

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
August 10, 2023

The Arkansas State Police Commission met on Thursday, August 10, 2023, 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 Jeffery Teague, Vice-Chairman
Commissioner Jim Hinkle
Commissioner Ken Reeves
Commissioner Neff Basore

MEMBERS ON CONFERENCE CALL:

Commissioner John Allison, Secretary
Commissioner Mike Akin

STATE POLICE PERSONNEL PRESENT:

Colonel Mike Hagar	Major Mike Moyer
Major Roby Rhoads	Lt. Colonel Jason Aaron
Lt. Colonel Mike Kennedy	Major Ron Casey
Major Stacie Rhoads	Kalika Rogers
Sherry Woods	Susan Tedford
Jenna Castleberry	Lieutenant Morris Knight
Lieutenant Randall Murphy	Captain Chris Goodman
Captain David Williams	Captain Wesley Smithee
Captain Brad Lann	Captain Paulette Ward
Sergeant Timothy Callison	Lieutenant Ted Jones
Sergeant Corwin Battle	Lieutenant Brant Tosh
Sergeant Andy Ault	Karen Perry
Sergeant Ryan Jacks	Lieutenant Dennis Morris
Shelly Cantrell	Bridget White
Captain Rick Neill	Hugh Finkelstein
Joan Shipley	Janie Runkle
Cindy Murphy	Donna Humphries
Sergeant David Forthman	Captain Craig Teague

PLEDGE OF ALLEGIANCE:

Commission Chairman Edwards led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on August 03, 2023.

MINUTES:

Commission Chairman Edwards stated everyone should have received a copy of the minutes of the July 13, 2023, regular monthly meeting, I would entertain a motion to approve those.

Commissioner Reeves made a motion to approve the minutes of the July 13, 2023, regular monthly commission meeting. Commissioner Basore seconded the motion. Commission Chairman Edwards stated we have a motion and a second, all in favor, any opposed and the motion passed.

WEAPON RESOLUTIONS:

Major Stacie Rhoads presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Lieutenant Kim Powell efficiently and effectively served the Arkansas State Police for a period of thirty-two years, nine months, and six days;

WHEREAS: Lieutenant Kim Powell retired from this department June 30, 2023;

WHEREAS: Her 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 Kim Powell has made formal request that her service weapon be retired with her and remain in her 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 10, 2023, in accordance with Act 547 of 2003, awards her, her Glock Model 17, Serial Number BMSA228, 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 Basore seconded the motion, and the motion passed.

R E S O L U T I O N

WHEREAS: Lieutenant Kim Powell efficiently and effectively served the Arkansas State Police for a period of thirty-two years, nine months, and six days;

WHEREAS: Lieutenant Kim Powell retired from this department June 30, 2023;

WHEREAS: Her 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 Kim Powell has made formal request that her shotgun be retired with her and remain in her 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 10, 2023 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC593111, that Lieutenant Kim Powell has carried be affixed at \$100.00, and that Lieutenant Kim Powell be permitted to purchase the shotgun for her personal use.

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

Major Ron Casey presented the following resolutions for consideration by the ASP Commission.

R E S O L U T I O N

WHEREAS: Sergeant David B. Jones efficiently and effectively served the Arkansas State Police for a period of twenty-two years, eleven months, and twenty-one days;

WHEREAS: Sergeant David B. Jones retired from this department June 30, 2023;

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 David B. Jones 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 10, 2023, in accordance with Act 547 of 2003, awards him, his Glock Model 17, Serial Number BMSA409, 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 Hinkle seconded the motion, and the motion passed.

R E S O L U T I O N

- WHEREAS: Sergeant David B. Jones efficiently and effectively served the Arkansas State Police for a period of twenty-two years, eleven months, and twenty-one days;
- WHEREAS: Sergeant David B. Jones retired from this department June 30, 2023;
- 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 David B. Jones 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 10, 2023 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number PC541320, that Sergeant David B. Jones has carried be affixed at \$100.00, and that Sergeant David B. Jones 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 Hinkle seconded the motion, and the motion passed.

R E S O L U T I O N

- WHEREAS: Sergeant Daniel Nichols efficiently and effectively served the Arkansas State Police for a period of twenty-five years, nine months, and twenty-eight days;
- WHEREAS: Sergeant Daniel Nichols retired from this department June 30, 2023;
- 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 Daniel Nichols 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 10, 2023, in accordance with Act 547 of 2003, awards him, his Glock Model 17, Serial Number BMSA121, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

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

R E S O L U T I O N

- WHEREAS: Sergeant Daniel Nichols efficiently and effectively served the Arkansas State Police for a period of twenty-five years, nine months, and twenty-eight days;
- WHEREAS: Sergeant Daniel Nichols retired from this department June 30, 2023;
- 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 Daniel Nichols 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 10, 2023 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number D591188M, that Sergeant Daniel Nichols has carried be affixed at \$100.00, and that Sergeant Daniel Nichols 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 Basore seconded the motion, and the motion passed.

