

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
August 12, 2021

The Arkansas State Police Commission met on Thursday, August 12, 2021 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Basore called the meeting to order at 10:00 a.m.

MEMBERS PRESENT:

Commissioner Neff Basore, Chairman
Commissioner Jeffery Teague

MEMBERS ON CONFERENCE CALL:

Commissioner John Allison – Vice-Chairman
Commissioner Steve Edwards - Secretary
Commissioner Jim Hinkle
Commissioner Murray Benton, Sr.
Commissioner Ken Reeves

STATE POLICE PERSONNEL PRESENT:

Colonel Bill Bryant	Lt. Colonel Shawn Garner
Major Charles Hubbard	Major Forrest Marks
Major Jason Aaron	Major Jeff Drew
Major David Lafferty	Major Lindsey Williams
Sherry Woods	Captain Mike Moyer
Jenna Castleberry	Amy Dick
Tess Bradford	Katlyn Nelson
Captain Scott Woodward	Captain David Moore
Captain Stacie Rhoads	Special Agent Mike McNeill
Sergeant Ramey Lovan	Sergeant Ted Jones
Special Agent Tony Hill	Captain John Carter
Captain David Williams	Special Agent David Forthman
TFC Paul Meeks	Sergeant Brenda Gibbons
Trooper Kristen Dumont	Trooper Tyler Williams
Sergeant Matt Williams	Captain Chris Goodman
Sergeant Greg Dycus	Captain Roby Rhoads
Special Agent Wendall Jines	Special Agent Clinton Calderon
Lieutenant Tiffany Dycus	Special Agent Mike Grimes
Sergeant Marcus Daniels	Captain Kyle Drown
Donna Humphries	

OTHERS PRESENT:

Sara Farris, Assistant Attorney General	Jacob Copier
Ian McNeill	Kelli McNeill
Sarah Lovan	

PLEDGE OF ALLEGIANCE:

Commission Chairman Basore led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on August 04, 2021.

MINUTES:

Commissioner Teague made a motion to approve the minutes of the July 08, 2021 regular monthly commission meeting. Commissioner Reeves seconded, and the motion passed.

WEAPON RESOLUTIONS:

Major Jason Aaron presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Sergeant Phillip Pickett efficiently and effectively served the Arkansas State Police for a period of thirty- three years and eighteen days.

WHEREAS: Sergeant Phillip Pickett retired from this department June 30, 2021;

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 Phillip Pickett 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 12, 2021, in accordance with Act 547 of 2003, awards him, his Glock Model 17, Serial Number BMSA470, 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 Edwards seconded, and the motion passed.

R E S O L U T I O N

WHEREAS: Sergeant Phillip Pickett efficiently and effectively served the Arkansas State Police for a period of thirty-three years and eighteen days;

WHEREAS: Sergeant Phillip Pickett retired from this department June 30, 2021;

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 Phillip Pickett 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 12, 2021 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC622775, that Sergeant Phillip Pickett has carried be affixed at \$100.00, and that Sergeant Phillip Pickett be permitted to purchase the shotgun for his personal use.

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

PROMOTION CERTIFICATES:

Colonel Bill Bryant presented a promotion certificate to Captain Brad Lann promoting him to Captain in the Highway Patrol Division, Administration.

Colonel Bill Bryant presented a promotion certificate to Lieutenant Tiffany Dycus promoting her to Lieutenant in the Regulatory and Building Operations Division, Administration.

OFFICIAL COMMENDATIONS:

Major David Lafferty presented the overview for the nominations of Lieutenant Brant Tosh, Sergeant Ramey Lovan, Carla Wilson, Special Agent Billy Calderon, Special Agent Mike Grimes, Special Agent Tony Hill, Special Agent Creston Hutton, Special Agent Wendall Jines, Special Agent Mike McNeill, Special Agent Mark Vavak, and Sergeant Ted Jones for Official Commendations.

