

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
August 08, 2019

The Arkansas State Police Commission met on Thursday, August 08, 2019 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Vice Chairman Christenson called the meeting to order at 10:01 a.m.

MEMBERS PRESENT:

Commissioner Jane Christenson, Vice-Chairperson
Commissioner Neff Basore, Secretary
Commissioner Bill Benton
Commissioner Jeffery Teague
Commissioner John Allison

MEMBER ABSENT:

Commissioner Bob Burns, Chairman
Commissioner Steve Edwards

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Shawn Garner
Lt. Colonel Tim K’Nuckles	Major Charles Hubbard
Major Mike Foster	Major Lindsey Williams
Major Jeff Drew	Major Mark Hollingsworth
Major Forrest Marks	Captain Randall Dias
Captain David Moore	Captain Jason Aaron
Gary Glisson	Captain Todd Shaw
Sherry Woods	Jenna Castleberry
Captain Paulette Ward	Sergeant Tiffany Dycus
Robin Gifford	Captain Brady Gore
Lieutenant Mike Moyer	Bridget White
Bill Sadler	Elaine Lee
Mary Claire McLaurin	Donna Humphries

OTHERS PRESENT:

Jackie Baker, DPS
Sara Farris, Attorney General’s Office

Jami Cook, DPS

PLEDGE OF ALLEGIANCE:

Commissioner Basore led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on August 06, 2019.

MINUTES:

Commissioner Basore made a motion to approve the minutes of the July 11, 2019 regular monthly commission meeting. Commissioner Allison seconded and the motion passed.

WEAPON RESOLUTIONS:

Major Mike Foster presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Captain M. Dale Saffold efficiently and effectively served the Arkansas State Police for a period of thirty-four years, three months, and twelve days;

WHEREAS: Captain M. Dale Saffold retired from this department June 30, 2019;

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: Captain M. Dale Saffold 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 30, Serial Number XDN856, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Captain M. Dale Saffold efficiently and effectively served the Arkansas State Police for a period of thirty-four years, three months, and twelve days;

WHEREAS: Captain M. Dale Saffold retired from this department June 30, 2019;

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: Captain M. Dale Saffold 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D584164M, that Captain M. Dale Saffold has carried be affixed at \$100.00, and that Captain M. Dale Saffold be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Sergeant Eric Henson efficiently and effectively served the Arkansas State Police for a period of twenty-four years, seven months, and nineteen days;

WHEREAS: Sergeant Eric Henson retired from this department June 30, 2019;

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: Sergeant Eric Henson 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS498, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Benton made a motion to approve the above weapons resolution presented to the Commission. Commissioner Teague seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Sergeant Eric Henson efficiently and effectively served the Arkansas State Police for a period of twenty-four years, seven months, and nineteen days;

WHEREAS: Sergeant Eric Henson retired from this department June 30, 2019;

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: Sergeant Eric Henson 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC530936, that Sergeant Eric Henson has carried be affixed at \$100.00, and that Sergeant Eric Henson be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Corporal Ricky Denton efficiently and effectively served the Arkansas State Police for a period of thirty years, one month, and fifteen days;

WHEREAS: Corporal Ricky Denton retired from this department June 30, 2019;

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 Ricky Denton 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS408, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Corporal Ricky Denton efficiently and effectively served the Arkansas State Police for a period of thirty years, one month, and fifteen days;

WHEREAS: Corporal Ricky Denton retired from this department June 30, 2019;

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 Ricky Denton 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the
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Remington shotgun, serial number PC541629 that Corporal Ricky Denton has carried be affixed at \$100.00, and that Corporal Ricky Denton be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Sergeant Tim J. Carter efficiently and effectively served the Arkansas State Police for a period of thirty-four years, eight months, and twenty-two days;

WHEREAS: Sergeant Tim J. Carter retired from this department June 30, 2019;

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: Sergeant Tim J. Carter 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS521, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Sergeant Tim J. Carter efficiently and effectively served the Arkansas State Police for a period of thirty-four years, eight months, and twenty-two days;

