



## Coffee With The Chief – HSV Police Department

### Description

## Chief Ricky Middleton

### ? Meeting Held on 03-08-2022

At the March meeting of Coffee with the Chief, Andrew Jones, Jr., of the Hot Springs Village Citizens' Police Academy (CPA) and retired Chicago, Illinois Police Officer, spoke about the accessibility of HSV Police Chief Middleton. He also talked about the upcoming HSV Police Academy Course.

### Chief Middleton Is Readily Available to Address Villagers' Concerns

Jones said Chief Middleton's office is open to the public and the Chief is readily accessible to the community. Jones stated, "he is the type of person, you knock on the door, and walk on in. If he is available, he will speak to you. He is the type of person that returns telephone calls. It is not like you are living in the big city."

### Citizens' Police Academy

Jones mentioned that on Thursday, March 31, 2022, the CPA is once again starting a new course for Hot Springs Villagers. This is an eight-week course on Thursday evenings from 6:00 PM to 8:00 PM, lasting two hours per session.

### Why Take the Citizens' Academy Course?

1. This course gives Villagers the opportunity to understand Arkansas State Laws and also the Hot Springs Village POA Policy. The HSV Police Department enforces state and county laws, but cannot enforce POA policy.
2. Laws in other states may vary and it is important that newcomers understand the differences.
3. Additionally, Chief Middleton brings in outside speakers from Saline and Garland County, the

Coroners, and State Attorney Office officials. A lot of valuable information is provided by these guest speakers.

4. All course participants are given the opportunity to shoot at the gun range using weapons from the HSV Police Department arsenal. (The gun range used is the Mt. Valley Sportsman Association range.)

Applications for the HSV Police Academy must be dropped off at the HSV Police Station located at 113 Calella Road.

## **Police Academy Application – Hot Springs Village**

### [Police-Academy-Application](#)

#### **Chief Discusses Both Current and Upcoming Class Topics**

The main topic of conversation during the meeting was focused on littering and unlawful dumping of trash. Additionally, Chief Middleton gave the audience ample time to ask questions and address concerns.

The Chief said he wants the Coffee with the Chief classes to be fun and interactive.

Middleton said, “Andrew is correct. Where you come from, most of you are accustomed to ordinances. It is a little bit different here in the Village. We have [POA] policy and law. The Village is not a municipality, so we do not have ordinances.”

Coffee with the Chief in April will feature guest speaker, Emily Stubblefield. Ms. Stubblefield is from the Arkansas State Parks. She will be talking about eagles and providing information about her job at the state parks.

In May, Lifenet will speak at the Coffee with the Chief. They will be presenting a program called, “Stop the Bleed”. Middleton said, “everybody should attend that meeting.” This course will educate folks on how to stop a severe bleed, which occurs more easily with people on blood thinners. But it can occur with anyone.

#### **Senate Bill 103 and Difficulty in Retaining Officers in the Village**

This bill has to do with almost every law enforcement officer in the state receiving a \$5,000 bonus. Middleton explained, “we are very unique here in the Village... We cannot get the Village included in this program because we are a private community. So, my officers do not get the \$5,000 [bonus]... Also, Universities and Capitol Police do not receive [the bonus]. Why? I don’t know.”

With HSV Police Officers not being allowed to participate in the Senate Bill 103 program, this makes it more difficult for the Chief to retain officers. Currently, the force is at full capacity, but this can change at any time. Additionally, some other departments offer sign-on bonuses. Middleton said, “it is just hard competing with the outside world.”

#### **Chief Middleton Asks the Audience to Address Concerns and Questions**

Chief Middleton opened up the meeting to audience participation.

#### **Locksmiths and legalities**

Q – A Village locksmith expressed his concern with “lockouts”. He said there is sometimes a problem with identifying the customer and making sure they have the authorization to “unlock” homes. In the past, a few people have misrepresented themselves as Property Owner and have attempted to have the home opened by Village locksmiths. The locksmith asked, “can I call the Police Department to help me make sure I am doing a legal opening?”

A – “Absolutely,” exclaimed the Chief. The police department will assist the locksmiths to make sure the person requesting locksmith services is authorized to do so. The person requesting locksmith services should be able to prove property ownership or prove they have the legal right to enter the property.

#### **Rumor about HSV Police Department being eliminated**

Q – There is a rumor the HSV Police Department will be eliminated? Has that been on the table?

