

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
May 12, 2016

The Arkansas State Police Commission met on Thursday, May 12, 2016 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Guinn called the meeting to order at 2:11 p.m.

MEMBERS PRESENT:

Commissioner Frank Guinn, Chairman
Commissioner Dr. Lewis Shepherd, Vice-Chairman
Commissioner Jane Christenson
Commissioner Bob Burns
Commissioner Neff Basore
Commissioner Bill Benton

MEMBER ABSENT:

Commissioner John Allison, Secretary

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Donna Humphries
Lieutenant Colonel Shawn Garner	Major Ron Stayton
Captain David Sims	Major Mike Foster
Major Lindsey Williams	Major Forrest Marks
Captain Mike Kennedy	Lieutenant David Cooper
Harmony Daniels	Jackie Baker
Elizabeth Johnson	Lieutenant David Lafferty
Captain Steve Coppinger	Robin Gifford
Bridget White	Captain John Carter
Lieutenant Scott Woodward	Lieutenant Paulette Ward
Emma French	Jenna Castleberry
Lieutenant Brady Gore	Lieutenant Jason Aaron
Elaine Lee	Mary Claire McLaurin
Bill Sadler	Trooper Terry Sawyer
TFC Brian Burke	Corporal Brandon Cook
Corporal John Rhone	Trooper Ronnie Boyd
Trooper Sor Lee	Sergeant Joe Carter
Captain Charles Hubbard	Sergeant Shannon shepherd
Sergeant Dennis Morris	Corporal Chuck Lewis
Corporal Todd Harris	Sergeant Lorie Ring
Lieutenant Stacie Rhoads	Lieutenant Ronnie Qualls
Sergeant Bobby Brown	Captain Lance King

OTHERS PRESENT:

Elizabeth Carter	Cody E. Carter
Chris A. Carter	Katie Boyd
Ellie Boyd	Michael Krenn – DFA Budget

PLEDGE OF ALLEGIANCE:

Commissioner Burns led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on May 03, 2016.

MINUTES:

Commissioner Basore made a motion to approve the minutes of the April 15, 2016 monthly Commission Meeting. Commissioner Benton seconded and the motion passed.

PROMOTION CERTIFICATES:

Colonel Bill Bryant presented a promotion certificate to Captain Ron Casey promoting him to Captain in the Highway Patrol Division, Troop K.

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Colonel Bill Bryant presented a promotion certificate to Lieutenant Larry Joe Carter promoting him to Lieutenant in the Criminal Investigation Division, Company E.

OFFICIAL COMMENDATIONS:

Captain John Carter gave an overview for the nomination of TFC Joseph Todd Harris for an Official Commendation.

Captain John Carter stated in November of 2015, Captain Jim Howington nominated TFC Joseph Todd Harris for an Official Commendation Award and this is a summary of events that led to that nomination.

On November 9, 2015 information was obtained by the Osceola Police Department that a group of suspects from Osceola were planning a 9:00 a.m. armed robbery of the bank in Wilson, Arkansas. These individuals are suspected of several armed robberies in Mississippi County area. The Mississippi County Sheriff's Office placed a deputy inside the bank and other officers were staged nearby. A business owner there in Wilson confronted two black males wearing wigs at the rear of his business, but the suspects fled prior to officers arriving at that location. After several hours of no activity, officers resumed their normal duties. TFC Harris remained in the area and at approximately 1:35 p.m. he was notified that the two males seen earlier were back at the store which happened to be located right across the town square from the bank. TFC Harris responded to the location and both suspects were arrested without incident. A pat down search was conducted and a loaded 9MM semi-automatic pistol was located in the waist band of one of the suspects. It was later determined that this weapon had been stolen the night before. I have found in the short time I have been the commander of Troop C, that Corporal Harris is diligent in his work duties and is worthy to receive this commendation.

Colonel Bill Bryant presented an Official Commendation Award to Corporal Joseph Todd Harris.

Captain Lance King gave an overview for the nominations of Trooper Sor Lee and Trooper Ronnie Boyd for Official Commendations.

Captain Lance King stated I filed a nomination for Troop L Troopers Sor Lee and Ronnie Boyd for official commendations based on the following facts.

