

COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING

COMMISSION MEETING MINUTES

JANUARY 10, 2019

ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY

The meeting was called to order at 10:04 A. M. Commissioners present:

Chairman Bob Harrison
Chief Percy Wilburn
Mr. Barry Phillips
Lt. Staci Rhoads
Dr. Jim Golden
Mr. Thomas Marsh
Mr. Barney H. Reeves

Absent:

Chief Richard Wingard

Others Present:

Jami Cook, Director
Fred Weatherspoon, Deputy Director, Training
Brad King, Deputy Director, Standards
Corey Rains, Marked Tree PD
Randal Dias, ASP
Mark Frost, Dardanelle PD
Stephen Wilson, Dardanelle PD
Patrick Claggett, Ft. Smith
Jeremiah Stephens, Arkadelphia
Billy Smith, Glenwood PD
Clark Kinzler, Glenwood PD
Jon Munz, Glenwood
Skyler Munz, Glenwood
Jon Munz, II, Glenwood
Billy Skipper, ASP Retired
Ron Ball, Chief ACTI
Morgan Wiles, Mt. Pine Mayor
Jeff Whitlock, ASP

Commission Meeting Minutes

January 10, 2019

Page 2

Attendance Continued:

Amanda Yarbrough, CLEST Attorney

Charles Moulton, Hearing Officer

Sue Albritton, CLEST Admin. Assist.

Court Reporter, Bonnie Parker

In attendance for retirement ceremonies:

State Senator Trent Garner

State Representative Danny Watson

Dan Keithley

Christi Keithley

Robert Reeder

Lynn Reeder

ALETA Instructors and Staff

A motion to accept the minutes of the last meeting was made by Commissioner Phillips and was seconded by Commissioner Marsh. Motion passed.

Item I: Item one was to vote in regard to the Board and Commission expenses. Commissioner Marsh made the motion to accept and approve of the expenses. Commissioner Reeves seconded. Motion carried.

Resolutions to award the duty weapons to retirees Dan Keithley and Robert Reeder were passed with a motion made by Commissioner Rhoads and seconded by Commissioner Phillips. The vote was unanimous. Presentations and awards were presented to the retirees with the ALETA staff and personnel in attendance.

Item II: Item two was a request from the Little Rock Police Department which was carried over from the October meeting for Officer Ralph Breshears. A motion to not go forward was made by Commissioner Reeves and was seconded by Commissioner Phillips. Motion carried.

Item III: Item three was a request from Andre Torres, but was not presented due to Mr. Torres' absence at the meeting.

Item IV: Item four was a request from the De Queen Police Department for decertification of Jamarion Ervin. This item was tabled until more information could be obtained.

Commission Meeting Minutes

January 10, 2019

Page 3

Item V: Item five was a request from the Little Rock Police Department for decertification of former Officer Evan Howell. A motion was made by Commissioner Rhoads to go forward and was seconded by Commissioner Marsh. Motion carried.

Item VI: Item six was a request from the Arkansas State Hospital Police Department for decertification of former Officer Drakkar Horton. A motion to go forward with decertification was made by Commissioner Marsh and was seconded by Commissioner Phillips. The vote was unanimous.

Item VII: Item seven was a request from the Benton County Sheriff's Office for decertification of former Deputy Donald Belland. A motion to go forward was made by Commissioner Rhoads and a second was made by Commissioner Wilburn. Motion carried.

Item VIII: Item eight was a request from the Sebastian County Sheriff's Office for decertification for former Deputy Joshua Lineberry. Commissioner Wilburn made the motion to go forward and was seconded by Commissioner Rhoads. The vote was unanimous.

Item IX: Item nine was from Arkansas Community Correction for decertification of ACC Parole Officer Allison Bishop. Commissioner Phillips made the motion to move forward with decertification and was seconded by Commissioner Reeves. Motion carried.

Item X: Item ten was a request from the Arkansas Community Correction for decertification of former Agent Michael Hall. Commissioner Reeves made a motion to go forward and was seconded by Commissioner Phillips. The vote was unanimous.

Item XI: Item eleven was a request from the Bryant Police Department for decertification of former Officer Christopher Bruno. Commissioner Rhoads made the motion to go forward with decertification and was seconded by Commissioner Marsh.

Item XII: Item twelve was the request from Jeremiah Stephens to address the Commission in regard to regaining his certification after being decertified in 2017. Commissioner Wilburn made the motion to deny the request and was seconded by Commissioner Rhoads. The vote to deny was unanimous.