A – Middleton responded, “when they were trying to get the assessment increase, that was one of the...options. I really don’t think it is a viable option. I would hope it is not a viable option because you need your police department in the Village.” The personal and detailed type of service the HSV Police Department provides is unusual. “If there was a Mayberry RFD – Hot Springs Village...because our needs are so different here than any other community. We do cater to the people. I love that we have time to do that. There may be some point where we can’t. Right now, we do have the time...That is what makes this place so great!”

#### **Vacation watch**

Q – Can you provide information about the Vacation Watch Service?

A – There is a Vacation Watch Form on [Explore the Village](#) or at the Police Station. When you are out of town, the officers drive by and check your windows and doors and if they find a problem, they call the owners. **Please let the police department know when your return.**

#### **Street patrol**

Q – Is there a procedure to patrol every street in the Village?

A – “No, I do not have enough people to put a plan in place to patrol every street in the Village at a particular time.” HSV has 500 miles of paved roads and 26,000 acres. Learning the roads does take a long time. For new folks, if you get lost, find a road with a yellow line and this will bring you to a main artery.

#### **Waze Maps**

An audience participant said that [Waze Maps](#) can be edited and errors have been corrected by him.

**When a death occurs**

Q – How does the HSV PD assist in the instance of a death?

A – Middleton said, “We are notified of all deaths. On the hospice deaths, they do notify the police department but we may not respond unless requested. The coroner will notify us if there is an issue. All deaths are considered a homicide until we prove otherwise...It is our job to make sure that things are not going on. We assist in any way we can. You may have questions,” explained Middleton. The police department can guide the family through the necessary process. The coroner will also provide information.

**Some people are reluctant to have police watch their home when on vacation**

Q – If the “wrong” neighbor finds out someone is gone, this might not be a good thing.

A – In some parts of the country this may be more of a problem. Some people hire police officers to watch their homes while a funeral is taking place. “In some places, the bad guys look for that [funeral notices] and will break in.”

A – “We have the greatest neighborhood watch network, even though it is not organized. Pick and choose your neighbors to let them know when you are out of town.”

**Deer**

Q – Are there more deer than usual this year?

A – There was a successful Urban Deer Hunt, but there is still an overpopulation of deer in the Village. Middleton encouraged, “pay attention and drive the speed limit or less.” Often, as folks age, night vision is lessened.

**Tree clearing outside Balboa Gates**

Q – What is happening outside the Balboa Gates with the tree clearing?

A – The POA has a thinning project going on around Elcano. The utility companies are doing work on Highway 5. Possibly this may be part of the First Electric Saline County project which is installing new internet service.

**Mailbox question**

Q – My name was written on my mailbox and I don’t want it on there.

A – Middleton said that it might be there to assist the mail carrier.

### Good phone apps

An audience member said [Apple Maps](#) are more accurate in the Village than Google Maps.

Also, [Find My iPhone](#) is a good program. This app helps locate people if there is a problem such as driving off into a ravine.

An [Apple Watch](#) has a feature that detects if you fall. It will call 911 with your coordinates and if you are unable to respond, help will be dispatched.

[Smart 911](#) – this service helps 911 protect your family by providing more information to first responders. This is a free service. The Chief recommends updating Smart 911 every six months.

Code Red is a reverse 911 dialing system. If someone is signed up to this program a message can be sent out to alert a specific area to watch out for lost people. If you want to be alerted when things such as this happen, this is a good program to sign up for. [Click here](#) to sign up. The HSV PD does not use Code Red for weather alerts.

Middleton recommends buying a weather radio for weather alerts and also Amber alerts. If your power goes out, the weather radios have a battery backup.

### Cell tower

Q – What is the cell tower by Debra's?

A – There has been a cell tower by Debra's Restaurant at Carmona and DeSoto for quite a while. Another one is being installed. The phone company is upgrading from 3G to 5G.

### Is there a jail inside the Village?/Authority of HSV Officers/911 calls

There is not a jail or a retention center in the Village.

The authority of all HSV Police officers is drawn through the Garland and Saline County Sheriff's Office. HSV Police Officers are commissioned in both counties.

**When calling 911, be sure to immediately state your location as being in Hot Springs Village.**

This is especially important for those with out-of-area phone numbers.

### Trash Along Roadways, Littering, and Other Concerns

Middleton asked, “if something flies out of the back of my truck, is that littering?” The answer is ‘no’. That would be considered an Insecure Load and is not considered to be a Littering Violation. If someone throws something out their window, that is littering. If someone reports littering, in order to prosecute, the witness must be able to identify not only the vehicle but the person doing the littering. The police can investigate, but without the identification of the offender, there must be a confession in order to enact a penalty.

