

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
September 15, 2022

The Arkansas State Police Commission met on Thursday, September 15, 2022 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

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

MEMBERS PRESENT:

Commissioner Steve Edwards, Chairman
Commissioner Murray Benton, Sr., Vice Chairman
Commissioner Jeffery Teague, Secretary
Commissioner Jim Hinkle
Commissioner Ken Reeves
Commissioner Neff Basore

MEMBERS ABSENT:

Commissioner John Allison

STATE POLICE PERSONNEL PRESENT:

Colonel Bill Bryant	Major Charles Hubbard
Major Jeff Drew	Captain David Moore
Sherry Woods	Captain David Williams
Captain John Carter	Lieutenant Alex Krneta
Jenna Castleberry	Amy Dick
Captain Paulette Ward	Sergeant Robert Middleton
Sergeant Corey Mendenhall	Jonathan Nettles
Donna Humphries	

OTHERS PRESENT:

A. J. Gary, DPS	Jackie Baker, DPS
J. R. Hankins, DPS	
Sara Farris, Attorney General's Office	

PLEDGE OF ALLEGIANCE:

Commission Chairman Edwards led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on September 07, 2022.

Chairman Steve Edwards introduced DPS Secretary A. J. Gary and welcomed him. DPS Secretary A. J. Gary stated thank you, I just want to take a second and tell you how much I appreciate the work that you'll do on this commission. I am a firm believer that you know what makes a great society is those citizen leaders and citizen volunteers. So, I appreciate the work that you'll do. My background is mainly law enforcement, but I did spend some time in the private sector in between that, running head of security for an international airline, and it was during that time that I think I really learned and understood the importance of customer service. I have tried to instill that in the public organizations that I have been a part of and will continue to do that and I think we are stronger when we all work together. As Secretary, my main goal is to pull all of these commissions together so that we can work in collaboration, we can work together to better serve our citizens. That is what we do in emergency management, whether it is a tornado in Trumann or record-breaking river flooding or an international pandemic, the way we respond is working together pooling those resources. So that is what I hope to accomplish here as Secretary. We have some great leaders within all of those divisions, I have known Colonel Bryant for a number of years. It is probably a good lesson here that 20 years ago when met somebody you never knew that they would be your boss someday and I am sure Bill is kind of panicked about that a couple of times. No, it has been a pleasure working with Bill when he was with the DEA and I look forward to working with all of the men and women here at the Arkansas State Police.

MINUTES:

Commissioner Reeves made a motion to approve the minutes of the August 11, 2022 regular monthly commission meeting. Commissioner Hinkle seconded, and the motion passed.

WEAPON RESOLUTIONS:

Captain David Moore presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Lieutenant Colonel Shawn Garner efficiently and effectively served the Arkansas State Police for a period of thirty-two years and two days;

WHEREAS: Lieutenant Colonel Shawn Garner retired from this department July 31, 2022;

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: Lieutenant Colonel Shawn Garner 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, September 15, 2022, in accordance with Act 547 of 2003, awards him, his Glock Model 17, Serial Number BMSA539, 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: Lieutenant Colonel Shawn Garner efficiently and effectively served the Arkansas State Police for a period of thirty-two years and two days;

WHEREAS: Lieutenant Colonel Shawn Garner retired from this department July 31, 2022;

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: Lieutenant Colonel Shawn Garner 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, September 15, 2022 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number RS45032K, that Lieutenant Colonel Shawn Garner has carried be affixed at \$100.00, and that Lieutenant Colonel Shawn Garner be permitted to purchase the shotgun for his personal use.

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

PROMOTION CERTIFICATE:

Colonel Bill Bryant presented a promotion certificate to Sergeant Corey Mendenhall promoting him to Sergeant in the Criminal Investigation Division, Company D.

