

EXHIBIT C

APPROVED AUGUST 11, 2020

SENATE COMMITTEE ON CITY, COUNTY, AND LOCAL AFFAIRS HOUSE COMMITTEE ON CITY, COUNTY, AND LOCAL AFFAIRS MEETING JOINTLY

MINUTES

Monday, June 15, 2020

The Senate and House Interim Committees on City, County, and Local Affairs met on Monday, June 15, 2020, at 10:00 a.m., Multi-Agency Complex (MAC), Room A, Little Rock, Arkansas.

Committee members present: **Senators** Gary Stubblefield, Chair; Jim Hendren, and Terry Rice

Representatives Lanny Fite, Co-Chair; Fredrick Love, Vice-Chair; Justin Boyd, Karilyn Brown, Frances Cavanaugh, Cameron Cooper, Carol Dalby, Gary Deffenbaugh, Jana Della Rosa, Spencer Hawks, Monte Hodges, Milton Nicks, Jr., Marcus Richmond, Johnny Rye, Matthew Shepherd, and Nelda Speaks

Other members present: **Senators** Linda Chesterfield, Joyce Elliott, Kim Hammer, Ricky Hill, Mark Johnson, and Jason Rapert. **Representatives** Stan Berry, LeAnne Burch, Dan Douglas, Les Eaves, Denise Ennett, Denise Garner, Steve Hollowell, Kenneth Ferguson, Vivian Flowers, Jack Ladyman, Austin, McCollum, Jay Richardson, Jamie Scott, and Danny Watson

The meeting was called to order by Senator Stubblefield. The purpose of the meeting was to discuss the State Capitol Security during the George Floyd protests.

Motion to Consider Approval of the March 2, 2020, Meeting Minutes [Exhibit D]

Representative Love made a motion to approve the meeting minutes of March 2, 2020. The motion was seconded by Representative Speaks, and without objection, the motion carried.

Consideration to Adopt a Motion to Authorize the Issuance of Subpoenas

Senator Stubblefield stated after speaking with Frank Scott, Mayor, City of Little Rock, regarding the issuance of subpoenas, he received confirmation that Keith Humphrey, Chief of Police, Little Rock Police Department (LRPD), and two officers from the Command Center would be present to testify at today's meeting. With these confirmations, Senator Stubblefield removed this agenda item.

Discussion of State Capitol Security During the Protests

State Capitol Police (SCP)

Chief Darrell Hedden, Sergeant Travis Caldwell, and Corporal Greg Smith, were recognized. Chief Hedden described chaos and property damage including vandalism of the State Capitol building and surrounding areas, during the protests following the death of Mr. George Floyd. Chief Hedden provided pictures of the damage that was caused by protesters. Some of his comments and concerns included:

- Positive working relationships with several LRPD officers, including Captain Heath Helton, LRPD and two unnamed intelligence officers
- Estimated 3,000 individuals showed up to protest the first night of protests
- Arkansas citizens were responsible for the property damage
- Constant contact with the Arkansas State Police (ASP) Colonel, a Major, Captain, and Lieutenant
- Constant contact with an unidentified LRPD intelligence officer who provided intelligence
- Never communicated with anyone in command with the LRPD
- Noticed a few LRPD units near the intersections during the protests
- Compared the protests to “the Vietnam War” in Arkansas
- Concerned with Chief Humphrey passing on intelligence to protesters
- Concerned after witnessing a pullback of LRPD officers that intelligence and operation tactics could have been jeopardized and disseminated to the protesters
- Witnessed Chief Humphrey and Mayor Scott joining a protest group in a peaceful protest
- As protesters were following Chief Humphrey and Mayor Scott, LRPD officers did not respond to protesters destroying businesses and breaking out windows
- Believed the protest was being led by Chief Humphrey and Mayor Scott
- Sergeant Caldwell and Corporal Smith concurred with Chief Hedden statements

After a lengthy discussion, Representative Richmond asked a question regarding the standard operating procedures and whether there is any type of Memorandum of Understanding (MOU) in place between SCP and LRPD, which discuss how they are to respond to this type of situation. Chief Hedden replied, “As of today,

no.” Representative Richmond encouraged communication and dialogue between both chiefs and to establish standard operating procedures. He added there is animosity between these two departments, noting, it has to go away. Representative Richmond stressed the importance of them having an “after-action discussion” to help move forward.

