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Arkansas State Police Project

Interview with

John Bailey
11 March 2004

Interviewer: Michael Lindsey

Michael Lindsey: Can you run through the various postings you had in the State Police?

John Bailey: I was born and raised in Central Arkansas and was going to college at the height of the Vietnam War. One of the ways a lot of guys my age stayed out of the war was to go to college. I was military minded anyway, and I wouldn't have minded getting drafted, but I went to college at UALR [University of Arkansas, Little Rock] and played baseball. That was another draw for me to go to college. I was pretty good at baseball. I decided that I was going to be a State Policeman. I don't really know why. I had a degree in marketing and advertising. I could have gone into the business community. At the time, the minimum requirements to be a state trooper were [you had to be at least] five feet ten inches tall and [weigh at least] one hundred and seventy-five pounds. I didn't meet either one of those. I put in my application. I didn't know anybody in

politics. Just to give you an idea of how some people's futures are destined, they gave me a call right after Dale Bumpers was elected [governor] and told me they wanted to hire some civilian security guards to supplement the guard post at the [Governor's] Mansion. I had just gotten married a few months earlier and I needed a job, so I took it and made \$350 a month while I was still going to school. While I was at the mansion, I got to know the key players in government and the State Police on a personal basis. I was around the governor and Mrs. Bumpers every day. They asked me what I wanted to do and I told them I was going to school. When they found out that I wanted to be a State Police officer, they encouraged the State Police director, Bill Miller, to consider my application. They made me a trooper after about ten months as a civilian guard. I stayed on at the mansion until they could find a replacement. The governor's term at that time was just two years, and they were always out campaigning. Governor Bumpers decided to run for the Senate and an opportunity came up for me to transfer to Troop A [in the Little Rock area]. I knew that governor's security typically changed whenever the governor changed, and I had just bought a house in Little Rock, so I thought it would be a good idea to transfer. I went into highway patrol and just loved it. I worked in Pulaski County and then I transferred to Saline County where I worked for seven years. Then I transferred in-

to the Criminal Division into a group known as the Major Case Squad. All we worked were cases that seemed unsolvable or occurred in a jurisdiction where the sheriff and city police didn't have the resources to [work on] it. Twenty-five or thirty years ago, the sheriff's offices were on shoestring budgets. We worked a lot of homicides. I stayed there until I was promoted sergeant, when I went back into highway patrol. I stayed there until I went back to headquarters in Internal Affairs. That was when police departments started recognizing that they needed someone to police the police. One good thing that I can say about my career is that I was able to see opportunities and that I capitalized on them when they were presented to me. I stayed in Internal Affairs and got promoted to Lieutenant. I stayed in that position when Tommy Goodwin replaced Doug Harp as director. Internal Affairs officers tend to be headhunters, and while that position was beneficial to my career and taught me about administration, you are still ostracized. I went back to highway patrol as the assistant commander in Troop A. Then an opportunity came my way to be assistant chief of the highway police [part of the Arkansas Highway and Transportation Department]. Later, the highway police promoted me to chief of that division. I stayed there until 1994, when Governor Jim Guy Tucker named me director of the State Police. If I hadn't taken the job, I would have been kicking myself later. It

was the state's largest police agency and I already had eleven years in it at that point. I had ten years in the highway police, [and] they were going to give me a one and a half year credit [with the State Police] for each year. It was too good of an opportunity [to pass up], even though I knew it was an appointed position that served at the will and pleasure of the governor. That was when everything broke. Bill Clinton was elected president. Whitewater investigations started, and Jim Guy Tucker got indicted and had to resign. [Editor's note: The failed Whitewater Development Corporation caused a scandal involving President and Mrs. Bill Clinton and several of their associates. Governor Jim Guy Tucker was convicted in 1996 of one count of conspiracy and one count of mail fraud and was forced to resign the governor's post.] A new state administration took over and I worked for them for two and a half years. I went off payroll in February 1999. I didn't do anything for a year because I didn't know what I wanted to do. I had some opportunities out of state, but I wanted to stay in Arkansas because it is my home. It is tough to go back into law enforcement when you were the state's top cop. They called me to manage the security at Affiliated Foods, and it has been a very good thing for me.

ML: I have people tell me about the things you did to get the SWAT [Special Weapons and Tactics] teams started. Can you tell me why they decided to start SWAT teams, and then discuss some of the training they underwent?