Fiscal Section – Jenna Castleberry

Jenna Castleberry presented an oral summary of the written report distributed to the Commission. Ms. Castleberry stated we are two months into the fiscal year, and I don't have any large updates for you this month. Just for your information legislative audit completed their audit for FY2021, they have left, and we should have that report in the next few months. Ms. Castleberry stated on fuel, the average has gone down a little bit, it is \$3.92 a gallon for the last month. A commissioner asked what was that dollar, Ms. Castleberry stated \$3.92 a gallon and that includes our aircraft in that overall average, so it is a little high. Commissioner

Hinkle stated you need to pull that out. Ms. Castleberry stated with that pulled out, it was close to \$3.73 a gallon.

Administrative Services – Major Charles Hubbard

Major Charles 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 six new hires, one termination, and one transfer. The commissioned transactions include one new hire which was a reinstatement, twenty-eight promotions in which twenty-seven of those were to Trooper First Class and one was a Sergeant, three terminations two which were retirements, and one was voluntary and two transfers. Currently we have three military deployments.

Regarding the ASP Health Plan, August paid claims were \$940,241.00 which was a decrease of \$463,000.00 from last month. The fund balance is \$770,082.00 higher than last month for a total fund balance of \$12,309,583.00. The average discount savings for the month of July were around 62%.

Major Hubbard stated an update on our Troop School applications, we have received a total of 426 applicants that have applied, we have disqualified about 86 of those for minimum qualifications. Two hundred and fifty-two have been scheduled for the ARPAT testing, 143 attended, 105 passed the ARPAT and moved on to the written exam portion, and we had 37 that failed the ARPAT. Thirty-five applicants have withdrawn completely from the applicant process, and the most interesting number to me is 109 didn't bother to show up at all for the testing after they were scheduled. We do have a decent pool of applicants and we are pretty excited about that, and we are moving forward with the application process.

Commissioner Reeves asked how many remain? Major Hubbard stated well it is kind of a moving target, but we are looking at 105 to 110 that are still in the queue. Commissioner Teague stated you said 37 failed what was it? Major Hubbard stated the ARPAT test, the first thing they have to do is come in and take the physical agility test which is the Arkansas Physical Agility Test (ARPAT) and that is the first thing that they have to do. Commissioner Teague asked what does that consist of? Major Hubbard stated that consists of them participating in a run, then they have a push pull machine, they have to jump some hurdles, there is a ramp, it is basically simulating what a police officer might have to do if they were in some type of altercation that might involve a foot pursuit and then they have to handcuff the suspect and escort them to a police car. So, it basically simulates that scenario, you run, jump some hurdles, run up and down a ramp, then there is a push pull machine and then there is a hurdle you jump over and do some burpees and you carry a sandbag. Commissioner Basore stated kind of like an obstacle course and Major Hubbard stated yes. Commissioner Hinkle stated I understand that this is a moving target, also having been through this many times before, give me an educated guess on if you have 100 at this point, how many would you guess that would make it to actually start the school. Major Hubbard stated 25 or 30, from history and from what I have experienced. Commissioner Hinkle stated so really, we are not quite meeting our goal are we, as far as school is concerned. Major Hubbard stated well you know; the applicant pool has increased, and I think a lot of that has to do with some of the different things that we have tried. We did the live streaming advertising commercial this time around and picked up a lot of applicants that way. We also changed the application process and made it all digital, so that you can do it from a laptop or from a mobile device, but the problem is getting them to actually show up, seems to be where we are at. Major Hubbard stated you know our recruiters do a great job trying to reach out to them by calling every day to try follow-up and encourage them to continue through the application process, so we are hoping to make some changes in that. I am not trying to talk negative about the application process at all, I feel positive about it, I think we are moving in the right direction. There are some things with the state police that have changed obviously the raises and things like that have encouraged more applicants to apply. It is just you know today's society has changed a little bit on the perception of law enforcement in general, so I think we have to push past that to encourage those qualified people to apply and stay with the process because it is long. It is about a six-month hiring process. Commissioner Hinkle asked Major how much difference is there in a certified course and our normal course? Major Hubbard stated well the difference would be mainly in the length of the training, our normal non-certified school is about 21 weeks, and the certified school is about 12 weeks long and it is just condensing that training for those already certified officers. Commissioner Hinkle asked, have you ever tried mixing those two in the same school. Major Hubbard stated we have,

