

EXHIBIT D-1

ELECTRONICALLY FILED
Pulaski County Circuit Court
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60CV-18-1027
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**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION**

EDWARD MONK

PLAINTIFF

v.

60CV-18-1027

**ALVERNON ROGERS, and
John Does 1-10**

DEFENDANTS

AMENDED COMPLAINT

Comes now the Plaintiff, Edward Monk, by and through his attorneys, Joey McCutchen of McCutchen and Sexton - The Law Firm, and W. Whitfield Hyman of King Law Group, PLLC, and for his Complaint, does state:

PARTIES, JURISDICTION, AND VENUE

1. This is an action brought under 42 U.S.C. §1983, the First, Fourth and 14th Amendments to the United States Constitution, Section 2, Articles 4, 6, and 15 of the Arkansas Constitution, The Arkansas Civil Rights Act §16-123-105 and the Arkansas Civil Rights Retaliation Act §16-123-108, 42 U.S. Code § 1985 - Conspiracy to interfere with civil rights; and Arkansas common law of Civil Conspiracy, Defamation and Slander.

2. The Plaintiff, Edward Monk, was at all times relevant to this action an individual residing in Jefferson County, Arkansas and was a duly appointed police officer with the White Hall, Arkansas Police Department.

3. Upon information and belief, Separate Defendant Alvernon Rogers is a resident of Pulaski County, Arkansas, employed in Pulaski County, and his actions giving rise to this action alleged in this complaint occurred in Pulaski County.

4. This cause of action arose in Little Rock, Pulaski County, Arkansas. Accordingly, this Court has personal and subject matter jurisdiction. Venue is proper in Arkansas pursuant to Ark. Code Ann. § 16-55-213.

5. John Does 1-10 are any other persons who were involved in the publication of the slanderous comments, the civil conspiracy to violate the Plaintiff's rights and the subsequent cover-up. An Affidavit of Unknown Tortfeasors is attached herewith.

STATEMENT OF FACTS

6. In January and February of 2013, Officer Monk sent polite emails to his state senator, Stephanie Flowers, requesting a meeting about an upcoming bill. (See Exhibit A)

7. Before that meeting, Flowers' ordered her assistant, Tammy Young, to call the Capitol Police just in case things got "heated."

8. A Capitol Police officer named Vondelia Antwone Neely showed up during the meeting and observed from the hallway. The officer could hear that Mr. Monk was passionate but was not deemed a threat and eventually Mr. Monk left the office without incident. Attached is a copy of the February 4, 2013 Arkansas State Capitol Police incident report. (See Exhibit B)

9. On February 21st, 2017 Ed Monk sent a polite email to his state senator Stephanie Flowers, requesting to meet with her about an upcoming vote.

10. Senator Flowers printed out this email and wrote "This is most recent email. I feel this is intimidating & harassing [sic] considering the history from 2013." (See Exhibit C)

11. On or about February 23rd, 2017, an Arkansas Senate Sergeant at Arms named Alverson Rogers went to the Capitol Police and had them run Mr. Monk through the Arkansas Criminal Information Center database.

12. A John Doe working in the Capitol Police gave Alvernon Mr. Monk's picture that was stored in the database, in violation of Arkansas Code Annotated 12-12-211 and 212. In his deposition, Rogers testified that he did obtain Monk's photo from the capitol police, and that CPT Charlie Brice was the John Doe who gave him Monk's photo.

13. On February 23rd, 2017 Alvernon Rogers stopped three Arkansas State Police troopers in the Capitol Building, Corporal Freddie Williams, TFC Callie Dacus, and Corporal Chuck Lewis.

14. Alvernon Rogers proceeded to distribute a photograph of Ed Monk to these three troopers.

15. This photograph was taken from the Arkansas Criminal Information Center database.

16. Alvernon Rogers and other John Does told the troopers to "be on the lookout" for a White Hall Police Officer named Ed Monk.

17. Alvernon and other John Does further proclaimed that Police Officer Monk had confronted Senator Flowers that morning in her office about a law and then became irate which caused Flowers to feel threatened.

18. Alvernon and other John Does then stated that Monk refused to depart the premises and had to be forcibly removed from the building.

19. This warning was conveyed by Alvernon Rogers and other John Does because Mr. Monk "might return."

20. The email from Mr. Monk with the note from Senator Flowers was given to Corporal Lewis by Sergeant at Arms Alvernon Rogers during this interaction.

21. All of these statements by Rogers were fabricated, false, and malicious and for which no basis for the statements existed because except for this single email from 2017 Mr.

Monk had not interacted with Senator Flowers in any way since that uneventful 2013 meeting, nor had Plaintiff even been in Little Rock the week of February 23-d, 2017.

22. Cpl Lewis, one of the ASP troopers guarding the capitol that day, immediately called Captain Eremea and reported these fabrications about Plaintiff Monk as fact and Lewis identified Alvernon Rogers as his source of information. (See Exhibit D)

23. Captain Eremea then called Captain Casey with the story, who then called White Hall's Chief of Police Ricky Wingard, who was Plaintiff's ultimate supervisor. (See Exhibit D).

24. Captain Casey then relayed Alvernon's story to the White Hall Chief as fact. As a result, Mr. Monk was ordered by his Criminal Investigation Division sergeant on February 24th, 2017 to report to his police department to make a statement about "what happened at the capitol yesterday." This resulted in Mr. Monk speaking with the Chief and the Assistant Chief of the White Hall Police Department in their offices on two different occasions.

