MINUTES OF ARKANSAS STATE POLICE COMMISSION MEETING  
May 14, 2010


Commission Chairman Shepherd called the meeting to order at 10:19 a.m.

MEMBERS PRESENT:

Commissioner Dr. Lewis Shepherd, Chairman  
Commissioner John Alliston, Vice-Chairman  
Commissioner Steve Smith, Secretary  
Commissioner Jane Christenson  
Commissioner Woody Futrell  
Commissioner Wallace Fowler  
Commissioner Frank Guinn

STATE POLICE PERSONNEL ATTENDING:

Lieutenant Colonel Tim K’Nuckles  
Major Kathy Sparks  
Major Les Braunns  
Major Cleve Barfield  
Captain Mike Fletcher  
Lieutenant Lindsey Williams  
Captain Myron Hall  
Captain John Morrow  
Sergeant Dennis Overton  
Captain Nate Jackson  
Captain Lloyd Franklin  
Pat Patterson  
Captain Steve Coleman  
Lieutenant Mark Blankenship  
Lieutenant Glenn Sligh  
Captain Henry La Mar  
Lieutenant Rick Dickinson  
Lieutenant Mike Foster  
Lieutenant Robert Speer  
Gary Glisson  
Lieutenant Leonard Hogg  
Ken Stoll  
Donna Humphries  
Corporal Ryan Jacks  
Corporal Robert Alcon  
Trooper Benjamin Harrison  
Trooper Josh Heckel  
Trooper Darren Crook  
Corporal Kevin Steed  
Sergeant Kyle Drown  
Sergeant Mike Hagar  
Corporal Paulette Ward  
Trooper Chris Spurling  
Lieutenant Barry Saffold  
Captain John Morrow  
Corporal Dennis Morris  
Lieutenant Shawn Garner  
Joy Bryant-Webb  
Bill Sadler  
Lieutenant Jimmy Smith  
Sergeant Mickey Simmons  
Stacy Shirley  
Drew Childers  
Corporal Russ Rhodes  
Trooper James Avant  
TFC Sammy Hart  
Trooper Michael Reed  
Corporal Mike Thomas  
Corporal Tommy Stueart  
Corporal Neal Thomas  
Corporal Chuck Riggs  
Trooper Crystal Marlin  
Sergeant David Lafferty  
Special Agent Scotty Dodd  
Captain Mark Allen  
Sergeant Forrest Marks

OTHERS PRESENT:

Thomas Anderson  
Mike Wright  
Barbara Wright  
Debbie Cozart  
Chaplain Dennis Anderson  
Meredith Rebsamen, AG’s Office  
Charlotte Dodd  
Elizabeth Chapmond  
Sergeant Christopher Chapmond

OPENING PRAYER:

Chaplain Dennis Anderson opened the meeting with prayer.
PLEDGE OF ALLEGIANCE:
Sergeant Forrest Marks led the pledge of allegiance.

NOTIFICATION OF MEDIA:
The media was notified of this meeting on May 4, 2010.

MINUTES:
Commissioner Fowler made a motion to approve the minutes of the April 8, 2010 Arkansas State Police Commission meeting, Commissioner Christenson seconded and the motion passed.

Commission Chairman Shepherd stated it is a great day in Troop K and after 4 ½ years of extensive planning, disappointments, and budget shortfalls it has finally come to fruition, and we are very, very thankful. Commission Chairman Shepherd then thanked Captain Fletcher, Lieutenant Garner, and the men and women of Troop K for hosting the Commission meeting and for providing lunch for all the visitors.

Commission Chairman Shepherd advised there are many guests in attendance today, but may not be in the commission room at this time. He stated some of those guests are Senators Hill and Smith, Prosecuting Attorney Blake Batson from District 9, retirees Ron Ball, John Howell, and Lance Huey.

OFFICIAL COMMENDATION:
Sergeant David Lafferty gave the following overview for the Official Commendation nominations for Special Agent Dennis Morris and Special Agent Scotty Dodd. Sergeant Lafferty advised these commendations are in connection to the multiple homicide which happened back in November 2009. These officers have been selected for their extraordinary efforts but there were several other officers involved in this investigation from Troop K, Garland County Sheriff’s Office, and patrol officers from the Hot Springs Police Department along with the FBI and US Marshals. He continued by saying on Thursday, November 12 about 2:30 a.m. Special Agent Dennis Morris was assigned an arson investigation in the Pearcy community in Garland County. Four occupants of a doublewide mobile home were found burned to death. The occupants were identified as a father, mother, son, and girlfriend of the son. As Agent Morris began working the case, he received notification a truck registered to the address of the fire was found approximately 17 miles from the residence. This vehicle was found on fire. Agent Morris approached the case from the beginning as a suspected homicide.