yes sir, we have done that in the past more than once and we have explored that option again this time around. You know there are pros and cons to that, in both aspects. You know if you start mixing those applicants, then you have the ones who have been there for the full 21 weeks that are kind of like looking back saying you kind of cheated a little bit because you didn't have to stay for the whole time. What you have to remember is that our training is different than ALETA training, our is a little more advanced, it is a little more in depth and so you know anytime we are in a situation that involves one of our troopers in a critical incident, you know I think we want to know that we have that support of that advanced training that goes with that. So, I am not trying to talk down the other type of training, you know because we are very excited about the way the state police trains. Commissioner Hinkle stated I have been told and I do not know the validity of this, I bet you can tell me, in years past have we taken a certified officer and put them with an FTO and made them a state policeman without going through our school. Major Hubbard stated I think there was a time period where troopers use to ride and work prior to going to troop school but that has been well over 20 years ago. Commissioner Hinkle stated I am just trying to explore all of the possibilities out there to increase our force someway, is my point. Major Hubbard stated I think what you have to be real careful with in today's society is if you are not trained and you are involved in some type of critical incident, you know there is a lot of danger there and there is a lot of liability.

Commissioner Teague asked how many total troopers do we have today? Major Hubbard stated I think 520 something around there, does that sound about right Colonel? Colonel Bryant stated I think we have 518 at last count, but to Commissioner Hinkle's point too, the recruitment process closes this Friday, but we still have the option, we are still considering looking at maybe splitting the school and discussing it. Our problem is our line-item in our budget only allows for one troop school. So, if we have another school later on then we will have to find the money to do two troop schools. Hopefully as big as this agency is, one day we will be able to do two troop schools a year. Commissioner Hinkle asked about what is the approximate cost of the school. Colonel Bryant stated I think about \$2.1 million. Colonel Bryant stated but we are exploring that option and the other is our ultimate goal would be depending on the budget and how many openings, but we would like to start the school with 50. But I am a firm believer in we will hire quality people, we are not going to just hire people to fill uniforms.

Commissioner Hinkle stated now the day they start the school they are on the payroll, is that correct. Colonel Bryant stated yes sir. Commissioner Hinkle stated is that part of that \$2.1 million I'm guessing. Colonel Bryant stated their salaries, while they are here, we feed them, have to buy all new equipment, uniforms, guns, training, gasoline for cars and the whole bit. Commissioner Teague asked in the budget how many troopers do you budget for? Colonel Bryant stated we have CAPS and different things like that, I think the highest since I have been here, we have had 550 troopers. Commissioner Teague asked what is the budget today, what would the budget support today, how many troopers? Colonel Bryant asked Jenna Castleberry if she has those numbers, current. Ms. Castleberry stated let's see if I can pull that for you. Commissioner Basore stated while she is looking, don't we have authorization to have so many, but we have only appropriated the money to have a less than that. Colonel Bryant stated that is correct, we have probably 580-600 positions, but it depends on which ones are funded. Ms. Castleberry stated the currently budgeted, mine is broken out commissioned and civilian and in that commissioned number is also telecom and driver's license/ commercial driver's license, so I don't think this is the number you are looking for, we have 708 in that whole category. So, I don't think. Commissioner Teague asked so how many do you have in that whole category today. Ms. Castleberry stated filled. Commissioner Teague stated everything, because you are talking about everything in that 708. Ms. Castleberry stated that the current filled commissioned is 716, like I said that includes everybody. Commissioner Teague stated so that is how many are in the field today, so you are almost at capacity. Commissioner Hinkle stated that is like radio operators too. Ms. Castleberry stated yes, it is radio operators and, Colonel Bryant stated radio operators and driver's license examiners because they are part of, they get the uniformed insurance.

