

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
SPECIAL CONFERENCE CALL MEETING  
February 26, 2016

The Arkansas State Police Commission met for a special Conference Call meeting on Friday, February 26, 2016 at the Arkansas State Police Administrative Headquarters, 1 State Police Plaza Drive, Little Rock, Arkansas.

MEMBERS ON CONFERENCE CALL:

Commissioner Frank Guinn, Chairman  
Commissioner Lewis Shepherd, Vice-Chairman  
Commissioner John Allison, Secretary  
Commissioner Jane Christenson  
Commissioner Bob Burns  
Commissioner Neff Basore  
Commissioner Bill Benton

STATE POLICE PERSONNEL ATTENDING:

Colonel William J. Bryant  
Bill Sadler  
Donna Humphries  
Ashley Easterly

Commission Chairman Guinn called the meeting to order at 2:05 p.m.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on February 26, 2016 at 9:18 a.m.

NEW BUSINESS:

All seven commissioners were present on the conference call, so there was a quorum.

Commission Chairman Guinn then turned the meeting over to Colonel Bryant. Colonel Bryant advised this meeting was called to address a personnel matter involving Trooper Mark Willis who is assigned to Troop F. Trooper Willis is a probationary officer and he is an at will employee at this time. The purpose of this call is to recommend the termination of Trooper Willis. Trooper Willis does not have the knowledge, skills, or ability to conduct accident investigations and as we all know accident investigations are a core competency for an Arkansas State Trooper. It is one of the main job functions of being a trooper. To give you a little background as to the issues he is having, we have a lot of documentation and instead of reading all the documents, I will just give you certain highlights. Basically he is having problem areas of documenting details that were incorrect, reporting the direction of the vehicles was incorrect, documenting the driver was wearing a lap belt and shoulder belt in which he had none, put the wrong color of vehicles, taking wrong measurements, details on the diagrams are full of mistakes, inaccurate measurements, and weak in the area of the narrative. He is unable to learn the fundamentals or skills needed to be successful at crash investigations. Every report or accident investigation he has done has been returned with mistakes and a lot of times it would be the same mistakes that he had already received more training on, wrong contributing factors, and wrong direction of the vehicles. What is required now is the supervisors are having to give him one on one attention and the supervisors lack confidence in his ability to conduct accident investigations. They are having to send experienced troopers to the scenes each time to help him with the accident investigations. There have just been repeated instances of careless patterned behaviors. Trooper Willis was a certified officer when he came to work for the State Police and he went through a 12 week troop school and during the troop school, they detected some problems with him and actually had him ride with some troopers in Troop A to gain more experience. He graduated Troop School, went to Troop F and the normal FTO training program for certified officers is approximately 4 weeks and non certified we usually do a program that last 8-9 weeks. For Trooper Willis, we had to go a full 12 weeks on his FTO program and he was assigned 4 different troopers during that time trying to get him trained up to

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perform the duties of an Arkansas State Trooper.

In May 2015, they placed him on a corrective action plan, assigned him to a Corporal for the month, again he continued with the same pattern of mistakes, so they sent him back to another Troop School for another week of remedial accident investigation and continued the one on one assistance from the Sergeant and veteran Troopers. They even went to great lengths by giving him a binder full of templates of accident investigations to show him how each report should be completed. They also gave him a compass to make sure he got the directions right, they even took him out on the highways to point out which highways run north, south, east and west. I think we went to great lengths to try to correct his deficiencies but again, I just do not think he possesses the knowledge, skills or ability to perform the duties of an Arkansas State Trooper. He is a detriment to Troop F because the other troopers are having to work the accidents instead of him and also a potential liability to the Arkansas State Police. Based on these facts, my recommendation to the Commission would be to terminate Trooper Mark Willis.

Commission Chairman Guinn asked if there were any questions from any of the Commissioners. Commissioner Shepherd asked if anyone had spoken with Trooper Willis. Colonel Bryant stated yesterday, he came up and Lt. Colonel Shawn Garner, and Major Mike Foster sat with him and explained and shared the documentation with the same issues that I discussed with you today and Trooper Willis basically said he is not going to give up his job. His reasoning was that it was everybody else's fault but his, so at that point since we had laid out the facts, we put him on administrative leave because he was scheduled to work today and I did not think that would be fair to put him on the highway until a final decision is made. So currently as of yesterday afternoon he was placed on administrative leave and was informed that a call would be performed with the Arkansas State Police Commission. We gave him every opportunity but he chose not to and he was made aware of the process as any employee on probation would be and what the procedure would be in appearing before the Commission. Commissioner Shepherd stated at this point there is no appeals process because he was within the probationary period of 18 months, is that correct? Colonel Bryant said yes sir. Commissioner Shepherd asked what recourse could we expect from this if there is any? Colonel Bryant stated one would be if he decides any discrimination was involved, he could file an EEOC complaint and proceed that way and they would investigate or they could give him a right to sue letter and then he could proceed from there.

Commissioner Allison asked have we exhausted everything that we can possibly do. Colonel Bryant stated yes we went well beyond the duty and tried ever tool in the toolbox and I just do not think he possesses the knowledge, skills, or ability to perform accident investigations which is a core competency of an Arkansas State Trooper.

Commission Chairman Guinn stated if there are no more questions, he would entertain a motion. Commissioner Basore moved to approve the Colonel's recommendation to terminate the probationary state trooper and Commissioner Christenson seconded. Chairman Guinn called the roll for votes as follows:

Commissioner Benton – Voted Yes  
Commissioner Burns – Voted Yes  
Commissioner Christenson – Voted Yes  
Commissioner Allison – Voted Yes  
Commissioner Shepherd – Voted Yes  
Commissioner Basore – Voted Yes  
Commission Chairman Guinn – Voted Yes

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Chairman Guinn stated it was unanimous that the Commission approves Colonel Bryant's decision to terminate Trooper Willis. Colonel Bryant stated since he is on administrative leave, we will bring him in Monday and issue the letter of termination.

With no further business to discuss, Chairman Guinn stated he needed a motion to adjourn. Commissioner Basore motioned to adjourn the meeting, Commissioner Christenson seconded and the meeting was adjourned at 2:14 p.m.

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Commission Chairman

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Commission Secretary