

COMMISSION MEETING MINUTES

COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING

ARKANSAS LAW ENFORCEMENT TRAINING ACADEMY

APRIL 9, 2009

Chairman Harrison called the meeting to order at 10:00 A. M. Members present:

Chairman Bob Harrison
Sheriff Butch Morris
Sheriff Danny Russell
Chief David Millard
Chief Kel Nicholson
Dr. James Golden
Mr. B. H. Reeves
Mr. Carroll Lester
Director Terry Bolton

Member Absent:

Yvonne Keaton/Martin

Others present:

Don Barnes, Asst. Atty. General
Deputy Director, Steve Farris
Deputy Director, Brian Marshall
Fiscal Manager, Fred Starnes
Commission Secretary, Sue Albritton
Lt. Blake V. Zaudail, Hot Spring Co. SO
Sgt. Tracey Campbell, Little Rock, PD
Sgt. Stephanie Berthia, Little Rock, PD
Sgt. Jackie Brandford, Little Rock, PD
Dir. Steve Shults, BRTC Law Enforcement Trng. Academy
Jared Bassham, BRTC Law Enforcement Trng. Academy
Capt. Siegle Bell, Washington County Sheriff's Office
Shane Boles, Horseshoe Bend PD
Carl Boles, Horseshoe Bend PD
Tina Moore, Little Rock
Jacob Sanders, Democrat, Gazette
Rev. Marion Jones, Little Rock
Ron Stovall, Miller County Sheriff
Michael Mauldin, Miller County
Ronnie Kennedy, Little River SO

Commission Meeting Minutes
April 9, 2009
Page 2

Sgt. Branden Hampton, Lonoke CO, SO
Chief Dean White, Lonoke CO, SO
Chris Hill, Lonoke CO, SO
Ron Burks, Arkansas Highway Police
James Latham, St. Francis County Sheriff's Office
Marshall Wright, Attorney
Stanley Barnes, St. Francis County Sheriff's Office
Wade Hodge, Atty., Hearing Officer

Chairman Harrison: It is 10:00 A. M. and I will call the meeting of the Commission on Law Enforcement Standards and Training to order. One bit of FYI is the Memo from Richard Weiss reducing the gasoline rates from 45 to 42 cents for mileage. Is there a motion to accept the minutes of the last meeting?

Commissioner Reeves: So moved.

Commissioner Morris: I second.

Chairman Harrison: Motion made and seconded, all those in favor, (All commissioners vote aye.) Any oppose? Motion carried. Is there anyone here from the news media today? Democrat Gazette, thank you for coming today. The first item today, **ITEM I** At the January 2009 meeting the Commission voted to go forward with decertification of Phillip Staggs and Joshua Rainbolt. The two were sent certified letters of notification and each received and signed for these letters. Neither of the former officers requested a hearing. They are now in need of a final decertification vote. Is there a motion to decertify?

Commissioner Russell: I will make that motion.

Chairman Harrison: Motion made, is there a second?

Commissioner Morris: I second.

Chairman Harrison: All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Phillip Staggs and Joshua Rainbolt are decertified. **ITEM II** Chief Deputy Michael Maudlin retired in good standing from the Texarkana Police Department in October 1998 with over 21 years of service. He then served as the department's chaplain until 12-31-08. Chief Maudlin has served as a patrolman, a detective, and a section supervisor. He has extensive specialized experience in forgeries, robbery, assaults, rape, and homicide investigations. His basic training was completed at Kilgore Police Academy in Kilgore, Texas in August of 1976. He has accumulated 1384 hours of

training certified by the state of Texas and Arkansas. Sheriff Ron Stovall is requesting a waiver of the "Seven Year Rule" for Chief Deputy Mauldin. Sheriff Stovall and Chief Deputy Mauldin, please come forward. Sheriff Stovall if you would, make your request to the Commission.