25. When Mr. Monk conducted an investigation to determine how and why he had been defamed and had his civil rights violated, he made contact with CPL Lewis on March 9th, 2017 who identified Alvernon Rogers as the Sergeant at Arms who beared false witness against Mr. Monk.

26. Later on March 9th, Mr. Monk called Alvernon Rogers, and Alvernon stated he has never read or heard that Mr. Monk was in the capitol on the day in question, or that he had acted inappropriately in the capitol, or that he was removed. Alvernon further stated that he has no idea where that information originated.

27. During that conversation, Alvernon did state that he knew Senator Flowers did not want Mr. Monk in her office.

28. Because of the actions of all defendants collectively and individually, Mr. Monk has suffered damage to his reputation, well-being, and other damages.

30. Because of the actions of all defendants collectively and individually, Mr. Monk was chilled from engaging in political speech, speech protected by the First Amendment of the United States Constitution, with his elected representative in the Senate because of his concern with the potential repercussions of contact with his State Senator. Until February 28th, 2017 when he felt he must send Flowers one email to record his concerns about the violations of his rights.

31. Additionally, Mr. Monk was temporarily chilled from visiting the capitol grounds to engage in political speech for some time out of concern that he would be arrested, or worse. Mr. Monk wanted to visit the capitol immediately after learning of the false allegations made there against him in order to investigate, but he delayed visiting the capitol until after he received direct verbal confirmation from the chief of the capitol police and the deputy director of the state police that he would not be arrested, detained, or assaulted by law enforcement for entering or being in the state capitol. Mr. Monk was even invited to speak on the Dave Elswick Radio Show which broadcasts from the Capitol within less than two weeks of this incident, but out of fear stemming from this incident, Mr. Monk was forced to decline the guest spot option.

Count I - Slander (With Reckless Disregard for Truth or Falsity)

32. The plaintiff incorporates by reference all other paragraphs of this complaint in this count.

33. Separate Defendant Alvernon Rogers, in concert with John Doe, told several people a false story about the Plaintiff that contained false statements of fact concerning the Plaintiff.

34. These false statements asserted that the Plaintiff had broken the law and acted unprofessionally (that inter alia, the plaintiff was guilty of harassment, trespassing, and refusal to submit to arrest) were defamatory, and Mr. Monk brings this count under the Arkansas common law of Slander and Defamation.

35. Alvernon Rogers acted with reckless disregard for the truth or falsity of these statements in failing to determine the truth of their statements prior to their publication, because inter alia Alvernon Rogers had in his possession the plaintiff's polite emails, had seen the results of a clean background check on the plaintiff, knew the plaintiff was a law enforcement officer, and had met with the Capitol Police about the 2013 incident prior to communicating the false statements to the troopers.

36. The publication of the statements to proximately caused damages to the Plaintiff in an amount in excess of the minimum amount necessary to confer jurisdiction upon the United States District Court in a diversity of citizenship case, in the form of loss of social and professional reputation, shame, mortification, and compulsion to appear in front of the Chief of Police to explain his actions and received negative comments from both his chief and assistant chief of police concerning the false allegations reported to them by the state police. Monk's city Chief of Police Chief (government supervisor employer) was called by a State Police captain and (falsely) told that Monk had acted very unprofessionally and criminally, inside the state capitol building. The State Police Captain told the Chief that Monk had acted so unprofessionally, inappropriately and criminally in the presence of an elected official, that Monk had to be physically removed from the state capitol building by the Capitol Police. This resulted in our police department's Criminal Investigation Sergeant calling Monk on his cell phone and telling Monk that the Chief needed Monk to come to the police station to "make a statement" about "what happened at the capitol," which confused

Monk because nothing had happened. As a police officer, getting ordered by your Chief of Police to "come in and make a statement about what you did" is a negative experience. Monk had to postpone a trip out of state that day (February 24, 2017) to go to the police station and speak to his CID Sergeant and Chief of Police about the allegations. Since that first discussion with Monk's Chief and CID Sergeant, Monk has been brought into the Chief of Police's office, and Lieutenant's (2nd in command of the department) office to discuss the allegations. Both were very negative experiences. Monk was told that the police department would not have been involved at all had Monk not gone in the capitol in 2013 to meet with my senator during an invited, scheduled meeting. Monk was told by the Chief of Police that Monk's mayor had negative views about my response to the (false) allegations. Monk was told by the Chief of Police that the mayor would prefer that Monk no longer communicate with his state senator because of the city receiving the false allegations. Monk had been asked by the police department to patrol alone several times before the false allegations, but has never been asked to patrol alone after the false allegations. These false allegations were a direct attack on Monk's personal and professional character, his reputation, and his honor. As a graduate of the U.S. Military Academy at West Point, Monk values and protects his honor at the highest level. Despite having been invited to the state capitol to be a guest on a radio show in the days following the false allegations, Monk declined the offer for several days due to not knowing what would happen to Monk if he entered the capitol building. due to being told ASP troopers had his photo and were "on the lookout for" Monk as an armed, irate person due to the false allegations. Monk is often a guest on radio programs, which helps his small business. Monk's Constitutional rights to freely communicate with his elected officials were suppressed by government intimidation. Despite wanting to communicate with his state senator more, Monk chose not to following the false allegations other than one email on