WHEREAS: Sergeant Tim J. Carter retired from this department June 30, 2019;

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: Sergeant Tim J. Carter 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D588852M, that Sergeant Tim J. Carter has carried be affixed at \$100.00, and that Sergeant Tim J. Carter be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Sergeant Siegfried Lewis efficiently and effectively served the Arkansas State Police for a period of thirty-four years, two months, and twenty-four days;

WHEREAS: Sergeant Siegfried Lewis retired from this department June 30, 2019;

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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: Sergeant Siegfried Lewis 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS487, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Sergeant Siegfried Lewis efficiently and effectively served the Arkansas State Police for a period of thirty-four years, two months, and twenty-four days;

WHEREAS: Sergeant Siegfried Lewis retired from this department June 30, 2019;

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: Sergeant Siegfried Lewis 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D605843M, that Sergeant Siegfried Lewis has carried be affixed at \$100.00, and that Sergeant Siegfried Lewis be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Corporal William L. James efficiently and effectively served the Arkansas State Police for a period of twenty-nine years and twenty-nine days;

WHEREAS: Corporal William L. James retired from this department June 30, 2019;

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 William L. James 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,

August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS424, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Corporal William L. James efficiently and effectively served the Arkansas State Police for a period of twenty-nine years, and twenty-nine days;

WHEREAS: Corporal William L. James retired from this department June 30, 2019;

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 William L. James 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D667769M, that Corporal William L. James has carried be affixed at \$100.00, and that Corporal William L. James be permitted to purchase the shotgun for his personal use.

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

R E S O L U T I O N

WHEREAS: Corporal Michael S. Clark efficiently and effectively served the Arkansas State Police for a period of twenty-four years, two months, and twenty-seven days;

WHEREAS: Corporal Michael S. Clark retired from this department June 30, 2019;

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 Michael S. Clark 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, August 08, 2019, in accordance with Act 547 of 2003, awards him, his Glock Model 21, Serial Number PKS114, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

WHEREAS: Corporal Michael S. Clark efficiently and effectively served the Arkansas State Police for a period of twenty-four years, two months, and twenty-seven days;

WHEREAS: Corporal Michael S. Clark retired from this department June 30, 2019;

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;

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WHEREAS: Corporal Michael S. Clark 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, August 08, 2019 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC536041, that Corporal Michael S. Clark has carried be affixed at \$100.00, and that Corporal Michael S. Clark be permitted to purchase the shotgun for his personal use.

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

DIVISION REPORTS:

Fiscal Section – Jenna Castleberry

Ms. Castleberry gave an overview of the reports which were distributed to the Commission. Ms. Castleberry stated we completed the first month of FY20 and have been busy setting up the new processes for the fiscal year. Everything is on track and going well and we look forward to a good year.

Administrative Services – Major Charles Hubbard

Major Hubbard 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 eleven new hires, one promotion, one transfer, five voluntary resignations, one termination, one new hire extra help and one extra help end assignment. The commissioned transactions include seven lateral transfers, one promotion, one retirement, one disciplinary, and one termination. We currently have five military deployments.

Regarding the ASP Health Plan, July paid claims were \$898,035 a decrease of \$33,996 from last month and the fund balance is \$320,139 lower than last month for a total fund balance of \$6,800,616. The average discount savings for the month was 79%.

Vice Chairman Christenson stated she wanted to say that the Troop School Graduation was amazing this year. The facility and everything about it worked really well. She then asked if they planned on having it there again next year. Major Hubbard stated we certainly would like to, we did get a lot of really good feedback on it. Commissioner Basore stated he thought it was good too, but his only comment was to maybe put a couple of monitors facing the stage, as I could not hear very well.

Vice Chairman Christenson stated at this time I would like to acknowledge Jami Cook, the Secretary of the Department of Public Safety. Vice Chairman Christenson asked Jami, do you have anything you would like to say? Jami stated I always have something to say. I am just glad to be here and I never really left the state police and being appointed the Secretary of the Department of Public Safety and very much back as a part of the state police brings me so much pleasure and it is quite an honor. If I can do anything for you guys or if you ever have any questions for me, please don't ever hesitate to call me.

