

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

CIVIL DIVISION

WENDELL L. GRIFFEN,
FIFTH DIVISION CIRCUIT JUDGE
and LATONYA AUSTIN HONORABLE,
FIFTH DIVISION CIRCUIT JUDGE-ELECT

PETITIONERS

V.

BARRY HYDE,
in his official capacity
as COUNTY JUDGE;
MIKE HUTCHENS,
in his official capacity
as COMPTROLLER;
and CHASTITY SCIFRES,
in her official capacity as
HUMAN RESOURCE DIRECTOR

RESPONDENTS

AFFIDAVIT OF JIMMY LAMON

1. My name is Jimmy Lamon. I presently serve as interim chief probation officer in the Fifth Division of the Sixth Judicial Circuit (hereafter "Fifth Division"), perform the duties of a probation officer, and perform the duties of intake officer for Fifth Division. I hereby swear, or affirm, that the following statements are true.
2. Six positions are lawfully authorized for Fifth Division. Those positions are: (1) Chief Probation Officer; (2) Presentence Officer; (3) Intake Officer; (4) Deputy Probation Officer; (5) Deputy Probation Officer; and (6) Deputy Probation Officer.
3. Alice Abson retired from the position of Chief Probation Officer for Fifth Division effective October 31, 2022. At the time of her retirement, Abson supervised 28 probation clients and monitored weekly reporting compliance for 36 persons who are pending trial for criminal charges. Since her retirement, The Chief Probation Officer position has been vacant since October 31, 2022.

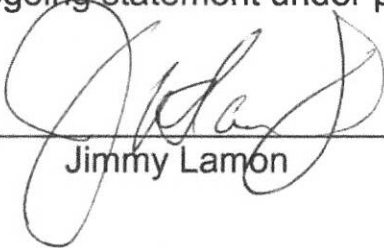


4. Darryel Sanders was a Deputy Probation Officer for Fifth Division until September 26, 2022, when he was hired as Assistant Bailiff for Fifth Division. When Sanders was hired as Assistant Bailiff, he supervised 167 probation clients and monitored weekly reporting compliance for 17 persons who are pending trial for criminal charges. The Deputy Probation Officer position Sanders filled has been vacant since September 26, 2022.
5. Latonya Hall, currently a Deputy Probation Officer for Fifth Division. Hall is scheduled to retire effective December 31, 2022, Hall supervises 147 probation clients and monitors weekly reporting compliance for 15 persons who are pending trial for criminal charges.
6. I attended the November 22, 2022, meeting of the Pulaski County Quorum Court and witnessed County Judge Barry Hyde announce after the Quorum Court passed Ordinance 22-1-75 – which included funding for six Fifth Division probation positions – that probation vacancies in Fifth Division will not be filled.
7. I have read Hyde's October 14, 2022, email message to County Comptroller Mike Hutchens and Human Resources Director Chastity Scifres. In that message, Hyde directed Hutchens and Scifres to not fill probation vacancies in Fifth Division.
8. Hyde's directive has prevented Fifth Division from filling the vacancies caused by Abson's retirement and Sanders' transfer to Assistant Bailiff. It prevents Fifth Division from maintaining appropriate supervision and compliance monitoring of the probation clients and persons required to follow weekly pretrial reporting obligations that were supervised by Abson and Sanders.
9. I have worked in the Fifth Division probation office since July 5, 2005 and am currently the senior member of the probation staff. I presently supervise 146 probation clients and separately monitor weekly reporting compliance for 18 persons who are pending trial on criminal charges in Fifth Division.
10. After Probation Officer Hall retires on December 31, 2022, only three persons – Probation Officer Tiffany Taggart, Probation Officer Abigael

Israel, and I – will be performing probation duties in Fifth Division. The other three positions will be vacant.

11. Officer Taggart, Presentence Officer Israel, and I cannot do the work done by Abson, Sanders, and Hall in addition to the duties we performed when Fifth Division was fully staffed. We cannot supervise hundreds of probation clients, and monitor weekly pretrial reporting compliance for hundreds of other persons who await trial of pending charges filed in Fifth Division on top of our other duties.
12. Hyde's directive that Hutchens and Hyde prevent Fifth Division from filling the vacancies caused by the retirement of Abson, transfer of Sanders to Assistant Bailiff, and pending retirement of Hall interferes with probation supervision and endangers public safety in Pulaski County. The adverse impact of that interference and endangerment to public safety worsens as more persons are sentenced to probation and recognized for pretrial release pending trial.

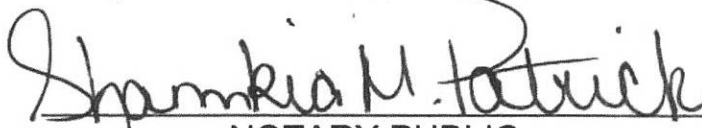
I hereby attest to the foregoing statement under penalty of perjury.



Jimmy Lamon

STATE OF ARKANSAS
COUNTY OF PULASKI

Sworn and attested to this 1st day of December, 2022.



NOTARY PUBLIC

My Commission Expires _____ :