JB: I was a lieutenant in Troop A and I happened to be at Little Rock Air Force Base. I think I was out there for gas mask training or something. I learned that the FBI [Federal Bureau of Investigation] had been using that facility to train their special response teams. After I looked into that, I found out that they had one of the best urban combat training facilities anywhere within this part of the United States. I saw an opportunity and went and met the head of the training group. I worked out an arrangement to use the facility and receive the training at no cost. You always have to work within the confines of money. We had to get the commanders to approve of this training because it would require officers' time to train. During that time period around the country, we were having some indications that we would be experiencing collective violence. It is fortunate that the initial groups went through this training just before the confrontation with the Covenant Sword and Arm of the Lord [CSA] occurred in Marion County. [Editor's note: The Covenant Sword and Arm of the Lord was a radical organization formed in 1971 in the small community of Elijah in northern Arkansas.] The training was almost a Godsend. We took twelve people from the twelve different troops to field a special response team. They got hands-on instruction on how to use equipment like tear gas, grenades, grenade launchers, M-16s, and how to conduct building and compass searches, which were used in marijuana eradication operations. It was an ideal training process. We trained twelve teams in the state. Each one had between eight and twelve officers. We decided to include the snipers from each troop since the two teams went hand-in-hand. We set up twelve separate teams because it was hard to get a team from Little Rock to the northwest part of the

state quick enough to be effective. When I became director, the level of training for SWAT teams and the amount of equipment available took us to a higher level. The physical requirements were extremely stringent. I put together a different kind of team and built into the training what we learned from the 1980s. We got thirty or thirty-five guys from around the state and put them through the most intensive SWAT training that anyone in this state has ever gone through. We bought them all of the equipment that they needed, which had been a problem in the past. We even furnished them with EMTs [emergency medical technicians] to go with them. This unit is still in existence today. It gave me a lot of comfort to know when I went home at night that if there was a problem it wouldn't be because we didn't have enough training or the right people and support on our team.

ML: The re-creation of the SRT [special response teams] in the 1990s was a single team?

JB: Yes. It was a single team, but the members were from around the state. If we needed a five-man team in Texarkana, we would call up members from southwest Arkansas and get them there quickly. If we needed specialized people [or equipment] such as an attack dog, we had the ability to airlift them because I now had airplanes and helicopters. Within an hour or two we could have whatever we needed on site. The driving force for this consolidation was the lack of money to buy MP-5s and equipment for twelve different troops. We got the people who were interested and required them to get into the gym and get in top shape.

ML: Do you remember what the physical requirements were?

JB: Not in detail, but I had two team members who were certified fitness trainers.

When we built the new headquarters, I included a \$175,000 guy. These trainers developed a stringent physical entrance and maintenance requirement to be a part of the SWAT team. We also leaned on some examples provided by other organizations. I also gave them time to do it. It is one thing to make them work eight or ten hours and then demand they stay in shape. It is another to tell the troop commanders that these team members need to stay in shape for their other functions.

ML: That is a different attitude than what was in the State Police prior to your becoming director. I have heard that when Lieutenant Colonel Moye was there in the early and mid-1980s that he was a big proponent of the SWAT teams and he made sure that they had time to train. Then when he retired, that attitude went away. As a result, the SWAT teams declined in performance. Did you see any instances of that?

JB: Yes. I saw that when I came back. What drove it was lack of manpower. Unfortunately, they are experiencing the same types of budget problems today. You have troop commanders who are charged with maintaining twenty-four hour patrols and reducing accidents and then you are telling them that you want two or three troopers to take time off the road to train. Due to [the] Fair Labor Standards [Act], you can't make a guy work over 174 hours in a twenty-eight day work period, so you add another problem. They have to call another trooper out to cover the SWAT team member's shift, and unless you are dealing with it every day, the driving force to create a SWAT suffers. I had to be cognizant of that as a director. Fortunately, I was able to staff the department to some of the highest levels in its history because we got all the COPS [Community Oriented Policing Services

program] positions. [Editor's note: The COPS grant program provides financial assistance to eligible police departments to help improve community policing efforts.]

ML: You went to the Highway Department to take over the highway police. What are their duties?