NEW BUSINESS:

Changes to ASP Commission Rules – Sara Farris, Assistant Attorney General

Ms. Farris explained you have in your packets a document entitled Rules of the Arkansas State Police Commission and I would like your approval today to proceed with promulgating the changes you see there in this markup. On page one, you see that I changed Department to Division. This is necessary due to Act 910, the Governor's Transformation Act, the Department of Arkansas State Police is now the Division of Arkansas State Police. So that needs to be changed in the rules. The only other change is on page seven, you see that we have taken out a reference to the CLEST standards as of September 1, 2002. I am also one of the attorneys for CLEST, so I can tell you that their standards have changed since 2002, so I would suggest that we delete that date and that is all.

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Commission Vice Chairman Christenson asked do we need to approve these changes. Ms. Farris stated under your rules you cannot actually approve or even agree to adopt a rule until the public comment period has passed. So what I would request is approval to proceed with promulgating the changes to the rules in this draft.

Commissioner Basore made a motion to approve proceeding with promulgating the changes to the Arkansas State Police Commission Rules. Commissioner Benton seconded and the motion passed.

Commission Vice Chairman Christenson stated at this time Colonel Bryant do you have to discuss the request of former trooper to be reinstated. Colonel Bill Bryant stated yes madam chairman, just a couple orders of business. The first one is the reinstatement request from former trooper Scotty Dale Troy. I received a letter last week, he is requesting reinstatement with the Arkansas State Police. He was hired in January 2011, graduated troop school in June 2011, he served seven years as a trooper, and his last assignment was Troop D. He resigned from the Arkansas State Police to enter private business and he has applied for reinstatement. What I am requesting from the commissioners is approval from the commission to reinstate Scotty Troy as an ASP Trooper contingent upon his successful completion of his background investigation, polygraph, and psychological exam. Commissioner Basore made a motion that Scott Troy be reinstated as a state trooper, Commissioner Allison seconded and the motion passed.

Colonel Bryant stated the last order of business, the Commission needs to schedule an appeal hearing for Trooper Nathan Clayton. Trooper Nathan Clayton was terminated from the Arkansas State Police on July 16, 2019, he filed a request for appeal in the proper time frame and due to the fact that we have an appeal hearing set for next month, I would request that the Commission maybe look at the date of November 14 as the initial setting for the appeal hearing of Trooper Nathan Clayton. Commissioner Basore asked if that is a normal date for a commission meeting. Vice Chairman Christenson stated it is the normal commission meeting date. Commissioner Benton made a motion to schedule the appeal hearing of Nathan Clayton for November 14. Vice Chairman Christenson asked about having the Commission Meeting at 9:00 a.m. and the hearing at 10:00 a.m. Commissioner Benton stated he would change his motion to schedule the appeal hearing for Nathan Clayton on November 14, 2019 at 10:00 a.m. Commissioner Teague seconded and the motion passed.

EXECUTIVE SESSION:

Commission Vice Chairman Christenson asked Colonel Bryant if there were any personnel issues to discuss. Colonel Bryant stated he had no personnel matters to bring before the Commission.

NEXT MEETING:

Commission Vice Chairman Christenson stated the next regularly scheduled meeting will be held on Thursday, September 12, 2019 at 9:00 a.m. and the appeal hearing for David Harrell will be held at 10:00 a.m.

Colonel Bryant stated he wanted to let the commissioners know that we did get the test scores back and they should be distributed next week to all of the troopers who tested during the promotional procedure. We are glad to get that moving forward and I just wanted to update that the test scores will go out next week to the troopers.

With no more business, Commission Vice Chairman Christenson asked for a motion to adjourn. Commissioner Allison made a motion to adjourn the meeting, Commissioner Basore seconded and the motion passed. Commission Vice Chairman Christenson adjourned the meeting at 10:20 a.m.

Commission Chairman

Commission Secretary