PROMOTION CERTIFICATE:

Colonel Mike Hagar presented a promotion certificate to Sergeant Andrew Ault promoting him to Sergeant in the Highway Patrol Division, Troop A.

Colonel Mike Hagar presented a promotion certificate to Sergeant Timothy Callison promoting him to Sergeant in the Highway Patrol Division, Troop A.

Commission Chairman Edwards stated the next item on the agenda is our division reports.

Fiscal Section – Jenna Castleberry

Jenna Castleberry gave an overview of the monthly report. Ms. Castleberry stated the reports for this month reflect the new FY24 operations budget, it is a little over \$123,000,000.00 and of that budget, \$88,000,000.00 is general revenue and \$22,000,000.00 is special revenues. The rest of the difference is made up through just some miscellaneous other revenues. The fuel budget we loaded for this year was \$4.00 a gallon.

Administrative Services – Major Roby Rhoads

Major 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, on the uniformed noncommissioned side we had three new hires, and three voluntary resignations. The commissioned transactions included eight promotions, one voluntary resignation, and thirty transfers.

We currently have three military deployments.

Major Rhoads stated for the 2023B school, we have 93 applicants still in the process. For the 2024A process we currently have 26 qualified applicants that have already applied and that has only been open for a few days, so feel pretty good there.

Major Roby Rhoads stated for the ASP Health Plan, July paid claims were \$870,392.00 for a decrease of \$607,934.00 from last month and the fund balance is \$976,535.00 higher than last month.

Major Roby Rhoads stated one more thing, we should be getting three new dogs in the next couple of months.

Commission Chairman Edwards stated he would like to compliment the new Big Hat recruitment ads, those are nice. Major Roby Rhoads stated they are doing a great job.

Commission Chairman Edwards stated next, Kalika Rogers, Crimes Against Children.

Kalika Rogers stated the CACD Hotline received 4,299 contacts in the month of July. With 2,008 of those being accepted for investigation. There were 13 child deaths that were reported, two of those were investigated, ten were only assessed and one was just documented. The CACD investigations unit accepted 445 new cases, and the investigations unit closed 511 cases, with 174 of those being found true, that gave us a substantiation rate of 35%.

Commission Chairman Edwards stated next is Major Stacie Rhoads, Criminal Investigations.

Major Stacie Rhoads stated for the month of July CID opened 137 cases, we worked 5 officer involved shootings, 22 were death investigations, 7 were homicides and we also worked 7 in custody deaths. Those in custody deaths do not include deaths that we worked in the prisons. We also have completed 113 background investigations for the Administrative Services Division. Also, I want to comment about our background investigations for this particular hiring process, we typically hold the burden for doing the background investigations and for this particular class, we worked with Major Casey in Highway Patrol, and they were able to dedicate personnel to help us complete those backgrounds in a timely manner. So, I wanted to make sure that Highway Patrol got there attaboy in here for that because it was a huge help to us. Major Rhoads stated the other thing that I want to comment about is our cold case unit. Many of you may have seen the Dateline episode recently with the Rebecca Gould Case. She was a young woman who was murdered in Izard County back in 2004. Sixteen years after the murder her killer was brought to justice. We recently, just this week, had another success story in our Cold Case Unit. Back in 2013, we had found a Hispanic woman who had been murdered in a creek in Saline County. We recently got a DNA CODIS hit from a gentleman who had been arrested in North Carolina. So, we flew agents out to North Carolina collected DNA and did an interview with him and that case was recently resolved in court where he pled guilty for that murder. I'll tell you, I want to specifically speak to, this woman was an illegal immigrant here, there was nobody here knocking on our door saying what are you doing to help resolve the life of our loved one. We overcame so many issues with language barriers and I just want to commend David Moss the Special Agent that resolved this case, for keeping that alive because there was nobody calling. If it weren't for him working to resolve some issues, we had with getting the warrant and the extradition back to Arkansas. I just wanted to highlight the work that David Moss did on this case and resolving that case when nobody else seemed to care that she was dead.

Major Ron Casey stated in the Highway Patrol Division for the month of July, Troopers made 1,531 criminal arrests, that is how many persons were arrested and that includes overtime. They made 314 DWI arrests and a total of hazardous arrests including speeding and reckless driving was 7,686. Physical arrests, that is handcuffs on people, was 556 and troopers issued 17,264 citations. We had 18 aircraft missions in July, investigated 13,859 crashes, 35 of those were fatal crashes. They drove 721,627 miles. We also had an operation, a multiple agency operation with US Marshals at their request. We had 25 troopers assigned from ERT for this. They assisted with Little Rock PD, North Little Rock PD, and Pulaski County Sheriff's Office. The troopers made 698 arrests and that's citations, 71 of those were criminal arrests. I want to give kudos to our telecom they sat in the mobile incident command center and did all of the dispatching through there. There were 21,198 DL and CDL tests given. Troopers on the criminal arrests as far as drugs, seized over 69,000 grams of marijuana, 234 grams of meth, 18 grams of cocaine, 138 units of pills that could include fentanyl, and they seized \$23,150.00 in money seizures.

