dropped.

Upon his release, Caudill will be on 10 years of good behavior and be on active supervised probation for the first four years. While under the terms of the Court's sentencing order, Caudill is ordered not to have contact with the victim, be subject to a sex offender evaluation, to complete any sex offender treatment ordered by his probation officer and to register as a violent sex offender as required by law.

During Tuesday's hearing, Nance gave a lengthy review of the facts of the case, which stemmed from Caudill's rape of the victim on July 5, 2018. Nance said that Caudill visited the residence of the victim, Kayla Cotten, on that day. She was the newest roommate at that Forest Townhouse and did not know Caudill prior to him being there that evening.

Cotten, who had a medical condition, didn't feel well and went to bed before the others there that evening. Nance stated that later, after she was asleep, Caudill entered her room and got into bed with her, telling her he wanted "to snuggle."

Nance said Cotten told Caudill she didn't want to have sex with him, but he began to make advances, undressing her. Cotten had her cell phone and was able to blindly make a call to an acquaintance with a voicemail recording her telling Caudill she didn't want to have sex with him.

Voice:

From Page 1

28-year-old Joshua Adam Caudill of Thaxton entered Cotten's room and forced himself on her over her objections. Those objections were heard by a witness and recorded on a voicemail message helping lead to Caudill's willingness to enter the plea in this case, receiving a 20-year sentence, 7 ½ years which he will have to serve.

"The past year has been the hardest year of my life," Cotten said in a room at the courthouse following the plea hearing. Cotten said she went into severe depression after being raped and medical issues she had got worse.

Hearing Caudill admit in court to his crime "brings some healing," she added.

"I want people to know there is hope," Cotten said of other victims who fail to see justice done after being

In addition to the voicemail recording her statements, Nance said another roommate, who was going to the bathroom, heard Cotten telling Caudill "no," repeatedly. The roommate went into the room to find Caudill on top of Cotten, Nance said.

Nance said Cotten went to the hospital and a rape kit was used. DNA from the test matched Caudill, he said.

Nance also read a statement from Cotten during the hearing. In it she wrote to Caudill, "I refuse to be your victim."

Cotten also released this statement through Nance after the hearing:

"My name is Kayla Cotten. On July 5th, 2018, Joshua Caudill, by invitation by my housemate, visited my home for dinner and casual socialization. Before that night I had not been formally introduced to Joshua. That night after I went to sleep, Joshua entered my room entirely uninvited and raped me. There are no grey areas in this case. He did it with precision and confidence like he had done it a 100 times before.

"Though I am immensely relieved Joshua Caudill decided to admit his guilt under the law, seven and a half years is not enough time for this man and his deviant actions. Despite the disappointment, I take comfort in knowing he has finally had to face the consequences of his actions. I am incredibly grateful to the commonwealth attorney's office for their relentless work in ensuring a conviction while also listening to me in every step.

"This past year has been one of the most long and painful years of my life, but seeing justice being served brings a deep sense of satisfaction and healing. To any individual who is a survivor of sexual assault, either by the doing of this man or any other, you are not alone. Don't be afraid to speak up and know there is hope. If any person does come forward, know it is a long and brutal process, but it will bring accountability to those who violate the law and who believe they are above

it, like Joshua Caudill. In addition, it will bring hope and healing for those standing against violence and injustice."

Nance thanked Cotten for her "trust, insight, and strong voice throughout this process."

"I agree wholeheartedly with her mixed feelings about the results of today's hearing," Nance stated. "The length of his active sentence is not commensurate with the strength of the Commonwealth's evidence or the invasiveness of Caudill's crime."

Nance said his office will continue to "aggressively prosecute all violent crimes."

"With that pledge also comes with the responsibility to take in mind the best interests of the victim," he stated. "In this case, Ms. Cotten's already compromised health was impacted greatly by Mr. Caudill's crime and the traumatic fallout. This plea agreement was reached after discussing how the additional stress of trial, and trial preparation, might further negatively impact her health. After weighing all the factors impacting the case and Ms. Cotten's health, negotiations were undertaken which ended with the disposition reached today."

