



JACK MCQUARY
SPECIAL PROSECUTING ATTORNEY
STATE OF ARKANSAS

PHONE (501) 682-3671
FAX (501) 682-5004
jsmcquary@hotmail.com

SUITE 750
323 CENTER STREET
LITTLE ROCK, AR 72201

The Honorable Robin Green
102 Northeast A Street
Bentonville, Arkansas 72712

April 19, 2019

Re: File decision concerning certain actions by Centerton Police Officers

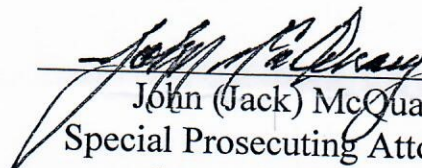
Judge Green,

Please accept this letter as my official findings concerning the investigation into the possible criminal actions by members of the Centerton Police Department. This investigation was performed using the Arkansas State Police Special Investigations Unit, primarily Special Agent Robert Middleton. The investigation was thorough and professionally performed.

1. It is my opinion that there is no evidence of criminal action associated with the Chief of Police exchanging tires from a new vehicle he had just purchased with used tires from a city owned vehicle. This opinion is based upon the tires given over by the Chief have a much higher value than the tires taken. It is my opinion that the Chief should have run this by the City Council before doing this.
2. The use of City Credit Cards did not show any thefts by Chief Harper or Captain Arthur, however, Centerton probably needs new policies concerning the use and reimbursements of credit cards to protect the use of cards, "points" gained by use of private cards with reimbursement, etc.

3. The misuse of Federal funds in the Selective Traffic Enforcement Projects (STEP) involved Centerton P.D. receiving federal funds for officers working overtime concerning different highway safety projects. According to an audit, \$14,606.00 was paid in overtime to the Chief and Captain Harper. In accordance with the Federal guidelines concerning STEP, the funds used must be in accordance with the local policy concerning overtime. At the time of initiation of the program no salary employees for the Police Department, specifically a Chief or Captain, were eligible for overtime and or compensatory time. The investigation, however, revealed that the City later authorized the Chief and Captain to work over-time on these projects, which may be in violation of the Federal guidelines and the City will have to communicate with the Federal. As such, I cannot file criminal charges against either the Chief or Captain concerning these funds. This matter is being referred to Federal authorities concerning these funds.

Please note that this will conclude my commission as Special Prosecutor for the 19th West Judicial District concerning this matter.


John (Jack) McQuary
Special Prosecuting Attorney
State of Arkansas

Cc: Honorable Nathaniel Smith
Special Agent Robert Middleton, A.S.P.
Honorable Brian Rabal