On October 14, 2015 about 5:35 p.m. Troopers Sor Lee and Ronnie Boyd were patrolling Madison County, they received a radio call concerning a red Jeep traveling on U.S. Highway 62, 5 miles west of Alpena that was driving dangerously and firing shots from a handgun at another vehicle. Trooper Sor Lee contacted the victim driver by cell phone and took specific information from the victim which included physical description of the suspect, suspect vehicle, and direction of travel. Trooper Sor Lee relayed this information to Trooper Ronnie Boyd and they began searching for the vehicle. About 5:51 p.m. Trooper Boyd spotted the suspect vehicle 6 miles east of Huntsville and began following it to a safe location for a traffic stop. While following the suspect vehicle, Trooper Boyd observed it crossing over the fog line and the center line of the highway. Trooper Boyd followed the vehicle into Huntsville and onto the Harmony Baptist Church parking lot as the driver suddenly stopped. Trooper Boyd activated his blue lights and began to exit his patrol car when the suspect accelerated off the parking lot at a high rate of speed. Trooper Boyd re-entered his patrol car and called in pursuit and they began traveling east on U.S. Highway 412 as the suspect was driving dangerously and recklessly. Soon Trooper Boyd was joined in the pursuit by a Madison County Deputy and Trooper Sor Lee. At the King's River Bridge in Marble, Arkansas in Madison County the suspect pulled his vehicle to the right shoulder and came to a complete stop. The troopers and deputy began to conduct a felony stop and the suspect refused to follow orders and a minute later the suspect accelerated from the scene. The troopers ran for their cars and began chasing him again. The suspect fled for another seven miles until he suddenly stopped on the right shoulder and the troopers and deputy took positions at the rear of their cars and began felony stop procedures. As Trooper Boyd began shouting out orders to the suspect to toss his keys and

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show his hands, the suspect refused to comply. The suspect then opened the door from his side, stuck a handgun out of the doorway and began firing at the troopers and deputy. Trooper Boyd, Trooper Lee and the deputy returned fire as the suspect closed the jeep door and did not move. Trooper Lee's ASP unit was shot through the right front bumper.

The suspect was again ordered from the Jeep and this time he complied, was handcuffed and arrested without further incident. The suspect was not shot or injured during the shooting incident, but they did shoot every bit of the glass out of the Jeep.

The suspect was later interviewed by some of our CID agents, he told them that his mother had died earlier and he was depressed and he was trying to get the troopers to kill him. The suspect stated he did not have enough courage to do it himself and he was also intoxicated. He was charged in Carroll County Circuit Court with three counts of attempted capital felony murder and is still being held on a million dollars cash bond. Troopers Lee and Boyd worked smart and acted courageously during this incident, they put their lives on the line while protecting the citizens of Arkansas and we are proud of them at Troop L.

Colonel Bill Bryant presented Official Commendation Awards to Trooper Sor Lee and Trooper Ronnie Boyd.

Sergeant Lorie Ring gave an overview for the nomination of TFC Brandon Trewyn for an Official Commendation.

Sergeant Lorie Ring stated in the early morning hours of November 21, 2015 Trooper First Class Brandon Trewyn notified Troop B of a house fire that he spotted South of Batesville. The Southside Fire Department was advised. Trooper Trewyn began knocking on the doors and windows around the house attempting to rouse the residents. The owner and lone occupant of the house eventually came to the door, he stated that he had a cold and had taken Benadryl and other cold medications so that is why it took awhile to arouse him that night. Trooper Trewyn stayed with the homeowner as he got dressed and retrieved two boxes of family photographs. Once outside Trooper Trewyn continued to stay with the homeowner until his family members arrived. Trooper Trewyn was also a volunteer firefighter with the Southside Fore Department and he checked out of service with ASP went home and changed into his fire fighting gear and checked in service with the fire department. The homeowner stated that he had smoke detectors but that the alarms did not activate. Thanks to Trooper Brandon Trewyn's attention to detail, his dedication and rapid response to this house fire, the homeowner escaped the fire without injury. Trooper Trewyn's valiant actions serve as a shining example of his commitment to the Arkansas State Police and the community he serves.

Colonel Bill Bryant presented an Official Commendation Award to Trooper First Class Brandon Trewyn.

WEAPON RESOLUTIONS:

Lt. Colonel Shawn Garner presented the following resolutions for consideration by the ASP Commission.

