

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
July 13, 2017

The Arkansas State Police Commission met on Thursday, July 13, 2017 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Shepherd called the meeting to order at 10:03 a.m.

MEMBERS PRESENT:

Commissioner Dr. Lewis Shepherd, Chairman  
Commissioner John Allison, Vice-Chairman  
Commissioner Bob Burns, Secretary  
Commissioner Jane Christenson  
Commissioner Bill Benton  
Commissioner Steve Edwards

MEMBER ABSENT:

Commissioner Neff Basore

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Tim K’Nuckles
Lt. Colonel Shawn Garner	Major Mike Foster
Major Forrest Marks	Major Lindsey Williams
Sherry Woods	Jenna Castleberry
Emma French	Gary Glisson
Bill Sadler	Harmony Daniels
Captain Mark Hollingsworth	Captain Jeffrey Drew
Captain Jason Aaron	Robin Gifford
Captain Charles Hubbard	Sergeant Mike Moyer
Elaine Lee	Greg Downs
Mary Claire McLaurin	Corporal Mike Bowman
TFC Derek Nietert	Trooper Joshua Elmore
Captain Wesley Smithee	Lieutenant David Moore
Sergeant Bobby Brown	Lieutenant Dennis Morris
Lieutenant Scott Woodward	Captain John Carter
Lieutenant David Cooper	Corporal John Rhone
Corporal Corwin Battle	Sergeant Ray Gentry
Lieutenant David Lafferty	Sergeant Kevin Richmond
Lenore Paladino	Captain Brady Gore

OTHERS PRESENT:

Olan Reeves, Asst. Attorney General      Ret. Janet Chappelle, ASP Foundation

PLEDGE OF ALLEGIANCE:

Commissioner Allison led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on June 30, 2017.

MINUTES:

Commissioner Christenson made a motion to approve the minutes of the June 08, 2017 monthly Commission Meeting. Commissioner Burns seconded and the motion passed.

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### OFFICIAL COMMENDATIONS:

Captain Jason Aaron gave an overview of the nomination of Corporal Michael Bowman for an Official Commendation.

Captain Aaron explained that Corporal Michael Bowman is being recognized for his Criminal Interdiction efforts. Corporal Bowman is assigned to Crawford County in the Highway Patrol Division; he is a K-9 handler and member of the Interstate Criminal Patrol Team. Over the course of 2016, Corporal Bowman seized 19 pounds of marijuana, 26.5 pounds methamphetamine, 7.6 pounds of cocaine, 8.9 pounds of heroin, 22 pounds of noscapine and \$51,000.00 in drug proceeds and these seizures resulted in the arrest of nine individuals. As a K-9 handler Corporal Bowman takes on the added responsibility of taking care of the K-9. You think your family pet requires a lot of work, take on a police dog. Corporal Bowman is typically on call 24 hours a day, seven days a week for all of the agencies located within Troop H, not just Crawford County. Corporal Bowman and Ringo's success is multiplied because of the relationships he has with the agencies in Troop H. He is willing to come out all hours of the night, whether he is off, on vacation or holiday time. He will leave his family, deploy his dog and more times than not the search is not productive and he knows that going out, but he also knows that the productive ones outweigh the ones that are not. Corporal Bowman deployed Ringo on 45 searches, which resulted in 804 pounds of marijuana, 25.1 pounds of methamphetamine, \$252,595 U. S. Currency and 99 physical arrests. Corporal Bowman has many years of experience in criminal interdiction and he is probably our senior officer in Troop H as far as interdiction goes and he has become a mentor for younger troopers. At this time we have another trooper going through K-9 school and we will rely on Corporal Bowman to guide Trooper Elmore. Corporal Bowman has set the bar high as far as a K-9 handler and our expectations are that much higher for Trooper Elmore when he hits the road. I want to congratulate Corporal Bowman on the Official Commendation.

Colonel Bill Bryant presented an Official Commendation Award to Corporal Michael Bowman.