Sheriff Stovall: Thank you, Chief Harrison. I appreciate the opportunity to be here before you today. As Chief Harrison just stated, and as you well know, I assumed the responsibilities of the Miller County Sheriff on January 1st of this year. And we have tried to put the very best people we can find to reestablish the credibility and confidence of the people in the law enforcement community and the people in Miller County in their Sheriff's Department. And in doing that we have put together the very best staff we possibly can and I have asked Michael Mauldin to assume the role of Chief Deputy in that position. And as Chief Harrison has stated, he is a 21-year veteran of the Texarkana Police Department. After his retirement there he served full time as a full time chaplain participating in their annual firearms training and TAPD and CLEST training during that time. He has accumulated almost 1400 hours of training, which is creditable. During my 37 years career I think I have 1500 hours. So it is creditable to him to have accumulated that much time. So I am asking you to consider waiving that seven-year requirement for those reasons. With that amount of training, and the amount of time he has spent in law enforcement I feel it would be a waste of his time, our time and your time to put him back through that training. So I am asking you today to waive that training and let him attend a forty-hour course.

Chairman Harrison: Thank you sheriff, Chief Mauldin is there any comment you would like to make?

Mr. Mauldin: No sir.

Chairman Harrison: Is there any questions or comments from any of the Commissioners?

Commissioner Morris: I make a motion that we waive the "Seven Year Rule."

Commissioner Russell: I second that motion.

Chairman Harrison: Motion made and seconded that we waive the Seven Year Rule. Will that include requiring a refresher course?

Commissioner Morris: Yes.

Chairman Harrison: Motion made and seconded to waive the seven-year rule and require the Forty Hour Refresher. All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Motion passed. Thank you Sheriff and Chief Deputy need to

see someone before you leave the academy and they can tell you when the next forty-hour refresher will be.

Commissioner Nicholson: I would like to go on record real quick on this last matter that we took up. I am not a big fan of waiving the seven-year rule and most of you know that. But I feel this Commission owes it to those people of that county because they have had lots of problems down there. I believe we acted in the best interest of the state in this incident.

Chairman Harrison: I agree with that and I will have to note that I worked with Mike Mauldin for twenty one years that he was there and he was an exceptional officer and a exceptional supervisor while he was there. The Sheriff has had his hands full since January 1. He certainly needs the assistance of competent people. And I appreciate the Commission waiving the seven-year rule. **ITEM III** Former officer Gregory Christopher was employed by the Little Rock Police Department from January 1994 until he was terminated July 14, 2008. Gregory was promoted to Sergeant contingent upon successful completion of a six-month probation period. Serious deficiencies were noted during that period. Also internal investigations were opened based on Gregory being untruthful regarding his knowledge of a felony warrant on his wife, his involvement in his wife's real estate negotiations and interfering in an investigation. He also failed to properly document a use of force incident involving subordinates. He was also involved in fraudulently obtaining a drivers license for his stepson and being untruthful when asked about the matter. These actions were a violation of several department policies leading to LRPD wanting Gregory decertified. Is there someone here from the LRPD? Please state your name for the record please.

Sgt. Brandford: I am Jacqueline Brandford, a Sergeant with the Little Rock Police Department.

Chairman Harrison: As you probably know, this is not a decertification hearing today. Simply a request, so if you could make some brief comments to the Commission backing up the information that I just read. And at that point they will make a determination as to whether they want to proceed with a decertification hearing or not.

Sgt. Brandford: I am just here to add to what you have already said. At the time Sergeant Gregory was terminated, there was also another fraudulent case he was involved in and being investigated. And in that case it also included him dealing with real estate again. It seems like all fraud allegations that we have received on Sergeant Gregory has had something to do with real estate. And procurement of real estate. I have got information that I will leave with the Commission today regarding that particular case. Also I have another case from back in 2001 which was taken into consideration when we look into the fact of fraud perpetrated, where he and his wife attempted to buy property and during

the process of buying that property he or his wife falsified information regarding the application and his employment. I also have information to give you on that particular case. We as a department believe that Sergeant Gregory has used the uniform in perpetrating the fraud that he has been alleged of committing. He has used the uniform in doing this and people seeing him in his uniform believe he has good intentions and that allows him to be able to defraud the people that he has. So far there has been no criminal prosecution. However as our administrative investigation has shown, he has had some sort of involvement as a police officer in these frauds. And that is why we are asking for him to be decertified.

Chairman Harrison: Any questions or comments from any of the commissioners?

Commissioner Reeves: I move for a hearing.

Chairman Harrison: I have a motion that we proceed with a decertification hearing. Is there a second?

