

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
May 08, 2014

The Arkansas State Police Commission met on Thursday, May 08, 2014 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Futrell called the meeting to order at 10:07 a.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Commissioner John Allison

STATE POLICE PERSONNEL ATTENDING:

Colonel Stan Witt	Donna Humphries
Lt. Colonel Tim K’Nuckles	Major Les Braunns
Major Mike Foster	Major Henry La Mar
Captain Lindsey Williams	TFC Corwin Battle
Lieutenant Forrest Marks	Trooper Brandon Margis
Corporal Jeff Whitlock	Captain Mark Allen
TFC James Avant	Lieutenant Charles Hubbard
Emma French	Josh Loy
Corporal Britt Clements	Richard Davis
Heath Whorton	Sergeant Mike Wallace
Major Shawn Garner	Lieutenant Jason Aaron
Corporal Billy Ealy	Captain Steve Coppinger
Corporal Dwight Lee	Sergeant Greg Smith
Corporal Dale Wood	Corporal Brenda Stephenson
Captain Ron Stayton	Captain Jeff Drew
Sergeant Kim Warren	Lieutenant Scott Woodward
Corporal Mike Middleton	Corporal Kelly Watkins
Sergeant David B. Cooper	Sergeant Shannon Shepherd
Corporal Jorge Oseguera	Lieutenant Bryan Davis
Sergeant Scott Joe	Sherry Woods
Lieutenant David Lafferty	Harmony Daniels
Sergeant Ben Cross	Janet Chappelle
Gary Glisson	Lieutenant Brant D. Tosh
Sergeant Mike Moyer	Sergeant Paulette Ward
Captain Dale Saffold	Corporal Mike Bain
Lieutenant Darran Austin	Lieutenant Kyle Drown

OTHERS PRESENT:

Tina D. Watkins	Kathy Watkins
Randy Lann, ASP Foundation	Joe Thielke, ASP Foundation
Meredith Rebsamen, Attorney General’s Office	

PLEDGE OF ALLEGIANCE:

Commissioner Fowler led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on April 29, 2014.

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Commission Chairman Futrell stated he would like everyone to think about Donnie Belew and the rest of the people who were affected by the recent tornados and how devastating it has been for everyone. He stated he wanted to take a brief moment and say how proud he is of the ASP family. On behalf of the ASP Commission, he thanked the ASP Foundation, the ASP Family and all the people who have been involved in helping Donnie Belew and for all of their support during the aftermath of the storm. We are thankful that Donnie and his family were not hurt during the storm. We are proud to be members of such a wonderful and supportive organization and to be associated with this group of Arkansas State Police personnel. They are the best! Your money, your support and your prayers and thoughts will help Donnie Belew and the rest of those people affected get through this devastating event. It is a great honor to serve on this Commission and to represent the fine ASP Family.

MINUTES:

Commissioner Fowler made a motion to approve the minutes of the April 17, 2014 monthly Commission Meeting. Commissioner Christenson seconded the motion. The motion passed.

WEAPONS RESOLUTIONS:

Major Shawn Garner presented the below resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Corporal Robert Mark Batson efficiently and effectively served the Arkansas State Police for a period of twenty-five years, seven months, and twenty-three days;

WHEREAS: Corporal Robert Mark Batson retired from this department March 31, 2014;

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 Robert Mark Batson 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, May 08, 2014, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS497, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Fowler made a motion to approve the above weapon resolution presented to the Commission. Commissioner Shepherd seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Robert Mark Batson efficiently and effectively served the Arkansas State Police for a period of twenty-five years, seven months, and twenty-three days;

WHEREAS: Corporal Robert Mark Batson retired from this department March 31, 2014;

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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 Robert Mark Batson 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, May 08, 2014 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D588761M, that Corporal Robert Mark Batson has carried be affixed at \$100.00, and that Corporal Robert Mark Batson be permitted to purchase the shotgun for his personal use.

Commissioner Shepherd made a motion to approve the above weapon resolution presented to the Commission. Commissioner Fowler seconded and the motion passed.

OFFICIAL COMMENDATIONS:

Lieutenant Charles Hubbard gave an overview of the events for which Corporal Britt Clements was nominated for an Official Commendation.