### **Dumping trash**

If a name is associated with a pile of trash dumped in a cul de sac, can the person be charged? Maybe not. Sometimes a contractor dumps trash and the police can investigate this. Some isolated areas may be more problematic than others where there is a more dense population. If trash is found dumped and can be associated with a resident and the resident is unable to supply the name of the contractor, then the resident will receive a littering citation.

### **Commercial haulers**

Make sure the landscaping companies you hire are taking your leaves/yard debris to a legal dump site and not dumping on the sides of Village roads.

### **Can you dispose of your trash in a business dumpster?**

No. The business is paying for this service you can be charged with Theft of Services.

### **Using POA Minorca dumpster after business hours**

The POA dumpster is only supposed to be used during business hours. Dumping after-hours is not permitted.

People can be charged for “Dumpster Diving”. This is considered to be Criminal Trespassing.

### **Removing donated items from goodwill type businesses**

An audience member asked about the legality of removing items left in front of second-hand charities. Middleton said this is considered theft.

### **Property Owners blowing leaves on common property and vacant lots**

This is covered under POA policy.

### **Natural vs. manmade\***

Loose bark sometimes falls off of logging trucks. This is not considered to be littering because the bark is a natural substance. Feathers coming off a chicken truck or a piece of manure falling off a cattletruck are both legal situations as these materials are natural.

On the other hand, if loose boards fall off a truck, this is illegal as the lumber is a processed product.

#### **Materials hauled by uncovered vehicles**

By law, if gravel is below six inches from the top of the freeboard\*, the material is supposed to be covered. Also, the tailgate is supposed to be cleaned so that nothing falls off. (See AR Statue at the end of this article.)

There is also a POA policy that states that anyone hauling should cover their product to keep it from blowing off.

#### **Difference Between POA Policy and Ordinances (Law)**

The Village is a private community that can enact rules (policy). POA policy is not enforced by the HSV Police Department. The Compliance Department enforces its policy (rules). The POA can suspend membership privileges or levy fines to Property Owners who violate rules. Suspension of privileges means you cannot use the amenities, but you cannot be denied access to your residence.

Legally, ordinances for a planned community can only be enacted for health, safety, and welfare purposes.

Both Saline and Garland Counties have enacted three ordinances in Hot Springs Village – maintenance, dog, and discharge of firearms.

- An example of a maintenance violation would be a freezer left in someone's front yard. This presents an unsafe condition that could be a danger to a child.
- A weapon can only be discharged if it is in defense of your life and property.
- Dogs – all dogs must be leashed when off the owners' property. There are additional requirements for gripper breeds.

The police will not enforce policy violations but will investigate if called and determine if it is a criminal issue.

#### **Entering the gates**

**Is a windshield sticker required to enter the Village?**

No, the sticker is for your convenience.

#### **Process at gates**

In order to enter the gates, you must be a resident or invitee.

There is a new process at the manned gates. The gate employees scan POA cards to see if the person trying to enter has the right to do so.

Gate personnel should also look at the photo to see if it matches the person trying to enter.

If someone tries to enter who is not authorized, the gate personnel should turn them away. Sometimes there is a situation where someone comes for a surprise visit and the police will verify if the visitor is welcome.

On other occasions, residents try to ban people from the Village. You cannot trespass people from the Village, but only your own property. This situation could come about in a divorce or disagreement, but the person attempting to enter may be a guest of other Villagers.

Restaurants and other businesses are supposed to notify the gates when outside customers are coming. [Click here](#) to access the members' section of [Explore the Village](#) and then click "Gate Access" to fill out the online form.

Residents should not block people from entering. Doing this is considered Disorderly Conduct and you can be cited for blocking traffic. Instead, if you think there is a problem, call the police.

#### [Arkansas Statute 27-35-110](#) – Spilling loads on highways prohibited

\* "Litter' does not include wastes from the primary processing of mining, logging, sawmilling, or farming, the raising of poultry, manufacturing, or wastes deposited in proper receptacles;"

\*"For a motor vehicle or a trailer with an open bed manufactured on or before September 30, 2001, a vehicle with an open bed transporting sand, gravel, or rock is required to be covered as prescribed in subsection (c) of this section unless six inches (6") of **freeboard** is maintained at the perimeter of the load within the open bed of the vehicle or trailer carrying the load. Measurements are to be taken at the perimeter of the vehicle's or trailer's bed and measured from the top edge of the bed down to the sand, gravel, or rock being transported."

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CHERYL DOWDEN, Hot Springs Village People Gazette, March 9, 2022

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