

MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING
March 09, 2023

The Arkansas State Police Commission met on Thursday, March 09, 2023 at the Arkansas State Police Headquarters, Little Rock, Arkansas.

Commission Chairman Edwards called the meeting to order at 10:07 a.m.

MEMBERS PRESENT:

Commissioner Steve Edwards, Chairman
Commissioner Jeffery Teague, Vice-Chairman
Commissioner John Allison, Secretary
Commissioner Jim Hinkle
Commissioner Ken Reeves
Commissioner Neff Basore
Commissioner Mike Akin

STATE POLICE PERSONNEL PRESENT:

Colonel Mike Hagar	Major Mike Moyer
Captain Roby Rhoads	Major Jeff Drew
Lt. Colonel Jason Aaron	Lt. Colonel Mike Kennedy
Major Ron Casey	Kalika Rogers
Sherry Woods	John A. Smith
Amy Dick	Carol Hartman Grinstead
Sergeant Ryan Jacks	Lieutenant Randall Murphy
Lieutenant Aaron Easley	Sergeant Robert Middleton
Sergeant J. D. Jones	Captain Scott Russell
Lieutenant Brandon Margis	Lieutenant Jamie Gravier
Lieutenant Seth Pinner	Captain Todd Shaw
Captain Kyle Drown	Captain John Carter
Lieutenant Marcus Daniels	Captain Jeff Sheeler
Jesi Feld	Sergeant Zach Owens
Lieutenant Rick Neill	Sergeant David Forthman
Bridget White	Ashley Easterly
Loretta Williams	Jonathan Nettles

OTHERS PRESENT:

Sara Farris, Atty General's Office	Bliss Boever, DPS
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PLEDGE OF ALLEGIANCE:

Commission Chairman Edwards led the pledge of allegiance.

NOTIFICATION OF MEDIA:

The media was notified of this meeting on February 28, 2023.

MINUTES:

Commission Chairman Edwards stated everyone was mailed or emailed the minutes of our February 9, 2023 regular monthly meeting, I would entertain a motion to approve those.

Commissioner Reeves made a motion to approve the minutes of the February 09, 2023 regular monthly commission meeting. Commissioner Basore seconded the motion, and the motion passed.

WEAPON RESOLUTIONS:

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

R E S O L U T I O N

WHEREAS: Corporal Tony Haley efficiently and effectively served the Arkansas State Police for a period of twenty-six years, and four months;

WHEREAS: Corporal Tony Haley retired from this department January 31, 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: Corporal Tony Haley 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, March 09, 2023, in accordance with Act 547 of 2003, awards him, his Glock Model 17, Serial Number BMSA570, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Hinkle 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: Corporal Tony Haley efficiently and effectively served the Arkansas State Police for a period of twenty- six years, and four months;

WHEREAS: Corporal Tony Haley retired from this department January 31, 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: Corporal Tony Haley 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, March 09, 2023 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, serial number W428057M, that Corporal Tony Haley has carried be affixed at \$100.00, and that Corporal Tony Haley 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 Basore seconded the motion, and the motion passed.

PROMOTION CERTIFICATE:

Colonel Mike Hagar presented a promotion certificate to Sergeant James Jones promoting him to Sergeant in the Highway Patrol Division, Troop G.

Fiscal Section – John Smith

John Smith stated I have made an attempt to add a new report that you have asked for and added some graphs on monthly expenditures in our current budget. If you have had a chance to look at that, I am open to any questions about it and open to making any changes that you would like. I can tell you for our monthly update we are still working on our appropriations bill, for the next biennial. We have not been considered in session yet, they have been focusing mainly on education. I expect it to be real fast that we are going to be at the table, and we have a lot of things in addition to what we asked for in the fall that we have asked for. Like, we have asked for an additional troop school; we have asked for two troop schools each fiscal year for the next two years. Commissioner Allison asked if anyone has tried to get our money yet, someone is always trying to get our money. John Smith stated no. We have asked for an overtime appropriation increase, so we can start paying that out biweekly instead of having to hold it and pay just when we have the money. We have asked for a lot and the Governor's Office and DFA has given us good signs that we are going to get it. So, we just expect that to be coming up in the next few weeks. Commissioner Allison asked Mr. Smith if he was still updating on the ASP retirement fund. Mr. Smith stated no, do you do that Roby? Mr. Smith stated I can. Commissioner Allison asked who was giving the update on the Health Plan? Captain Roby Rhoads stated that is Admin Services.