Commissioner Teague stated where I am going with this is if you are budgeted for a certain number of troopers and we are not near at that level, you got, there's a lot of money there. Colonel Bryant stated we have salary savings from that, it just depends on how many we lose during the year. Again, my ultimate goal is to get us 50 into troop school, maybe 60 if we can afford it. But again, we have some other budgeted positions, we can always go back to the legislature and say hey, we need additional funding for those. Ms. Castleberry stated I can tell you currently that this year budgeted for troop school is 30. Commissioner Teague

stated so you are budgeted for 30. Colonel Bryant stated we can increase that with salary savings and how much money is available. Commissioner Teague stated that is where I am going with this, if we are not reaching our goals as far as employment goes. Maybe you as you mentioned, that is a big number \$2.1 million to do a troop school and I don't know how you can move money around, but it looks like to me you could move some of that savings to fund another troop school. Colonel Bryant stated we can, it depends on what the savings are, I don't know if it will get you up to \$2.1 million though. Commissioner Teague stated I mean if it will get you half of that. Ms. Castleberry stated we have done that in the past. Colonel Bryant stated I think if we go to them, they have been very supportive of public safety and I think we can get that, but I feel we can get the numbers up to 50 but you have to consider we always have attrition. Even if we put 50 in the school which we have done before, the most we have graduated since 2015 is 36. Commissioner Teague stated the one thing I hear consistently in the field is we need more people, we need more people, we need more people, I hear that all the time, but we seem not to, we don't seem to close the gap. It always seems to be a significant gap, so. Colonel Bryant stated talking to other Chiefs and Sheriffs and other Colonels around the United States, unfortunately it is a problem nationwide, it is just not us for people who go into law enforcement. Commissioner Basore stated but some of these agencies are short 100s, 3, 4, 5, 600, we are not short based on what our authorized strength is versus what we actually have in the field but by about 50 or so maybe. Colonel Bryant stated, I think probably around 36 to 38.

Colonel Bryant stated one last thing, if you want to see our ARPAT test it is on the website. You can click it and there is a trooper in a video, and it shows what PT test is. Commissioner Teague asked what is the acronym and Colonel Bryant answered ARPAT.

NEW BUSINESS:

Commission Chairman Edwards asked do we have any new business to discuss. Colonel Bryant stated yes, Mr. Chairman, we have three promotions to consider, Lieutenant in Company A, Lieutenant in Regulatory Administration and then Sergeant in Troop A, Relief Sergeant.

EXECUTIVE SESSION:

Commissioner Reeves made a motion to go into Executive Session to consider promotions to Lieutenant in Criminal Investigation Division, Company A, Lieutenant in the Regulatory Division, and a Sergeant in the Highway Patrol Division, Troop A. Commissioner Teague seconded. The Commission went into Executive Session at 10:22 a.m.

Commission Chairman Edwards called the meeting back to order at 11:18 a.m. Commission Chairman Edwards asked Colonel Bryant do we have some promotions.

Colonel Bryant stated yes sir, the first one Mr. Chairman is the Lieutenant in Company A. My recommendation to the commission would be Sergeant Randall Murphy. Commissioner Reeves made a motion that Sergeant Randall Murphy be promoted to Lieutenant in the Criminal Investigation Division, Company A. Commissioner Basore seconded, and the motion passed.

Colonel Bryant stated the second promotion is Lieutenant in Regulatory and Building Operations. My recommendation to the commission would be Sergeant Dustin Morgan. Commissioner Basore made a motion that Sergeant Dustin Morgan be promoted to Lieutenant in the Regulatory and Building Operations Division. Commissioner Teague seconded, and the motion passed.

Colonel Bryant stated the last one is the ASP Sergeant in the Highway Patrol Division, Troop A, Relief Sergeant. I am going to use the Director's Discretion and laterally transfer Sergeant Brandon Lofton to this position.

NEXT MEETING:

Commission Chairman Edwards stated the next regularly scheduled meeting will be held on Thursday, October 13, 2022 at 10:00 a.m.

Commission Chairman Edwards asked if there was any other business?

Commissioner Basore made a motion to adjourn the meeting, Commissioner Benton seconded, and Commission Chairman Edwards adjourned the meeting at 11:23 a.m.

Commission Chairman

Commission Secretary