While at the fire scene, a neighbor checked the nearby residence of an elderly man who was related to the victims in the burned mobile home. The neighbor observed the living room of the residence in disarray and immediately notified ASP CID agents at the scene.

Upon entering the residence, the body of the elderly man was found bound and gagged in a bedroom of the residence. The man was shot twice at point blank range in the head. A wheelchair was found overturned in the living room, and it appeared the victim had crawled into the bedroom before being shot.

Agent Morris served as the lead agent during the 2-day search of the crime scenes. Agent Morris began the tedious process of attempting to identify possible suspects in the murder. Agent Morris located, interviewed, and eliminated an early suspect in the case. From the beginning of the investigation, Agent Morris spent long hours each day, including weekends and scheduled annual leave pursuing investigative leads in the case. The majority of the leads being received at the time indicated the suspects were possibly from out of Arkansas or from out of the United States.
On Monday, November 16th Special Agent Scotty Dodd and Hot Springs Police Sergeant Christopher Chapmond began working with various confidential informants concerning the investigation.

Agent Dodd developed information that 3 local suspects were involved in the homicide. Agent Dodd and Sergeant Chapmond arranged for an informant to make a covert purchase of items suspected to be stolen from the victims’ residence and subsequently arranged for an informant to purchase 2 firearms determined to be stolen from that residence.

On Thursday, November 19th, Agent Morris compiled the information into affidavit form and obtained arrest warrants for 5 counts of Capital Murder, Theft of Property and Arson for three suspects. After issuance of the warrants, Agent Dodd and Sergeant Chapmond continued to contact their informants to determine the location of the suspects. One of the suspects was identified as being at a Hot Springs motel. Agent Morris accompanied by other State, FBI and local investigators went to the motel where the Garland County Sheriff’s Office tactical Response Team attempted to affect the arrest of the suspect. Agent Morris was nearby as the suspect opened fire on the Response Team members. The Response Team returned fire and the suspect was killed. One Response Team member suffered gunshot wounds while attempting to affect the arrest.

Agent Dodd continued his efforts through his informants to discover the location of the remaining 2 suspects. He was successful in locating both of these suspects. The ASP SWAT and Crisis Negotiation teams were activated to assist with the arrests. Both suspects were ultimately arrested without incident. Agent Morris spent several hours after the arrests conducting interviews of the suspects and various witnesses. Subsequently, Agent Morris has continued his follow-up investigation, spending long hours processing evidence and traveling out of Arkansas to interview witnesses.

Due to the dedication, extraordinary efforts, and willingness to invest long hours into this investigation are the reasons for the nominations of Special Agent Morris and Special Agent Dodd for Official Commendations and Sergeant Chapmond for the Distinguished Service Award for his invaluable assistance in the arrest of these suspects.

Colonel Phillips presented Official Commendations to Special Agent Dennis Morris and Special Agent Scotty Dodd and the Distinguished Service Award to Sergeant Christopher Chapmond.

Commission Chairman Shepherd thanked Special Agents Morris, Dodd, and Sergeant Chapmond for their service to the State Police and for their untiring and dedicated service.

WEAPON RESOLUTION:

Major Les Braunns presented the below resolutions for consideration by the ASP Commission.

RESOLUTION

WHEREAS: Major Ed Wolfe efficiently and effectively served the Arkansas State Police for a period of forty years, six months, and thirty days;

WHEREAS: Major Ed Wolfe retired from this department January 31, 2010;

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: Major Ed Wolfe 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, Troop K Headquarters in Hot Springs, Arkansas, on Friday, May 14, 2010, in accordance with Act 547 of 2003, awards him his Glock, Model 21, Serial Number HSE915, as a token of their esteem and appreciation for service devoted to the Arkansas State Police.

Commissioner Futrell moved that the foregoing motion be approved, Commissioner Allison seconded and the motion passed.

RESOLUTION

WHEREAS: Major Ed Wolfe efficiently and effectively served the Arkansas State Police for a period of forty years, six months, and thirty days;

WHEREAS: Major Ed Wolfe retired from this department January 31, 2010;

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: Major Ed Wolfe 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, Troop K Headquarters in Hot Springs, Arkansas, on Friday, May 14, 2010 in accordance with Act 547 of 2003, determines the fair market value of the Remington shotgun, Serial Number PCS31171, that Major Ed Wolfe has carried be affixed at $100.00, and that Major Ed Wolfe be permitted to purchase the shotgun for his personal use.