Little Rock Police Department (LRPD)

Chief Keith Humphrey, Captain Heath Helton, and Lieutenant Troy Ellison, were recognized. Chief Humphrey gave a brief overview of his work history. He has been in law enforcement for 32 years, and is the 38th Chief of Police for the LRPD. He was the first African American police chief in Norman, Oklahoma.

Chief Humphrey gave his account of events that happened during the protest in LR following the death of Mr. George Floyd that included:

- Chief Hedden stated about 20% of the truth
- Chief Hedden mischaracterized both the size of the protest and the LRPD’s response
- Chief Hedden was not truthful in accusing me and Mayor Scott of inciting the riot
- Chief Hedden did not fulfill his responsibility to meet with the protesters
- Chief Hedden was not present or a part of the unified command post
- Chief Hedden was not truthful when he stated I never reached out to him. I called Chief Hedden several times to no avail
- Chief Hedden was untruthful when he informed an individual that LRPD had all of the protest information, when nothing was ever written
- Estimated 1,000 individuals showed up to protest
- LRPD officers did not retreat, but assisted and was a part of the response unit that worked on Saturday and Sunday night — 80 LRPD officers were working and other agency officers were also working in zones
- State Capitol Police retreated
- Did not have a model Memorandum of Understanding (MOU) - if one is available, Chief Hedden is not aware of its existence
- LRPD officers were on the scene and responded to related incidents around the area
- Both Mayor Scott and I met with protesters, but argued that it was absurd to suggest we had somehow incited or were allied with the group
- Accused Chief Hedden of being absent from a unified command center at ASP office
- Expressed regret about the property damage

- Protecting the lives of officers and citizens were more important than property. First priority was dispersing the crowd to deescalate the situation

Senator Stubblefield read a brief summary of Chief Humphrey's press conference statements. In response to a question by Senator Stubblefield regarding whether he had ordered LRPD officers to "stand down" during the protests. Chief Humphrey replied, "yes" one time there was an incident on Sunday night while he was on the capitol grounds he received a call from his Assistant Chief, Alice Fulk, informing him that things were getting heated, and bottles were being thrown. Chief Humphrey added he supports the decision of his assistant chief to stand down.

Representative Della Rosa requested LRPD, SCP and everyone that is reviewing this issue, please make recommendations to the General Assembly for the next legislative session on dealing with peaceful protest and how to stop the agitators. Chief Humphrey stated statutes and Intel need to be stronger against professional opportunists. Police chiefs, state legislators, and local officials need to meet to discuss the relevance of the protests. Some committee members expressed they would like to revisit the issue of the damage to the State Capitol and discuss policy changes.

Mr. Chris Burks, Attorney for Officers of the LRPD, was recognized. He represents Hayward Finks and Alice Fulk, LRPD Assistant Chiefs, and 20 other LRPD officers. He stated the testimony today was disappointing. Mr. Burks expressed it is important to look at the underlining or overarching issues. He asked that the committee continue discussing this topic and set another meeting date to hear more of the facts. Mr. Burks stated Chief Humphrey testified to a "stand down" order that directly contradicted the ASP and SCP, noting this should concern the legislature. Mr. Burks disputed several statements Chief Humphrey made. Mr. Burks suggested the following solutions:

- Regarding systemic problems involving agencies not cooperating and working together and personnel problems involving agency heads not working together, important to discern whether this is a systemic issue or a personnel issue
- Leadership should look at the cause of the property damage, the leadership action, and not engage in the type of political speech that was seen today

Senator Elliott expressed her displeasure with the chairman for not allowing committee members to ask Mr. Burks questions. She wanted to know the purpose for having Mr. Burks at the meeting, as it seemed inappropriate considering Mr. Burks is representing police officers at LRPD.

After an apology, Senator Stubblefield informed Mr. Joshua Ang Price, who was scheduled to discuss Opera in the Rock at today's meeting, he would be invited to attend another committee meeting to discuss this topic.

There being no further business, the meeting adjourned at 1:21 p.m.