February 28, 2017. This was due the uncertainty of further negative retaliation through the State Police (such as what had already happened on February 23, 2017) or other government channels; Monk's Chief of Police's comments that our mayor preferred that Monk stop communicating with my senator after receiving the false allegations; and Monk being told by Lieutenant Governor Griffin that he recommended that Monk not communicate with my state senator after the false allegations. Monk has lost many hours of sleep on many nights due to the stress of trying to understand why the false allegations occurred. The night after one phone conversation with Lieutenant Governor Griffin (March 17, 2017) and many other nights, Monk could not sleep at all. Monk has spent hundreds of hours investigating the false allegations trying to identify the source and motive. These hours include: Making and receiving phone calls. Preparing, sending, and reading emails. Preparing FOIA requests. Researching legal matters on the internet. Travel to and from meetings. Time spent in meetings. Time spent preparing for meetings. Time spent listening to audio recordings of phone calls and meetings. Time spent preparing information for his attorneys. Time spent preparing for and appearing on radio and TV news shows. Time spent responding to interrogatories and requests for production. Monk has lost money on his investigation, including: Purchasing an audio recorder. Fuel costs for several trips to Little Rock and Fort Smith in connection with his investigation. Printing costs of his notes and information books provided to others. Monk has lost all trust, faith and respect for the Arkansas State Senate and the Arkansas State Police because instead of protecting his rights, it appeared that they had conspired to violate his rights.

Count II - Slander (With Knowledge of Falsity)

37 Plaintiff incorporates by reference all other paragraphs in this complaint.

38. Separate Defendant Alvernon Rogers, in concert with Separate Defendant John Doe, verbally publicized false statements of fact concerning the Plaintiff.

39. These false statements of fact (that, inter alia, Plaintiff had violated criminal law) were defamatory, and Mr. Monk brings this count under the Arkansas common law of Slander and Defamation.

40. Alvernon Rogers acted with knowledge that the statements he made were false because inter alia, he had possession of the Plaintiff's emails and had spoken with the Capitol Police and Senator Flowers about Ed Monk and about the 2013 meeting.

41. The publication of the statements to proximately caused damages to the Plaintiff in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference, in the form of loss of social and professional reputation, shame, mortification, and compulsion to appear in front of the Chief of Police to explain his actions and received negative comments from both his chief and assistant chief of police concerning the false allegations reported to them by the state police.

Count III - Slander (With Actual Malice)

42. Plaintiff incorporates by reference all other paragraphs in this complaint.

43. Separate Defendant, Alvernon Rogers, in concert with Separate Defendant John Doe, verbally publicized false statements of fact concerning the Plaintiff.

44. These false statements of fact were defamatory, and Mr. Monk brings this count under the Arkansas common law of Slander and Defamation.

45. Alvernon Rogers and John Doe acted with actual malice by publicizing this false information. As the proximate and actual result of such slander, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

Count IV - 42 U.S.C. § 1983 – Deprivation of First and Fourteenth Amendment Rights under the United States Constitution

46. The Plaintiff incorporates by reference all other paragraphs in this complaint.

47. The actions of defendants John Doe and Rogers, as stated herein, amount to a violation of the substantive and anti-retaliation provisions of 42 U.S.C § 1983 as triggered by the First and Fourteenth Amendment to the United States Constitution, the Arkansas Constitution and Arkansas Civil Rights Act.

48. Because of Defendants' actions, collectively and individually, Mr. Monk was chilled from engaging in political speech with his state senator.

49. Defendants' actions, as stated herein, amount to a violation of Plaintiff's clearly established rights to freedom of speech under the First Amendment to the United States Constitution. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

50. Defendants' actions in their individual capacity under this count are sufficiently egregious to justify punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees.

Count V- Conspiracy to Deprive First and Fourteenth Amendment Rights – 42 U.S.C. § 1985

51. Plaintiff incorporates all other paragraphs in this complaint by reference.

52. Plaintiff Monk brings this count under 42 U.S.C. § 1985.

53. All Defendants' actions, as stated herein, amounted to a conspiracy to violate Plaintiff's clearly established rights under the First and Fourteenth Amendment to the United States Constitution. Because of Defendants' actions, collectively and individually, Mr.

Monk was chilled from engaging in political speech with his State Senator out of fear of additional false allegations being made against him and reported to his chief of police by state law enforcement agencies.

54. Defendants' actions in their individual capacity under this count are sufficiently egregious and calculated to chill Mr. Monk's speech which justifies punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees.

55. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

Count VI – Deprivation of Fourth and Fourteenth Amendment Rights –
42 U.S.C. § 1983

56. Plaintiff incorporates all other paragraphs in this complaint by reference.

57. Plaintiff Monk brings this count under 42 U.S.C. § 1983 and the 4th and 14th amendments to the US Constitution.

58. Because of Defendants' actions, collectively and individually, Mr. Monk was chilled from visiting the capitol grounds to engage in political speech, out of concern for being arrested or assaulted by government actors and/or additional false allegations being made against him and reported to his chief of police by state law enforcement agencies.

59. All Defendants' actions, as stated herein, amounted to a violation of Plaintiff's clearly established rights under the Fourth and Fourteenth Amendment to the United States Constitution.