Commissioner Millard: I second.

Chairman Harrison: Motion made and seconded, all those in favor, (All commissioners vote aye.) Any opposing? None opposing, Sergeant a date will be set for a decertification hearing. And you will be notified. Is former Officer Christopher Gregory here? Lets make the addendum that you have from Little Rock, lets make it 3-A. We will address 3-A at this time. **ADDENDUM ITEM III-A** Former Officer Mark S. Fisher of the Little Rock Police Department worked off duty at a Sam's Club store and was observed stealing merchandise. Sam's reported this to the LRPD who investigated. Fisher admitted the theft and was terminated. The LRPD cites several policy violations plus theft of property admission in their request for decertification. Is there someone else here? Come forward please. State your name for the record please.

Sgt. Berthia: I am Sergeant Stephanie Berthia, of the Little Rock Police Department

Chairman Harrison: You may make your request.

Sgt. Berthia: On February 2, 2009 Sam's Club did contact the police department in regard to Office Fisher possibly being involved in theft on January 30th. The allegations were that he stole two bags totaling \$108.14. On February 5, the detective division interviewed Officer Fisher in relation to the thefts. In the initial interview, Officer Fisher denied taking the items saying he had purchased them a month earlier at Wal-Mart. He then requested a second interview at which time he admitted the theft. And acknowledged that the items were in his personal vehicle and his patrol car which was parked on the parking lot at the substation. On February 5th Officer Fisher was brought to

internal affairs division and gave a statement and again admitted to the theft. Stating he had taken the items for his granddaughter for school. On February 18th Officer Fisher submitted a letter of retirement and that the resignation to be effective on March 23rd 2009. The investigation continued through Officer Fisher's chain of command of which all recommend termination. Chief Stuart Thomas received the completed investigation on March 23rd 2009, which is the same date that Officer Fisher's retirement letter was to take effect. Therefore Chief Thomas accepted his retirement and in lieu of being terminated and requests that he be decertified.

Chairman Harrison: Any comments or questions from the commissioners?

Commissioner Morris: I make a motion that that we set it for decertification.

Commissioner Reeves: I second.

Chairman Harrison: Motion made and seconded to set a decertification date. All those in favor, (All commissioners voted aye.) Any oppose? None opposing. Motion passed. LRPD will be advised when this date is set. Thank you. **ITEM IV** Item four, former Deputy Jason Irvin Lindsey was employed by the Hot Springs County Sheriff's Office from January 2008 until March 2009. Lindsey was accused by a citizen of stealing prescription medication (Hydrocodone) kept in their bathroom. When confronted, Lindsey admitted the theft and use of pills on duty. Prosecution was declined. Based on Lindsey's actions and his admission of theft, the Hot Spring County Sheriff's Office feels that decertification is in order. Is someone here from the Hot Spring County SO? Come forward please. State your name please.

Lt. Zavadil: Lieutenant Blake Zavadil of the Hot Spring County Sheriff's Office.

Chairman Harrison: OK Lieutenant you may add to the information that I have just stated.

Lt. Zavadil: There started an investigation based on complaints on him possibly being under the influence of something while on duty. So we started an internal investigation and during this internal investigation, he admitted to me he was taking prescription medications and then after that some more information came in. A gentleman came forward and said that he was coming there to use the restroom in the evenings. And they started to notice that the medication disappearing out of their medicine cabinet. He was the only one coming in and out of there. He was brought in for another interview by one of the investigators. And was read his garrity warning and he did admit to taking the medications from this person's restroom on numerous occasions. And then after that he went ahead and said he was going to resign. He never brought in a resignation letter and we have not heard from him since. Also after the investigation was over, a few other

people came forward and told us that they had had the same problem happen at their residence but they did not want him to get into trouble over it.

Chairman Harrison: Any comments or questions from any of the commissioners?

Commissioner Morris: I make a motion that we set it for decertification.

Commissioner Reeves: I second it.