Major Lafferty stated I present to you today the official commendation nominations for several agents and supervisors in CID, Company F and Company E. During the late afternoon hours of Tuesday, June 4, 2019, Company F received a call from the Randolph County Sheriff's Office concerning a suspected homicide that occurred just outside the Pocahontas City Limits. Upon arrival, agents discovered the decomposing remains of a female victim who was covered up with a tarp outside of the residence. Our past experiences

showed us that the first 6-8 hours when a homicide occurs is considered critical hours to the ultimate success of solving the case. In this particular incident the homicide occurred several days before the victims' body was discovered. At that point agents and supervisors from Company F then began the difficult task of investigating this homicide which they have added additional scrutiny from the news media because there was a lot of interest in this case. Initially during the first few days, agents and supervisors were working 18-20 days to handle all the numerous leads and information that were coming in on the case. Each lead, even though some of them did not appear to be credible, had to be investigated. Within 10 days of the discovery of the body, the agents had identified the suspect, obtained an arrest warrant for the suspect, and arrested the suspect. Although the suspect was in custody there was still all these other leads that were going to have to be pursued in follow up to the investigation to complete the case. Throughout this entire period of the investigation, agents in Company E and F executed 33 search warrants, conducted 8 consent searches, served 15 Prosecutor's Subpoenas for records, conducted over 57 interviews of various witnesses, and conducted 8 separate crime scene searches some involving residences and outbuildings and some involving vehicles. Ultimately over 2450 pages of written reports and documents were put in the CID RMS, just simply for this case alone. On August 6, 2020, the arrested suspect pled guilty to a First-Degree Murder charge and was sentenced to serve 43 years in the Arkansas Department of Corrections. While the original investigation was going-on, a secondary investigation arose out of it and the suspect also pled guilty in that case which involved 2 counts of Solicitation to Commit Capitol Felony Murder. The agents and supervisors in Company F and Company E performed their duties in both of these investigations in an exemplary manner, they showed a persistent work ethic through the entire investigation and through perseverance were able to obtain a successful conclusion and ultimately justice for the victim's family in these cases. The agents and supervisors being recognized are Company F Lieutenant Brant Tosh, unfortunately Lt. Tosh is not able to be with us today, Company F Sergeant Ramey Lovan, Company E Sergeant Ted Jones, Company F Administrative Specialist Carla Wilson, Company F Special Agents Billy Calderon, Special Agent Mike Grimes, Special Agent Tony Hill, Special Agent Creston Hutton, Special Agent Wendall Jines, Special Agent Mike McNeill, and Special Agent Mark Vavak.

Colonel Bryant stated I have just a couple of comments, you know I have been director for 6 ½ years and this is by far been the most high-profile case and I want to compliment all of you'll, it was a great team effort. I know you burned the midnight oil for a long time, and it was a very high-profile case to the media. You stuck to the facts and evidence of the case, and it led ultimately to the defendant pleading guilty. This is a testament to the great work that you all did, just great team effort.

Colonel Bryant presented Official Commendations to Sergeant Ramey Lovan, Carla Wilson, Special Agent Billy Calderon, Special Agent Mike Grimes, Special Agent Tony Hill, Special Agent Creston Hutton, Special Agent Wendall Jines, Special Agent Mike McNeill, Special Agent Mark Vavak, and Sergeant Ted Jones.

Captain Kyle Drown presented the overview for the nominations of Sergeant Matthew Williams, Sergeant Brenda Stephenson, Corporal David Smothers, TFC Paul Meeks, and Trooper Kristen Dumont for Official Commendations.

Captain Drown stated bear with me as this overview cannot be explained in just a few words. Today we are here to recognize several members of Troop J for a shooting incident that occurred some time ago, January 21, 2020, to be exact. Two troopers Corporal Chad Maness and TFC Deston Linkous have already been recognized with Valor awards for this incident. To help and explain the incident, I will talk about their part, but they are not here today. To really understand what these troopers did on that day you must try to imagine the setting. I need you to picture yourself standing with your back to a large open field with little to no cover or concealment, you are facing a very dense wooded thicket that contains a suspect who has been shooting at law enforcement and he has all of the cover and concealment. You are in this position and obviously it is not a good one because you must put yourself between him and the public to contain him. On the morning of January 21, 2020 the Atkins Police Department responded to a report of a strange individual carrying a gun in the back yard of a residence located on the southeast side of Atkins. Upon arrival, the Atkins Chief of Police Steven Pack and Sergeant Scott Harper encountered the individual. When Chief Pack approached the individual who had a handgun in his right hand, he turned towards Chief Pack and shot at him. These actions started a response of numerous agencies including ours. Troop J personnel responding to the call for assistance were Sergeants Matt Williams and Brenda