60. Defendants' actions in their individual capacity under this count are sufficiently egregious and calculated to plan to violate Mr. Monk's right to be free from

unreasonable seizures by describing crimes allegedly perpetrated by Mr. Monk (that did not occur) to members of law enforcement and provided them with photos of Monk. This justifies punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

Count VII – Conspiracy to Deprive Fourth and Fourteenth Amendment Rights
42 U.S.C. § 1985

61. Plaintiff incorporates all other paragraphs in this complaint by reference in this count.

62. Plaintiff Monk brings this count under 42 U.S.C. § 1985.

63. Because of Defendants' actions, collectively and individually, Mr. Monk was chilled from visiting the capitol grounds to engage in political speech.

64. All Defendants' actions, as stated herein, amounted to a conspiracy to violate Plaintiff's clearly established rights under the Fourth and Fourteenth Amendment to the United States Constitution.

65. Defendants' actions in their individual capacity under this count are sufficiently egregious and calculated to plan to violate Mr. Monk's right to be free from unreasonable seizures by describing crimes allegedly perpetrated by Mr. Monk, that did not occur, to members of law enforcement and provided them with photos of Monk. This justifies punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees. As the proximate and actual result of such actions set forth herein, Plaintiff

has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

Count VIII – Retaliation for Exercising Rights Protected by the Arkansas Constitution Outlined in Section 2, Articles 4 and 6

66. Plaintiff incorporates all other paragraphs in this complaint by reference in this count.

67. Plaintiff Monk brings this count under Ark. Code Ann. § 16-123-108.

68. All Defendants' actions were in response to Plaintiff exercising his right to free speech and to petition the government for redress, protected by the Arkansas Constitution under Section 2, Articles 2 and 4, and intended to and intended to discourage and suppress said rights.

69. All Defendants' actions, as stated herein, amount to a retaliation for Plaintiff exercising his clearly established rights to petition by address or remonstrance the government and the right to freely write and publish sentiments on all subjects.

70. Defendants' actions in their individual capacity under this count justify punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees because of the retaliation, interference, and intimidation. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

Count IX - Deprivation of the Arkansas Civil Right of Assembly and of Petition

71. Plaintiff incorporates all other paragraphs in this complaint in this count.

72. Arkansas Const. Section 2, Article 4 states: "The right of the people peaceably to assemble, to consult for the common good; and to petition, by address or remonstrance, the government, or any department thereof, shall never be abridged."

73. Plaintiff Monk brings this count under Ark. Code Ann. § 16-123-105, the Arkansas Civil Rights statute.

74. By concocting and disseminating this fabricated story about Mr. Monk directly to state law enforcement officers while acting in his capacity as a senate sergeant at arms (among other illegal acts), defendants John Doe and Rogers abridged Plaintiff's rights by effectively banning Mr. Monk from the Capitol for a period of time, damaging his reputation, and chilling his political speech.

75. Because of Defendants' actions, collectively and individually, Mr. Monk was chilled from engaging in political speech with his State Senator.

76. Defendants' actions, as stated herein, amount to a violation of Plaintiff's clearly established rights to petition by address or remonstrance the government and the right to freely write and publish sentiments on all subjects. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

77. Defendants' actions in their individual capacity under this count are sufficiently egregious to justify punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees.

Count X – Civil Conspiracy to Deprive Plaintiff of, or Interfere With, the Plaintiff's State Protected Rights, Privileges and Immunities

78. Plaintiff incorporates all other paragraphs in this complaint by reference.

79. Plaintiff Monk brings this count under Arkansas common law Civil Conspiracy, Ark. Code Ann. § 16-123-105, and Ark. Code Ann. 16-123-108.

80. All Defendants' actions, as stated herein, amounted to a conspiracy to violate Plaintiff's clearly established rights under the Arkansas Constitution, Section 2, Articles 2, 6 and 15.

81. Separate Defendant John Does and Alvernon Rogers also conspired to violate the Plaintiff's statutory rights under Arkansas Code Annotated §§ 12-12-211 and 212 by running Mr. Monk through ACIC under false pretenses and disseminating restricted information found as a result. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

82. Defendants' actions in their individual capacity under this count are sufficiently egregious and calculated to plan to violate Mr. Monk's right to be free from unreasonable seizures, freedom of speech, and right to redress and petition the government. The Defendants did this by, among other illegal actions, describing crimes allegedly perpetrated by Mr. Monk (that did not occur) to members of law enforcement, which justifies

punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees.

Count XI – Deprivation of Plaintiff's State Statutory and Constitutional Right to Privacy

83. Plaintiff incorporates all paragraphs in this complaint by reference.

84. Separate Defendant John Does and Alvernon Rogers violated the Plaintiff's statutory rights under Ark. Code Ann. §§ 12-12-211 and 212 by running Mr. Monk through ACIC under false pretenses and disseminating restricted information found as a result.

85. The Plaintiff brings this cause of action under Ark. Code Ann. § 16-123-105 and Ark. Code Ann. § 16-123-108.

86. Defendants' actions in their individual capacity under this count are sufficiently egregious to justify punitive damages against them, as well as compensatory damages, nominal damages, and attorney's fees.

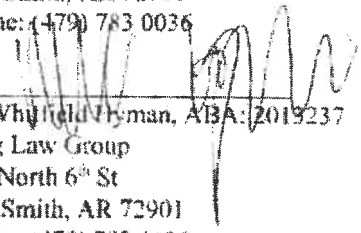
87. Plaintiff suffered damages as a result of this deprivation and retaliation. As the proximate and actual result of such actions set forth herein, Plaintiff has been proximately caused to suffer damages in an amount in excess of the damages set forth in paragraph 36 of this Complaint which is incorporated herein by reference.

