

**COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING**

**COMMISSION MEETING MINUTES**

**JULY 12, 2018**

**ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY**

Meeting was called to order at 10:05 A. M. Commissioners present:

Chairman Bob Harrison  
Chief Percy Wilburn  
Sheriff Boyd Hicks  
Chief Richard Wingard  
Mr. Barry Phillips  
Mr. Thomas Marsh  
Dr. James Golden  
Mr. Barney Reeves  
Sheriff Doc Holladay

Absent:

Lt. Staci Rhoads

Others Present:

Director Jami Cook  
Brad King, Deputy Director, Standards  
Fred Weatherspoon, Deputy Director, Training  
Amanda Yarbrough, CLEST Attorney  
Sara Farris, Attorney General's Office  
Chris Langston, West Fork Police Dept.  
Tyler Underwood, West Fork Police Dept.  
Jeremy Riley, West Fork Police Dept.  
Lloyd Miller, Wheatley Marshall Service  
Jeremy McNeil, Cherry Valley PD  
Brodie Faughn, Wynne PD  
Eric Moore, Wynne PD  
Mike Cash, Hot Spring Co. SO  
Allen Smith, Randolph Co. SO  
Michael D. Courtney, DC, AR State Board of Chiropractors  
Chris Cathey, DC, AR Chiropractic Society  
James O'Hara, Wynne

Commission Meeting Minutes

July 12, 2018

Page 2

Wes Tindor, City of Horatio  
Borden Neel, City of Horatio  
Gary Tribble, Randolph Co. Sheriff  
Mandy Hill, CLEST  
Jordan Hutter, A. G.'s Office  
Will Kellstrom, A. G.'s Office  
Dara Hall, Hearing Officer  
Tia Marsh, Ft. Smith  
Sue Albritton, CLEST

The minutes of the last meeting were approved with a motion by Commissioner Marsh and seconded by Commissioner Holladay.

Item I: Item one was a request from the Arkansas State Police for decertification of former Trooper Daniel Ponder. The Commission voted to go forward with decertification with a motion made by Commissioner Holladay and was seconded by Commissioner Wilburn. Motion carried.

Item II: Item two was a request from the Pine Bluff Police Department for decertification of former Officer Shirmeka Mallett. Commissioner Hicks made the motion to go forward with decertification and was seconded by Commissioner Wingard. Motion carried.

Item III: Item three was a request for decertification of former Trooper Darren Crook from the Arkansas State Police. Commissioner Phillips made a motion to go forward with decertification and was seconded by Commissioner Hicks. Motion carried.

Item IV: Item four was a from the Benton County Sheriff's Office for decertification of former Deputy Randall Kelly. Commissioner Reeves made the motion to go forward with decertification proceedings and was seconded by Commissioner Wilburn. Motion passed.

Item V: Item five was a request from the Pocahontas Police Department for decertification of Allen Smith due to an unfavorable Psychological Evaluation. Mr. Smith has since been hired by the Randolph County Sheriff's Department after receiving a favorable recommendation. With a motion made by Commissioner Reeves and a second by Commissioner Phillips, not to decertify, the motion passed with one in opposition.

Item VI: Item six was a request from the City of Horatio requesting to establish a police department for that city. After submitting the required paper work and documentation, a motion to grant the request was made by Commissioner Reeves and was seconded by Commissioner Holladay. Request granted.

Commission Meeting Minutes

July 12, 2018

Page 3

Item VII: Item seven was a request from the Chiropractic Board to address the Commission to allow Chiropractors to be able to perform physical examinations for incoming students for basic training. After a discussion on qualifications and training, a motion was made to not uphold the original decision and to grant the Chiropractors the ability to perform the physicals. Motion was seconded and passed.

Item VIII: Item eight was a request from the Hot Spring County Sheriff's Office to cancel the original April 2017 request for decertification of former Deputy Brian Jones. A motion was made by Commissioner Wilburn and was seconded by Commissioner Reeves to withdraw the original decertification request. Motion carried.

Item IX: Item nine was a request from the McCrory Police Department for decertification of former Officer James Whatley. A motion to go forward with decertification was made by Commissioner Hicks and was seconded by Commissioner Phillips. Motion passed unanimously.

Item X: Item ten was a request from the Eudora Police Department for decertification of former Officer Jovanta Harden. A motion to go forward with decertification was made by Commissioner Holladay and was seconded by Commissioner Hicks. Motion carried.

Item XI: Item eleven was a request from the Benton County Sheriff's Office to go forward with decertification of former Deputy James Morgan. A motion to go forward was made by Commissioner Marsh and was seconded by Commissioner Phillips. Motion passed unanimously.

Item XII: Item twelve was in reference to Civil Traffic Wardens and CLEST Regulation 1027. Since the new revisions of the regulations, there is a conflict between CLEST Regulation 1027(2) and CLEST Regulation 1002(3). Civil Traffic Wardens are not allowed to carry firearms and Regulation 1002 now requires successful completion of CLEST firearms qualification. Little Rock PD would like to be released from that qualification. A motion was made by Commissioner Wilburn and seconded by Commissioner Holladay to grant the release and to update the regulation in the next legislative session.

Item XIII: It has been brought to the Standards Office attention that the Medical History Questionnaire is outdated in some areas. Commissioner Hicks made a motion to make updates to the Form F-2a. Motion was seconded by Commissioner Marsh. Motion carried.

Item XIV: Item fourteen was a request from the Wheatley Marshall Service for an extension for Deputy John Taylor who became ill while attending the academy and had to be withdrawn. A motion was made to grant the extension and allow Mr. Taylor to enroll in the next class to acquire his law enforcement training. Motion Passed.

Commission Meeting Minutes

July 12, 2018

Page 4

Item XV: Item fifteen was a request from the Lafayette County Sheriff to allow an individual who is now serving as a jailer to enter the academy one day late due to his birthdate. Jordan Drake will be twenty one on September 17, 2018 and the Academy will begin on September 16<sup>th</sup>. A motion was made to allow Mr. Drake to enter the academy one day late. Motion was seconded and granted.

Item XVI: Item sixteen was a request from the West Fork Police Department requesting an extension in order to allow Officer Jeremy Riley to complete his law enforcement basic training. Commissioner Holladay made the motion to grant the extension and was seconded by Commissioner Phillips. Request granted.

After the regular meeting decertification hearings were heard for nine individuals and two consent agreements. Those agreements were for **Billy Jason Wood and Michael Gray**. In the uncontested hearings **Jordan Jester, Larry Mitchell, Anthony Quick, Terry May, Ronald Smith, Ronnie Quinn, Mike Rico, and Walter Moore** were all decertified by a final vote. In the contested hearing **James O'Hara** was **NOT** decertified.

In the Director's Report, Director Cook reported that the next graduation for the North West Academy will be on July 27<sup>th</sup>. Governor Hutchinson will be the guest speaker. The next graduation for ALETA will be on August 3<sup>rd</sup>. Lt. Governor Tim Griffin will be the guest speaker for this event. Director Cook encouraged everyone to attend these graduations. In an update on the progress of the North Dorm renovation, she stated that an energy efficient hot water system had been installed, and completion of this will hopefully be completed in September. The AG's Office has informed her that they will no longer present hearings for the Commission but will continue to represent in appeals and litigation. In house counsel Amanda Yarbrough will present hearings to the Commission.