Stephenson, Corporals David Smothers and Chad Maness, TFCs Deston Linkous and Paul Meeks, and Trooper Kristen Dumont. Chief Pack continued pursuing the individual on foot while being fired at. Corporal Maness and TFC Linkous were the first ASP units to arrive and started making their way to Chief Pack. Upon making contact with Chief Pack, Corporal Maness and TFC Linkous heard two shots from the suspect. The area they and other officers were in consisted of dense vegetation. The two shots gave them an area of where the suspect was at, and they pursued him. They come upon a shed and proceeded to clear it, as they rounded the shed the suspect who was in dense vegetation fired at them from close distance. Corporal Maness and TFC Linkous engaged the suspect in a moving gun battle with approximately 40 yards distance between them and the suspect. Corporal Maness and TFC Linkous fired multiple rounds and performed magazine exchanges on their rifles as the suspect retreated further into the woods. They made contact again and were fired at by the suspect. The suspect continued through the woods in an easterly direction. Sergeants Williams and Stephenson, Corporal Smothers, TFC Meeks, and Trooper Dumont arrived in the area to assist and made their way down to the area where Chief Pack, Corporal Maness, TFC Linkous and officers from other agencies were located. Law enforcement was at a complete tactical disadvantage but knew they had to contain the suspect and not allow him to make it to area neighborhoods located to the south of their positions. Law enforcement including these troopers took positions along the wood line with their backs to a wide-open field to contain the suspect. Dialogue was established with the suspect in an attempt to get him to surrender. The suspect moved towards the officer's voices and mentioned that he had reloaded his weapon and taken a couple more hits off his meth pipe. Sergeant Stephenson knowing the suspect was moving to the sound of voices did not hesitate to yell at other approaching officers telling them to stop advancing towards them as they were creating a crossfire situation and to get online with the other officers. The suspect fired again at officers. Due to the dense brush officers could not tell who the suspect was firing. Multiple officers engaged the area the suspect was firing from with numerous rounds. The suspect was struck and incapacitated. Sergeant Williams leadership and experience with deadly force encounters was noted by his fellow officers who said Sergeant Williams told everyone to hold their positions and take a minute to catch their breath and come up with a plan to approach. Sergeant Williams had noted the suspects color was changing to that of someone who was deceased, and time was on their side to make sound decisions. Sergeant Stephenson had everyone check themselves for hits due to the high number of rounds that were fired in the last exchange. Sergeant Williams put a team together and assumed the role as team leader to tactically approach the suspect's location. The suspect succumbed to his injuries at the shooting location. Located by him were two stolen pistols. The incident lasted approximately 57 minutes, over 60 shell casings were recovered from the crime scene which was very large in nature. Different troopers played more roles than others during this incident, but as previously noted all the responding troopers placed themselves in harm's way to stop the suspect from getting to area neighborhoods. This started from the time they exited their vehicles and proceeded into dense vegetation not knowing where the suspect was located. They all got online, not knowing exactly where he was at and put themselves between him and the nearby neighborhood. This protected the public and helped bring the situation to an end with no injuries to civilians or law enforcement. Our supervisors not only were online trying to stop a threat but were also constantly analyzing and managing the whole incident and making sound decisions to keep everyone safe. The ASP's professionalism, training and leadership shined on this date, and it is for these actions and efforts on this date that these troopers are deserving of official commendations.

Colonel Bryant stated I would like to make a couple of comments on this, it's just acts of bravery. I read the file completely and these troopers stood the line, like Kyle said, they put their lives on the line to protect the citizens of Arkansas. It is great teamwork and great supervisors. We appreciate your leadership and what you do for the state police and the citizens of Arkansas.

Colonel Bryant presented Official Commendations to Sergeant Matt Williams, Sergeant Brenda Stephenson, TFC Paul Meeks, and Trooper Kristen Dumont.

Captain Chris Goodman presented the overview for the nomination of Trooper Tyler Williams for an Official Commendation.

