

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
August 16, 2017

The Arkansas State Police Commission met on Wednesday, August 16, 2017 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Shepherd called the meeting to order at 10:04 a.m.

MEMBERS PRESENT:

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

STATE POLICE PERSONNEL ATTENDING:

Colonel Bill Bryant	Lt. Colonel Tim K’Nuckles
Major Mike Foster	Major Forrest Marks
Major Mark Hollingsworth	Donna Humphries
Jenna Castleberry	Emma French
Gary Glisson	Bill Sadler
Captain Jeffrey Drew	Captain Lance King
Captain Paulette Ward	Robin Gifford
Captain Charles Hubbard	Sergeant Mike Moyer
Elaine Lee	Greg Downs
Mary Claire McLaurin	Lieutenant Randall Dias
Lieutenant David Lafferty	Lieutenant Dennis Morris
Captain Brady Gore	Captain John Carter
Sergeant Jeff Whitlock	Corporal Tiffany Dycus
Sherry Woods	Jackie Baker
Phyllis Huitt	Trooper Levi Fleming
Sergeant Chad Hipps	Sergeant David Williams
Bridget White	

OTHERS PRESENT:

Olan Reeves, Asst. Attorney General	Major General Mark Berry – TAG
Greg White, ESGR	Don Quinn, ESGR

PLEDGE OF ALLEGIANCE:

Commissioner Burns led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on August 14, 2017.

MINUTES:

Commissioner Christenson made a motion to approve the minutes of the July 13, 2017 monthly Commission Meeting. Commissioners Basore/Burns 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 Alex Finger efficiently and effectively served the Arkansas State Police for a period of thirty-six years, and eight months;

WHEREAS: Captain Alex Finger retired from this department June 30, 2017;

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 Alex Finger 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 Wednesday, August 16, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number KCZ676, 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 Christenson seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Captain Alex Finger efficiently and effectively served the Arkansas State Police for a period of thirty-six years, and eight months;

WHEREAS: Captain Alex Finger retired from this department June 30, 2017;

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 Alex Finger 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 Wednesday, August 16, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC622753, that Captain Alex Finger has carried be affixed at \$100.00, and that Captain Alex Finger 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 Christenson seconded and the motion passed.

Major Mark Hollingsworth presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Corporal Robin Kuykendall efficiently and effectively served the Arkansas State Police for a period of thirty-two years, three months and twelve days;

WHEREAS: Corporal Robin Kuykendall retired from this department June 30, 2017;

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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 Robin Kuykendall 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 Wednesday, August 16, 2017, in accordance with Act 547 of 2003, awards him his Glock Model 21, Serial Number PKS282, 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 Burns seconded and the motion passed.

R E S O L U T I O N

WHEREAS: Corporal Robin Kuykendall efficiently and effectively served the Arkansas State Police for a period of thirty-two years, three months and twelve days;

WHEREAS: Corporal Robin Kuykendall retired from this department June 30, 2017;

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 Robin Kuykendall 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 Wednesday, August 16, 2017 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC531153, that Corporal Robin Kuykendall has carried be affixed at \$100.00, and that Corporal Robin Kuykendall 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. Commissioners Basore/Benton seconded and the motion passed.

OFFICIAL COMMENDATIONS:

Sergeant David Williams gave an overview of the nomination of Trooper Levi Fleming for an Official Commendation.

