

COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING

COMMISSION MEETING MINUTES

MAY 11, 2023

ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY

10:00 A. M. meeting called to order.

Commission members present:

Chairman Doc Holladay
Sheriff Lafayette Woods
Mr. Richard Wingard
Major. Stacie Rhoads
Mr. Barry Phillips
Sheriff Phillip Miller
Chief Mike Reynolds
Dr. James Golden

Commissioner Absent:

Mr. Thomas Marsh

Others present:

Director Chris Chapmond
Deputy Director Fred Weatherspoon
Deputy Director Brad King
DPS Atty. Eric Wacaster
Kreasha Williams, DPS Legal Services Specialist
Percy Wilburn, Lake Village
Charles Moulton, Hearing Officer
Bonnie Parker Court Reporter
Sue Albritton, CLEST Admin. Asst.
Mark Bennett, City of Almyra
Cody Eison, Almyra PD
John Couch
Sheriff Corey Wilson, Lee County
Lt. Nemi Matthews, Earle PD
Kalvin Booker, Earle PD
Michael Sealey, Malvern
Ryan Marshall, Beebe School District
Chris Nail, Beebe School District

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Jessica Protho, Beebe School District
Rick Duff, Beebe School District
Zack Rigsby, White Co. SO
ED Randle, Brinkley PD
Dewhitt Givens, Brinkley PD
Jesi Feld, ASP
Boyd Kennemore, Ashdown PD
Percy Wilburn, Lake Village
Dwayne Roper, Cabot School District
Randy Martin, AR State University Police
Jarred Long, AR State University Police
Jaylen Smith, Mayor City of Earle
Demetris Johnson, City of Earle
Brett Hibbs, Jacksonville PD

Presentations of appreciation for service to the Commission on Law Enforcement Standards and Training were given to Retired Chief Percy Wilburn.

A motion to accept the minutes of the March 9, 2023, meeting was made by Commissioner Rhoads and seconded by Commissioner Wingard. Motion carried.

A vote was called for the election of a new Vice Chair for the Commission. A motion to elect Commissioner Phillips was made by Commissioner Miller and seconded by Commissioner Woods. Motion carried.

Item I: Item one was a request from the Cabot School District to establish its own police department under Act 629 of 2019. A motion to grant the request was made by Commissioner Rhoads and seconded by Commissioner Reynolds. Motion carried.

Item II: Item two was a request from the Beebe School District to establish their own police department under Act 629 of 2019. A motion to grant the request was made by Commissioner Miller and seconded by Commissioner Rhoads. Motion carried.

Item III: Item three was a request from the City of Almyra to reactivate its police department under A.C.A. § 12-9-118. Having met all requirements, a motion to grant the request was made by Commissioner Rhoads and seconded by Commissioner Woods. Motion carried.

Item IV: Item four was pulled for lack of attendance from the Police Department of Marianna.

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Item V: Item five was a request from the Ashdown Police Department requesting an extension for Officer Willie Kersten. A motion to grant the request was made by Commissioner Phillips and seconded by Commissioner Reynolds. Motion carried.

Item VI: Item six was a request from the Lee County Sheriff's Office for an extension for Timothy Turley. A motion to postpone the decision until the July meeting when more information could be presented was made by Commissioner Rhoads and seconded by Commissioner Woods. Motion carried.

Item VII: Item seven was a request from Dewhitt Givens requesting a waiver of the two-year period required by CLEST Rule 1005. A motion to grant the request and issue an extension through the completion of the academy, was made by Commissioner Reynolds and seconded by Commissioner Miller. Motion Carried.

Item VIII: Item eight was a request from Michael Sealy to be recertified as a law enforcement officer under CLEST Rule 1034. With no motion from the Commission, the original Decertification stands.

Item IX: Item nine was a request from John Couch to be recertified as a law enforcement officer under CLEST Rule 1034. With no motion from the Commission, the original Decertification stands.

Item X: Item ten was a request from Brian Keith Cooper Jr. to be recertified as a law enforcement officer under CLEST Rule 1034. Mr. Cooper did not attend the meeting to present his request. A motion to deny the request was made by Commissioner Rhoads and seconded by Commissioner Woods. Motion carried.

Item XI: Item eleven was a request from the Saline County Sheriff's department for the decertification of former Deputy Audrey Reed. A motion to proceed to a decertification hearing was made by Commissioner Woods and seconded by Commissioner Wingard. Motion carried.

Item XII: Item twelve was a request from the Sebastian County Sheriff's Office for the decertification of former Deputy Grant Swearingin. A motion to proceed to a decertification hearing was made by Commissioner Phillips and seconded by Commissioner Miller. Motion carried.

Item XIII: Item thirteen was a request from the Johnson County Sheriff's Office for the decertification of former Deputy Michael Maxheimer. A motion to proceed to a decertification hearing was made by Commissioner Reynolds and seconded by Commissioner Rhoads. Motion carried.

