

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING

April 11, 2013

The Arkansas State Police Commission met on Thursday, April 11, 2013 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Christenson called the meeting to order at 10:08 a.m.

MEMBERS PRESENT:

Commissioner Jane Christenson, Chairman
Commissioner Woody Futrell, Vice-Chairman
Commissioner Wallace Fowler, Secretary
Commissioner Frank Guinn
Commissioner Dr. Lewis Shepherd
Commissioner John Allison
Commissioner Bob Burns

STATE POLICE PERSONNEL ATTENDING:

Colonel Stan Witt	Lt. Colonel Tim K'Nuckles
Major Henry La Mar	Major Les Braunns
Captain Ron Stayton	Lieutenant Mike Kennedy
Lieutenant David Lafferty	Lieutenant Brant Tosh
Captain Steve Coppinger	Lieutenant Forrest Marks
Captain Steve Coleman	Captain Lindsey Williams
Captain Leonard Hogg	Emma French
Jenna Castleberry	Josh Loy
Sergeant Barry Roy	Sergeant Brad Lann
Sergeant Stuart Woodward	Sergeant Kim Warren
Gary Glisson	Lieutenant Sedrick Reed
Sergeant Kenneth Whitmore	Captain Mark Allen
Sergeant Paulette Ward	Corporal Jeff Whitlock
Sergeant Matt Miller	Sergeant Chris Waters

OTHERS PRESENT:

Meredith Rebsamen, Attorney General's Office
Joe Thielke, ASP Foundation

OPENING AND PLEDGE OF ALLEGIANCE:

Commissioner Woody Futrell led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on April 02, 2013.

RECOGNIZED GUESTS:

Commission Chairman Christenson introduced the guest in attendance as Mr. Joe Thielke of the Arkansas State Police Foundation, Retired Major Kathy Sparks, I know she was here earlier, and Meredith Rebsamen of the Attorney General's Office.

MINUTES:

Commissioner Futrell made a motion to approve the minutes of the March 14, 2013 Arkansas State Police Commission meeting, Commissioner Fowler seconded and the motion passed.

PROMOTION CERTIFICATES – Presented by Colonel Stan Witt

Colonel Stan Witt presented a promotion certificate to Lieutenant Forrest Marks, promoting him to Lieutenant in the Highway Patrol Division, Troop K at Hot Springs.

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Colonel Stan Witt presented a promotion certificate to Sergeant Christopher Waters, promoting him to Sergeant in the Highway Patrol Division, Troop H at Fort Smith.

WEAPON RESOLUTIONS:

Captain Steve Coppinger presented the below resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Corporal Mitchell E. Carolan efficiently and effectively served the Arkansas State Police for a period of twenty-seven years, three months and ten days;

WHEREAS: Corporal Mitchell E. Carolan retired from this department February 28, 2013;

WHEREAS: His departure creates a vacancy that will be most difficult to fill, which is recognized by each and every member of the Arkansas State Police Commission;

WHEREAS: Corporal Mitchell E. Carolan has made formal request that his service weapon be retired with him and remain in his possession;

BE IT THEREFORE RESOLVED: The Arkansas State Police Commission, in its regular meeting at Arkansas State Police Headquarters in Little Rock, Arkansas on Thursday, April 11, 2013, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS252, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Fowler moved that the foregoing motion be approved, Commissioner Futrell seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Mitchell E. Carolan efficiently and effectively served the Arkansas State Police for a period of twenty-seven years, three months and ten days;

WHEREAS: Corporal Mitchell E. Carolan retired from this department February 28, 2013;

WHEREAS: His departure creates a vacancy that will be most difficult to fill, which is recognized by each and every member of the Arkansas State Police Commission;

WHEREAS: Corporal Mitchell E. Carolan has made formal request that his shotgun be retired with him and remain in his possession;

BE IT THEREFORE RESOLVED: The Arkansas State Police Commission, in its regular meeting at Arkansas State Police Headquarters in Little Rock, Arkansas on Thursday, April 11, 2013 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC535242, that Corporal Mitchell E. Carolan has carried be affixed at \$100.00, and that Corporal Mitchell E. Carolan be permitted to purchase the shotgun for his personal use.

Commissioner Fowler moved that the foregoing motion be approved, Commissioner Futrell seconded and the motion passed.

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Fiscal Report – Emma French

Ms. French presented an oral summary of the written report distributed to the Commission. She stated we should be operating at about 75% and are doing okay. We are starting to get things in place to see how we are going to finish out these last three months of the Fiscal Year. Our appropriation act for next year has been through Personnel Committee, has been through Joint Budget, has passed in the House and is now in the Senate. So we are hopeful it will pass there maybe next week.

