

MINUTES**JOINT PERFORMANCE REVIEW COMMITTEE****Monday, April 22, 2024****10:00 AM****Room A, MAC****Little Rock, Arkansas**

Committee members present: Senators Kim Hammer, Co-Chair; Joshua Bryant, Vice-Chair; Justin Boyd, Jonathan Dismang, Jim Petty, Terry Rice, and Dan Sullivan; Representatives Mark H. Berry, Co-Chair; David Ray, Vice-Chair; Brandon Achor, Brian S. Evans, Tony Furman, Ashley Hudson, Jamie Scott, Joy Springer, and Jim Wooten

Other members present: Senators Linda Chesterfield, Tyler Dees, Ben Gilmore, Mark Johnson, Fredrick Love, Matt McKee, and Matt Stone; Representatives Matt Brown, Joey Carr, Denise Ennett, Jon S. Eubanks, Kenneth Ferguson, Jack Ladyman, Tippi McCullough, Jay Richardson, Scott Richardson, Ryan Rose, Johnny Rye, and DeAnn Vaught

Representative Berry called the meeting to order.

Consideration to Approve the April 11, 2024, Meeting Minutes [Exhibit B]

Senator Rice made a motion to approve the minutes, seconded by Senator Petty, and the motion carried.

Discussion of Arkansas Board of Corrections (BOC) [Exhibits C1-C3]

Pastor Alonza Jiles, Board Member, BOC, expressed that he was present for every BOC meeting, but was not involved in any negotiations regarding the amount provided in the services contract for Abtin Mehdizadegan. Mr. Jiles also stated that during the BOC's executive meeting on December 8, 2023, he voted against the approval of the services contract.

Lona McCastlain, Board Member, BOC, stated that she had not voted on the contract nor had access to its details and expressed her belief that any meetings or agreements that excluded members of the board were not proper.

Benny Magness, Chairman, BOC, explained the undocumented meetings of BOC members which resulted in the lawsuit from the Office of the Attorney General of Arkansas. Mr. Magness also stated that the purpose of the meeting was to task himself and Lee Watson with finding legal counsel for the BOC quickly.

Senator Petty made a motion to submit the following findings and recommendations to the Arkansas Legislative Council as a result of the committee's investigation: The Board of Corrections operated in disregard for public transparency including the apparent violation of Freedom of Information Act and open meetings laws, the Board lacked both financial and statutory authority to enter in the services contract, there were perceived and discussed violations of law, and there was an acknowledged lack of process for board meetings and the procurement process. As such, the committee recommends, in any event a contract between the Board of Corrections and Mr. Abtin Mehdizadegan for legal services rendered under the engagement letter dated and signed December 22nd, 2023, is presented for review and ratification before Legislative Council, that the Legislative Council not review the contract and the transcripts of the April 4th, 11th, and 22nd, 2024, Joint Performance Review Committee meetings be transcribed and the recordings of the committee meetings be

forward to the Arkansas Department of Inspector General for further investigation.

Seconded by Senator Dismang, and the motion failed by roll call vote.

With no further business, the meeting adjourned at 11:00 a.m.

DRAFT