Sergeant David Williams stated his Post lies in the Delta of Eastern Arkansas and our counties are primarily rural, comprised of farm lands, timber with several small towns scattered throughout and we do not have a whole lot of population, we do have Interstate 40 that runs through and we are responsible for all of the secondary highways. As I read over the ASP policy concerning Official Commendations, I saw words such as exemplary service, diligence, perseverance and beyond the call of duty and I couldn't help but think of one very special trooper that I am honored to have as part of my Post and that is Trooper Levi Fleming. Throughout the year of 2016, Trooper Fleming was one of the leaders of my Post in criminal arrests, DWI arrests and overall activity. The efficiency and total dedication to his duties was very evident by the quality and overall quantity of his work. The primary focus in our Troop

and our Post is criminal arrest and impaired drivers, a lot of times we are dealing with the same local citizens day after day and so we try to really focus on what we feel most negatively impacts our communities. Trooper Fleming made 348 criminal arrests and 41 DWI arrests. These two categories combined accounted for almost 50% of his total arrests. In addition to that excellent work ethic, Trooper Fleming is a Grenadier for the ASP Emergency Response Team and is the Troop D Social Media Representative. Due to this, the time Trooper Fleming spent in training and special assignments was extremely high. Even though his time is often stretched thin, Trooper Fleming is totally dedicated to his Highway Patrol duties and he actually led his post in total activity. Trooper Fleming also led his post in accidents investigated at 62, but that was almost double the amount of the next closest trooper. In my mind that fact alone shows the willingness to help and the selflessness of Trooper Fleming. He simply does what needs to be done, without question and that is a rare quality in today's world. Trooper Fleming is also actively involved in numerous civic activities, COPPS programs at the Hazen, Brinkley and Clarendon Schools, Trunk or Treat at the Brinkley Convention Center, Brinkley T-ball coach and a board member of the Monroe County Development Center. For his actions throughout the year Trooper Fleming is named the Troop D, Post 3 2016 Trooper of the Year, he was recently honored as a STEP Award winner for DWI enforcement in the Eastern Region and he also received multiple letters of commendations from Captain Jackie Clark. Trooper Fleming is very well rounded and does an excellent job representing the Arkansas State Police, he has definitely done his part in making the highways in Troop D as safe as possible and for his efforts I was honored to nominate Trooper Levi Fleming for an Official Commendation.

Colonel Bill Bryant presented an Official Commendation Award to Trooper Levi Fleming.

Captain Lance King gave an overview of the nomination of Sergeant Chad Hipps for an Official Commendation.

Captain Lance King stated on Tuesday, August 23, 2016 at 10:30 p.m. Sergeant Chad Hipps was in route to a missing child call in Madison County when he stopped at a gas station to fuel his state police unit. While fueling, Sergeant Hipps was approached by motorists who said they had just driven over the King's River Bridge between Eureka Springs and Berryville where they observed a young, white male subject sitting on the east side of the bridge. Knowing this was highly unusual and dangerous, Sergeant Hipps told the motorists that he would check on the subject. Sergeant Hipps proceeded to the King's River Bridge and observed a young male, later identified to be 17 years of age, standing on top of the concrete bridge facing the river at the bridge's highest point. The King's River Bridge is approximately 120 feet above the King's River. Sergeant Hipps positioned his unit twenty yards away from the subject in a location that blocked the east bound traffic. Sergeant Hipps exited his unit and approached the subject and ask him what was going on. The subject looked at Sergeant Hipps for a moment, stepped down from the concrete wall and walked into the east bound lanes as Sergeant Hipps began walking toward him. Sergeant Hipps positioned himself between the subject and the bridge in case the subject decided to bolt and jump. Once Sergeant Hipps was within reach of the subject, he placed one hand on the subject's back and the other hand on the subject's arm and escorted him back to his unit. At the car the subject identified himself and said that he was done. Sergeant Hipps says no they were not done tonight and began to talk to the subject about what caused him to be so upset. The subject began crying and told Sergeant Hipps that he was depressed, his family did not love him and he said his family kicked him out of their home and he was going to kill himself. Sergeant Hipps placed the subject inside his unit and traveled to a grandmother's address who lived in Berryville. He made contact with the grandmother and she told Sergeant Hipps she is not really his grandmother and she did not want the subject left at her house due to past troubles with him. The grandmother identified the subject's mother who lived in Springdale, Arkansas. Sergeant Hipps then met with Berryville paramedics that he had summoned to the residence. Sergeant Hipps turned the subject over to the paramedics and they transported him to the Berryville Hospital. Sergeant Hipps proceeded to the emergency room to explain to the emergency room doctor

the circumstances and need for a mental evaluation. Sergeant Hipps spoke with the subject and told him that he was concerned about his safety and he was