Chairman Harrison: Motion made and seconded that we set it for decertification. All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Lieutenant your agency will be notified when that date will be set. Thank you sir. **ITEM V** Former officer Miklos A. Molnar was employed by the Van Buren Police Department from September 1987 until July 2008 when he resigned pending a criminal investigation. Molnar was convicted of a felony, embezzling \$51,000 from the Van Buren Police Department over a 3 ½ year period. Based on the felony conviction, Molnar should be automatically decertified. All those in favor of an automatic decertification signify by saying aye. (All commissioners vote aye.) Opposing? None opposing. Miklos Molnar is decertified as a law enforcement officer in the State of Arkansas. Would he happen to be here? **ITEM VI** Item six was pulled at the request of Sheriff Ken Jones. **ITEM VII** Former Officer Amy Copeland was terminated from the Washington County Sheriff's Office after it was discovered that she was carrying on a personal relationship with a jail detainee that evolved to the two planning marriage. She sent letters to him via a third party and provided special addresses so he could communicate without arousing suspicion. She also sent money for his commissary account. The actions violated Washington County Sheriff's Office policy concerning fraternization and ethics policies. Sheriff Helder is recommending decertification of Ms. Copeland. Is there someone here from Washington County? Come forward please sir. State your name for the record.

Capt. Bell: I am Captain Siegle Bell from the Washington County Sheriff's Office.

Chairman Harrison: You may proceed.

Capt. Bell: Our department is requesting that Ms. Copeland be decertified based on the grounds that you have stated. She was carrying on an improper relationship with a detainee in the jail. She was writing letters to him through a third party in Colorado. And had given him a false name and her post office box so he could write to her with out rising suspicion. During the investigation it was determined that she had set all this up and she said herself that it would look bad if they were writing using her name. So they were covering it up because she knew it was the wrong thing to do. Since our department is the second department that she has left in a short period of time under bad

circumstances, and she was trying to get on with a third department, we feel she should be decertified so she could find another line of work.

Chairman Harrison: Any comment or questions?

Commissioner Russell: I make a motion that she be decertified.

Commissioner Lester: Second.

Chairman Harrison: Motion made and seconded to set a decertification. All in favor, (All commissioners vote aye.) Any opposing? None opposing. Captain you will be notified when a date will be set. **ITEM VIII** Former Officer Thomas Owens was employed by the Lincoln County Sheriff's Office as Jail Supervisor. Supervisor Owens asked a trustee to locate a stolen handgun for him to buy. During an investigation the trustee was wired and Owens was overheard making the request to purchase a stolen weapon. An undercover officer made the controlled meet with the trustee and Owens at which time the undercover officer showed Owens a weapon he said was stolen. Owens took delivery of the weapon and was arrested. Owens was not prosecuted and allowed to resign with the understanding he would never return to law enforcement. The Office of Law Enforcement Standards feels this officer should be set for decertification. Is there someone here from the Lincoln County SO? Does Standards have any comments to add to this?

Mr. Marshall: No, that is basically the case.

Chairman Harrison: Is there a motion that we set this for a decertification hearing?

Commissioner Millard: I make motion that we set it for a decertification hearing.

Commissioner Russell: I second.

Chairman Harrison: Motion made and seconded to set a hearing for Thomas Owens. All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Motion passed. **ITEM IX** Item nine former Officer James Daniel Wilson was employed by the Marion Police Department. Captain Wilson was arrested on March 29, 2008 for theft and misuse of funds from the Marion Youth Sports Association. Wilson was tried and convicted of felony theft in January 2009. Based on the felony conviction, Wilson should be automatically decertified. All those in favor of automatic decertification please signify by saying aye. (All commissioners vote aye.) Opposing? None opposing. James Daniel Wilson is decertified as a law enforcement officer in the State of Arkansas. **ITEM X** Item ten, former Officer Charles Edwards was employed by the Lonoke

County Sheriff's Department when he was dismissed for tampering with the camera system in the jail. Edwards, as duty jailor, tampered with the camera system to reposition it. He then allowed a male and female inmate to have inappropriate contact in the area now not covered by the camera. After an internal investigation no charges were filed. Based on a violation of department policy and the Code of Ethics the department asked for decertification. Is someone here from Lonoke County? Come forward sir. State your name sir.

Deputy White: Chief Deputy Dean White.

Chairman White: Chief do you have anything to add to this request?

Deputy Edwards: That pretty much sums it up. Mr. Edwards was allowing male inmates and female inmates to meet in the kitchen laundry and have inappropriate contact.

Chairman Harrison: Comments or question from any of the Commissioners?