Nance said it was important to the victim, and the commonwealth's attorneys office, that Caudill admit his guilt in open court and to be found guilty and sent to prison. "This plea agreement accomplished those three goals," he stated. "Certainly this conviction would not have been secured without the hard work of the Bedford County Sheriff's Office, the support of Krista Calhoun of the Bedford Victim Witness Assistance Program or Anne Wojcikowski of SARP."

By entering into the plea agreement, Nance said it helped Cotten from being re-traumatized by the trial that would have taken place.

"We're satisfied with the outcome," he stated, but not ecstatic about it. "We had a very strong case here."

raped.

"If they've been assaulted, they can do it," she said of coming forward to seek help and justice.

Cotten said the normal reaction to being assaulted is to withdraw and not want to talk about it. She didn't know Caudill prior to being raped by him.

"He just walked in my room while I was asleep and raped me," she said. "He was just looking for any opportunity."

Then, she said, Caudill tried to lie and cover it up.

Cotten, during the attack, was able to dial an acquaintance on her cell phone and a voicemail recorded part of the rape. "It sends chills down my back," she said of that voicemail. "Hearing him just ignore my cries for help—it's very chilling."

Cotten said other victims need to understand that

there are many different ways to report an attack. She wants to encourage victims to come forward to law enforcement.

If an attacker feels he can continue to get away with it, "that's entitlement," she said.

Cotten also said it's important that victims of such crimes support each other. She wants to bring them hope.

"I'm a different person than I was a year ago," she said. "But I still have more healing to do."

And she wants to be a voice for other victims. "If you go through something (like this you) should always be a voice. I think if you have the ability to have a voice, you should. It's definitely something I feel passionate about."

WOMAN FILES LAWSUIT AGAINST CENTRA, TIBBS

Alleges she was fired from job after identifying former CEO as man emailing her

By **TOM WILMOTH**

Editor

news@bedfordbulletin.com

A Lynchburg woman and former Centra employee has filed a \$10 million lawsuit against Centra Health Inc. and its former Chief Executive Officer E.W. Tibbs, alleging sexual misconduct on the part of Tibbs.

Stephanie Ann Hale filed the 11-page lawsuit in Lynchburg Circuit Court Monday. Centra has started an internal investigation into the allegations and sent a letter out to its employees last Tuesday concerning that

See **TIBBS 4A**

Hale had nursing license suspended

The woman who filed a \$10 million lawsuit against Centra and its former CEO E. W. Tibbs, was fired from a nursing job at Carilion Roanoke Memorial Hospital in January 2018 and later had her

See **HALE 4A**



File photo: Former Centra CEO E.W. Tibbs speaking at an event at Centra Bedford Memorial Hospital.

Tibbs:

From Page 1

review.

Sparrow Health System, where Tibbs now serves as CEO, issued a statement on the lawsuit following a meeting of its board. Tibbs has been CEO of the Lansing, Michigan health system since Jan. 1 of this year. He resigned from Centra last September.

John Truscott issued this statement on behalf of Sparrow Health System: "We have been made aware of allegations against Mr. E.W. Tibbs, Jr. that occurred prior to his employment at Sparrow. These allegations are disturbing to us and we are taking immediate action. Effective immediately, the Sparrow Board has placed Mr. Tibbs, Jr. on paid administrative leave pending further thorough investigation. This move will have no impact on our patients or staff who provide such great care for our community. Also, effective immediately, current Executive Vice President and Chief Operating Officer Joe Ruth, has been appointed by the Sparrow Board as acting President and CEO."

In the lawsuit Hale, a former Centra employee, says she was "stalked, sexually harassed and intimidated" by Tibbs and claims she was eventually fired because she refused his advances. She claims Tibbs sexually assaulted her and injured her at a hotel in Lynchburg on March 12, 2017.