Commissioner Christenson moved that the foregoing motion be approved, Commissioner Fowler seconded and the motion passed.

NEW BUSINESS:

Administrative Services – Major Kathy Sparks

Major Sparks presented an oral summary of the written report distributed to the Commission. She reported for the month of April under Human Resources/Personnel Transactions, we had three new hires, two civilian and one extra help. There were five transfers of commissioned officers, one commissioned promotion, four civilian resignations and two retirements, one civilian and one commissioned.

She noted for the month of April, the Training Section provided Sergeants’ Supervision School. She stated the critiques for this training were very good. She advised the school was a week-long school teaching basically the nuts and bolts of what a new sergeant needs to know. The class consisted of sergeants that had five years or less in that rank. We intend to continue, with the other sergeants who have more than five years and the few that did not make this particular class. She stated a lot of the class was on reporting, Human Resource issues, on pursuit reports, and responsibilities of supervisors and also use of force reports.

Major Sparks then reported on recruiting. She reported there are six background investigations which are still out as of yesterday. Those should be finished at any time; however, our troop school right now is on hold. We will not be proceeding with the interview process until such time we are able to have a troop school, so all of the applicants who have been processed and also those applicants who are on the eligibility list from last year who were not hired will be in suspension until such time as we can go forth with the planning of troop school.
Major Sparks then asked the Commission to look at the end of the report which covered the Health Plan. She stated the check register report shows that our fund balance is down from the month of March $522,000. That is even with our Act 1500 DL fees being up $24,000 for the month of April. Also the interest was up $300.

She continued with the disbursements for health claims showing $972,000. On this particular report because it is money brought in and money that goes out, the health claims do not include the dental/vision claims which were $47,000.

Major Sparks noted the Cash Flow Report shows the total medical and prescription claims for the month of April as $896,814 which is up a little bit, but still below our expected and our stop/loss.

Major Sparks advised next month she plans to invite Greg Hatcher to come in to give a more thorough report including how he thinks this transfer of the new TPA is going, and also to give some information about the Federal Health Reform and how that may or may not affect our plan, because we are governmental and we are sub-funded.

Commission Chairman Shepherd asked Major Sparks if the applicants have been notified there may be a hold on the troop school, and she advised they have not yet been notified because they have been waiting for the backgrounds to be completed. She explained those who did not proceed to the background investigation have already been notified they are not being considered.

Commissioner Futrell asked about the number leaving in the next year. She advised approximately 11 should be leaving for the next fiscal year. She advised this does not include anyone who might decide to go early. She stated there are now 12 or 13 commissioned corporal positions right now.

Commission Chairman Shepherd stated he noticed on the CACD report for the second month in a row the Hotline has exceeded 5,000 calls. He advised he did not know whether last month was a fluke, but asked Mr. Glisson if he saw this as an emerging pattern. Mr. Glisson advised that it apparently is working into a pattern. He advised historically May generally has a higher number of calls with schools emptying their files out, so he would not be a surprise if the Hotline exceeded more than 5,000 calls during May. The calls do continue to significantly increase.

Commission Chairman Shepherd asked if the Commission had any questions regarding any of the reports.

NEW BUSINESS:

Commission Chairman Shepherd asked if there was any new business to be brought before the Commission. Colonel Phillips advised he has some personnel matters to discuss in an Executive Session.

EXECUTIVE SESSION:

With no new business to come before the Commission, at 11:45 Commission Chairman Shepherd announced the Commission would retire into Executive Session to discuss personnel matters.

The Open Session resumed at 12:15 p.m. Commission Chairman Shepherd asked Colonel Phillips if he had any recommendations for the Commission.

Colonel Phillips recommended the Commission consider Lieutenant Mike Foster for the vacant Captain’s position in the Highway Patrol Division, Troop I. Commissioner Christenson made a motion that Lieutenant Mike Foster be promoted to Captain, Commissioner Fowler seconded and the motion carried.
Colonel Phillips recommended the Commission consider Captain Lester (J R) Hankins for the vacant Major’s position in the Highway Patrol Division, Eastern Division. Commissioner Fowler made a motion that Captain Hankins be promoted to Major, Commissioner Guinn seconded and the motion carried.

NEXT MEETING:

The next regular scheduled meeting of the Arkansas State Police Commission will be held on Friday, June 18, 2010 at 10:00 a.m. at ASP Headquarters in Little Rock.

With no further business to be brought before the Commission, the meeting was adjourned at 12:20 p.m.

Commission Chairman

Commission Secretary