Item XIV: Item fourteen was a request from the Saline County Sheriff's Office for the decertification of former Deputy Jonathan Cruise. A motion to proceed to a decertification hearing was made by Commissioner Reynolds and seconded by Commissioner Woods. Motion carried.

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Item XV: Item fifteen was a request from the Ft. Smith Police Department for the decertification of former Officer Maria Figueroa. A motion to proceed to a decertification hearing was made by Commissioner Rhoads and seconded by Commissioner Wingard. Motion carried.

Item XVI: Item sixteen was a request from the Little Rock Police Department for the decertification of former Officer Christopher Yetmar. A motion to proceed to a decertification hearing was made by Commissioner Miller and seconded by Commissioner Woods. Motion carried.

Item XVII: Item seventeen was a request from the Little Rock Police Department for the decertification of former Officer Henry Topps. A motion to proceed to a decertification hearing was made by Commissioner Woods and seconded by Commissioner Reynolds. Motion carried.

Item XVIII: Item eighteen was a request from the Springdale Police Department for the decertification of former Officer Austin Ross. A motion to proceed to a decertification hearing was made by Commissioner Miller and seconded by Commissioner Reynolds. Motion carried.

Item XIX: Nineteen was a request from the Sherwood Police Department for the decertification of former Officer Abi Resendiz. A motion to proceed to a decertification hearing was made by Commissioner Rhoads and seconded by Commissioner Phillips. Motion carried.

Item XX: Item twenty was a request from the Little Rock District Court for the decertification of former Officer Renee Garcia. A motion to deny the request for decertification was made by Commissioner Rhoads and seconded by Commissioner Phillips. Motion carried.

Item XXI: Item twenty-one was a request from the Newport Police Department for the decertification of former Officer Christopher Ivie. A motion to deny the request for decertification was made by Commissioner Phillips and seconded by Commissioner Reynolds. Motion carried.

Item XXII: Item twenty-two was a discussion of Rule 1002 for the Authorization of Physician Assistants to be identified as a treating provider on the Medical History Questionnaire. A motion to adopt the recommendation and Authorize Physician Assistants to be identified as a treating provider was made by Commissioner Rhoads and seconded by Commissioner Miller. Motion carried.

Item XXIII: Item twenty-three was a discussion of returning to the alternating location schedule of the Commission meetings. A motion to rotate the meeting locations between Camden and Little Rock was made by Commissioner Wingard and seconded by Commissioner Rhoads seconded. Motion carried.

At the conclusion of the regular meeting decertification hearings were held. Eleven (11) uncontested hearings were conducted for: **Scottie Lackland, Derrell Ray, Summer Smith, Dakotah Springstead, Justin Richardson, Angel Rivera, Quinton Price, Matthew Cline, William Thomas, Tavion Vaughan, and James Gilkey.** Commissioner Woods made a motion that the Findings of Fact and Conclusions of Law had been met. The Motion was seconded by Commissioner Rhoads. Motion carried. A contested hearing was held for **Kalvin Booker.** After hearing all evidence presented, a motion was made by Commissioner Rhoads that the Finding of Facts and Conclusions of Law had been met and to decertify. The motion was seconded by Commissioner Reynolds. Motion carried. A contested hearing was held for **Brandon Martin.** After hearing all evidence presented, a motion was made by Commissioner Rhoads that the Finding of Facts and Conclusions of Law had been met and to decertify. The motion was seconded by Commissioner Woods. Motion carried. The hearings were presided over by Hearing Officer Charles Moulton and recorded by Court Reporter Bonnie Parker. A total of **thirteen (13)** officers were decertified by the Commission.

Director's Report:

Director Chapmond introduced Eric Wacaster as the new Commission Attorney. Director Chapmond reported that he has concluded the statewide chiefs/sheriffs meetings for a total of 7 meetings resulting in good feedback on CLEST/ALETA service to the departments; that he attended graduations at ALETA, CALETA, NWALETA and Black River; these graduations resulted in 186 new law enforcement officers. Director Chapmond gave a legislative session update that included the implementation of Act 199 (Vincent's Law) training and that Jail Standards and its two employees being made part of CLEST. He also reported the statewide trainers meeting will be held on May 17th and will cover review of academy curriculum, practical v. classroom learning module and needs that are currently not being met. Director Chapmond reported that applications for three grants are in the process, this year's budget has been increased by \$100k, funding for 4 unfilled positions has been acquired, 3 new vehicles have been acquired to replace aging vehicles and a meeting is scheduled with Governor Sanders and staff to seek one time funding to address immediate needs. He also reported that Commissioner appointment/re-appointments should be made by the end of May and that the Attorney General has issued an opinion that the Director may request decertification of an officer not employed by CLEST if needed.