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**JUSTIFIABLE? EXCUSABLE?
CRIMINAL?**

A father guns down his child's molester. He then runs for Sheriff.



For Police Issues by Julius (Jay) Wachtel. Above are two booking photos. On the left is the mugshot of Michael Fosler. A 67-year-old resident of Cabot, Arkansas, [he was arrested on July 11, 2024](#) on charges of repeatedly molesting a 13-year old girl. Fosler posted a \$50,000 bond and was released six days later. On Sept. 4, 2024 [Fosler was charged with 43 felony counts](#) in Lonoke County, Arkansas Circuit Court:

- Two counts of internet stalking of a child
- Two counts of sexual assault 4th. Degree
- Two counts of sexual indecency with a child
- One count of electronic facilitation of child sexual abuse
- Thirty-six counts of pandering or possessing media depicting sexual contact with a child

Fosler waived arraignment and pled not guilty. He remained free on bond, under orders to have no contact with minors. A jury trial was scheduled for December 4, 2024.

On the right is the booking photo of Aaron Spencer, a poultry farmer in the city of Carlisle, also in Lonoke County. [He was arrested by sheriff's deputies during the early morning hours of October 8, 2024.](#) That arrest was precipitated by Spencer's call to 911, in which he reported having chased Fosler down and shot him dead. Here is an extract from what Spencer told the dispatcher at 1:34 a.m.:

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Michael Fosler is fucking dead on the side of the road for trying to kidnap my daughter. I had no choice.

Lonoke County deputies soon arrived at the location of the fatal encounter, a rural highway. Fosler's truck was in a ditch, and its owner was lying dead nearby. Spencer was standing by his own truck, armed with a handgun. He said he had forced the other truck off the road, then opened fire when its driver exited the vehicle and went for him.

Spencer fired sixteen shots. Fifteen had struck their target.

Deputies arrested Spencer for murder. He was released on bond the next day. On November 27, 2024 [a Criminal Information was filed in Lonoke County Circuit Court](#) charging him with second-degree murder, with a firearm enhancement. He pled not guilty and was released pending trial.

How does the evidence against the wannabe Sheriff stack up? Setting news articles aside, we assembled a timeline using five of the many legal motions in the case. Two were filed by prosecutors, and three by the defense (click on links for online copies):

Motions by the State

- 1 – [Response to defendant's motion to exclude evidence](#)
- 2 – [Brief in support of response](#)

Motions by the Defense

- 3 – [Motion to exclude evidence of Spencer's conduct](#)
- 4 – [Brief in support of motion to exclude evidence](#)
- 5 – [Brief accompanying reply in support of motion to exclude evidence](#)

Timeline

(each paragraph's source motion is numbered and linked)

July 8, 2024

(5) According to the defense, Spencer "learned of the assault from his daughter." His first step was to meet with Leanna Higgingbotham. She has family ties to the Spencers and was a caregiver for their daughter. Ms. Higgingbotham was also a friend of Michael Fosler and the "means" through which he "accessed" the child. Spencer told her what his daughter said, but she didn't believe (or *want* to believe) that it was true.

(1) According to prosecutors, Spencer implored Ms. Higgingbotham to tell no one, not even the police, of the child's abuse, nor of his visit. He asked for and received Fosler's address and phone number, then went home. Ms. Higgingbotham promptly passed on

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Spencer's account to a relative. That as-yet unnamed person supposedly holds a position that requires they inform police of such things, so they immediately notified the Lonoke County Sheriff's Dept. Acting on that notice, two deputies immediately went to Mr. Spencer's residence and spoke with him and his wife. One, Sgt. Ingram, recorded the interaction; a transcript was appended to the State's motion (but see below).

(1) According to prosecutors, Spencer challenged the notion that police could help: "...what's going to happen to that man when you arrest him and prosecute him and this and that? Three to five? What, he's rolling around, cruising, grooming." A deputy responded that a similar thing happened to his child, and the abuser was imprisoned. But Spencer would have none of it: "He's going to get back out, and he's going to go around and fuck more kids, okay? So do you think that it's logical for people to come to the police when they can't do anything about the situation?" After more back-and-forth Sgt. Ingram warned that "we still don't live in a country where you can take the law into your own hands. Okay?" Spencer replied "bullshit." Sgt. Ingram pointed out that if Spencer carried through on his apparent threat, he could be charged with manslaughter or worse.