A Bedford native, Tibbs became President and CEO of Centra in April 2013. Born and raised in Bedford, he is a former nurse and president and CEO of Bedford Memorial Hospital.

A Centra spokesperson said a third party is looking to see whether the allegations have merit.

"As soon as we were made aware of the allegations involving personal conduct by our former CEO, we began an internal review to determine whether they have any merit," stated Diane Ludwig on behalf of Centra. "We are working with an independent third party to conduct a formal investigation of the alleged claims. We are not able to comment directly on the lawsuit at this time, except to say that these are very serious allegations that require an appropriate level of due diligence. Centra operates under a strict code of conduct and we expect all members of our team to exemplify those high standards."

A Lansing, Michigan newspaper has posted a short video clip on its website of Hale's alleged encounter with Tibbs.

The claims of Stephanie Hale

In the lawsuit Hale says she was hired as a licensed practical nurse by Centra in 2016. After attending an orientation at Centra's headquarters, where she claims to have met Tibbs for the first time, the lawsuit states that Hale began to receive sexually suggestive emails from someone calling himself "Ethan Toms" and using the email address fun.2.bhad@hotmail.com. Hale claims to have sent emails back dismissing the advances in hopes the emails would stop.

The lawsuit claims Hale's boyfriend, Robert Peters, discovered the emails and claimed she was cheating on him with this person. The lawsuit states Peters began using Hale's email account, sending sexually suggestive replies in order to identify who was sending the emails and to find out if Hale was telling him the truth.

Hale claims to have met another female associate who had been communicating with "Ethan Toms" in a suggestive manner and a voice message left by the man. "It was at this point that Ms. Hale recognized

that 'Ethan Toms' was in fact defendant Emory Wayne Tibbs Jr.," the lawsuit states.

The lawsuit claims that her boyfriend began sending emails to "Ethan Toms," posing as Hale, insinuating that she knew who he really was. The lawsuit claims that after those emails were sent she was subjected to false accusations of drug use and that a supervisor hinted that it was at Tibbs' request. Hale was notified she was being fired on Feb. 27, 2017 according to the lawsuit.

The lawsuit states that Peters insisted on confirming the identity of "Ethan Toms" and developed a plan to extort him, if he was in fact Tibbs. The lawsuit claims Hale only became aware of the extortion plan after the plan was executed.

The lawsuit claims that Peters, impersonating Hale, emailed "Ethan Toms," and accepted an invitation to "engage in a paid sexual encounter" at the Extended Stay Hotel in Lynchburg. In the plan, Hale would leave an extra room keycard in the hotel lobby for Peters to use to enter the room after she checked in with "Ethan Toms" allowing him to identify "Toms" as Tibbs. Peters also had a friend videotape the sting, the lawsuit claims.

The encounter

The lawsuit claims that Hale met Tibbs in the parking lot and "knew with absolute certainty" that he was the one claiming to be Ethan Toms. Hale states that Tibbs gave her money to register the hotel room and arranged for her to let him in a back door of the hotel after he registered.

Hale registered and left a key for Peters, per the plan, the lawsuit states.

The lawsuit claims Peters had trouble finding the room and in the meantime Tibbs had entered the room with Hale, locked the door and began pouring drinks "made with Maker's Mark whiskey and soda." The lawsuit claims Tibbs took his clothes off and demanded for Hale to do the same.

Hale claims she tried to get to the bathroom but was stopped by Tibbs who grabbed and held her and began groping her. She claims to have broken free and rushed into the bathroom, locking the door.

When Peters eventually found the hotel room, the lawsuit claims he couldn't enter because Tibbs had engaged the security lock from inside the room. Hale claims she attempted to let Peters in, but was stopped by Tibbs.

According to the lawsuit, Tibbs attempted to flee the

hotel room by jumping out of a window, but it wouldn't open. After Hale exited the bathroom the lawsuit claims Tibbs went into the bathroom, "knocking Ms. Hale first into a wall and then onto the floor, injuring her head, back and shoulder in the process."