JB: In theory, the State Police is a public safety agency, and the highway police is a regulatory agency. At one time they were a division of the State Police that dealt with weights and standards. Then they got transferred to the Highway Department and they took on the name of highway police to qualify for some federal money related to speed enforcement. While I was there they transferred the motor carrier safety regulations to the highway police. Also, it became notable that a lot of drugs were being transported across the United States on big trucks and they got trained on detecting that. They were and still are making some big drug seizures. For the most part, it is still regulatory duties. By law they don't work accidents, but they still have full State Police powers. They weigh trucks and do safety inspections. When I was there they had forty or fifty mobile patrol units to catch any trucks that bypassed the weigh stations.

ML: Was there ever an attempt to merge the two?

JB: Always. At every legislative session it seemed to come up. The Highway Department is an autonomous agency, and they wanted the arm of the enforcement division kept there. Throughout the United States, it is pretty evenly split between separating the Highway Department and the State Police. No one can conclusively say that one way is better than the other. It came up again when I was

director of the State Police. Since I was from the highway police, it seemed natural to some people in the legislature. They appointed the Murphy Commission to study it. They didn't find any great discoveries. In the one meeting they had with me, I expected to finally find out some great and efficient way to merge the two. They came and told me that the highway police would be willing to come over here if they were allowed to keep the top half of their uniform and if we paid them for the training they already had. I said, "Look, this is not negotiable. This is a study. You are supposed to present to me reasons why this should or should not work. I am not here to negotiate a contract. This isn't about uniforms or this other stuff." It never went anywhere from that. It just came up all the time. You never know what the motives are. Maybe since term limits have come along, the legislators are more objective. Before, you might have had a representative that had been in twenty years and had an axe to grind because the highway police were busting their farm trucks.

ML: How were you approached to come back as director?

JB: I was at a conference at the University of Arkansas and I got a note from one of the highway commissioners telling me that Governor Tucker wanted to talk to me. He was one of the speakers at the conference. I went to talk with him and he said he wanted to talk to me about taking the job because Colonel Goodwin was considering retirement. I was caught off guard by that. I told him that I had a good job and that I didn't want to compete with anybody over a job that wasn't any better than what I had. He told me he understood and then he asked me a couple of questions about the radio system. Nothing came of the meeting right

away, but it made me feel good that someone felt like I had some worth. A month or two later, we had the first ever law enforcement summit where they got people from all of the law enforcement agencies in Arkansas together to talk about different issues. We were in the planning state of that meeting. One of the governor's aides came into the conference room of the Capitol and gave me a note saying the governor wanted to see me. I went to see him and he said, "John, it has just dawned on me that I have talked to you about this job and Colonel Goodwin is going to retire. It hasn't been made official yet, but I want to offer you the job and [I] hope and pray that you say yes." This was on a Friday afternoon, and he told me that he understood if I needed to talk with my wife. I told him that I didn't need any time and told him I would take the job. I thought later that if I had really taken some time and analyzed it, I might not have taken it. [Laughs] He said, "Good. We will have a press conference in the morning." So I went home. I think I wrote about it in my book how I announced to my family that I was going to be the State Police director. When I saw my picture on the front page of the paper, the reality of it set in. At that time, the media was crucifying the State Police because of the so-called "Troopergate." The first question they asked me was what I was going to do about "Troopergate." I just decided to start fresh and try to make the State Police what I perceived to be a professional police agency.

ML: What were some of the things you wanted to address?

JB: I wanted to see law enforcement positions doing law enforcement jobs. I didn't want to see troopers doing administrative duties, which could be done at a third

less cost with a civilian. I wanted to see us get into a nice building. I wanted to get on the AFIS [automated fingerprint identification] system. That was one of the agendas of Governor Tucker and they gave us the money to get it done. When I got the money for the system, we realized that we didn't have a place to put it. I was going to have to rent a building somewhere. At the same time, the crime lab was above and below us, and they were saying they were out of space, too. I asked the governor what he thought about the State Police moving, and he thought it was a great idea. He told me he thought the State Police ought to be by a major highway so anybody with a map could find it. He told me he was glad to hear me recommend [moving] and told me to talk with Chris Burls at State Building Services and see what we could find. I got to looking around. The first place I looked was on the county line at a vacant outlet mall. I called them and I was two weeks too late; they had already sold it. Later I went to lunch at El Chico and looked out the window and there was the old Target store and a bomb went off in my head. It would be a perfect place. At the time, we were just looking at one end of it, but we ended up buying the whole twenty-eight acres. Teacher's Retirement invested money at a low rate for us to purchase and renovate the building. It is now paid for and the AFIS system is installed and paid off. Another critical issue was manpower. I wanted to staff the State Police at such a level that it needed to be functional and not just window dressing. I was a strict disciplinarian and didn't approve of things that had been allowed to slide in the past [such as] troopers getting drunk and abusing their position. I decided I wasn't going to tolerate that. We had a reputation to gain back. It had gotten to the point where

any time you traveled out of state, people would ridicule you.