John Smith stated more of the big things that we always talk about is our budgeted fuel. So far this year we have a savings of about \$450,000.00. If you watch it like I do that price fluctuates daily so that could be eaten up in the next three months, but if it stays kind of like it has all year, we will have some extra money that we can take from that and use for other operations. Commission Chairman Edwards asked do we ask our troopers to shop for the cheapest gas or how does that work? Colonel Hagar stated no sir, honestly the answer is, I think it is just a need driven thing and they get it where they need it. Commissioner Chairman Edwards stated is that right. Colonel Hagar stated that is not a bad idea though. Mr. Smith stated oh are you talking about for fuel, no it will accept anything, I think the limit is \$150.00. If they stop to get fuel, they can put \$150.00 per transaction on their card. I don't see any of our vehicles that troopers drive exceeding that in one fill up. Commissioner Basore stated I think you were asking about dollar per gallon type of shopping, you know reading the signs and filling up at the cheaper place. Mr. Smith stated if they fill up at headquarters, I mean we are definitely cheaper here, but we all know that we are in 75 counties. Commissioner Basore asked if this was the only headquarters with gas now? Mr. Smith stated does Lowell. Commissioner Basore stated Lowell does not have gas. Mr. Smith stated this is the only one.

Commission Chairman Edwards stated thank you for this report, I don't know that we have had time to sit down, and all look at it and talk about it and just see if there is, we talked about graphs, and somebody talked about a line graph and different kind of things. So, I don't know where we are going to end up with this. Mr. Smith stated I am open to meeting more and changing this, this is just a start. Commission Chairman Edwards stated it is a great start and I appreciate it.

Administrative Services – Captain Roby Rhoads

Captain 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, we had two new hires, one promotion, four terminations, one retirement, and three voluntary terminations. The commissioned transactions include hiring forty-nine new recruits, two reinstatements, five promotions, one demotion, two transfers and twenty-one terminations including nineteen voluntary and two retirements. Currently we have three military deployments.

Captain Rhoads stated as of today, we have twenty-nine recruits. They are out at the firing range this week, so they have gotten a little bit of every kind of weather to shoot in. If it snows tomorrow, we will have hit everything we could hit. The twenty-nine are holding strong, so hopefully this is what we graduate.

Regarding the ASP Health Plan, February paid claims were \$1,318,000.00 which was an increase of \$447,000.00 from last month and the fund balance is \$22,229.00 lower than last month for a total fund balance of \$12,310,000 and some change. The average discount savings for the month of January was 53.8%.

Commission Chairman Edwards asked Commissioner Allison if he had any questions. Commissioner Allison stated no, I was just interested in the balance up and down, that is key right. Enough money in and how much was taken out, so over the years we have had to reach out for additional monies there, so it sounds pretty good right now.

Commission Chairman Edwards stated we have any new business. Colonel Hagar asked if they wanted to hear the individual division reports. Commission Chairman Edwards stated yes, they weren't on the agenda, so I thought we were. Do we want to do them in the order. Commission Chairman Edwards stated the next report is going to be Crimes Against Children.

Major Jeffrey Drew stated the CACD Hotline received 5,915 calls in the month of February, 2,621 of those were accepted for investigation. We had 10 child deaths reported, two of those investigated, eight just assessed. Investigations accepted 546 cases, 403 were closed with 125 of those found true with a substantiation rate of 32%.

Commission Chairman Edwards asked if there is still talk about moving some of these services to DHS? Major Drew stated no sir, right now that bill has been withdrawn, so you don't have to worry about the ASP going away because of course if CACD left, the rest of it had to go too.