WHEREFORE Plaintiff, Edward Monk, prays for a judgment against the Defendant, Alvernon Rogers and John Does, in excess of Federal Jurisdictional limits, for costs, for attorney's fees to the extent permitted by law, and for all other proper relief which he may prove entitled. Finally, Plaintiff demands a jury trial in this matter.

Respectfully submitted,
Ed Monk, Plaintiff

By:
Joey McCutchen, ABA: 88045
McCutchen and Sexton Law Firm

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Phone: (479) 783 0036

By: 
W. Whitfield Hyman, ABA: 2019237
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CERTIFICATE OF SERVICE

I, William Whitfield Hyman, attorney for Plaintiff Ed Monk, hereby certify that I have on this the 22nd day of April 2019, served a true and correct copy of the foregoing, upon:

Maryna O. Jackson Arkansas
Bar No. 2009111 Assistant Attorney General
323 Center Street, Suite 200
Little Rock, Arkansas 72201
Telephone: (501) 683.3296
Fax: (501) 682.2591
maryna.jackson@arkansasag.gov
Attorneys for Separate Defendant Alvemon Rogers

By email.


William Whitfield Hyman

Flowers, Stephanie

From: edmonk@aol.com
Sent: Sunday, January 27, 2013 7:58 PM
To: Flowers, Stephanie
Subject: presentation on the Active Shooter threat - FEB 12
Attachments: Bio_for_Ed_Monk_Narative_&_List.docx

Senator Flowers,

1. I ask that you strongly support SB 71 and HB1035.

2. I want to invite you to attend our free educational presentation for government officials, church leaders and educators on the Active Shooter. The PSA on this presentation is below. My bio is attached. Please feel free to share this information with other government officials, educators and church leaders.

Ed Monk
Lieutenant Colonel, US Army (Retired)
Co-owner & Instructor, Last Resort Firearms Training (White Hall)

January 21, 2013

For immediate release

Subject: Free Public Educational Presentation on the Active Shooter
Contact: Ed Monk, Co-owner of Last Resort Firearms Training
870-273-1113 / edmonk@aol.com

Last Resort Firearms Training will host a free, educational presentation on the Active Shooter. This presentation is for educators, members of the media, government officials, and church leaders. "Active Shooter" is the name given to people who commit mass murder with guns in public places, like schools, malls, churches, and other locations. Recent examples include the elementary school in Newtown, CT and the movie theater in Aurora, CO. This presentation will cover a detailed study of the history of Active Shooter events in the US, identifying common trends. Then, the presentation will explore possible ways to plan for and respond to future Active Shooter attacks. This presentation will be Tuesday, February 12, 2013 at Last Resort Firearms Training near White Hall. It will start at 6:30 pm, and will last approximately 90 minutes. This presentation is free, but attendees must reserve a seat because seating is limited. To reserve a seat, call 870-273-1113 or email edmonk@aol.com.



Flowers, Stephanie

From: edmonk@aol.com
Sent: Tuesday, January 26, 2013 4:08 PM
To: Flowers, Stephanie
Subject: Re: presentation on the Active Shooter threat - FEB 12

Senator Flowers,
I would like to meet with you, at your convenience, to discuss this topic. Please let me know of a place and time that will work for you. I am available most Mondays, Tuesdays, and Fridays (all day), and most weekday evenings.

Ed Monk

-----Original Message-----

From: Flowers, Stephanie <stephanie.flowers@senate.ar.gov>
To: edmonk <edmonk@aol.com>
Sent: Mon, Jan 26, 2013 7:28 am
Subject: Re: presentation on the Active Shooter threat - FEB 12

Lieutenant Colonel Monk,

Thank you for the email concerning SB71 and HB1035. Please know that I do support 2nd Amendment right to bear arms. However, I believe without the ability to hold churches responsible for negligent acts that cause injury and even loss of life that may occur (hopefully not though), SB 71 is not good policy. I did offer an amendment to the bill to require a minimum of \$100,000 liability insurance policy to at least peel away the charitable immunity churches are allowed. It seems to me that immunity demands higher standards, and adoption of lower standards demands liability. It is the same with HB1035. I think both bills have sufficient votes to pass, notwithstanding my opposition. That should satisfy you.
Again, thank you for your comments.
Senator Stephanie Flowers
Sent via DroidX2 on Verizon Wireless™

-----Original message-----

From: "edmonk@aol.com" <edmonk@aol.com>
To: "Flowers, Stephanie" <stephanie.flowers@senate.ar.gov>
Sent: Mon, Jan 26, 2013 01:58:19 GMT+00:00
Subject: presentation on the Active Shooter threat - FEB 12

Senator Flowers,

1. I ask that you strongly support SB 71 and HB1035.
2. I want to invite you to attend our free educational presentation for government officials, church leaders and educators on the Active Shooter. The PSA on this presentation is below. My bio is attached. Please feel free to share this information with other government officials, educators and church leaders.

Ed Monk
Lieutenant Colonel, US Army (Retired)
Co-owner & Instructor, Last Resort Firearms Training (White Hall)

For immediate release

January 21, 2013

Subject: Free Public Educational Presentation on the Active
Shooter
Contact: Ed Monk, Co-owner of Last Resort Firearms Training

Flowers, Stephanie

From: edmonk@aol.com
Sent: Monday, February 04, 2013 8:17 AM
To: Flowers, Stephanie
Subject: Re: Request for meeting

Senator,
Thank you. See you at 10am.