ML: [Did] any unique problems come up that you had to deal with?

JB: Drugs and youth violence became really bad. Overcrowding in prisons and jails was another issue. When I was a police officer, you could put anybody in jail that had broken the law. If someone was drunk in public, you could take them in. You wouldn't even think about that today. You have troopers working today that have to call ahead to see if there is space at the jail to take a convicted felon. That is not good for law enforcement or society. I always said that ninety-eight percent of my time was spent with personnel issues and two percent went to actual police work. You had all of these different employment laws and you have to deal with those. When I went to work, we worked six days a week, ten hours a day. I heard the joke when I was a trooper about an officer that wanted to go call on his wife and his sergeant said, "Wife? Who said you could have a wife? If we wanted you to have a wife we would have issued you one." That was the attitude of the State Police then. When I became the administrator it was different. The troopers were dedicated and educated, but the laws allowed only a certain number of hours to work. I had the Blue Light Rapist on my watch, and that was a real challenge. I had the Jonesboro school shooting. [Editor's note: Mitchell Johnson, thirteen, and Andrew Golden, eleven, shot and killed four students and a teacher and wounded several others on March 24, 1998, at Westside Middle School.] The O. J. Simpson trial brought us to another level in criminal enforcement because now you have to have scientific proof in addition to physical and circumstantial evidence. [Editor's note: In 1995, former football great O. J. Simpson was acquitted of the

murder of his ex-wife and her friend.]

ML: Did you implement any special enforcement tactics?

JB: The fifty-five mile per hour speed limit has never worked. It has never been enforced. One of the things I did was Operation Safe Speed, which really enforced speed limit laws. We wrote a lot of tickets and got a lot of publicity for it.

ML: What do you remember about the Blue Light Rapist case?

JB: We started having these instances popping up, mostly east of Little Rock. A guy was using a dash-mounted blue light to stop young girls. Then he would take them off to a secluded place and rape them. This happening one time would be enough to make a major news story, but when you have them four or five times, you get an epidemic. We were out there trying to find this guy, but he just kept hitting. We put together a strike force and canvassed the area. I felt that I was backed against the wall to do something. We had a meeting with the area sheriffs and police just to discuss all of the elements in the case. We got some negative feedback saying we were grandstanding. I just felt we needed to catch the guy, and the more public attention we gave it, the more likely someone would come forward. We finally put together a task force, and one of the first things we did was review all of the old evidence. In doing this, we found that some of the evidence of one of the first cases had not been sent to the crime lab. When they sent it into the crime lab, the DNA matched; that was we [how] got onto him. [Editor's note: Robert Todd Birmingham, the Blue Light Rapist, assaulted four young women between 1995 and 1997. In 1998, he was convicted of rape and sentenced to eighty years in prison.]

ML: Talk a little bit about the Jonesboro shooting. That was [one of] the first of its kind in the country.

JB: It was business as usual in the department and we got a telephone call that they had a problem up there in the school. They needed some assistance with our helicopter and airplane. They didn't know if there was a sniper in the woods or what was going on. At the end of the day, they determined that there were two boys that were the shooters. It instantly switched from the incident to a media circus. People came from all over the world and just about shut the town down. The State Police is an assisting agency. We don't go in to take a situation over. We went in and helped the local authorities. We helped them with their crime scene. We helped them with the investigation and interviews and we helped them deal with the media. I had a full-time media person named Bill Sadler. Bill would hold these hour or hour and a half long press conferences that went out all over the world. It was a very emotional turning point in the state's history when it comes to youth violence. At the time, we were the number one state in the country when it came to that type of violence. We have since been surpassed. We held a training session with the FBI after this event to discuss what happened and how we could move forward and prevent this type of incident in the future.

ML: I have talked to a lot of officers, and it seems the northeast part of the state had a lot of turmoil. Did you get a sense of that?