Lieutenant Hubbard stated he is very appreciative of the hard work and dedication of Corporal Britt Clements, who a few years ago attended the IPTM Crash Reconstruction School and since that time he has been called upon numerous times to help with major crash investigations. In 2012, Corporal Clements responded to the scene of a fatal crash in Fulton County. In this crash a man was standing on the side of the road checking his mail when he was run over by a drunk driver. Corporal Clements spent countless hours documenting crucial facts in this crash that led to the arrest and conviction of the driver at fault. Corporal Clements continues to use his reconstruction skills to investigate numerous other crashes. Examining crash scenes and vehicles, he is able to see evidence and use it when most investigators would overlook it. When Corporal Clements reconstructs a collision, he can determine the speed, angles of approach of the vehicles, if a vehicle crossed the center line and other specific details of the collision which can be helpful to the prosecuting attorney's office when deciding whether to file charges. Corporal Clements has been called upon on a regular basis to assist other troopers with crash investigations throughout the year. He is highly regarded as an expert in crash investigations and spends tireless hours of commitment and dedication everyday for the department.

Colonel Stan Witt presented Corporal Britt Clements with an Official Commendation.

Lieutenant Forrest Marks gave an overview of the events for which Sergeant Shannon Shepherd, Corporal Jorge Oseguera and Trooper Brandon Margis were nominated for Official Commendations.

Lieutenant Marks stated on Saturday, October 5, 2013 Sergeant Shannon Shepherd, Corporal Jorge Oseguera, Trooper Brandon Margis, TFC James Avant, and TFC Brandon Cook responded to a residence in eastern Garland County at the request of the Garland County Sheriff's Department for a disturbance call. On arrival Sergeant Shepherd placed his personnel at strategic locations around the residence. TFC Avant and TFC Cook went to the front of the residence along with a Garland County Sheriff's Deputy, Deputy Josh Cannon. At that time the suspect exited the house with a rifle and pointed that rifle at Deputy Cannon. Deadly force was utilized to protect the life of Deputy Cannon. During this incident our troopers acted in a very professional manner, without hesitation and the way we would expect them to react. The actions taken by the troopers very well may have saved the life of Deputy Cannon and other civilians.

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Lieutenant Forrest Marks stated TFC Avant and TFC Cook will be awarded the Trooper's Cross at the Annual Awards Ceremony.

Colonel Stan Witt presented Sergeant Shannon Shepherd, Corporal Jorge Oseguera and Trooper Brandon Margis with Official Commendations.

Captain Dale Saffold gave an overview of the events for which Corporal Brenda Stephenson was nominated for an Official Commendation.

Captain Saffold stated on December 31, 2013, the Pottsville Police Department responded to a suicidal suspect who was terminally ill and brandished a rifle at the officers, who backed away from the residence and called for the assistance of the Arkansas State Police. Corporal Brenda Stephenson, a hostage negotiator with the crisis negotiation team, along with Sergeant Ben Cross, Corporal Stewart Condley and Corporal Greg McNeese all responded to the scene. Corporal Stephenson made initial contact with the suspect by telephone, but he became agitated and hung up the phone. She then moved closer to the house along with the other three troopers and approached the house on a blind side. Corporal Stephenson was able to make contact with the subject through the door, eventually convincing him to come to the door so she could hear him better. The suspect came to the door, but always kept one hand, which we believe held a rifle, inside and out of sight. At a point during the negotiations, Sergeant Cross and Corporal McNeese both deployed their tasers on the subject. Neither of those made good contact, but they took that opportunity while the suspect was startled by the tasers to rush him, while Corporal Condley covered them and they were able to take the suspect into custody without anyone being harmed.

Colonel Stan Witt presented Corporal Brenda Stephenson with an Official Commendation.

Captain Dale Saffold gave an overview of the events for which Corporal William Dale Wood was nominated for an Official Commendation.

Captain Saffold stated on December 8, 2013 Corporal Wood was notified from Alabama about a potentially stolen vehicle that was in the Clarksville area. Corporal Wood began to search for the vehicle and then received a second call from the Alabama Police Department and was advised the vehicle may be occupied by a homicide suspect. Corporal Wood, in contact with the police department, did eventually locate the vehicle traveling west headed toward Fort Smith from Clarksville. Corporal Wood was the only trooper on duty that day in Johnson County and used very good judgment. Once he confirmed that it was in fact the vehicle, he backed away from the vehicle so as not to make the party skittish. He was able to determine that there was a white female driving with a white male in the front passenger seat. But using his good judgment not to rush up there and spook them or anything, he called ahead to Troop H and he spoke to troopers and they formulated a plan to stop the vehicle with a felony stop. Eventually they did stop the vehicle and the female driver was basically pushed out of the vehicle by the suspect who then jumped behind the wheel of the vehicle and continued west toward Fort Smith. At this time Corporal Wood got out of his vehicle and took the female suspect in to custody.

Captain Dale Saffold then stated before Corporal Wood comes up that there is another part of the story and Major Mike Foster is going to come up and tell the rest of the story with his overview of Lieutenant Steven Bryan Davis who was nominated for an Official Commendation.