Captain Jason Aaron stated the second trooper from Troop H is Trooper First Class Derek Nietert. TFC Nietert is also assigned to Crawford County, Highway Patrol duty and a member of the Interstate Criminal Patrol (ICP) team. Over the course of 2016, TFC Nietert seized 481 pounds of marijuana, 31.4 pounds of cocaine, 5 pounds of methamphetamine and \$297,355 in U. S. Currency which resulted in 31 felony drug arrests. TFC Nietert is assigned to the ICP team along with Corporal Bowman and they typically work the same shifts side by side. A lot of the loads that Ringo gets are initiated by TFC Nietert. Both these guys pretty well work in tandem at all times and they don't work criminal interdiction all of the time. They help the troop out just like every other trooper; they carry a schedule, and answer calls, whether it is a stranded motorist or an accident investigation. The drug arrest are just an extra duty that they do, they are overall good troopers in everything that they do. I want to recognize TFC Derek Nietert.

Colonel Bill Bryant presented an Official Commendation Award to TFC Derek Nietert.

Captain Jason Aaron stated the third trooper from Troop H is Trooper Joshua Elmore. Trooper Elmore is assigned to Crawford County too. TFC Elmore is probably the junior trooper of the three of these; he has been in law enforcement for a while, but the youngest member of the state police out of these three. TFC Elmore hit the ground running when he came to the state police with a lot of experience from the department he left. They told us ahead of time that we were getting a good one and their words were true. He has been very successful in the short time he has been here already; in 2016 he made 22 drug arrests, seized 735 pounds of marijuana, 2.5 pounds of methamphetamine, recovered 1 stolen firearm, seized ½ pound of cocaine and \$13,000 in U. S. Currency. Trooper Elmore is not a member of the Interstate Criminal Patrol team but anytime he has an opportunity to join

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them on their assignments, he reaches out and requests that he be able to do that and we allow him that opportunity when we can. All three of these guys being assigned to Crawford County is a perk for Troop H, it make us look good. These guys do great work. Combined with his criminal patrol efforts Trooper Elmore also worked 71 accidents for the year not only are the accident reports a lot of work to do but the paperwork that is required on the criminal cases to put together. Trooper Elmore is the trooper we never have to go to and hunt down reports, his reports are completed correctly, on time and he is just an overall great trooper. At this time he is in training with a new K-9 and hopefully will be out towards the end of August. We are excited to have two K-9's in Troop H. I want to congratulate Trooper Elmore on the Official Commendation.

Colonel Bill Bryant presented an Official Commendation Award to Trooper Joshua Elmore.