(5) But according to the defense, the initial, "visceral" portion of the encounter with the deputies was followed by an hour-long period during which Spencer and his wife shared detailed information about their daughter's abuse. And either that day or the next (there is conflict about that in the accounts) they took their daughter for a requested "forensic interview."

July 11-17, 2024

(2) According to prosecutors, the Lonoke County Sheriff's Office turned over its file to police in the city of Cabot, where Fosler resided and at whose home the abuse likely occurred. On July 11, 2024 (two or three days after the daughter's forensic interview) Cabot police obtained a warrant for Fosler's arrest on one count of Rape and one count of Internet Stalking of a child, both felonies. They arrested Fosler on the same day and booked him into the Lonoke County Jail. Fosler appeared before a Lonoke County District Court Judge on July 12. He was released on a \$50,000 bond on July 17. One condition was that he have no contact with a minor.

(5) Spencer's lawyers argue that Fosler got too many breaks. First, the bond was "a mere \$50,000." Fosler's movements were also unmonitored. He wasn't required to report to anyone and there were no restrictions as to where he could go. What's more, "despite the plentiful evidence confirming the use of social media platforms to commit the offenses," Fosler remained free to troll the Internet and use social media to his wicked heart's delight.

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October 8, 2024

(1) According to prosecutors, that's the date Spencer acted on his threat "to take the law into his own hands." About 1:12 a.m. on October 8 his wife called 911 and reported that their daughter was missing. According to Heather Spencer, the child's had been made up to make it seem like she was still tucked in. Spencer later told investigators that he immediately got in his truck and went looking for Fosler. Several miles out he passed Fosler's truck. It was headed in the direction of the Spencer residence, and his daughter was in the passenger's seat:

Spencer turned around and began following Fosler. He was honking and flashing his lights in an attempt to stop Fosler.

After about six miles, Spencer rammed Fosler's truck and sent it into a ditch. When Fosler exited his vehicle, Spencer opened fire. And as Fosler lay dying – he had been struck by fifteen of the sixteen bullets that his assailant fired – Spencer pistol-whipped him in the face. He then called 911.

(5) Spencer's lawyers argue that his previously expressed views about Fosler should be suppressed because they are irrelevant to what their client objectively faced on October 8:

Whether Fosler forcibly kidnapped Spencer's 14-year-old daughter or groomed her so that he could continue to abuse her (if not disappear her), the analysis is the same. Either scenario created a legal duty and legal justification – and certainly reasonable cause – for Spencer to act to protect his child from a sexual predator who refused to leave her alone and who presented a real threat to her safety, both as a victim and witness to his crimes.

Spencer's explanation of what he did, and why, comprises half of the affidavit for his arrest warrant (click [here](#) for the full document). It also appears, in full, in a brief that supports a defense motion to exclude prior statements. Here's what the cops who arrested him reported he said, typos and all:

IN THE CIRCUIT COURT OF LONOKE COUNTY, ARKANSAS	
FIRST DIVISION	
STATE OF ARKANSAS	
VS.	CASE NO. 43CR-24-551
AARON SPENCER	
<u>BRIEF ACCOMPANYING REPLY</u>	
<u>IN SUPPORT OF DEFENDANT'S</u>	
<u>MOTION IN LIMINE TO EXCLUDE EVIDENCE</u>	

Aaron Spencer stated that he had been woke up by his dog barking, which was uncommon, and went to check on his daughter do (sic) the (sic) events that had occurred earlier in the year. Aaron Spencer stated that the dog was in his daughter's

bedroom and when he opened the door the dog continued to act out of character. Aaron Spencer further explained that when he looked closer at what he thought

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was his daughter in bed, he realized that it was actually a stuffed animal with his daughter's hoodie on it. Aaron Spencer stated that he became scared of what had happened to his daughter and had his wife call 911 to report her missing.

Aaron Spencer then stated that he left his residence and began to search for Micheal Fosler and his daughter. Aaron stated that when he arrived at the intersection of Highway 236 East and Highway 31 North he observed the white Ford F-150 belonging to Micheal Fosler turn off of Highway 31 North onto Highway 236 East heading towards his residence. Aaron Spencer then stated that he turned around attempted to stop the vehicle by flashing his lights and blowing his vehicle's horn. Aaron Spencer stated that he was in fear for his daughter's life and continued to pursue Micheal Fosler east on Highway 236 East.