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not going to leave until he got the proper help. The subject agreed that he needed help and that he needed treatment. Prior to leaving the hospital Sergeant Hipps met with the grandmother and mother and explained the situation in detail. Both thanked Sergeant Hipps and said that anybody else would have dumped him somewhere and just left him. I believe Sergeant Hipps kept this young man from jumping off the bridge which would have been a certain death. Sergeant Hipps exhibited a caring attitude and made sure the subject received the proper mental health treatment. For that, I nominated Sergeant Hipps for an Official Commendation.

Colonel Bill Bryant presented an Official Commendation Award to Sergeant Chad Hipps.

Chairman Shepherd stated thank you for your service and over and over it is reinforced in our lives why we are the premier law enforcement agency not only in the state, but in the region. Thank you.

### DIVISION REPORTS:

#### Fiscal Section – Emma French

Ms. French presented an oral summary of the written report distributed to the Commission. She stated we are at 8% and our main operating budget this year we are going to live on \$84 million for our main operations, of that \$71 million is salaries, so most of our money for operations goes towards salaries. That does not leave a whole lot to pay for everything else. The new pay plan effected our agency about \$2.2 million, the additional money that we needed to be able to come up with and we looked at what we could cut. One thing we did was we lowered our budget on fuel to \$2.50 a gallon and it is pretty low and we are going to keep our eye on it and see if we can survive there.

Commissioner Allison stated we should be able to buy fuel for \$2.50 or less shouldn't we. Ms. French stated I hope so. Commissioner Allison asked what the average per gallon we pay right now is. Ms. French stated she thinks it's like \$1.78 per gallon for this month when we averaged it all together.

#### Administrative Services – Lieutenant Roby Rhoads

Lieutenant Roby Rhoads 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, seventeen lateral transfers, six voluntary resignations, two retirements, one voluntary demotion, and two promotions. The commissioned transactions included one retirement, three lateral transfers, two voluntary resignations and twenty-three promotions. We currently have eleven department members on military deployment.

Regarding the ASP Health Plan, the July paid claims were \$831,267 that is a decrease of \$136,281 from last month. The fund balance is \$228,550 lower than last month for a total fund balance of \$5,772,154. The average discount saving for the month was 73%.

On the training and recruiting side, we have our Narcan training still going around and I think we had a person that Narcan saved last night in Hot Springs, actually that was in Montgomery County, so we are continuing on with that training and we should have that completed shortly. We hosted an ASP Supervisor's school, a twenty hour class that the newly promoted supervisors attended. On the recruiting side we have several troop level town hall meetings scheduled for our recruiting. Currently we have 259 applications that will be scheduled for testing both physical and written testing.

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NEW BUSINESS:

Department of Defense, Employer Support of the Guard and Reserves – Seven Seals Awards

Greg White, Program Support Manager of the Arkansas Employer Support of the Guard and Reserves (ESGR) introduced Mrs. Jane English, Arkansas ESGR Chair and Major General Mark Berry, the Adjutant General and Don Quinn, AR National Guard Employment Manager.

Mr. White stated the ESGR is a Department of Defense agency that seeks to promote culture in which all American employers support and value the military service of their employees. We recognize outstanding employer support, increase awareness of the law, and resolve conflicts between employer and their service member through mediation.

We are here today to recognize the outstanding support of the Arkansas State Police Commission members for their partnership with the Arkansas National Guard and the support that the State Police and the Commission provide to the military service members and their families.

The ESGR State Chair, Mrs. Jane English accompanied by Adjutant General, Major General Mark Berry who will present each Arkansas State Police Commissioner with the ESGR Seven Seals Award.