RESOLUTION

WHEREAS: Corporal Weldon Hays McWhirter efficiently and effectively served the Arkansas State Police for a period of forty-three years, four months, and eleven days;

WHEREAS: Corporal Weldon Hays McWhirter retired from this department March 31, 2016;

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 Weldon Hays McWhirter 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 12, 2016, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS012, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Christenson made a motion to approve the above weapon resolution presented to the Commission. Commissioners Basore seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Weldon Hays McWhirter efficiently and effectively served the Arkansas State Police for a period of forty-three years, four months, and eleven days;

WHEREAS: Corporal Weldon Hays McWhirter retired from this department March 31, 2016;

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 Weldon Hays McWhirter 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 12, 2016 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D026117M, that Corporal Weldon Hays McWhirter has carried be affixed at \$100.00, and that Corporal Weldon Hays McWhirter be permitted to purchase the shotgun for his personal use.

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

DIVISION REPORTS:

Fiscal Report – Emma French

Ms. French gave an overview of the reports which were distributed to the Commission. She stated we do not really have a lot to report. We have about seven weeks or so left in the fiscal year. We did get approval to pay certificate pay and the Colonel sent out a notice about when that is going to happen. We are starting our year end processes and are building the FY17 budget.

Administrative Services – Captain Mike Kennedy

Captain Mike Kennedy presented an oral summary of the written report distributed to the Commission. He began by reporting the Human Resources/Personnel transactions for the month; the civilian transactions include four new hires, four promotions, one lateral transfer, one voluntary resignation and one extra help new hire. The commissioned transactions included four lateral transfers and three promotions. We currently have five department members on military deployments.

As you know we began our 2016A Troop School on Sunday, we currently have 39 enrolled in class and 5 alternates. Since we started last Sunday, we have lost 5 recruits which we were able to replace off our alternate list. We are still holding at 39.

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Regarding the ASP Health Plan, April paid claims were \$829,193 that's a decrease in claims of \$179,000 from last month. Our fund balance is \$306,000 lower than it was this time last month. Our average discount savings for the month was 70%. We will continue to monitor these health care claims and next month we are going to do a 6 month review on the changes that we implemented in January and see where we are at overall. We may have some more suggestions for you to consider after that review.

EXECUTIVE SESSION:

Commission Chairman Guinn announced the Commission would go into Executive Session to discuss personnel matters. Commissioner Shepherd made a motion to go into Executive Session to consider personnel matters, Commissioner Benton seconded and the motion passed. The Commission went into Executive Session at 2:30 p.m.

Commission Chairman Guinn asked for a motion to go back into regular session. Commissioner Shepherd moved to re-convene in regular session, Commissioner Benton seconded and at 3:18 p.m. the open meeting resumed.

Commission Chairman Guinn announced they had a recommendation for the ASP Foundation. Commissioner Guinn asked for a motion to approve Doug Smith as new member on the Arkansas State Police Foundation. Commissioner Basore made a motion to approve Doug Smith as a new member of the ASP Foundation, Commissioner Christenson seconded and the motion passed.

Commission Chairman Guinn asked if Colonel Bryant had any recommendations. Colonel Bryant stated we have one commissioned position vacancy announcement, it is for Captain in the Criminal Investigation Division, Administration in Little Rock. My recommendation to the Commission is Lieutenant Mark Hollingsworth. Commissioner Christenson made a motion that Lieutenant Hollingsworth be promoted to Captain, Commissioner Basore seconded and the motion passed.

NEW BUSINESS:

Commission Chairman Guinn stated the Commission decided to reschedule the hearing for Patrick Claggett to Thursday, October 13, 2016 at 10:00 a.m. following the adjournment of the ASP Commission Meeting at 9:00 a.m. There was a conflict with a witness on the August 11 date.

NEXT MEETING:

The next monthly meeting of the Commission will be held on Thursday, June 09, 2016 at 10:00 a.m.

With no more business, Commission Chairman Guinn asked for motion to adjourn. Commissioner Shepherd made a motion to adjourn the meeting, Commissioner Burns seconded and the motion passed. Commission Chairman Guinn adjourned the meeting at 3:22 p.m.

Commission Chairman

Commission Secretary