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From: Everette Hatcher
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To: Everette Hatcher
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1. Gun laws come to the front

In a state where 257,000 people have a hunting license and more than 153,500 have a concealed weapons permit, gun activists said gun control and the right to bear arms will be at the forefront of the upcoming U.S. Senate race.

U.S. Sen. Mark Pryor's 2014 Republican opponent, U.S. Rep. Tom Cotton, 36, said he will focus attention on Pryor's 9-year-old vote to ban some assault weapons.

On a muggy central Arkansas morning last week, Pryor, 50, toured the Remington Arms facility in Lonoke after helping to break ground on a new facility. Pryor, a Little Rock Democrat, was scheduled to attend a gun-safety event in Texarkana on Saturday.

"It is just coincidence," Pryor said of the two weapons-related stops.

After the tour, Pryor pulled his hunting and fishing licenses from his wallet as he spoke with reporters about duck hunting with his son. He said he feels that Arkansans know where he stands on gun issues.

"I'm a legit hunter, love to hunt, love to fish," he said. "I know that people in Arkansas are passionate about it. I am too, so it is a good fit."

Last spring a group targeting gun violence criticized his vote against legislation sponsored by Sens. Pat Toomey, R-Pa., and Joe Manchin, D-W.Va., that would have increased background checks on certain firearm purchases. (Cotton says he would've voted the same way.) Mayors Against Illegal Guns, led by New York City Mayor Michael Bloomberg, said it spent \$350,000 to target Pryor in television ads that ran in Arkansas earlier this year.

John Feinblatt, Bloomberg's chief policy adviser, said the group still hopes Pryor will change his mind but has not decided if it will play a role in Arkansas' Senate race.

But backlash against that vote isn't the one Pryor should be worried about, Cotton told the Arkansas Democrat-Gazette after a campaign rally in Hot Springs Village on Thursday.

Instead, he pointed to Pryor's support for extending a ban on assault weapons in 2004. The legislation failed by a large margin and the ban on assault weapons was lifted. Pryor voted to add the assault weapon language to the bill and for the final legislation.

"Very convenient for him to vote against the Manchin-Toomey amendment when he is considered America's most vulnerable senator," Cotton said. "His true colors were shown in 2004."

Pryor didn't have a Republican opponent in 2008, so he didn't face partisan heat over the issue in the last campaign. That'll change in 2014, said Cotton, a Dardanelle resident who represents the 4th congressional district.

"Plenty of Arkansans still remember it and they point it out routinely to me, and I'll be reminding every Arkansan who doesn't remember," he said.

He did just that during his speech to Hot Springs Village residents.

"He has to answer for his vote to take your guns away," Cotton said.

Pryor spokesman Amy Schlesing said Pryor cast that vote because Arkansas law enforcement supported the legislation.

"He talked with them and voted with how Arkansas was leaning at the time, especially with law enforcement," she said.

About three dozen of the state's municipal police chiefs sent letters to Pryor urging support for the legislation, according to a March 2004 Arkansas Democrat-Gazette article.

Schlesing pointed to dozens of pro-gun votes Pryor has made since being elected in 2002.

"Sen. Pryor has a long record of voting with Arkansas and not along party lines," she said. "Sen. Pryor has always been an avid supporter of Second Amendment rights."

Initially Friday, Arkansas Carry board member Nicholas Stehle, 30, of Benton said gun control issues wouldn't play a large role in the election. Arkansas Carry is a nonprofit that wants laws to be changed so weapons can be openly carried without a permit.

"People don't trust him but he's been there on the votes when it counts," Stehle said by phone.

Minutes later he called back, and said he'd forgotten the assault weapons ban. Stehle said people may not remember the assault weapons vote, but he expects gun groups to remind Arkansans of it.

"I would expect this to wind up on somebody's radar pretty quickly. This one's going to be a big deal," Stehle said. "I think it's going to hurt him pretty significantly."

Stehle said the Manchin-Toomey legislation included some of the same gun restrictions that were in the 2004 assault weapon ban legislation.

"The obvious difference was in '04 he wasn't concerned about re-election," Stehle said. "That definitely changes the discussion."

Schlesing said the restrictions in the Manchin-Toomey bill went beyond those found in the 2004 legislation.

The Manchin-Toomey bill would have required federal criminal background checks for firearms purchased online or at gun shows. Noncommercial person-to-person firearms sales wouldn't be covered by the bill.