Major Mike Foster stated that Lieutenant Steven Bryan Davis had called me to notify me there was a suspect vehicle headed toward Troop H and told me of the plan they had ready to stop this suspect. Their plan was to set up spike strips just west of where the felony stop was taking place. You heard Captain Saffold tell how the suspect pushed the female driver out of the vehicle and then jumped behind the wheel of the vehicle and continued west from Ozark toward Alma. Just down the road two troopers from Troop H were ready to deploy

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their spike strips, unfortunately that did not occur, he was able to avoid them and continue on westbound. It is approximately 25 miles between Ozark and Alma; he fled that whole distance with a couple of units in pursuit. At about the 15 mm Corporal Dale Howard deployed his spike strips hitting one of the tires and slowing the pursuit down, which it had reached speeds in excess of 90 to 100 mph. At that time, I called to check on Lieutenant Davis and he was already out on the interstate set up, ready and waiting for the suspect. He was ready to deploy his spike strips in case and that did not occur, another trooper had a successful deploy. When the suspect went by him there were not any other troopers behind the suspect vehicle, so Lieutenant Davis in an unmarked unit pulled out and followed the suspect so he would not lose him. At that time the suspect crossed the median and began traveling into the oncoming eastbound traffic. Lieutenant Davis had the opportunity to immediately deploy his Precision Immobilization Technique. He spun the vehicle out and it went into a grassy area and became stuck. Lieutenant Davis covered the suspect and at that time he took his own life. Lieutenant Davis' quick action saved probably numerous lives on the interstate with traffic coming in the opposite direction.

Colonel Stan Witt presented Lieutenant Steven Bryan Davis and Corporal Dale Wood with Official Commendations.

Sergeant Scott Joe gave an overview of the events for which Corporal Dwight Lee was nominated for an Official Commendation

Sergeant Joe stated that Corporal Dwight Lee is a 23-year veteran of the Arkansas State Police assigned to Sebastian County, Fort Smith. Corporal Lee leads the troop and post with DWI Enforcement, with 137 DWI arrest for the last year. He is also a field training officer in Sebastian County and a very good mentor to the other troopers out in the field. He aggressively pursues drunk drivers by coordinating sobriety checkpoints with other local troopers and actively patrols in high DWI areas of Fort Smith. Corporal Lee always has detailed reports and videos that help convict the DWI offenders; he has a good reputation with the Fort Smith courts and local attorneys, and has a very high conviction rate with very few or no Not Guilty verdicts. Other local law enforcement in the area strive to arrest as many impaired drivers as Corporal Lee, but usually to no avail.

Colonel Stan Witt presented Corporal Dwight Lee with an Official Commendation.

Sergeant Mike Wallace gave an overview of the events for which Corporal Kelly Watkins was nominated for an Official Commendation

Sergeant Wallace stated Corporal Kelly Watkins has demonstrated exemplary service while serving in Maintenance and Inmate Services. Sergeant Wallace stated when he was promoted to Supervisor over the Maintenance and Inmate Services Section; he immediately noticed Corporal Watkins motivation and diligence concerning his job assignment. One year since becoming Corporal Watkins' supervisor, his motivation and diligence has endured. Corporal Watkins has a true sense of Department teamwork and views his duties in Maintenance and Inmates Services as an important tool for making the Arkansas State Police a more efficient and effective Department. The job task Corporal Watkins is required to perform includes coordinating with the Arkansas Department of Corrections for various inmate requirements, and performing on call duty for the Arkansas Wireless Information Network that includes state wide travel to maintain 96 radio tower sites in remote areas sometimes in inclement weather. Corporal Watkins conducts estimates for various Arkansas State Police construction projects and oversees those projects on a daily basis. Corporal Watkins regularly supervises inmate crews while working on construction projects, which involve being away from his family and staying in motels for weeks at a time. Some of the extended projects include the complete remodeling of headquarters at Troop E, Troop I, Troop L, Troop C, Troop D and the SEALAC Building in Dumas. Remodeling these headquarters buildings was an additional assignment for Corporal Watkins and the cumulative time he has spent on these projects would be about 4 months. I would note Corporal Watkins perseverance to complete these projects no matter how large or how small are to the highest level of excellence.

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I have been contacted by numerous Troop Commanders expressing their appreciation for a job well done and each noted the professionalism that Corporal Watkins displays. Corporal Watkins insists on professionalism and attention to detail with his inmate maintenance crew.

Colonel Stan Witt presented Corporal Kelly Watkins with an Official Commendation.

Commission Chairman Futrell stated we sit here and listen to the Official Commendations, and it makes the Commission and the Colonel all happy to know we have such a high quality of personnel who risk their lives. It's just a great feeling to know we've got that type of ASP personnel.