Lieutenant Dennis Morris stated I am here today to recognize Sergeant Ray Gentry, Special Agent John Rhone and Special Agent Corwin Battle all of Company C. On Monday, July 25, 2016 the Howard County Sheriff's Department received a 911 call in reference to a bank robbery in Mineral Springs. According to witnesses, three black males and one black female entered the Diamond Bank in Mineral Springs armed with guns and wearing mask over their faces. While in the bank the suspects took an undetermined amount of U. S. Currency from one of the teller drawers. The suspects did enter the vault however; they were unable to remove anything. After several minutes the suspects left from the bank in a black Toyota Camry with no hubcap. The suspect vehicle appeared to have a paper tag attached to the rear. Sergeant Ray Gentry, Special Agent John Rhone, and Special Agent Corwin Battle responded to the bank where they were tasked with processing the crime scene. Photos were taken of the scene and several latent prints were identified and lifted. Agents with the FBI were tasked with interviewing the witnesses. The Howard County Sheriff requested that Company C agents serve as the primary investigators in this case. The following day the clothing the suspects wore during the robbery was located in the Mineral Springs City Park. Special Agent Rhone and Special Agent Battle processed that scene also. Photographs were taken, all the clothing was collected, and an aluminum hubcap and Oklahoma paper tag were located at the scene during the search. While processing the scene, agents located a piece of clothing that originated from a store chain that operates outside the State of Arkansas. The Arkansas State Fusion Center was contacted by Special Agent Rhone and the Fusion Center was provided with still photos of the suspects inside the bank. The Arkansas Fusion Center prepared a bulletin and sent the bulletin out to neighboring states. Special Agent Rhone was contacted by an officer with the Tulsa, Oklahoma Police Department who is assigned to the Tulsa Police Department Robbery Unit and had read the bulletin concerning the bank robbery. The officer told Special Agent Rhone he was investigating two attempted bank robberies as well as other store robberies in the Tulsa area. The officer advised Special Agent Rhone that the Tulsa Police Department was watching two suspects and had court authority to place a tracker on one of the suspects' vehicles. The officer advised the tracked vehicle was in Mineral Springs at the time of the bank robbery and the vehicle was parked at the Mineral Springs City Park prior to the robbery. On July 29, 2016 Sergeant Ray Gentry traveled to Broken Bow, Oklahoma and reviewed video at several stores. Two of the suspects' vehicles were observed on video at an EZ Mart store in Broken Bow, Oklahoma. Both vehicles pulled into the store prior to and after the bank robbery. Sergeant Gentry identified all four suspects on the video inside the EZ Mart store as being the bank robbery suspects. Sergeant Gentry also observed one of the suspects' vehicles had all four hub caps when it was traveling east towards Arkansas but when the vehicle returned to EZ Mart after the robbery one of them was missing. With this video along with open source internet searches, Special Agent Rhone and Special Agent Battle were able to identify by name all four suspects. Special Agent Rhone prepared affidavits and obtained arrests warrants for all four of the suspects. On August 17, 2016 Special Agent Rhone, Special Agent Battle, FBI Agents and local officers traveled to Tulsa, Oklahoma. Upon arrival the Tulsa Oklahoma Police Department prepared search warrants for the home and vehicle of two of the suspects. During those searches officers located clothing items used during the armed robbery of the bank in Mineral Springs, Arkansas.

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The two suspects confessed to their involvement during an interview. Special Agent Battle received written consent to search the suspects' phones. According to phone exchanges, the suspects were planning another bank robbery to occur on the day they were arrested. The following day, the third suspect was arrested and interviewed, that suspect was already in custody of the Tulsa Police Department on unrelated charges. That suspect also confessed to his involvement in the Mineral Springs Bank robbery. After several hours of searching, the fourth and last suspect was arrested. The last suspect was interviewed by the Tulsa Police Department and he confessed to his involvement in the bank robbery. After obtaining updated fingerprints from the suspects, the Arkansas Crime Laboratory identified a latent print lift obtained from the vault during the crime scene search as belonging to one of the suspects.

Special Agent Rhone, Special Agent Battle, and Sergeant Gentry, devoted long hours to the investigation of this case. The agents started with very little evidence; however, they continued to pursue all available leads until they identified the suspects and secured their arrests. Sergeant Gentry made two trips to Oklahoma and spent numerous hours reviewing surveillance video to document the movement of the suspects. The diligence of the agents during the crime scene search paid dividends when a latent fingerprint was matched to one of the suspects. The actions of the Special Agents and Sergeant Gentry in this investigation reflect the highest standards of professionalism of the Criminal Investigation Division of the Arkansas State Police. I respectfully submit these agents for an official commendation.

Colonel Bill Bryant presented an Official Commendation Awards to Sergeant Ray Gentry, Special Agent John Rhone, and Special Corwin Battle.

Sergeant Bobby Brown stated I am the Commander of the Emergency Response Team (ERT) and Corporal Alan Johnson has been a member of team since the beginning of April, 2015. I chose Corporal Alan Johnson to fill one of the leadership positions on the ERT due to his ability to take command and make sound tactical decisions at the spur of the moment. Corporal Johnson is always willing to go above and beyond what is expected of his duties as Squad Leader. On numerous occasions this past year Corporal Johnson has assisted in teaching crowd control classes not only to our recruit class but also several ALETA classes around the state. He has also briefed high level state government and military officials on the capabilities of the ASP ERT. His representation of the ASP is exemplary and his performance in these situations resulted in everyone's clear understanding of the ERT team's mission and responsibilities. His performance goes above and beyond what is expected by his position as a Squad Leader. I call on him to do the entire inventory for the ERT and procure equipment for the ERT, which we have 87 members and it is a big job sometimes. His distinguished performance and dedication to duty reflect greatly upon himself, the ASP Emergency Response Team, the Arkansas State Police and the state of Arkansas. I want to thank Corporal Johnson for all the work that he does.