"That bill this spring was much broader than the 2004 bill and it didn't address the root of the issue, enforcing the laws on the books, mental health," she said.

National Shooting Sports Foundation Senior Vice President and General Counsel Lawrence Keane said his group was pleased that Pryor no longer supports the ban.

"We definitely noticed that the Senator changed his position from 9-10 years ago to voting against it now," Keane said.

"His votes supported the interests of our members, firearm industry members and gun owners."

The Newtown, Conn.-based foundation spent about \$100,000 in June to run radio advertisements thanking Pryor for his 2013 vote. The group also sponsored the gun safety event in Texarkana on Saturday that Pryor was scheduled to attend. Keane said the group hasn't decided about 2014 endorsements.

Pryor said he doesn't know that this Congress will revisit the issue of gun control.

"I don't really see how anything has changed on that. That is a matter that is probably closed for this session of Congress," Pryor said. "I think that issue is behind us."

The National Rifle Association also ran ads in Arkansas defending Pryor's vote, but hasn't endorsed a candidate in the race. In December the group released how it grades members of Congress. Pryor received a C-. Cotton received an A. The NRA opposed the 2004 assault weapons ban. Calls to an NRA spokesman were not returned Friday.

2. Parole crisis

By June 2009, Steven Witzke had stopped reporting to his parole officer. It was clear it would take more than home visits and phone calls to track him down.

His parole officer obtained a warrant for Witzke's arrest for violating his parole, and for the next 2½ years, no one with the Arkansas Department of Community Correction saw Witzke, records show.

Even so, the Community Correction Department gave Witzke credit for those years on the lam and discharged his sentence as served in December 2011.

A month later, on a cool, rainy Tuesday night, Witzke stabbed a man to death in a west Little Rock hotel room. The 36-year-old Witzke is now in prison, serving a 35-year sentence for first-degree murder.

Witzke is one of at least 1,129 parolees over the past five years who stopped reporting to parole officials yet were released from supervision by the Community Correction Department because of a policy that was meant to be temporary but instead remained in effect for years.

The policy was discontinued this summer after it became public in the wake of articles in the Arkansas Democrat-Gazette that prompted increased scrutiny of the Community Correction Department.

Parolees will no longer get credit on their sentences for the time they fail to report to parole officers. Only when they're back under the supervision of the parole system will their sentences resume.

But state law likely won't allow those parolees set free under the old policy to be returned to supervision, said Sheila Sharp, who took over as the interim head of the Community Correction Department on July 8.

Only those who reoffend will come back into contact with the department. Sharp said her staff hasn't calculated how many of the 1,129 released under the old policy have reoffended.

The long-lasting effects of the policy are alarming, she said.

"It worries me a lot, but I can't do anything about what was done in the past," Sharp said.

Community Correction Department officials say they don't know how the policy became permanent, but where it started is clear.

In 2007, Board of Parole Chairman Leroy Brownlee wrote a memorandum to the Community Correction Department ordering the department to take parolees who had failed to report off state supervision if their sentences had expired. Brownlee issued the memorandum, which excluded sex offenders, in response to a Democrat-Gazette article published in January 2007 that found that only 45 of the 311 arrest warrants issued by the Parole Board the previous month had been served. The majority of the warrants were for parolees who weren't reporting as required.

In an article in April 2007, Brownlee called the memorandum a "one-time thing" intended to get rid of old backlogged parole files.

But since then, the Community Correction Department adopted the memorandum as policy.

Members of the Parole Board have said they first learned of Brownlee's memorandum when lawmakers asked about it during a July 18 meeting.

Sen. Eddie Joe Williams, R-Cabot, took a copy of the memorandum to the meeting and asked the agency's assistant director of parole and probation services, Dan Roberts, about it.

Roberts admitted that the policy outlined by Brownlee was still in effect. Roberts later told another legislative committee that he wasn't told that the policy was supposed to be temporary and conceded that he "probably should have" done more to question its implementation.

In an interview Friday, Williams said he didn't know the department was still using the policy when he asked Roberts about it.

"I was under the assumption that it was a one-time memo," Williams said. "I never knew it became permanent."

"I was shocked when he said that it's our policy now," he added.

Brownlee, who is no longer board chairman, hasn't responded to several phone messages over the past few weeks. Williams said he first heard Witzke's name when he read about his Jan. 11, 2012, arrest in the newspaper.