DIVISION REPORTS:

Fiscal Report – Emma French

Ms. French gave an overview of the reports which were distributed to the Commission. She stated we are at about 83%, and we are doing well and are on track. We have about seven weeks left in this Fiscal Year. We are working on loading our FY15 budget which is due Monday.

Administrative Services – Major Les Braunns

Major Braunns presented an oral summary of the written report distributed to the Commission. He began by reporting the Human Resources/Personnel transactions for the month of April; we had three civilian new hires, four civilian voluntary resignations, and one promotion. The Commission transactions include one promotion, one lateral transfer and three disciplinary actions. Currently we have seven military deployments.

Regarding the ASP Health Plan, April figures for the month have been good. A snapshot of the savings report for claims incurred through April indicates that we are up to a 57% discount rate. So that is right in line with what we hoped we would be seeing. This is excellent. The April medical and prescription claims paid by QualChoice are \$869,747. Year to date they have paid claims totaling \$2,262,822. This is an increase of \$735,424 from this time last year. The 2013 run out claims paid by UMR for March and April total \$742,686. These claims are decreasing significantly. Total Fund Balance for April is \$10,178,360. This is higher by \$256,881 than April 2013.

Major Braunns then advised the Recruits of the 2014-A Troop School are in week number 16. This week is dedicated to Emergency Vehicle Operations and traffic stops. We still have 28 recruits, and graduation is still slated for June 12th.

We are also in the recruiting for the 2014-B School which will be a certified police officer school. The basic requirement is all applicants must have at least 2 years experience and graduated the basic academy more than 18 months ago. Currently we have 50 applicants to fill 28 positions. The school is slated to be 12 weeks and it should begin on August 31st and go through November 30th. The closing date on applications will be May 30th.

Commission Chairman Futrell asked Ms. Humphries to acknowledge the guests, and she recognized the trooper's families, Larry Robinson from the Governor's Office, several Foundation members, Randy Lann and Joe Thielke, and Meredith Rebsamen with the Attorney General's Office.

NEW BUSINESS

Commission Chairman Futrell announced the Attorney General's Office has something to present to the Commission. Meredith Rebsamen addressed the Commission and stated as a matter of housekeeping with respect to the Disciplinary Hearing that was held at last

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month's meeting, the Attorney for the employee and Ms. Elaine Lee, Attorney for the Colonel have asked that the record be supplemented with a specific policy that is contained in the ASP Policy Manual. She stated the motion is, there are no objections to the motion, I have an order here today if it's the Commission's desires to have that information added to the record should there be an appeal. What is the pleasure of the Commission?

Commission Chairman Futrell asked if there were any questions. Commissioner Burns made a motion to approve including the supplemental information. Commissioner Christenson seconded the motion and it passed.

Commission Chairman Futrell asked if there was any more new business for the Commission. Colonel Witt advised they needed to go into Executive Session to discuss personnel matters.

The Commission went into Executive Session at 10:48 a.m. and returned at 11:15 a.m.

Commission Chairman Futrell asked Colonel Witt if he had any recommendations for the Commission.

Colonel Witt recommended the Commission consider Lieutenant Bryan Davis for the vacant Captain position in the Highway Patrol Division, Troop H. Commissioner Christenson made the motion that Lieutenant Davis be promoted to Captain, Commissioner Guinn seconded and the motion passed.

Colonel Witt recommended the Commission consider TFC Anthony Todd Quick for the vacant Sergeant position in the Highway Patrol Division, Troop A, Pulaski County. Commissioner Burns made the motion that TFC Quick be promoted to Sergeant, Commissioner Fowler seconded and the motion passed.

Colonel Witt recommended the Commission consider Corporal Lorie Ring for the vacant Sergeant position in the Highway Patrol Division, Troop B, Cleburne and White Counties. Commissioner Guinn made the motion that Corporal Ring be promoted to Sergeant, Commissioner Shepherd seconded and the motion passed.

Colonel Witt recommended the Commission consider Corporal Bobby Brown for the vacant Sergeant position in the Highway Patrol Division, Troop H, Sebastian County. Commissioner Christenson made the motion that Corporal Brown be promoted to Sergeant, Commissioner Guinn seconded and the motion passed.

NEXT MEETING:

The next scheduled meeting will be Thursday, June 5, 2014 at 9:00 a.m. We will have an Appeal Hearing on Tom Weindruch at 10:00 a.m.

Commissioner Shepherd made a motion to adjourn the meeting and it was seconded by Commissioner Fowler. The motion passed and Commission Chairman Futrell announced the meeting was adjourned at 11:18 a.m.

Commission Chairman

Commission Secretary