Administrative Services Division – Lieutenant Mike Kennedy

Lieutenant Kennedy presented an oral summary of the written report distributed to the Commission. Lieutenant Kennedy stated we continue to track upwards with the overall fund balance; we are \$66,000.00 higher this month than we were last month. Overall we are \$1.2 million higher at this point, than at this time last year. The total fund balance is \$9.8 million and our claims continue to be down which is the overall reason we doing so good.

This month in the Human Resource Section we had 2 civilian new hires, 3 civilian voluntary resignations, and 1 civilian disciplinary. We had 4 commissioned resignations, those being recruits since last month and our total recruit count is down to 25. We had one commissioned termination. We currently have 8 total department members on military deployments.

Lieutenant Kennedy stated Recruit School is in week 12. Since we met last month they have completed two weeks of accident investigation, and firearms training, which is a go/no-go class, if they do not pass they are dismissed from class, and luckily everyone qualified. They have completed domestic violence, radar, taser, OC spray and some tactics training. I told you last month, we are moving more into the hands on phase of recruit school. Next month, we will be doing the advanced firearms training, more combat oriented style shooting, two weeks of emergency vehicle operations, traffic stop scenarios, active shooter, and Highway Patrol Procedures, which emphasizes criminal patrol and interdiction. This kind of opens these young recruits' eyes up to the some of the dangers and some other things that are out there traveling up and down the highways.

NEW BUSINESS:

Commission Chairman Christenson asked Colonel Witt and Commissioners if they had any new business to bring before the Commission.

Colonel Witt stated that our Legal Counsel, Greg Downs, has some comments about the Mitch Grant Appeal Hearing. Greg Downs stated originally he thought the Commission could schedule the Appeal Hearing on Mitch Grant for May 9, which worked for Robert Newcomb, Attorney for Mitch Grant. However, this morning Mr. Newcomb submitted approximately 15 subpoenas for witnesses, which I believe are irrelevant, so we would need to have a pre-appeal hearing conference to address those. Mr. Newcomb has requested other information that I believe is exempt and he cannot get, so again we will have to have a pre-appeal hearing conference. My suggestion is, we hold the pre-appeal hearing conference immediately following the May 9 Commission Meeting. I do not think it will take too long to go through those preliminary issues. Mr. Newcomb has a conflict in June, so my suggestion is to set the Mitch Grant Appeal Hearing for after the July Commission Meeting.

Mr. Downs stated we still have the pending Ray Siggers Appeal, which I would suggest the Commission set for immediately following the June Commission Meeting and we can publish scheduling notices and orders for those later.

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Commission Chairman Christenson asked Mr. Downs if he knows how long the Ray Siggers Appeal Hearing will take. Mr. Downs stated that's kind of a tough question. I don't believe it should take long if the irrelevant evidence is restricted, but it could take a little bit longer. I really think a half a day should be enough time. I am going to let Associate Counsel Elaine Lee handle this one and we have discussed it and think a half day after the Commission Meeting will be sufficient.

Colonel Witt advised Commission Chairman Christenson he was requesting to go into executive session to discuss personnel matters.

EXECUTIVE SESSION:

With no new business to come before the Commission at 10:19 a.m. Commission Chairman Christenson announced the Commission would retire into Executive Session to discuss personnel matters.

The Open Session resumed at 10:55 a.m. with no action being taken.

NEXT MEETING:

Commission Chairman Christenson stated the next regularly scheduled Commission Meeting will be held on Thursday, May 09, 2013 at the Arkansas State Police Headquarters, Little Rock at 10:00 a.m. The Mitch Grant pre-appeal hearing conference will be held immediately following adjournment of the ASP Commission Meeting.

The June monthly scheduled meeting of the Arkansas State Police Commission will be held on Thursday, June 6, 2013 at 9:00 a.m. The Ray Siggers Appeal Hearing will begin at 10:00 a.m.

The July monthly scheduled meeting of the Arkansas State Police Commission will be held on Thursday, July 11, 2013 at 9:00 a.m. The Mitch Grant Appeal Hearing will begin at 10:00 a.m.

Commission Chairman Christenson stated on June 6 the Commissioners would also attend Recruit Graduation that evening at the State Capitol.

With no further business, Commissioner Futrell moved to adjourn the Commission Meeting, Commissioner Fowler seconded and the motion passed. The meeting was adjourned at 10:59 a.m.

Commission Chairman

Commission Secretary