Commissioner Morris: I make a motion to decertify.

Commissioner Russell: I second.

Chairman Harrison: Motion made and seconded to set a decertification date. All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Chief we will notify you of the time and date. **ITEM XI** Lonoke County Sheriff Jim Roberson is requesting a waiver of the "Seven Year Rule" for Christopher Hill. Mr. Hill had previously worked for the City of Lonoke and the 23rd Judicial District Drug Task Force and attended the Arkansas Law Enforcement Training Academy in March of 1999. Hill resigned from the Lonoke Police Department, under good terms, in June of 2001 to reenlist in the United States Navy as a Master at Arms and Canine Handler. Mr. Hill received several hours of police training in the military. With his experience and canine training, Mr. Hill is a candidate to run the canine program at the Sheriff's Office. Is someone here from the Lonoke County Sheriff's Office? Come forward please sir. Both of you can come forward. State your name for the record please.

Sgt. Hampton: Sergeant Branden Hampton.

Mr. Hill: Christopher Hill.

Chairman Harrison: Sergeant you may make your request.

Sgt. Hampton: On behalf of Sheriff Roberson he would like to reinstate the canine program at The Lonoke County Sheriff's Department. It is one of our main interests in

Christopher Hill. He was a canine handler for the Lonoke Police Department before reenlisting in the navy. And his entire time in the navy he was a canine handler. And also ran the canine program with the United States Navy in Memphis. I believe he is out seven years and nine months when the sheriff's office hired him and he is currently working for us. And we are requesting the "seven year rule" be waived on him.

Chairman Harrison: Any questions from the commissioners?

Commissioner Russell: I make a motion that we waive the seven-year rule. I would just like to make one comment. It is like Chief Mauldin, and I know Chief Mauldin real well. Any time you can get hire someone with that kind of experience back, and Chief I think you would understand that. Like with my guys, I have a bunch of young guys and any time you can get someone with experience, it helps. I would make the motion that we waive the seven-year rule.

Commissioner Millard: I will second.

Chairman Harrison: Motion made and seconded. All in favor, (All commissioners vote aye.) Can we back up and amend that? Do you want the forty-hour refresher?

Commissioner Russell: Yes.

Chairman Harrison: Motion was made to add the forty-hour refresher to waiving the seven-year rule. All those in favor, (All commissioners vote aye.) Any opposing? None opposing. Sergeant you can see someone here to see about getting him enrolled in the forty hour. **ITEM XII** Item twelve, Marilyn Pressley Turner was employed by the West Memphis Police Department from March 1997 until January 2009. Complaints were received by the West Memphis Police Department that Turner was intimately involved with a convicted felon with multiple convictions for drugs and theft. She denied the relationship when first confronted and after that continued the relationship. At a later administrative hearing she admitted the violations of policy and was terminated. Based on a violation of several policies and the Code of Ethics, the West Memphis Police Department is requesting decertification of Ms. Turner. Is someone here from the West Memphis Police Department? Please come forward. State your name for the record.

Det. Clark: I am Detective Andrew Clark, SR. the internal affairs investigator. Ms. Pressley was one of our uniformed patrol officers. When we became aware of this a year prior, we brought her in and formally counseled her. Ms. Pressley was married and she was by all accounts a good officer. We became aware through several sources that she was conducting an illicit relationship with a prior convicted felon. We formally advised her to conclude that relationship. She did not. She lied. Through further investigation we later determined that she was continuing that relationship even when the individual

was incarcerated. Visiting him and making calls and when he got out she consummated that relationship. She was subsequently charged with violation of truthfulness, consorting with persons with a criminal reputation, I recommended termination and my Assistant Chief and Chief concurred. And the Mayor concurred and in the eleventh hour she asked to resign. I respectfully submit to the Commission that she be decertified at your earliest convenience.

Chairman Harrison: Any questions or comments from the Commissioners?

Commissioner Millard: I make a motion that we set it for decertification.

Commissioner Golden: I second.