JB: There are four quadrants in the state. People in the different four corners think differently. Each area has its own media, its own television, and its own radio. Also, in the past, these areas were isolated from one another. The demographics,

culture, and even the way people talk differed. But I don't think there were any more problems in one area of the state than any other. You could say that there are a lot of murders in Northeast Arkansas, but I worked seventeen murders in eighteen months in Northwest Arkansas.

ML: Another thing you dealt with as director was hiring minorities and dealing with the Consent Decree.

JB: The Consent Decree was signed in the 1970s and we were still under it in the 1990s. I got very close to getting out from under it. In fact, I went to federal court and the judge ruled that I, Colonel Bailey, wasn't discriminatory. We made very good inroads into recruiting minorities. The reason for this was a good recruiting program that took the people in the field to set an example. You can have a person dedicated to recruiting, but what is going to make someone join the State Police is seeing something in somebody else that they want. Minorities aren't real quick to surface on their own for a job. You have to go and recruit them. When you go up against Del Monte Food and Bell Telephone, who pay big salaries, while we only pay \$26,000, you run into problems. We had to make the thing attractive. I mandated at a commanders' meeting that they give me ten names of minority candidates in their district that we could go and talk to. I said, "You don't like the people we hire, then this is your chance to give us a laundry list of people to hire." One of the places I went was to the University of Arkansas. I told Winford Phillips to get us an audience with Danny Ford and the Razorback football team. The first trooper I hired was Gary "Peanut" Adams [a Razorback quarterback]. I will never forget. He is now working for the Secret Service. I

was so impressed with him that I put him in the county that I lived in. I asked him why he wanted to be a state trooper and he told me about his uncle [who] was a Missouri State Trooper. I told him that he was going into a job where he might have to get into a fight or use physical force every Friday night. I asked him if he had ever been in a fight before. He told me he hadn't, but that he played for the Razorbacks and that was a lot like being in a fight every Friday night. We hired that young man, and he was a fine representative. I hired a lot of good women, too. I promoted a lot of qualified women. I was dead set against promoting anyone unless they earned it. The most important thing was to have the respect of the people they commanded. Gloria Weakland is a good example of a female lieutenant. She [was] promoted all the way though the ranks in the highway patrol.

ML: What was your relationship with the State Police commission?

JB: Great. I still have a great relationship with them to this day. Right toward the end they were a little concerned that they didn't have much authority or power. I always tried to make them feel part of everything. If they preferred a person from the five highest-ranked applicants for promotion, then I would let them pick. They participated for no pay and represented an important limitation on power by providing civilian input. I always tried to make them feel they were a part of putting the State Police together.

ML: What about the legislature?

JB: In my case, it was not too bad. I had some legislators come to me and ask me to do things or they would hold my budget up. I decided that if they could do that then the whole system stinks. If they were going to let people bleed and die if they

didn't get their way, then I was going to take my chances and go on the record for doing what was right. My last two years as director we did some criminal investigations that indicted about eight different legislators, including Nick Wilson. The legislature wasn't my enemy and I met with them and took their issues and concerns under advisement, but I didn't lower my standards. Occasionally, you found a person that had a personal agenda and when they saw you weren't going to fold, they would threaten you.

ML: When Governor Huckabee came in as a Republican, did you see the attitude of the mostly Democratic legislators change toward you?

JB: It was the same. When Huckabee took over, he knew he needed the existing structure and experience of the current staff. I worked for him for two and a half years. After he got elected, I could see the persuasion and influence of the Republican Party begin to surface. They wanted to have key positions, and I don't blame them. To the victor go the spoils. Still, I never got a sense of unwillingness on anyone's part to work with me.

ML: You mentioned the Nick Wilson case, and that is something that is important. Did the State Police take the lead on that investigation?

JB: I got a call from the DFA [Department of Finance and Administration] director alleging that another individual who had worked in the Tucker Administration had set up bogus programs and funding for work that was never performed. I knew that he got his information from someone and when I found out it was from a member of the news media, it got my antennas up. Then we started to look closely at it and found out it had appendages all through the legislature. I went to

the FBI and asked them if they had any authority in a public corruption case. I didn't know who it would find or where it would go. I knew that we would never get out of the starting gate if we did it solely on a local level. They came back with approval to work with us and they indicted them in federal court and got convictions. This resulted in the creating of a public corruption hotline, which led to a lot of tips because everybody knew someone that was crooked. It began to skyrocket.

ML: Who in the State Police was working on that case?

JB: Paul Curtis was our guy. I. C. Smith was the special agent in charge that worked the case. It was a very interesting case. That and term limits probably reshaped Arkansas politics for the next twenty years.