Lieutenant Randall Murphy stated for the month of February CID opened 101 cases. Of these 101 cases, 15 were death investigations and 4 were homicides. You have the division report, but I would like to briefly highlight 2 significant cases our agents worked that cumulated in arrests. On February 11, Company A was called to assist the Marianna Police Department with a homicide investigation following a reported shooting on South Florida Street. When officers arrived, they discovered three individuals were shot, two of which were deceased. Agents worked tirelessly for several days, piecing together what had occurred and were able to secure enough information and evidence in support of an arrest warrant for a subject from Forrest City.

In Perry County on February 4, hikers discovered the body of a white male in the Spring Hollow Area of the U. S. National Forest. Initial observations were that the victim had fallen from a cliff. After recovery, it was discovered the victim had an apparent gunshot wound to the back of the head. Perry County Deputies requested our assistance when learning it was a homicide. Within hours, agents identified a suspect and were able to develop supporting probable cause for an arrest warrant. The suspect was located at a residence in Little Rock and taken into custody without incident.

Major Ron Casey stated in the Highway Patrol Division we had 14 aircraft missions, troopers worked 31 fatal accidents, had 55 pursuits, we investigated 1221 motor vehicle crashes, troopers drove 710,571 miles, arrested 214 DWIs, and 3 DUIs. We didn't have any SWAT, ERT, or Negotiations call outs. DL Examiners gave 14,627 DL and CDL tests for February. We are down 2 fatal crashes from this time last year. Also, on Interstate Criminal Patrol seizures, we seized 338 pounds of marijuana, seized \$70,610.00 in cash, no fentanyl this last month, THC products seized was 145.5 pounds, seized 1 stolen weapon and 1 stolen vehicle.

Commission Chairman Edwards stated refresh my memory, on these drug confiscations and the money and all that, does a portion of that go to each county prosecutor? Major Casey stated yes sir, there is a percentage that is broken down, the prosecutor office gets a certain percentage and then a percentage comes back to the state police. Within that prosecutor money, it is divvied out in different sections from what they get.

Commissioner Reeves asked, do you know what the percentages are? Major Casey stated no sir, not just off the top of my head, but I can get that. Lt. Colonel Jason Aaron stated it is basically, really up to the discretion of the prosecuting attorney and the agencies involvement in that case. But ultimately it is the prosecutor's decision on where and how the money, the amount that goes to the agencies.

Major Mike Moyer, Regulatory and Building Operations Division, stated to give you an update on the current building projects. The Troop G, Texarkana Substation we just completed that construction, it is roughly 2500 square feet, it is located next to the old substation that was down there. This building is going to house CACD, CID, Highway Patrol and also the drivers license testing. IT is going to be setting up the servers soon so we should be able to move in within the next couple of weeks. The auto shop and classroom building are complete out at Camp Robinson. The ASP Foundation will be turning those buildings over to Arkansas State Police on March 15, 2023, and we will be setting those up so we can start fully using those facilities. This week we have had two bomb techs that are in Alabama training with the FBI on improvised explosive devises. Since the last meeting, the bomb squad has responded to 3 explosive related calls.

Commissioner Allison asked how many facilities do you have under construction now? Major Moyer stated we just completed the vehicle storage building, the Texarkana Substation, the two out at Camp Robinson, and that will currently be the last projects that are under construction. Commissioner Allison stated and you won't have anything to do here before long. Major Moyer stated I will have plenty.

Commission Chairman Edwards asked what will take place in the new building that we had our swearing in, what is going to be in that building? Major Moyer stated that houses the SWAT vehicles, ERT vehicles, trailers, all of the equipment, the Mobile Command Center, Bomb Squad and all of their equipment. So, everything is under one roof versus the stuff sitting outside. Commissioner Chairman Edwards stated so it is basically a garage instead of a working area with a bunch of electronics or any of that kind of stuff? Major Moyer stated correct, there is work areas in there they can do work on their equipment and there is also a classroom in there that they can use for debriefings.

NEW BUSINESS:

Commission Chairman Edwards do we have any new business?