Chairman Harrison: Motion made and seconded to proceed with a decertification hearing, all those in favor, (All commissioners vote aye.) Any opposing? None opposing. Sergeant a decertification hearing will be set and you will be notified. Thank you for coming today. **ITEM XIII** Item thirteen, Shane Boles of the Horseshoe Bend Police Department was a student in the January Basic Training Class at Black River Law Enforcement Training Academy. Mr. Boles failed to qualify on the firing range and was dismissed from the academy. Chief Fred Mitchell is requesting the Commission to give Mr. Boles a second chance and allow him to attend the next available class in order to become a certified police officer. Is Chief Mitchell here or someone from Horseshoe Bend? Come forward please sir. State your name for the record.

Mr. Boles: I am Shane Boles.

Lt. Boles: I am Lt. Carl Boles.

Chairman Harrison: Lieutenant do you want to make the request?

Lt. Boles: We just request that he be allowed to continue and finish the academy. He has been a good officer. We have had no other problems. He has since corrected his problem with the firearms and we think he can get through now.

Chairman Harrison: What problems were there?

Lt Boles: He had not shot a pistol very much before he went to the academy. He has practiced before he hired on and he was marginal when he went. The first time I think he shot a 439 and like a 389 after that. So they dismissed him.

Chairman Harrison: Any questions from the commissioners? Also the Director of Black River is here. Steve do you have any comments?

Mr. Shults: I am not here to oppose it. Also our firearms instructor is here. And he has his records.

Chairman Harrison: Black River is here if you have any questions of them.

Commissioner Millard: I would be interested in seeing his records.

Commissioner Reeves: In the other part of the schooling, how did he do? Where was he academically?

Lt. Boles: As far as I know he did fine.

Commissioner Nicholson: How far into the academy were you? Four weeks?

Commissioner Morris: If his academics were fine, I would make a motion to waive the two-year rule and allow him to attend ALETA.

Chairman Harrison: Is he requesting to attend ALETA or Black River?

Lt. Boles: It would be easier if he could attend Black River. It is a lot closer. However he can get back in.

Chairman Harrison: Does Black River have an issue with that?

Director Shults: No we do not have a problem with that at all.

Commissioner Russell: I will second that motion.

Mr. Bolton: Mr. Chairman, Steve do you know if there is a time problem? Is he running short on his time to get him back in?

Mr. Marshall: He has until July 28, 2009 to get him in the one-year rule.

Mr. Bolton: Can he get back in school that quick? The reason I am asking is I am aware that Steve has somewhat of a problem with the number of students he can take and how many he has got. I am just making sure he can get in.

Mr. Shults: Out next class starts in the fall. And there is a waiting list but it is possible for him to get in. But we don't have another class until fall.

Commissioner Nicholson: Would you all be able to accept him down here?

Mr. Bolton: We can, but I think he is wanting to go up there. I just want to make sure he does with out a time problem.

Commissioner Nicholson: I hate to bump some one else out that is on a waiting list. If he can attend down here. If you have other agencies that are trying to get their people through. He has had one chance. And we are giving him a second. So I don't want to show any favoritism to him by letting him get in and bumping someone else out. If there is room down here I think he should go here.

Commissioner Russell: Would he be bumping someone else if he goes back up there?

Mr. Shults: That is up to the Commission. We would put him on the waiting list. And if he can go down here. Our plans would have been not to bump someone else unless that is the will of the Commission.

Chairman Harrison: Why don't we say he be contingently placed at Black River if he can get in on the list. If not he will have to fall back and go here in Camden. Is that OK?

Mr. Farris: He will still have to have an extension.

Mr. Marshall: Yes but if you want to give him the eight-month extension.

Mr. Bolton: Mr. Chairman, our class just started. So the next class will be beyond the July '09 deadline. Which is the reason I am asking all these questions to start with. Either way, I think he will need an extension. You said yours didn't start until the fall?

Mr. Shults: Yes. We will be doing it in January if he wants---- to come in January.

Chairman Harrison: Would you like to amend your motion to include an eight-month extension?

Commissioner Morris: I will do it.

Chairman Harrison: Motion made to waive the two-year rule and add an eight-month extension.

Mr. Marshall: You don't have to waive the two-year rule at this point.

Mr. Farris: He was terminated for the school.

Mr. Marshall: He was terminated from Black River.

Mr. Farris: With his termination from Black River it started his two years.

Mr. Marshall: Are you putting him in a particular class?

Commissioner Russell: He said he could put him in the January class.