ML: Another thing that changed quite a bit during your watch was the Sex Crime and Rape Task Force. The legislature mandated that DHS [Department of Human Services] come in and work with the State Police. Can you talk a little bit about how that developed and whether it was successful?

JB: That came about from the direction of then-Representative Karen Pollock. She was the head of the Rape Task Force and Child Abuse Commission. She was disgruntled [because] cases were falling through the cracks and children were [being] victimized. We had a pretty active Sex Crimes unit that focused predominantly on rape and things like that. So she started looking at the State Police as [an agency] that could oversee it. This gets into a philosophical debate on whether sex crimes and child abuse are social or criminal. In my opinion, when you do certain things to a child, that is not a social problem. That is something that

people have to be held accountable for. As things developed, they decided to transfer that authority from DHS to the State Police. They wanted to improve monitoring and redefined how child abuse cases should be handled. I thought it was a good idea because my heart was with the child. Some children grow up in an abusive home and they think that is how everyone is raised. You need to take the [abused] child out of the home, but they don't know any other life, so there is resistance. You also have resistance from some experts who see it as a social problem that shouldn't be handled by police officers. Plus, some of the police don't see this as a police function. I still think it has the potential to be a good program, but it is definitely controversial. Traditional thinkers will say that I shouldn't have done that, but I still think that police ought to be involved when children are being abused, raped, and [burned] with cigarettes. There are about twenty local police agencies that have good programs, but most areas of the state don't have the manpower to investigate, or the funding to start a hotline. I will give you an example. One of the first things we did when we took over that responsibility was run background and drug checks on the people manning the hotline. We had to fire about seven that first week because of the results. It was the fox guarding the hen house!

ML: It seems that in the 1990s, the legislature added a number of other duties to the State Police [such as] handgun licensing. Then you reorganized the department to deal with these things.

JB: The State Police has always been the catch-all organization, whether it is overseeing used car dealers or issuing gun permits. The problem [was] they didn't realize

the impact on the State Police and [they] didn't provide any additional funding. It ended up being just one more trooper taken off the road to do a new regulatory job. I created a division called Special Services. I lumped everything like that into this one division. I staffed it as well as I could. We did K-9 training, fire marshal's section, used car dealers, concealed weapons licensing, and all the others. It was actually considered the thirteenth troop because I created a captain's position to head it.

ML: Another change was the change of weapons in 1994. Can you talk about why you changed and how you chose the weapon you did?

JB: That wave swept the country: going from wheel guns to automatics. We were outgunned by the criminals, so police began to ride this emotional wave of "we need better weapons." We started testing various weapons. We had an intensive experimentation process and ended up negotiating a deal with the gun makers that gave us the guns for free. They wanted to have our old ones to sell, because the used gun market was better than the new gun market. The decision was made to go with Sig Sauer. It was supposed to be the most expensive premier pistol in the world. We ended up having firing pin failures in them. They have since transitioned to Glock.

ML: Did you feel resistance from troopers to transfer from the wheel gun to the automatic?

JB: Not really. There was some grumbling because they wanted to know who was going to buy the new holsters and things. They had very narrow issues, but they were glad to step up. No one in the department wanted to be the only one using

1950s technology. It is a [double-edged] sword; if you want to change something, people will say they don't like it because they have always done it the other way, but if you don't change then they complain because everyone in the state has something they don't. [Laughs]

ML: You implemented other new types of technology [such as] computers. Can you talk about what drove those decisions?

JB: Again, we were just trying to keep up. I was quick to [join] the International association of State Police, and you learned from their experiences. I had the first 800 MHz [megahertz] radio system in the country, and [the IASP] learned from me on that one. At the time, I saw that we needed to catch up with the twentieth century. Federal money was available and we started buying PCs [personal computers]. I also bought the first LAN, or local area network, system and put in the Special Services Section. My hope was to get the State Police as close to a paperless organization as possible. I had a *Star Wars* [reference to science fiction movie] vision, I guess. I wasn't computer literate at the beginning, either, so I had to get ahead of the curve and learn. I put a computer on my desk and learned how to use it.

ML: How was the AFIS system funded?

JB: The legislature. That is a great system. Before, you had to take prints and put them on a card and then analyze them. Now you place the suspects' fingers on what amounts to a copy machine and it instantly accesses almost a million fingerprints in Arkansas. It is a great tool for law enforcement. I would equate it with the importance of a two-way radio in the 1940s and 1950s.