At the time, the state senator said he was starting to hear from Community Correction Department officers who had concerns about ineffective policy and unresponsive management.

The Witzke case, he was told by officers, was a prime example of some recurring problems they were facing. What made matters worse, according to Williams, was that parole officers told him that there was a chilling effect over parole cases like Witzke's.

"It was a conscious decision, it appeared to be, to not talk about [the case] within the department," Williams said. The Democrat-Gazette pieced together the past several years of Witzke's story through interviews and files from the Pulaski County prosecuting attorney's office, the Arkansas Department of Correction and the Community Correction Department - all obtained through the state Freedom of Information Act.

In October 2005, he went to prison for theft by receiving and forgery. He was sentenced to 72 months but served only about a year and a half before being paroled in March 2007.

Over the next year, he failed to report to his parole officer for a few months but was returned to supervision before the end of 2007.

The Community Correction Department is barred from releasing details about Witzke's time on supervision, but Correction Department records indicate he made good on his parole until June 10, 2009, when a failure-to-report warrant was issued.

More than two years later, on Dec. 8, 2011, the Community Correction Department took him off its active parole lists. Slightly more than a month later, on Jan. 10, 2012, Little Rock police received a 911 call that led them to Room 335 of the Extended Stay America at 600 Hardin Drive where they found Witzke jittery, intoxicated and wearing a jacket covered in shaving cream.

Witzke told police his friend, George Johnson, 48, who stayed just three doors down from where Witzke was staying with his girlfriend, had been stabbed in the neck in a "bad drug deal."

Johnson was found face down, dead, with a knife buried to the handle in his back. His room was covered in blood smears. Johnson's body was covered in shaving cream and dish-washing soap.

After telling police that he was with Johnson trying to buy cocaine when their dealer attacked Johnson, Witzke admitted to drinking, drug-taking and sharing oral sex with Johnson before his death. Witzke also was wearing the dead man's jacket.

According to Witzke, Johnson tried to have sex with him, but Witzke refused. They fought and Witzke said he stabbed Johnson twice in self-defense.

But Johnson's pants were on and fastened, detectives noted. Instead of two wounds, he was stabbed 28 times, they reported. Seventeen of the stab wounds, according to medical examiners, were made after Johnson already was dead.

"The scene appeared as if the defendant had spent some time in the room washing up and cleaning up as opposed to leaving immediately as he said," a prosecuting attorney wrote. "It also appeared he sprayed shaving cream on victim and poured dish washing liquid on victim (pooled in the small of his back) after the murder."

Witzke's case recently surfaced in records compiled by the Community Correction Department after the state Board of Corrections ordered a statewide audit of the department's 55,000 parole and probation files.

Word of the audit was announced after investigations and hearings into the parole agency's handling of an eight time parole absconder, Darrell Dennis, who was charged with kidnapping and capital murder on May 22 in the May 10 slaying of 18-year-old Forrest Abrams in Little Rock.

On June 17, a Democrat-Gazette article illustrated Dennis' history of parole violations, including at least 14 arrests and 10 new felony charges since he was paroled from prison in late 2008.

The day the article was published, Gov. Mike Beebe called the Community Correction Department's chief, David Eberhard, into his office and then announced that his office would be reviewing the Dennis case, as well as looking for broader, more widespread problems in the parole system.

Arkansas State Police began its own investigation a few days later, and within a few weeks, three legislative committees started reviews of the Dennis case as well as general parole policies and practices.

On June 21, the Board of Corrections announced six new policies. The new rules lowered the number of absconder offenses it takes to be eligible for a parole-revocation hearing and made it mandatory that a revocation hearing be requested if a parolee picks up any new felony charge.

On July 1, Eberhard retired and Sharp was appointed interim director of the Community Correction Department. At that time, the Board of Corrections didn't address the policy allowing the discharge of those who fail to report. That policy was officially abolished July 25 at a Parole Board meeting.

A closer examination of the Community Correction Department files shows that up until this summer that policy was in regular use, with an average of 226 nonreporting parolees being let off supervision each year since July 2008.

The Community Correction Department has yet to release the number of nonreporting parolees let off supervision between 2007 and mid-2008.

Pulaski County Prosecuting Attorney Larry Jegley called the revelation that parole officers were letting parolees go even if they stopped reporting "crazy."