Aaron Spencer explained that when they arrived at the intersection of Highway 236 East and Highway 13 North he hit Micheal Fosler's vehicle in the rear causing it to slide off the roadway. Aaron Spencer then stated that he exited his vehicle with his firearm in hand and ordered Micheal Fosler out of his vehicle and to lay down in the ditch. Aaron Spencer stated that he observed his daughter trying to exit the passenger side of the vehicle but it appeared that Micheal Fosler had grabbed her and stopped her from getting out. Aaron Spencer then stated that Micheal Fosler exited his vehicle and had something in his hand, but did not know what it was. Aaron Spencer stated that Micheal Fosler then lunged towards him saying "fuck you". Aaron Spencer stated that he then opened fire on Micheal Fosler emptying his weapon before jumping on top of him and pistol whipping him. Aaron Spencer then stated that he got his daughter out of the vehicle and returned to his truck where he reloaded his weapon and called 911.

Bottom line: given Fosler's prior behavior with his child, calling the cops and hoping for the best wasn't enough. What happened on October 8, 2024 obligated the father to vigorously and quickly respond:

The suggestion that, if Spencer thought his 14-year-old child may have gone "willingly" with her rapist, Arkansas law requires him to sit back and hope for the best is outrageous.

Analysis

Most parents (your blogger included) would probably find Spencer's reaction to his daughter's disappearance easy to understand. What somewhat muddles the picture, though, is that when he encountered Fosler's truck, it was headed in the direction of the Spencer residence, and his daughter was in the passenger seat. Inevitably, the

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implication is that after “voluntarily” meeting with her molester, the child was being taken home, and for the moment was not at any further risk.

Still, there was an arguable reason for the chase, and Fosler’s failure to pull over helped put everyone in harm’s way. But Spencer’s near-instant barrage of gunfire, and the pistol-whipping that he inflicted on the dying man, are a heavy load for the defense to bear. Spencer’s excuse – that Fosler had kept the child from exiting the vehicle, then lunged at him, object in his hand – is crucial. Problem is, without corroboration, it can be easily dismissed as self-serving bunk.

But the defense has an unique angle. Fosler’s truck was equipped with this dashcam. According to a [defense motion](#), the device “would have captured the events of that evening, including the routes Fosler traveled before and after taking the minor into his custody, as well as his encounter with Mr. Spencer during and after the pursuit.” Problem is, its memory card, which police say was in the device when it was seized, has gone missing. [Prosecutors confirm](#) that it was lost. But they insist that all it contained was the “flashing lights” of response vehicles, post-shooting. They accordingly object to the defense’s request for an “adverse-inference” jury instruction.



A judicial decision about that is pending. Ditto the trial, which has been endlessly delayed (a recent filing promises that a date will soon be set.)

Official sources have remained mum about Fosler’s background. According to [Find a Grave](#), Indiana is his final resting place, as it was for his wife and young child. According to a few bloggers, Fosler had been a cop and/or school resource officer in Indiana, his home state. [A Reddit post](#) actually refers to him as an “Ex Chief of police.”

We couldn’t confirm Fosler’s prior employment. Indeed, he’s essentially disappeared from the public eye. On the other hand, the man who killed him has become exceedingly well-known. From the very start, Spencer drew public support. Online commentaries continue to be nearly unanimously positive, and “I’d a done the same” posts are



commonplace (check out, for example, [KWCH’s Facebook page](#).) All that favorable attention – and his stated desire to improve things, as well – apparently led the farmer to seek a public role. We’ll let [Little Rock, Arkansas THV-11](#) take it from there (image is from their video):

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Spencer, who [killed](#) the man accused of raping his underage daughter after the man allegedly took his daughter again while out on bond, has become something of a folk hero across the country...He then rode that momentum to a win in the Lonoke County Sheriff Republican primary on Tuesday night.

Spencer kicked off his campaign on October 10, 2025. [He drew 53.5% of the vote](#) in the March 3, 2026 Republican primary, significantly besting current Sheriff John Staley, who got a measly 26.5% (a third contender got 19.9%). Lonoke County's definitely "Red", so should Spencer avoid bad press before the election (i.e., get convicted of murder), he seems a shoo-in to win.

Believe it...or not!