Mr. Marshall: So he is scheduled for the January class is that what you are saying? Instead of coming here?

Mr. Shults: We can accommodate him in the January class if he will go ahead and enroll him.

Mr. Farris: I would like to point out that if he waits until January he will exceed the period including the extension.

Mr. Marshall: So you would have to waive the two year rule if you are planning to have him go to Black River in January.

Commissioner Reeves: I think he should come down here.

Mr. Farris: I recommend that the easiest thing to do would be to have him come to ALETA and he can start in the next class.

Chairman Harrison: Which will be when?

Mr. Farris: July. But he still will have to have the extension. Be he will done before the twenty months.

Chairman Harrison: Do you understand that? Is that acceptable? The motion will be simply to add an extension to allow him to attend ALETA in July. Motion made. And seconded. All those in favor, (All commissioners vote aye.) Any opposing. None opposing. Thank you. An item that was a problem in the past, concerning the driving track. I would like for Director Bolton to address that with the Commission.

Mr. Bolton: A few months in the past, the Texarkana Police Department asked us to allow them to use our facility to put on a driving training program. It is their instructors and their program and they just use the facilities and reimbursed us for the cost of it. As you all are aware, we had a little confrontation with the auditors over it. The Texarkana Police is asking that we do that again. One of the first steps we need to make is, we need to make you aware of it and for you to vote and approve it. And if you do approve it, our next step is to go forward and make it right with the auditors before that happens. At the

last class they had some Texas officers in it and that was a big stickler with the auditors even though we were reimbursed fully for the cost of using our facilities. Chief Harrison assures there won't be any Texas side officers in this class. But I still want to make sure we are open about it and do everything I can to make the auditors happy. So what I am asking for is a motion from the Commission is that you are aware of it and you are not opposed to us doing this. And if you will do that we will take the next step in trying to appease the auditors so that we can do this.

Commissioner Millard: I will make that motion.

Commissioner Morris: I will second that.

Chairman Harrison: Motion made and seconded, all those in favor, (All commissioners vote aye.) Any opposing? None opposing. I still do not understand why it was an issue with the auditors. When we provide our own instructors and we are just using the track but that is the way red tape is sometimes. What time is lunch ready?

Mr. Bolton: I am sure that they can handle us now.

Chairman Harrison: What would the Commission like to do? If everyone is here we could go ahead and do one of the decertification hearings. Or we can break for lunch and come back for lunch and do both.

Mr. Barnes: Mr. Chairman, I believe we could do the Tina Moore before lunch. The question is, is the Court Reporter here? And the last time she wasn't. But we expect her any time now. I will just throw that out.

Commissioner Lester: Mr. Chairman I have a question. On the situation of our faculty salaries, have we made any progress in the session so far?

Chairman Harrison: You will have to ask Mr. Bolton.

Mr. Bolton: Our appropriation bill has passed and waiting for him to sign. However, it is only appropriation. We will not know anything until we know how much funding we have. It has passed the House and the Senate and is waiting for the Governor's signature. They can pass all the bills they want but they have to be funded. We don't know at this point.

Commissioner Lester: So what is the level of-- ?

Mr. Bolton: Fred can you answer that question for him?

Commission Meeting Minutes

April 9, 2009

Page 16

Mr. Starnes: They have done a study for all the state employees and they have finished that. And there is going to be a lot of changes. They will have to do a rewrite job descriptions and job titles. We still don't know about the funding like the director said. The last we heard, the Governor said we would get 50% of that. Then we have heard at other time it was going to be fully funded. If that goes through, the starting salaries of the instructors would increase about six to seven thousand dollars. As the director said all this special funding, we don't know about yet.

Mr. Bolton: Mr. Chairman, the Court Reporter is scheduled to be here at 11:00 and she is not here yet. But will be here in the next ten to fifteen minutes.

Chairman Harrison: What would the Commission like to do? Would you like to go on and break for lunch and come back, do you want to wait?

Commissioner Nicholson: Well we might as well eat.

Chairman Harrison: Before we do that, is there any other business? For those in the audience, we will break for lunch and you are welcome to eat lunch and we probably will be back here by 11:15 and we will proceed with the first decertification hearing. We are adjourned. Adjourned at 10:43 A. M.