Commission Basore asked on the joint operation with the Marshals Service, what were they looking at. Major Ron Casey stated the Marshals themselves were serving arrest warrants and troopers and other officers just did traffic control and helped them in their arrests. We did have one incident of a shooting; I think the guy was just shooting in the air to smoke them off but they ended up finding him.

Major Mike Moyer, Regulatory and Building Operations Division, stated during the month of July the ID Bureau and AFIS processed 23,534 civil background checks and 9,995 criminal background checks. The Used Motor Vehicle Dealer Section processed 255 dealer applications, along with 5 complaints that were investigated. This past month we launched the new online licensing system and that has been going real smooth to where the public can apply and pay and do everything online. The PI Security section processed 449 applications and the ASP Bomb Squad handled three separate explosive calls. One of those calls was this past weekend a guy made an explosive device and went over to kill his girlfriend in Hot Springs. They got in pursuit, got him stopped, and were able to safely dispose of that bomb. The fire investigators conducted 5 origin and cause investigations.

Commission Chairman Edwards stated I am a slow learner and I know some of these things have just gone into effect, can you clarify what the rules are now for concealed carry. Major Moyer stated in the current law it conflicts itself, in one section it says one thing, and in another section, it says another, dealing with some of the new legislation. Major Moyer stated dealing with the actual concealed carry licensing, it still is the same, you can apply for the enhanced or the basic. You can carry in certain prohibited places with the enhanced, currently you can use the CHCL to bypass background checks while purchasing firearms. As far as

the legislation on the carrying without a license, you can carry anywhere in the State except the prohibited places, but you don't have the reciprocity as far as going out of state without the license. Commission Chairman Edwards asked what about open carry? Major Moyer stated you can do that too.

Commissioner Hinkle stated Major, one place I read was talking about the problem with using a concealed for a background check after this certain time period and the law changed. Is that true or is what I read erroneous, you can still use that to speed up your background check? Major Moyer stated so currently you can still use the CHCL license to actually bypass the background check when you purchase a firearm. So, when you go into a store, they do not run a background check on you if you show them the concealed handgun license. Commissioner Hinkle, stated okay under this legislation unless it has changed, is it going to stay that way? Major Moyer stated that depends on if ATF makes it like some of the other states to where you cannot use it since we cannot consider marijuana users anymore. Commissioner Hinkle stated I think that was part of the article I was reading. Major Moyer stated that would be on the Federal level if they take that privilege away.

Commission Chairman Edwards stated so you still can't have a marijuana card and a concealed carry simultaneously. Major Moyer stated you can now.

Commission Chairman Edwards stated I would like to recognize Karen Perry who has just come on board, she has taken John Smith's place as Chief Fiscal Officer for Department of Public Safety which includes Arkansas State Police, so, welcome!

NEW BUSINESS:

Commission Chairman Edwards asked Colonel, do we have any new business for executive session?

Colonel Hagar stated yes sir, Mr. Chairman, I would ask that we go to executive session to discuss personnel matters.

EXECUTIVE SESSION:

Commissioner Reeves stated I move that we retire into Executive Session to consider personnel matters. Commissioners Hinkle/Basore seconded, and the motion passed. The Commission went into Executive Session at 10:25 a.m.

Commission Chairman Edwards called the meeting back to order at 11:13 a.m.

Commission Chairman Edwards asked Colonel, do you have any personnel issues for us?

Colonel Hagar stated yes sir, I have three recommendations for promotions for the Commissioners to consider.

The first promotion would be Sergeant in Company E, and my recommendation would be Corporal Justin Nowlin. Commissioner Reeves made a motion that Corporal Justin Nowlin be promoted to Sergeant in the Criminal Investigation Division, Company E. Commissioner Basore seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

The next is Lieutenant in Administrative Services Training and my recommendation would be Sergeant Michael Gunnett. Commissioner Allison made a motion that Sergeant Michael Gunnett be promoted to Lieutenant in the Administrative Services Division, Training. Commissioner Hinkle seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

The next is Lieutenant in Company C and my recommendation would be Sergeant Larry Carter. Commissioner Teague made a motion that Sergeant Larry Carter be promoted to Lieutenant in the Criminal Investigation Division, Company C. Commissioner Hinkle seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

Colonel Hagar stated that is all I have Mr. Chairman.

Commission Chairman Edwards asked do we have any other business to come before the commission.

NEXT MEETING:

Commission Chairman Edwards stated the next regularly scheduled meeting will be held on Thursday, September 14, 2023, scheduled at 10:00 a.m.

Commission Chairman Edwards stated if no further business, I will entertain a motion to adjourn. Commissioner Teague made a motion to adjourn the meeting, Commissioners Basore/Hinkle seconded the motion. With no more business to come before the commission, Commission Chairman Edwards adjourned the meeting at 11:17 a.m.

Commission Chairman

Commission Secretary