"It doesn't make any sense at all," Jegley said. "What we thought was being done wasn't being done and now we know."

Sharp said she immediately disapproved of the policy that allowed absconders to run out the clock on their parole.

"I know the justifications," she said Friday. "But it should have stopped right at the time."

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3. Ed board caught in the middle

4. Brummett

"Can Tom Cotton win?" asks and answers Real-ClearPolitics, a national website that aggregates and analyzes political news and leans rightward, as the framing of the question reveals.

"Can Mark Pryor survive?" would be another way to introduce the identical analysis.

Leanings aside, the text beneath the website's headline presents a fairly solid assessment of the profound recent changes in Arkansas politics. It concludes that, yes, in the state that Arkansas has become, Cotton can win, and probably should, if narrowly.

The judgment is accompanied by a conspicuous caveat: Cotton could lose the race personally with "economically libertarian" positions (extreme, nutty and obstructionist, by another reckoning) on the farm bill, food stamps, student loans, disaster relief, defaulting on debt and shutting down the government.

Pryor's job is to break through the demographic and political trends working against him to assail Cotton again and again for being odd and scary.

That's why we will see, or should see, a new Pryor, a tough one, saying "hell, no" instead of the usual "aw, shucks." There's your race.

The RealClearPolitics article is moderately academic and heavy with statistics and charts.

You can go to realclearpolitics.com and punch around and look for it.

But I can break it down for you, and will, with some personally added flourishes.

Basically, Pryor faces a rural generational problem in South Arkansas.

Arkansas' one-party Democratic heritage-and the particular strength of David Pryor and then son Mark in his victory in 2002 over Tim Hutchinson-stems from a solid base in a region unfolding due south, slightly southeast and fully southwest of, say, Sheridan.

The essence of that base was that Great Depression survivors in this poor rural area identified as Democrats through a lasting connecting to FDR and Harry Truman that carried on through local application to David Pryor and Bill Clinton and, 11 years ago, to Mark.

But those people ... well, they are dead or dying. And their descendants lack the same references.

So these descendants see a Democratic Party not of FDR, Truman, David Pryor or Bill Clinton. They see a Democratic Party of Barack Obama and Nancy Pelosi that wants to cram a new health-care system down their throats and maybe restrict their precious guns and possibly behave too softly toward terrorist enemies.

So here comes a new generational figure, 36-year-old Tom Cotton, wearing jeans, a work shirt and boots, and saying two things: I hate Obamacare, and I fought in Iraq and Afghanistan.

A frequent correspondent from my family's old stomping ground in Howard County, tucked snugly in timber and peach country on the way from Hot Springs to Texarkana, tells me that Cotton will rout Pryor there.

I don't doubt it, at least at the moment.

But South Arkansas is sparsely populated and declining. Why does it loom so important?

Here's why: Any Republican is going to clobber a Democrat in heavily populated Northwest Arkansas. A good Democrat can win Central Arkansas with Pulaski County, but not by nearly as much as a Republican will win in the northwest.

Eastern Arkansas is a battleground between black voters and party-switching white rural ones more dominant in the less-diverse southern Arkansas region I describe.

A Democrat simply cannot win a statewide race unless he racks up in this area due-south and southwest.

Sheridan, Fordyce, Rison, Warren, Arkadelphia, Gurdon, Glenwood, Murfreesboro, Nashville, Hope, Ashdown, De Queen, Prescott-it's your race, folks.

Pryor must have you to compete. And you're the icing on Cotton's cake. Did I say Prescott?

I did.

And who hails from Prescott?

Why, that would be Mike Ross, who represented this very region in Congress until two years ago and who, as the Democratic nominee for governor, probably stands a better shot than Pryor-right now-of carrying the area and thus competing statewide.

Liberals in Little Rock who despair of the occasional conservatism of Pryor and Ross ought to drive to Louisiana sometime and take the political temperature of the places along the way.

And by the way: This calculus I describe, showing Democratic dependence on numbers from Pulaski County, shows why recruiting a solid Democratic opponent for Tim Griffin in the congressional race-Bill Halter, maybe-is such a Democratic priority.

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John Brummett's column appears regularly in the Arkansas Democrat-Gazette. Email him at jbrummett@arkansasonline.com. Read his blog at brummett.arkansasonline.com, or his [@johnbrummett](https://twitter.com/johnbrummett) Twitter feed. *Editorial, Pages 79 on 08/11/2013*

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