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COMSTOCK CHALLENGES LEGISLATORS

**Rogers** - Democratic candidate for Arkansas Senate District 3, Jon Comstock called on the Arkansas Legislature to come clean with the public. He delivered a letter addressed to Sen. Jim Hendren, soon-to-be president pro tempore of the Senate and Rep. Matthew Shepherd, recently elected Speaker of the House, calling on both the Senate and House to adopt a resolution to require all legislators to disclose on their public website for 2013-2017, as related to General Improvement Funds (GIF). He stated it should include: the name and address of each recipient of an award, the date and the amount of the award for which the legislator played an active role.

In a further effort to avoid compounding the environment of corruption in Little Rock, Comstock made a request of the Legislative Council related to what is routinely referred to as Issue 1, which will appear on the November 6 general ballot. Comstock wants a resolution passed that acknowledges to the public at large that Issue 1's provision to gut Arkansas' third branch of government – the Judicial Branch – by transferring ultimate rulemaking authority for the courts of Arkansas away from the Arkansas Supreme Court (where our Constitution presently places it) to the Legislature, was improvidently approved by the Legislature and should receive a “NO” vote by the citizens of this State.

Comstock's letter makes several points in support of his requests of the legislators:

1. Within the last several months, five senior members of the Legislature (otherwise known as the “Guilty Five”) have been convicted of federal felony crimes regarding the on-going GIF scandal: Rep. Micah Neal, R-Springdale; Rep. Eddie Cooper, D-Melbourne; Sen. Jake Files, R-Fort Smith, Sen. Jon Woods, R-Springdale and Rep. Hank Wilkins, D-Pine Bluff. This does not include Sen. Jeremy Hutchinson, R-Little Rock, who has been implicated in public filings but not charged as of this time. Multiple sitting legislators have called on him to resign from the Senate. Taken together, this is an inordinate number of otherwise assumed trusted public servants whose integrity was

totally compromised by the attitude of “what’s in it for me”, for my family, for my friends or for my business associates.

2. As recently as June 12th, 2018, Sen. Hendren stated, “I am determined to change the culture” of the Senate as its future leader and that “Arkansas deserves better.” Common sense tells us that statements like this are not made from the leader of the Senate unless something is acknowledged to be seriously broken in our legislature.
3. Consider that Sen. Hendren rushed to publish quickly proposed changes to Senate Ethics rules and accelerated a vote on these a day or two later when many members of the Senate had likely not even had the chance to read, and certainly not to study the proposals. No public hearings were held. No public input was sought. Not surprising, the new rules fail to address the basic flaws presented by the GIF scandal.
4. Consider that the Legislature passed a law that allowed its members – all of them – to wrap their fingers around the citizens’ taxes and to spend that money almost any way they wanted with no required substantive protocols and audit controls – i.e. GIF Scandal. Why does a retail store put cameras over the cash box? It’s not because every check-out clerk is a thief. It’s a proactive move (loss prevention) to discourage serious lapses in judgment or character. Little Rock provided no one to watch the cookie-jar. When some legislators saw how easy it was, the temptation proved too great.
5. This GIF law was so clearly illegal that the Arkansas Supreme Court in October 2017 determined that the law was unconstitutional “on its face”. The oath to honor the Constitution and the rule of law had not been fully honored.
6. Does anyone seriously believe that the “Guilty Five” (possibly more) are the only legislators who have succumbed to the temptation? Or have others simply not yet been outed by law enforcement? Or have they indeed gotten away with theft and corruption?
7. The citizens of this state should not have to rely on Freedom Of Information (FOIA) requests or a newspaper investigative reporter for its representatives to be transparent about how they have spent taxpayer money. Transparency at this critical juncture should be the order of the day, not the exception.
8. Rather than accept the Court’s admonishment, and the civics lesson on Arkansas’ Constitution that was due them, the current group of legislators has voted to gut the Judicial Branch by asking the public to amend our Constitution to transfer rulemaking to the legislature. While we certainly understand that lobbyists properly call on legislators to influence public policy, do we really want these same lobbyists – or these legislators - to seek to influence Court rule changes? Particularly when the role of the judicial branch is to preserve a level playing field for all sides of litigation, are we willing to allow our justice system to go the highest bidder?

9. The “Guilty Five”, and the Guilty Unknowns, knew what they did was wrong when they did it. A broken culture is what caused this and the leadership and most senior members of the Legislature should be more proactive in seeking a genuine fix, not a white-wash. You don’t change culture by a top-down mandate after the fact. The leadership should form a task force to fully review the GIF scheme. There should be public hearings. All relevant stakeholders should be interviewed, including citizens, lobbyists, legislators and members of the executive and judicial branch. Soul searching is hard. The path to genuine renewal is not easy. What do we want from our elected representatives?