Captain Goodman stated on November 6, 2021, Trooper Tyler Williams responded to a residential burglary call with a deputy from Franklin County Sheriff's Department. After arriving at the residence, Trooper Williams spoke to the homeowner who stated that his house had been burglarized, and a handgun was missing. The homeowner told Trooper Williams

there was a woman who lived behind him in another residence. Trooper Williams and the deputy decided to go check on the second residence to check on her welfare. As they were knocking on the front door, the woman that lived there ran out the front door with a gunshot wound to her shoulder area. The woman stated she had just been shot and the shooter was still inside the residence. Trooper Williams immediately removed her from the scene and got her behind cover to a safe area, bandaged her wound and called for an ambulance. He then retrieved his rifle from his patrol car and began setting up a perimeter, he took control of the scene and waited on other units to arrive. Once backup arrived, the rest of the units and Trooper Williams called out the suspects and ended up arresting two suspects. If not for Trooper Williams and the deputy following through to check on the welfare of the victim at her residence, as well as quickly moving her to safety and bandaging her wound, the victim may not have survived the incident. For this reason, Trooper Williams was nominated and is worthy of an official commendation.

Colonel Bryant presented an Official Commendation to Trooper Tyler Williams.

DIVISION REPORTS:

Fiscal Section – Jenna Castleberry

Jenna Castleberry presented an oral summary of the written report distributed to the Commission. Ms. Castleberry stated first of all I want to apologize for my tardiness last month. If anyone has any questions about year-end closeout, I would be glad to entertain those and if not, I will move forward with this month's presentation. We loaded a budget this year of a little over \$126 million dollars. We are up and running and things are going well so far, with just one month of data. We loaded fuel at \$2.85 a gallon, our current average is \$2.75 a gallon, so we will continue to watch that.

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 uniformed noncommissioned transactions include two new hires, and two terminations. The commissioned transactions include eighteen promotions, seventeen of those were for Corporal, one termination, and one transfer. Currently we have seven military deployments.

Regarding the ASP Health Plan July paid claims were \$1,020,966 which was an increase of \$74,024 from last month and the fund balance is \$772,518 higher than last month for a total fund balance of \$10,897,634. The average discount savings for the month of June was around 67%.

A quick update on our Troop School and Recruiting Campaign for 2022, we had a total of about 213 initial contact forms turned in. At this point we have scheduled about 168 applicants for the ARPAT and written testing process and so far, we have had about 45 that passed the ARPAT testing, we had 10 that failed, 23 withdrew from the process and had 13 that did not bother to show up at all. We will continue that process next week and then it will take us a few weeks to get the results back on the written exam part of that.

OTHER BUSINESS:

Commission Chairman Basore asked Colonel Bryant we do have a promotion to consider? Colonel Bryant stated yes Mr. Chairman, but before we do that, I would like to just take a second. One of our attorneys, Mary Claire McLaurin is leaving the state police. She has been in the Regulatory Division, but more importantly for my tenure as the Director of the State Police, she has been my right-hand man or woman at the legislative meetings. She did an outstanding job; she also has presented some appeal hearings before the ASP Commission, and she has been a great asset to us. Mary Claire, I just want to personally thank you for everything.

Colonel Bryant stated we do have one promotion to entertain.

EXECUTIVE SESSION:

Commissioner Teague made a motion to go into Executive Session for the purpose of considering a promotion, Commissioner Edwards seconded, and the motion passed. The Commission went into Executive Session at 10:33 a.m.

Commission Chairman Basore called the meeting back to order at 11:02 a.m. and asked Colonel Bryant if he has any recommendations.

Colonel Bryant stated we had one promotion, the ASP Sergeant position in the Criminal Investigation Division, Company C Clark, Grant, Garland, Hot Spring, Montgomery, Pike and Polk Counties. On this position, I would like to use the Director's discretion for a lateral transfer of Sergeant Russ Rhodes into the Sergeant position in the Criminal Investigation Division, Company C.

NEXT MEETING:

Commission Chairman Basore stated the next regularly scheduled meeting will be held on Thursday, September 2, 2021 at 10:00 a.m.

Commission Chairman Basore asked Donna Humphries to send an update to the ASP Commissioners on the upcoming appeal hearings.

With no more business, Commissioner Teague made a motion to adjourn the meeting, Commissioner Reeves seconded, and Commission Chairman Basore adjourned the meeting at 11:05 a.m.

Commission Chairman

Commission Secretary