Ed Monk

-----Original Message-----

From: Flowers, Stephanie <stephanie.flowers@senate.ar.gov>
To: edmonk <edmonk@aol.com>
Sent: Sun, Feb 3, 2013 10:35 pm
Subject: Re: Request for meeting

Well Mr. Monk you may come to my office at the Capital on Little Rock. My office is located in Room 205c which is on the 2nd floor. I should be there at 10 am tomorrow. Senator Stephanie Flowers

Sent via DroidX2 on Verizon Wireless™

-----Original message-----

From: "edmonk@aol.com" <edmonk@aol.com>
To: "Flowers, Stephanie" <stephanie.flowers@senate.ar.gov>
Sent: Mon, Feb 4, 2013 04:16:58 GMT+00:00
Subject: Re: Request for meeting

Senator,
I understand we disagree about being for/against SB71. But your stated views on this one bill cause me to have many concerns and questions about how you view the rights of your constituents, rights both you and I have taken an oath to defend despite any personal views we have. That is the purpose of my request to meet with you - to discuss the Constitutional rights of your constituents, not just one bill.

Ed Monk

-----Original Message-----

From: Flowers, Stephanie <stephanie.flowers@senate.ar.gov>
To: edmonk <edmonk@aol.com>
Sent: Sun, Feb 3, 2013 10:11 pm
Subject: Re: Request for meeting

I believe you have made your view quite clear about SB71. I gave you my view. We can at least agree we disagree.
Senator Flowers
Sent via DroidX2 on Verizon Wireless™

-----Original message-----

From: "edmonk@aol.com" <edmonk@aol.com>
To: "Flowers, Stephanie" <stephanie.flowers@senate.ar.gov>
Sent: Mon, Feb 4, 2013 04:05:02 GMT+00:00
Subject: Re: Request for meeting

Senator,
My interest and concerns go much deeper than this one bill.

I am asking to meet with an elected government official about her views on the safety of her constituents and my Constitutional rights.

Ed Monk

-----Original Message-----

From: Flowers, Stephanie <stephanie.flowers@senate.ar.gov>
To: edmonk <edmonk@aol.com>
Sent: Sun, Feb 3, 2013 10:00 pm
Subject: Re: Request for meeting

Mr. Monk, SB71 has passed out of the Senate and is in the House. I believe it will pass out of the House and will become law as Gov. Beebe has already indicated he will sign it. There are many other bills in the Senate that are under my consideration. I do not see the need to further discuss. Senator Stephanie Flowers

Sent via DroidX2 on Verizon Wireless™

-----Original message-----

From: "edmonk@aol.com" <edmonk@aol.com>
To: "edmonk@aol.com" <edmonk@aol.com>, "Flowers, Stephanie" <stephanie.flowers@senate.ar.gov>
Sent: Mon, Feb 4, 2013 02:29:38 GMT+00:00
Subject: Request for meeting

Senator Flowers,
Just a reminder that I would like to meet with you at your earliest convenience to discuss SB71.

Ed Monk

-----Original Message-----

From: edmonk <edmonk@aol.com>
To: stephanie.flowers <stephanie.flowers@senate.ar.gov>
Sent: Tue, Jan 29, 2013 4:08 pm
Subject: Re: presentation on the Active Shooter threat - FEB 12

Senator Flowers,
I would like to meet with you, at your convenience, to discuss this topic. Please let me know of a place and time that will work for you. I am available most Mondays, Tuesdays, and Fridays (all day), and most weekday evenings.

Ed Monk

-----Original Message-----

From: Flowers, Stephanie <stephanie.flowers@senate.ar.gov>
To: edmonk <edmonk@aol.com><mailto:edmonk@aol.com>>
Sent: Mon, Jan 28, 2013 7:28 am
Subject: Re: presentation on the Active Shooter threat - FEB 12

Lieutenant Colonel Monk,

Thank you for the email concerning SB71 and HB1035. Please know that I do support 2nd Amendment right to bear arms. However, I believe without the ability to hold churches responsible for negligent acts that cause injury and even loss of life that may occur (hopefully not though), SB 71 is not good policy. I did offer an amendment to the bill to require a minimum of \$100,000 liability insurance policy to at least peel away the charitable immunity churches are allowed. It seems to me that immunity demands higher standards, and adoption of lower standards demands liability. It is the same with HB1035.

Incident # 13-00018
Page 2 of 2

Arkansas State Capitol Police
Incident Report

Report Date 2/14/2013
Report Time 10:52 AM

Narrative & Attachments

Narrative - , - 2/14/2013 (Initial)

On Monday 4 February 2013 at 8:54 a.m., I responded to a call from Senator Stephanie Flowers' office concerning a constituent that she was with in a meeting. Upon arrival, I met with Tommy Young, Administrative Assistant to Senator Flowers. Young stated that Senator Flowers was in a meeting with Ed Monk and that the Senator was concerned that the meeting might get "heated" so she was requesting that a Police Officer be available just in case something were to happen. I walked down the hallway to the Senator's office to see what was happening. I walked by the office so that the Senator and Mr. Monk could see that I was there. I did not stop at the office. I made eye contact with the Senator, Mr. Monk did not make eye contact. I then turned around and came back down the hallway, trying to listen to the conversation and to get Mr. Monk to see that an officer was in the area. He did not look up. He continued to talk to the Senator. I could hear that Monk was talking to the Senator about gun rights and carrying guns into churches. He was passionate about what he was talking about but at that time I did not deem him a threat. I went to the reception area with Young and stood there listening to Monk's conversation with the Senator. I wanted to stay on standby just in case there was an incident. They carried on with their conversation for about 15 more minutes and then Monk left the office.