ML: You have already talked about using federal money. Can you talk about the COPS program and how it helped the department?

JB: The Clinton Administration wanted to put cops on the street, and Community Oriented Policing [Services, COPS] was the buzzword. Billions of dollars were put into that. David Pryor was the senator, and he called me from the Senate floor and said they were trying to get some COPS money for Arkansas. He asked me what I would think about giving all of the COPS money to the State Police. Of course, I thought that was great. We hired 119 additional troopers. He asked me if I could give him a statement to make when he gave his presentation and I said, “If you get me that COPS money, the people in rural Arkansas are going to see that money every day because that is where I am going to put it. It is not going to some printed material or in a grade school. I am going to hire a trooper that is in the community.” There were stipulations. We had additional reporting requirements, and these new COPS troopers had to spend so many hours a month in community-oriented tasks. It was such a great deal. We got five years with seventy-five percent of the officers’ costs covered. After the five years, you had to figure out how to fund them. It was really just seed money. Unfortunately, [the September 11, 2001, terrorist attacks] hit, and the economy went south. Since then, attrition in the State Police has led to the numbers getting critically low.

ML: You mentioned that they had to do community services, too. Do you remember what those were?

JB: They had to talk in schools or to civic clubs [such as] Kiwanis, Rotary, or Lions. Instead of me going, I sent the COPS troopers. I told them that I didn’t expect

them to entertain [the clubs]. All they needed to do was to go [out] and tell people what they did. The troopers just loved it. We used that as our contact with the community.

ML: Did you have an emphasis on what the highway patrol should be doing? For example, some directors might have come from more of a criminal background and they pushed for felony arrests instead of traffic arrests.

JB: I was a proponent of what is called the “halo effect.” I wanted everyone to wear a uniform, [but] I didn’t require narcs [narcotics agents] or investigators [to wear uniforms] when they went to crime scenes. I wanted people to see the State Police and I wanted the [police] to be approachable. The impression they leave provides a [huge] benefit. We weren’t running a contest on how many tickets we could write. There has been an unofficial concept in the State Police about OVCs, officer violator contacts—that there is a quota. People can say there is no quota, but when a supervisor and a trooper are reviewing daily activity and are seeing how many people they stopped each day as a gauge for performance, it is a quota. I told them I didn’t want to see any reports. I would know when someone wasn’t doing their job. When we started having more crashes, when drunks were taking over the roads, when people were being intimidated and [couldn’t] even go shopping, I would know they weren’t doing their job. You can have great success using uniformed troopers in narcotics. Look at the CAP [Criminal Apprehension Program]. The dirty word now is “profiling,” but they weren’t profiling. They were looking for things that didn’t match. They would get to the car and have a casual conversation with the driver and ask them where they were going, and pret-

ty soon the next guy in the car wasn't telling the same story. Then [they would] ask to search the car, and if [the occupants] consented, [they] might find a couple hundred pounds of marijuana. That is an effective method of narcotics enforcement, and it doesn't require someone to grow a beard and buy a joint somewhere that is used to bust a guy holding an ounce of marijuana—compared with the un-informed trooper who is out here getting 200 pounds.

ML: You mentioned the CAP. That restarted in the 1990s. Did it have the same sort of success as it did in the 1980s?

JB: It didn't have the same number of people. It only had two CID officers working it. The reason was that a Consent Decree was signed that said we couldn't reinstitute the CAP patrol unless seventy-five percent of all marked cars had video cameras. I couldn't afford to install cameras in that many cars, but the dealers were still bringing dope across the state line. So I reinvented the wheel. I took these two CID guys, gave one of them a dog, and I had them work the interstate corridor. I worked them out of CID so they didn't have to work accidents and they didn't have to take calls. Every day of their shift was devoted to doing criminal patrol. One of them was John Scarberough, who was killed doing that, and another trooper who saw John get killed and left the force shortly afterward. [Editor's note: Corporal John Scarberough died on September 2nd, 1998, when his patrol car was hit by another vehicle.] I intended to increase the unit, but you can't take a guy out of rotation in a district and put him somewhere else without giving them a replacement. You can't rob Peter to pay Paul.

ML: I think the State Police had dogs before this. Did you expand the program?