The lawsuit states that Hale then let Peters into the hotel room, all the while his friend was videotaping the encounter. Peters "repeatedly called for Tibbs to come out of the bathroom" which he eventually did, with a wad of cash in his hand which threw on the floor, fleeing the room, the lawsuit claims.

The lawsuit claims that Tibbs and Peters left the hotel and continued to argue in the parking lot.

The lawsuit goes on to claim that Peters began to extort money from Tibbs after the incident, but Hale stated she was not a part of that scheme.

Seeking \$10 million in damages

The lawsuit also claims that "upon information and belief, Tibbs engaged in sexual misconduct with other Centra employees over the course of his employment with Centra" and that "Centra executives were aware of Tibbs' misconduct and covered it up."

The lawsuit claims Tibbs resigned as the result of an incident of sexual misconduct with a Centra employee.

It states that "Ms. Hale has suffered damages as a result of Centra's and Tibbs' conduct, including pain, bruising, loss of liberty, humiliation, fear, anxiety, nausea, vomiting, insomnia and damage to her reputation."

The lawsuit goes on to claim that "Tibbs discriminated against Ms. Hale on the basis of her sex during the scope of his employment by Centra, by stalking her, by sexually harassing her, thereby causing her severe emotional distress and the wrongful termination of her employment."

The lawsuit goes on to state Centra was at fault and should have known that Tibbs was "a sexual predator" before promoting him to CEO.

Hale is seeking \$5 million in compensatory damages and \$5 million in punitive damages from the defendants in the case. The lawsuit states Hale is seeking a jury trial.

Hale:

From Page 1

nursing license suspended by the Virginia Board of Nursing.

Stephanie A. Hale, and LPN, was licensed to practice nursing in Virginia in 2009, but while working at Carilion last January showed up for work appearing to be "impaired," according to the allegations that were brought against her.

The statement alleged that at one point that day she had information on "patient A" pulled up on the computer, but was supposed to be administering medica-

tion to "patient B."

That afternoon, while attending a class, the allegations state that she distracted students by leaving the room on several occasions, that she appeared restless and fidgety, that she was texting digging in her purse and nodding off. On two occasions the allegations state she couldn't properly count from 1 to 30.

The allegations stated that she refused to comply with a urine drug screen.

The statement also added that she was arrested on Jan. 20, 2018, and charged with

possession of a controlled substance in Amherst County. According to the allegations the arresting officer found heroin packets, syringes and a spoon in her vehicle that Hale admitted to belonging to her.

In September of last year, a panel of the Board of Nursing met to act on the allegations. Hale was not present and she wasn't represented at the meeting by legal counsel.

The board ordered that Hale's license was to be suspended indefinitely.



Bus crash

A 2016 Toyota pickup truck struck a Bedford County Public Schools school bus Friday morning, March 8. No injuries were reported as a result of the accident. The accident occurred at the intersection of Independence Boulevard and Forest Road at about 8 a.m. According to the police report, the school bus had a green turn signal and was turning onto Longwood Avenue when the accident occurred. The pickup truck was traveling west on Forest Road when it struck the bus. The driver of the truck was issued a summons for failing to obey a traffic light. According to the Bedford PD, it was a low speed collision and only the truck suffered minor damage. The bus was about half full of students when the accident occurred.

Photo by Wendy Pribble

Screen Time
Really Pays Off
Let's Fight
Colon Cancer
Together



GASTROENTEROLOGY
ASSOCIATES

of Central Virginia

434.384.1862 GASTROCENTRALVA.COM



The Bedford County Department of Solid Waste is having a Special Collection Event on March 23, 2019 for the purpose of collecting Household Hazardous Waste and Electronics for Recycling

The materials will be collected from Bedford County and Town residents at **no charge**.