I went in to talk to the Senator to get details as to what exactly was going on with Monk. She stated that Monk had concerns about her recent vote on SB 71 and wanted to discuss HB1035. Flowers stated that Monk had been e-mailing her the last few days concerning these bills because she had voted against SB 71. Monk is pro-gun and was for the bill. She said that Monk introduced himself as a Police Officer with the White Hall Police Department, which is in her district. He also lives in White Hall. He said that he is a retired Army Lt. Colonel and teaches Conceal and Carry Handgun classes. Flowers said, in her e-mails to Monk, that she had explained her position to him and that they would have to agree to disagree. However, Monk was pushing for a face-to-face meeting with her to discuss his concerns about her vote, she said. Flowers stated that she explained to Monk that the bill will probably pass and that the Governor stated that he would sign it. But, Monk keep pushing for a meeting with her, even after the bill was signed into law. She said that she saw no need for the meeting but decided to meet with him anyone because he is a constituent within her District. She felt that Monk was basically trying to get her to change her mind about gun laws.

Earlier, Monk had entered the Capitol Building and presented himself, at the outside entrance, to a Capitol Police Officer as a Police Officer from the White Hall Police Department. He had a badge and identification. He was carrying a gun on his hip and was dressed in civilian clothes, suit and tie. It was later found that Monk is an Auxiliary Police Officer with White Hall and not a Certified Police Officer. Monk left the Senator's office without incident.



Flowers, Stephanie

From: edmonk@aol.com
Sent: Tuesday, February 21, 2017 8:25 PM
To: Flowers, Stephanie
Subject: Request to discuss - HB 1249

Senator Flowers,

I am a constituent. It is my understanding that you oppose HB 1249, which would allow certain holders of an Arkansas Concealed Handgun Carry Licenses to legally carry their defensive handgun in college buildings.

I respectfully request to meet with you at your earliest convenience to discuss this bill and this topic. I am a law enforcement officer, professional firearms trainer, a retired Army officer, and a former school teacher. I have researched, lectured on, and provided training on the Active Shooter threat for over 10 years.

I have data on this topic I would like to share with you, my elected representative (Senator) that I think should be considered when making decisions, policies, and law that affect people's safety. I would also like to hear your views and try to understand your reasons for opposing self-defense inside college buildings.

Please contact me when it is convenient, and let me know when and where we could have a discussion about this.

Respectfully,

Ed Monk
Lieutenant Colonel, US Army (Retired)



THIS IS MOST
RECENT EMAIL.
I FEEL THIS IS INTIMIDATING &
HARRASSING CONSIDERING THE HISTORY
FROM 2013; Senator Flowers



MEMORANDUM

TO: Major Forest Marks
FROM: Captain Keith Eretna KE
RE: Incident Involving Ed Monk
DATE: March 2, 2017

As requested by you, this is the limited knowledge I had of the incident involving Mr. Monk.

I received a call from Cpl. Chuck Lewis on February 23, 2017, around 1 p.m. I was told by Cpl. Lewis that a Police Officer from White Hall had used his credentials to bring his gun in the capital on the lower level, and had been involved in an incident that caused a Senator to be worried. Mr. Monk had also been involved in some type of email exchange previous to this date, and that also caused concern to the Senator, because it was about "Open Carry". He had been removed by the Capital Police, and when I asked if we had any part of that, he replied "no we were not involved". He told me that A.V Rogers had also been involved in the incident. I asked Cpl. Lewis to get me a copy of his photograph, so we could pass it on to the troopers working the rest of the session, copy of the emails, and a detailed email about what had happened. He told me he would get right on it. I then went to Major Foster's office, and explained to him what Cpl. Lewis had just shared with me. Major Foster told me to call Ron Casey and let him call the Chief. I did that and Ron told me he would call me back.

Captain Casey called me back and explained that Mr. Monk was a good guy and supporter of ASP, and that the Chief would ask him about it. I was off the next day (Holiday) but I checked my email and I had nothing from Cpl. Lewis. I texted Cpl Lewis and said I had not received anything from him, as he had promised, and I needed it for the Major, and future troopers working there.



I received the email from Cpl. Lewis, which was completely different than the story he first reported. The time he was "removed- if that's what happened" was in 2013, and then the emails were different than I was told. I responded "okay so when you told me he showed up this week that was incorrect"- Cpl. Lewis replied "Yes Sir that's what we were told", but he didn't explain how the story was so incorrect.

I then received a text from Captain Casey saying Mr. Monk would be calling me, which he did. Mr Monk was very nice and I explained where the information came from and when I told him that our trooper had received it from the Capital Police, he said he had spoken to a Captain there, and they did not tell Cpl. Lewis that. He asked to speak to Cpl. Lewis and I told him to call Troop A and leave a message. I then spoke with Cpl. Lewis and told him that Mr Monk would be leaving a message for him to call him.