EXECUTIVE SESSION:

Commissioner Reeves stated Mr. Chairman I move that we retire into Executive Session to discuss personnel matters. Commissioner Hinkle seconded, and the motion passed. The Commission went into Executive Session at 10:27 a.m.

Commission Chairman Edwards called the meeting back to order at 12:15 p.m. and apologized for taking so long, we had several matters to take care of.

Commission Chairman Edwards stated the first thing I want to do is announce a couple of things that we have done. Basically, to make our Governor more comfortable, I have set up an Aviation Oversight Committee to look over our airplane fleet, make sure the pilots that we have got are the quality that we want and that the airplanes are being inspected properly and I think that is all in good order. I have asked Commissioner Hinkle to Chair that along with Commissioner Teague and Commissioner Akin and they are all plane owners and pilots.

The Health Insurance Committee, Commissioner Allison is going to Chair, Commissioner Teague and Commissioner Basore will serve on that. That committee hadn't met in a while, and we need to look some things over.

Commission Chairman Edwards asked Colonel do you have some promotions? Colonel Hagar stated yes sir, I am just going to do these in order.

For the Sergeant in Executive Protection, I would recommend Corporal Gregory McNeese. Commissioner Basore made a motion that Corporal Gregory McNeese be promoted to Sergeant in the Director's Office, Executive Protection. Commissioner Allison seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

The Lieutenant in the Highway Patrol Division, Troop A, I would recommend Sergeant Michael Bain. Commissioner Teague made a motion that Sergeant Michael Bain be promoted to Lieutenant in the Highway Patrol Division, Troop A. Commissioner Reeves seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

For the Lieutenant in the Highway Patrol Division, Troop K, I recommend a lateral transfer of Lieutenant Brandon Margis to the Lieutenant position in the Highway Patrol Division, Troop K. Commission Chairman Edwards stated okay, that is at your discretion, and we do not have to vote on that.

The Captain in the Highway Patrol Division, Troop F, I would recommend Lieutenant Rick Neill. Commissioner Teague made a motion that Lieutenant Rick Neill be promoted to Captain in the Highway Patrol Division, Troop F. Commissioner Reeves seconded the motion. Commission Chairman Edwards stated we have a motion and second, all in favor, any opposed and the motion passed.

The Major in the Administrative Services Division, Administration, I would recommend Captain Roby Rhoads. Commissioner Hinkle made a motion that Captain Roby Rhoads be promoted to Major in the Administrative Services Division. Commissioner Allison 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 I have one recommendation for reinstatement. I would recommend reinstating Richard "Bubba" Smith to the rank of Trooper in Highway Patrol, Troop D. Commissioner Reeves made a motion to approve the reinstatement of Richard "Bubba" Smith. Commissioner Teague 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 I think that is all that I have Mr. Chairman.

NEXT MEETING:

Commission Chairman Edwards stated the next regularly scheduled meeting will be held April 12, 2023, scheduled at 9:00 a.m., do we want to adjust that. Commissioner Allison asked do we have a hearing? Commission Chairman Edwards stated yes on Kurt Ziegenhorn. Commissioner Hinkle asked do we have any update on that hearing is it still going through as far as we know? Commissioner Basore stated I think so. Commissioner Reeves stated actually it is the 13th instead of the 12th. Commission Chairman Edwards stated I was just looking on this sheet. Commissioner Reeves stated the 12th is on a Wednesday. Commission Chairman Edwards stated on this agenda it shows the 12th. Commissioner Hinkle stated I suggest we do it at 10:00 a.m. that way if it is cancelled for some reason, we are still meeting at our regular time. Commission Chairman Edwards asked if everyone was alright with that? Commissioner Teague asked do what at 10:00 a.m.? Commission Chairman Edwards stated to hold the meeting on Thursday, April 13, 2023 at 10:00 a.m. with the appeal hearing for Corporal Kurt Ziegenhorn to be held upon adjournment of the regular commission meeting or at approximately 11:00 a.m.

Commission Chairman Edwards asked if there was any other more business to come before the commission? With no more business to come before the commission, Commission Chairman Edwards adjourned the meeting at 12:29 p.m.

Commission Chairman

Commission Secretary