Colonel Bill Bryant presented an Official Commendation Award to Corporal Alan Johnson.

Chairman Shepherd thanked and congratulated everyone for the official commendations and explained this is really a great time at the Commission Meeting to see individuals recognized for duty beyond the normal. It speaks not only to the professionalism of the Arkansas State Police but also to the persistency of its members in never giving up and working until the job is complete, so thank you for your service.

#### DIVISION REPORTS:

##### Fiscal Section – Emma French

Ms. French presented an oral summary of the written report distributed to the Commission. She stated we ended FY17 and left \$113,000 for old year vouchers as you know the state requires that you show that you could have paid for bills that come in for the previous fiscal

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year but you have to use this year's money, so we left \$113,000 to take care of that. The auditors have left, we have not had our exit briefing yet, but I think we are going to have one finding and I think it is for timekeeping. We are going to live a little bit tighter next year because of the new pay plan, we have to help fund that and cover those costs, so we are going to have to cut our M & O expenses some. The other thing to report is the new uniform cards are here, so if you are from out of town, please pick them up before your leave.

Commissioner Allison asked what was timekeeping and Ms. French stated that is where you record your time for your paycheck, record the hours you work and we are having some problems in that area.

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 six new hires, one extra help hire, two lateral transfers, seven voluntary resignations, four extra help terminations, one retirement, one voluntary demotion, one promotion, and one disciplinary action. The commissioned transactions included two retirements, five lateral transfers, and two disciplinary actions. We currently have ten department members on military deployment.

Regarding the ASP Health Plan, the June paid claims were \$967,000 that is a decrease of \$513,000 from last month. The fund balance is \$22,900 higher for a total fund balance of \$6,000,704. The average discount saving for the month was 73%.

NEW BUSINESS:

Chairman Shepherd asked Colonel Bryant what new business we have at this time. Colonel Bryant stated I believe we need to go into executive session to discuss some promotions.

EXECUTIVE SESSION:

Commission Chairman Shepherd asked if there was a motion. Commissioner Burns made a motion to go into Executive Session for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of an employee, Commissioners Christenson seconded and the motion passed. The Commission went into Executive Session at 10:29 a.m.

The open meeting resumed at 11:34 a.m. and Commission Chairman Shepherd asked Colonel Bryant if he had any recommendations.

Colonel Bryant stated we have three promotions before the Commission. The first one is the Major position in the Criminal Investigation Division, Administration. My recommendation to the Commission would be to promote Captain Mark Hollingsworth to Major in the Criminal Investigation Division, Administration. Commissioner Christenson made a motion that Captain Hollingsworth be promoted to Major, Commissioner Allison seconded and the motion passed.

Next is the Lieutenant position in the Criminal Investigation Division, Company D. My recommendation to the Commission would be to promote Sergeant Kevin Richmond to Lieutenant in the Criminal Investigation Division, Company D. Commissioner Benton made a motion that Sergeant Richmond be promoted to Lieutenant, Commissioner Allison seconded and the motion passed.

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The last one is the Sergeant position in the Highway Patrol Division, Troop D, Crittenden County. My recommendation to the Commission would be to promote Corporal Philip Hydron to Sergeant in the Highway Patrol Division, Troop D, Crittenden County. Commissioner Edwards made a motion that Corporal Hydron be promoted to Sergeant, Commissioner Burns seconded and the motion passed.

NEXT MEETING:

Commission Chairman Shepherd stated the next regularly scheduled meeting will be held on Wednesday, August 16, 2017 at 10:00 a.m.

With no more business, Commission Chairman Shepherd asked for motion to adjourn. Commissioner Allison made a motion to adjourn the meeting, Commissioner Christenson seconded and the motion passed. Commission Chairman Shepherd adjourned the meeting at 11:37 a.m.

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Commission Chairman

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Commission Secretary