MEMORANDUM

TO: Major Forrest Marks
FROM: Captain Ron Casey
RE: White Hall Officer Ed Monk
DATE: March 3, 2017

On February 23, 2017, I was contacted by Captain Keith Eremea asking if I knew the Chief of Police of White Hall, AR. I told him that I have known Chief Ricky Wingard for about 28 years. Keith told me that one of his officers, Ed Monk, had entered the State Capitol identifying himself as a White Hall Officer with a gun and badge. He also stated that Monk got into a verbal altercation with some representatives and had to be removed from the Capitol. Keith told me that Corporal Chuck Lewis and Trooper Callie Dacus knew about the situation. I relayed this information on to Chief Wingard a few minutes after the conversation with Keith.

The next morning, the 24th, Chief Wingard called me back and told me that he talked with Officer Wingard and said he was not even at the Capitol that day in question. Chief Wingard then told me that Officer Monk had lost his wallet and it was possible that someone may be using his police identification.

I called Corporal Chuck Lewis, with no success. I also tried to call Keith, again, no success. I then called Trooper Callie Dacus and asked her if she knew about the situation going on with Officer Monk. She said yes, but the alleged altercation happened in 2013. She said that an e-mail was sent to Rep. Flowers by Officer Monk requesting a meeting and the Capitol Police had a copy of the e-mail and she was handed a copy. Callie told me that Rep. Flowers felt intimidated by Officer Monk. She said as far she knew, Officer Monk did nothing wrong that day.

On Monday, February 27th, Officer Monk called me and asked about where I got the information. I told him Captain Keith Eremea had called me. I gave him Keith's cell number. I called Officer Monk on Wednesday, March 1st and asked him if he had been given the information he was asking for. He said he wanted to find out where the original information came from and that Lieutenant Cora Gentry had called his brother about his concealed handgun instructor license. I could not give him an answer why. He stated that he understood why I called his chief, but just wanted answers.



MEMORANDUM

TO: Major Forrest Marks
FROM: TFC Callie M. Dacus #129
RE: Edward Monk
DATE: 3-8-17

On Thursday, February 23, 2017, I was assigned to the Arkansas State Capitol on a special assignment providing extra security for the House of Representatives. I was working with Sr. Cpl. Chuck Lewis and Sr. Cpl. Freddy Williams. While patrolling the capitol, two Sergeant of Arms assigned to the Senate instructed us to be on the lookout for Edward Monk. They advised us that Monk, who is an officer with the White Hall Police Department, was in Senator Flowers office that morning and had become irate causing Senator Flowers to feel threatened and have the Sergeant of Arms escort him out. When we learned the information, Cpl. Lewis made a phone call to Captain Keith Eremea at 1:21 pm to advise him of the situation, as he was in charge of the special assignment.

After the session was done for the day, Cpl. Lewis and I went to the Capitol Police office to get the printouts and emails they had printed off for us. While there, the Capital Police officer advised us that Monk was not at the Capitol that morning, but the meeting in reference was in the 2013 session. While reading the emails between Senator Flowers and Monk, the only recent thing was an email sent to Senator Flowers from Monk on February 21, 2017 requesting another meeting regarding another bill. According to the Capitol Police Officer there was no need to be concerned at this time. Cpl. Lewis relayed this new information to Cpt. Eremea.



MEMORANDUM

TO: Major Forrest Marks
FROM: Sr. Cpl. Chuck Lewis *CL*
RE: Edward Monk
DATE: March 3, 2017

On Thursday, February 23, 2017, around 1:00pm, I was working a Special Assignment at the Arkansas State Capitol providing extra security for the House of Representatives and the Senate. I was working with Sr. Cpl. Freddie Williams and TFC Callie Dacus. We were walking around by the Senate when we were stopped by several Sergeant of Arms of the Senate. They were discussing an issue that was concerning an Edward McFadden Monk W/M - DOB 12/27/1964. All three (3) of us [Troopers] were under the impression that Mr. Monk had been in the Senate that morning. Mr. Monk had contacted Senator Flowers several times concerning a bill and had met with her. In that meeting, Senator Flowers had felt threatened and Mr. Monk had been asked/ escorted to leave. We were then given pictures of Mr. Monk and asked to watch for him. I in turned called Captain Keith Eremea, the supervisor for this detail, at 1:21pm to let him know what we had just been told and that if anything else happened or when more information was gathered I would call back. It was late that afternoon before we discovered that Mr. Monk had NOT been at the Capitol that day, but during the 2013 Session. Mr. Monk had sent an email earlier that week on Tuesday, February 21, 2017, at 6:25pm, to Senator Flowers requesting another meeting. TFC Dacus and I talked to State Capitol Police later to ask what they knew about Mr. Monk. They also told us that Mr. Monk's meeting with Senator Flowers was during the 2013 Session and that there were not any issues that they knew of at that time.

As a follow-up, Callie and I talked with Sgt. Huggs of the State Capitol Police on Friday, February 24th before we left that afternoon. He told me the same story and added he had not seen Mr. Monk back in the Capitol since then. We made copies of all the emails that

they had on record of the contact between Mr. Monk and Senator Flowers for our file I emailed Captain Eremea and Captain Casey the information and emails we had gathered later that afternoon.

Capt. Eremea contacted me on Tuesday, February 28th and stated that Mr. Monk wished to talk with me about the situation at the Capitol. Mr. Monk left me a voice mail which I returned his call. Mr. Monk was very concerned about his character being damaged. I explained to him that since we had looked into the information, nothing was found. I told him I would do a follow-up report that stated as far as I was concerned everything was unfounded and that he was not even in the Capitol during this time frame.