JB: Yes. I got them up to twenty-four dogs and there was one in just about every troop. The handlers would go to work and work a shift just like every other trooper, except their dog was their partner. If someone needed a K-9 in their four- or five-county area, he would pull off the road and respond to that need. We put one in every troop to make this tool accessible around the state.

ML: Did that reflect a national trend?

JB: Yes, it was pretty much a national trend. It had become so obvious that [the dogs'] scent capabilities were such an asset. We trained them to track, in addition to narcotics. Some dogs were trained to bite, and some weren't. I didn't want to take a chance with dogs trained to bite if they were being taken into grade schools. Dogs that worked in Little Rock and other areas that weren't going [to visit] schools were trained to bite.

ML: A lot of officers I have talked to have said that troop commanders prefer to be independent, and sometimes directives from Little Rock would not be implemented to the extent that the director wanted them to be. Did you see this sort of thing happen?

JB: Yes. I saw that when I was a trooper and when I was in Internal Affairs. I was resented when the colonel sent me in to do an investigation that they wanted total control over. I knew what I would be facing when I took over as director. I would bring them down there and give them an edict of one sort or another. Later I would pick up the phone and call a trooper and ask about it and [he] would say that [he] hadn't heard a word about it. Somebody wasn't passing along the word. I started doing things that held them accountable. As long as you have a system

that makes troop commanders feel invincible out in their little fiefdoms and who realize that their longevity and tenure is better than the director's, you will always have that problem. I would be lying if I said I had total control over a twenty or thirty year captain. I just tried to develop ways that held them accountable. Plus, I always tried to explain why I wanted things done a certain way. They didn't always agree, though.

ML: An interesting time in Arkansas history was the transition between Governors Tucker and Huckabee when Tucker tried to hold onto his office. I am sure the State Police had to get involved in that somehow.

JB: That was a mess. I had decided that day to go by the Capitol with my administrative assistant because the governor was supposed to be resigning. That was a mistake. Within ten minutes, it turned into a riot. I was thinking, "I should not be here." People were telling me, "He is in there and he won't come out. Are you going to go get him?" The news media was in my face. Mike Huckabee was down the hall ready to make this big change in command. I had no idea what to do. I was just praying to God that somebody would come to their senses. They did in about forty-five minutes. When Tucker finally did leave, "Say" MacIntosh went crazy. He incited the crowd. I got on the cell phone and called the highway patrol commander to get as many of the biggest troopers over there as fast as he could. I knew that we were [about] to have a problem and I wanted a show of force there. Fortunately, it all fizzled out and everybody went on their way.

ML: Who were some of the people in the State Police that stick out as being memorable?

JB: I respected the guys that were older when I was a young trooper. Those were the guys who pioneered the State Police and caught the bad guys and got into shootouts. They made the department what it became. They all had nicknames [such as] “Snake” Griffin and “Bear” Chandler, and their personas fit what people said about them.

ML: When you built the new headquarters, you put the training academy behind it. I have heard that is a big deal because of the time it saves from driving back and forth to Camden. How was it funded?

JB: It was paid for out of the governor’s discretionary fund. It eliminated the 100-mile movement between the academy at Camden. Also, we cut out the overnight lodging of people coming to Little Rock. After [the new academy was built], they just stayed at the training academy. Every State Police department needs its own training academy.

ML: What was your relationship with the sheriffs during your tenure?

JB: It was pretty good, but they change so fast. You might have one who you start to get a dialog going with and then he loses an election. On the whole, it was pretty good. Sheriffs are unique individuals, and they have to march according to what their constituents want. A lot of sheriffs in the past had the opinion that they controlled the State Policeman in their county. They would even refer to them as “my trooper,” which isn’t very healthy. On the other hand, you can’t go too far on the other side and say you can’t work with local departments. We wanted them to work together and have dialog with one another. We just didn’t want a sheriff giving orders to a state trooper. The worse case scenario is to get into a

situation where the sheriff tells a trooper to shoot someone and the trooper does it just because he said so. It was always changing, though. The day after elections, the first thing I looked in the paper for was who was elected sheriff. [Laughs] A lot of former troopers became sheriffs, and they have done good jobs.

ML: Is there anything that we haven't talked about that you think I should consider, or [anything that] warrants further investigation?

JB: I think we have covered just about everything. I did as much as I could during my four and half years as director because I knew that I had only a limited amount of time to do it in.

[End of Interview]

[Edited by Rebecca Willhite]

[JD]