The Seven Seals Award is presented at the discretion of the state ESGR Chair in recognition of significant individual achievement, initiative, or support that promotes and supports the ESGR Mission. Mr. White called each ASP Commissioner to come forward and position over to the left. The Adjutant General will present the Adjutant General's State Coin and the Seven Seals Award will be presented by Mrs. English.

The award citation reads as follows: "The Seven Seal Award is presented to (each ASP Commissioner) for meritorious leadership and initiative in support of the men and women who serve America in the National Guard and Reserve."

Mrs. Jane English and Major General Mark Berry presented each Commissioner with the Adjutant General's State Coin and the Seven Seals Award.

Mrs. Jane English stated she wanted to thank you very much for all of your support. As was noted today, I think we have eleven of our troopers who are deployed overseas, I am not sure how many are actually in the guard, but it is absolutely critically important that all of our employers support the folks who are in the guard, it is our national defense. We are a part of the national defense here at the state police, but the guard is a great part of that and we need all of the support we can possible get for our troopers who are in the guard and also deployed.

Major General Berry stated I appreciate the ESGR making this happen, it is not easy making these awards go through. You know my passion and respect for the Arkansas State Police and like Mrs. English and Lt. Rhoads said the number of soldiers and airmen that we have on deployment status right now that is a fine balance in providing for the safety and security of the citizens of the State of Arkansas as well as the military service. It takes a tremendous amount of cooperation with the employers and we appreciate the Commissioners for their support. I try to have dialogue with the Arkansas State Police, with Captains and all the troops to ensure that we won't have any impact on their mission in their respective troops. I truly appreciate the Commissioners and everything that you do not only for the National Guard, the last class I believe we had seven National Guardsmen

who were commissioned through the state police academy and it gives them a great opportunity to grown their skills and be better soldiers and airmen. We couldn't do that without the support of our Commission and Colonel Bryant, so thank you all for allowing us to be here to make these presentations.

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Chairman Shepherd thanked Mrs. English, General Berry and Mr. White for their kindness.

Chairman Shepherd asked Colonel Bryant if there was any other new business at this time. Colonel Bryant stated we need to go into executive session to discuss a reinstatement and promotion.

#### EXECUTIVE SESSION:

Commission Chairman Shepherd asked if there was a motion. Commissioner Basore made a motion to go into Executive Session for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of an employee, Commissioner Burns seconded and the motion passed. The Commission went into Executive Session at 10:31 a.m.

Commissioner Shepherd stated let me mention something to you before we go into executive session because some of you will not come back for the end of the meeting after executive session. Let me just mention one thing to you, life is short, if you live to be 20 or if you live to be 100, life is short. We need to learn to cherish every day and to cherish those who are around us, to let them know that we love them and they are important to us. Thank you for all that you do it is greatly appreciated and noticed.

The open meeting resumed at 11:17 a.m. and Commission Chairman Shepherd asked Colonel Bryant if he had any recommendations.

Colonel Bryant stated we have a reinstatement of a trooper who left ASP in 2016 and he wishes to come back on the job. It is Mason Glasgow, he graduated Troop School in 2009 and resigned in February 2016. His background has been completed and everything checks out good. My recommendation to the Commission would be to reinstate Mason Glasgow as an Arkansas State Police Trooper. Commissioner Benton made a motion that Mason Glasgow be reinstated, Commissioner Basore seconded and the motion passed.

Next, Colonel Bryant stated we have a Captain position in the Criminal Investigation Division, Administration. My recommendation to the Commission would be to promote Lieutenant David Lafferty to Captain in the Criminal Investigation Division, Administration. Commissioner Christenson made a motion that Lieutenant Lafferty be promoted to Captain, Commissioner Burns seconded and the motion passed.

#### NEXT MEETING:

Commission Chairman Shepherd stated the next regularly scheduled meeting will be held on Friday, September 15, 2017 at 11:00 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 11:22 a.m.

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Commission Chairman

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Commission Secretary