Materials may be brought to:
**Bedford County Landfill, Route 43 South
7:30 AM – 1:00 PM • March 23, 2019**

Examples of Items Accepted for Household Hazardous Waste Collection include:

Alkaline batteries, Car batteries, Automotive fluids, Cleaners/Solvents, Oil-based paints, Pesticides, Fluorescent light bulbs, Stains/Thinners, Pool cleaners, Gasoline/Kerosene, Drain openers
Flammable liquids, Rechargeable batteries

Items NOT accepted include: latex-based paint, waste from individuals not residing in Bedford County, commercial/business waste, farm waste, 55-gallon drums, ammunition/explosives and medical waste.

Items accepted for Electronics Recycling include:

Televisions, Computers, Monitors, Fax Machines/Copiers, Printers, VCR's, DVD players, Video game players, Cell phones

**Please call the Bedford County Department of Solid Waste with any questions.
540-586-7656**

BCSO officer's car hit

BY TOM WILMOTH

Editor

news@bedfordbulletin.com

This past weekend's winter storm brought a wintry mix to the area leaving some picturesque scenes but also some treacherous driving.

And for two members of the Bedford County Sheriff's Office, the icy roads led to a close call while responding to another accident.

Sergeant Kevin Hatcher had come upon a three car accident in the eastbound lane of US 460 in the Villamont area and stopped his car

See **ACCIDENT 2A**



Accident:

From Page 1

on the right hand side to assist the motorists. Parked some 12 feet off the side of the road, he went to get some flares out of the back of his vehicle when something from behind got his attention.

"I don't know what made me turn around," Hatcher said. "But I turned around and saw a vehicle coming at me."

Hatcher took off running. "It was already sideways when I saw it," he said. "The front end was coming towards my vehicle."

That vehicle struck the left rear of his vehicle, spun off and hit another vehicle parked ahead that had stopped to check on the first accident. The passenger of that vehicle was still in his car when it happened.

In all some seven vehicles were involved; the Virginia State Police worked the accidents.

Hatcher said his main thought was to get to the top of the hill and get traffic stopped.

But he also had another department member to check on, his K-9 partner Max, a German Shepherd.

Hatcher did a quick check on Max and he appeared to be OK. After everyone was checked out and more assistance was called in to help, he got Max out of his vehicle for a more thorough check.

"He was fine," Hatcher said.

Hatcher couldn't help but think how close the



Sgt. Kevin Hatcher and Max

vehicle came to striking him; it hit his vehicle right where he had been standing.

A little while later Hatcher sent his wife, Kathy, a text showing her a picture of the vehicle. He put his phone back in his pocket and didn't realize she was trying to contact him for 20 minutes to make sure both he and Max were OK.

Kathy Hatcher posted on Facebook an emotional reaction to the accident, along with pictures of Sgt. Hatcher and Max and of the accident.

She stated in her post:

"The first picture is the biggest part of my world... and yes, they are both family!

The second picture is of their 'office' that they work in together every day to protect our community after someone wasn't using the common sense to slow down when the roads started to get snow on them today.

This could have easily

been the worst day of our lives...but thankfully wasn't.

By the grace of God, Kevin was able to see this one coming as he was getting something from the back of his vehicle. Yes, he was standing right where it was hit!!

Unfortunately, as he was running for his life, he also had to see his vehicle get slammed with his K9 partner still inside!!

So far, Max appears to be okay but we will be able to tell more tomorrow if he begins to hurt from the impact.

I have always grown up living the fire and EMS life, and then married into the police life, knowing that we are not always safe in protecting and serving our community. But having something this senseless (and careless) happen truly upsets me!!!"

Sergeant Hatcher said it's important for vehicles to slow down when roads get bad because of weather. He said cars had been passing him running almost the speed limit.

The weekend's weather, while it didn't bring the snow event predicted, brought sleet, a little snow and freezing rain leading to numerous accidents as well as church and business closings and on Monday, school closings. On Tuesday, Bedford County Public Schools were up and running, albeit on a two-hour delay.