Item XIII: Item thirteen was a request from the Glenwood Police Department who was requesting that the certification of former Officer Jon Munz, who was decertified in 2000, be reinstated. Commissioner Wilburn made the motion to deny the request and was seconded by Commissioner Phillips. The vote was unanimous.

Commission Meeting Minutes

January 10, 2019

Page 4

Item XIV: Item fourteen was from the Marked Tree Police Department in regard to the request for decertification of Corey Rains in 2017. The Chief who made the request is no longer at the department and the new Chief made a request to withdraw the decertification proceedings due to lack of witnesses and evidence to support the decertification. Commissioner Phillips made the motion to not to continue to go forward. Commissioner Rhoads seconded and the motion carried.

Item XV: Item fifteen was a request from the Crittenden County Sheriff's Office for decertification of former Deputy John Couch. Commissioner Marsh made the motion to go forward with decertification and was seconded by Commissioner Rhoads. The vote was unanimous.

Item XVI: Item sixteen was a request from the Dardanelle Police Department requesting an extension for Basic Student Stephen Wilson, who had to drop out of Class 2018-C due an injury. A motion to grant the request was made by Commissioner Rhoads and was seconded by Commissioner Marsh. The vote was unanimous.

Item XVII: Item seventeen was a presentation and explanation by CLEST Director Jami Cook, of the 2016 and 2018 Internal Control and Compliance Assessments from the Arkansas Legislative Audit. Each commissioner received a copy of the 2016 Internal Control and Compliance Assessment and findings and the 2018 Internal Control and Compliance Assessment-Management Representation Letter and findings. After review, the Commission unanimously voted to accept the explanations of the 2016 and 2018 assessments and findings with no further action needed.

Item XVIII: Item eighteen was a request from the Springdale Police Department requesting decertification of former Officer Matthew Garmoe. A motion to go forward was made by Commissioner Phillips and was seconded by Commissioner Rhoads. Vote was unanimous.

Item XIX: Item nineteen was a request for decertification from the Poinsett County Sheriff's Office for former Deputy Ryan Stone. Commissioner Reeves moved to go forward and was seconded by Commissioner Phillips. Vote was unanimous.

Director's Report: Per Department of Finance and Administration rules, all public safety fleet vehicles must have a justification on file with DF&A for the agency's five (5) public safety vehicles. After reviewing the justifications, the Commission unanimously voted to support the justifications as filed with no further action needed. Each Commissioner also received a copy of the Board Rules and Regulations Handbook for 2019. The Director reminded the commissioners that the Annual Financial Interest Statements are due before the end of the month. The Director handed out a copy of the resolution supporting the Governor's plan for reorganizing state government, which was signed by the

Commission Meeting Minutes

January 10, 2019

Page 5

chairman and sent to the Governor. In regard to the vacancies of the two sheriffs, Director Cook explained that by statute we are required to have two sheriffs on our commission. At this point in time we are stalled on that. When the terms of the sheriffs were changed to four years, there was some language, that doesn't allow elected officials to serve as board members in a civil office. We are a civil office, according to an Attorney General's Opinion. The solution to that is going to have to be a statutory change that says that the Commission on Law Enforcement Standards and Training is not a civil office. The Association of Counties is going to run that bill this session. I have asked that they run the bill quickly so if for whatever reason it might fail, we can turn around and write a bill. And if that bill does not pass we could change the language to two deputies from the sheriff's department or Chief Deputies, something like that. Right now we are a constitutional issue on getting our sheriffs appointed. Until then we will be two sheriffs short. Until this gets resolved, please be in attendance at the meetings. In the legislative summary, legislative issues we have no changes. Dwight Tosh has agreed to run our package on the house side and Trent Garner on the senate side. The Annual reports for 2015-2016-2017 are near completion and will be sent out soon. The training academies are all scheduled to be full for all classes and have committed to conducting four Probation and Parole classes this year. The Director will be attending the IADALEST board meeting, where she serves as Vice Chair, in Washington DC in February.

At the conclusion of the regular meeting, hearings were held with Hearing Office Charles Moulton presiding and Court Reporter Bonnie Parker recording. Consent agreements to give up their certifications were granted after a vote by the Commission, to: **Clayton Roberts, Michael Herron, William Dye, Oscar De Leon, and Jeremy Brown.** Uncontested hearings were held for **Robert Young, Jason Butler, Christopher Fleming, Tommie Jones, Darren Crook, and Sabrina Donato.** All were decertified by a vote from the commission. A decertification hearing was held for **Patrick Claggett.** After considering all evidence presented, the commission voted to decertify Mr. Claggett. A total of twelve decertifications were granted.