

MINUTES
North Carolina Criminal Justice
Education and Training Standards Commission

Planning & Standards Committee
May 21, 2014

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at the Wake Technical Community College, Public Safety Center on May 21, 2014 at 10:30 am.

Committee Members Present

Commissioner Stephanie Freeman, Chairperson
Commissioner Trey Robison
Commissioner Bill Grey
Commissioner Charles Johnson
Commissioner Brent Herron

Guests Present

Tracy McPherson, Commissioner
Julia Lohman, Sheriffs' Standards Division
Felicia Banks, NC Dept. of Public Safety
Cheray Cherry, NC Dept. of Public Safety
Bruce Hathaway, NC Dept. of Public Safety
Anne Brown, NC Dept. of Public Safety

Staff Present

Steven Combs, CJ Standards Division
Trevor Allen, CJ Standards Division
Dawn Suffel, CJ Standards Division
Tim Pressley, CJ Standards Division
Sharon Witherspoon, CJ Standards Division

Call to Order

Chairperson Stephanie Freeman called the meeting to order and declared a quorum.

Public Hearing - Rules Revisions

Chairperson Stephanie Freeman called the Rule-Making Hearing to order. Minutes under separate cover.

Approval of the February 20, 2014 Meeting Minutes

Motion to approve was made by Commissioner Charles Johnson and **seconded** by Commissioner Trey Robison. **Motion carried** unanimously.

DPS Presentation on Position Re-Classification (Interpretive Rule)

Chairperson Freeman introduced Anne Brown, Dept. of Public Safety, Human Resources. Ms. Brown formally requested from the committee a change in the Interpretive Rule that will modify the job title of *Juvenile Court Counselor I* to *Juvenile Court Counselor*. She explained that this change in title is requested so as to make

consistent with the title change already made and approved by the State Human Resources Commission. **Motion** to approve was made by Commissioner Charles Johnson and **seconded** by Commissioner Trey Robison. **Motion carried** unanimously.

Form F-8 Revision

Chairperson Freeman advised that the Forms Subcommittee last met on April 9th concerning the Form F-8 (Mandated Background Investigation Form) and agreed on several revisions to the form which will need consent by today's committee in order to move forward. Ms. Freeman reviewed said revisions that came from the subcommittee recommendations as well as suggestions made by CJ investigative staff member, Richard Squires. The P&S Committee offered a number of suggestions to those changes to assist with improvement in definition and intent of questions. Ms. Freeman advised that she will take comments from today's discussion back to the Forms Subcommittee.

Discussion also included current processes of lateral transfers as well as looking into the possibility of background checks for lateral transfers in the future. The committee agreed that further evaluation of impact is essential before pursuing such a procedural change.

Direction of Officer Recruitment/Retention Study

Chairperson Freeman opened discussion concerning ongoing direction of recruitment and retention study. CJ staff member Trevor Allen then updated the committee by sharing correspondence received from Commissioner Jeff Welty indicating probable study support by the university. Additional information and detail will be provided by Commissioner Welty at the next P&S Committee meeting in August.

Rule Revisions Update

CJ staff member Trevor Allen updated the committee regarding rule changes in progress and informed that, in particular, the rule concerning evaluation for training waiver for military personnel and rules concerning exam removal from commission curriculum have entered the process and will be published shortly.

Commissioner Brent Herron asked the committee about consideration relating to training waivers for federal agents and what the process might be to pursue it before the commission. Overall discussion emphasized that currently there is no provision in administrative rules that allows for federal agents to transfer to law enforcement at the state level. Chairperson Freeman conveyed that she will communicate this subject of inquiry before the Executive Committee.

Other Business

Chairperson Freeman announced to the committee that she has recently accepted a new job with Administrative Office of the Courts and as a result will no longer be serving on the Criminal Justice Education and Training Standards Commission following this Commission meeting.

Date of Next Meeting

The next scheduled meeting of the Planning & Standards Committee will begin at 10:30 a.m. on August 21, 2014 at the Wake Technical Community College, Public Safety Center.

Motion to Adjourn

Motion to adjourn was made by Commissioner Charles Johnson and **seconded** by Commissioner Bill Grey. **Motion carried** unanimously.

**RULE-MAKING HEARING
RULES REVISIONS**

**North Carolina Criminal Justice
Education and Training Standards Commission**

May 21, 2014

Call to Order

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at the Wake Technical Community College, Public Safety Center on May 21, 2014. This committee presided over the public Rule-Making Hearing with Chair Stephanie Freeman calling the hearing to order at 10:30 am. Ms. Freeman introduced Committee members and stated purpose of the Rule-making Hearing is to receive remarks from any persons interested in commenting on the proposed amendments to the Commission's Administrative Rules.

Committee Members Present

Commissioner Stephanie Freeman, Chairperson
Commissioner Trey Robison
Commissioner Bill Grey
Commissioner Charles Johnson
Commissioner Brent Herron

Guests Present

Tracy McPherson, Commissioner
Julia Lohman, Sheriffs' Standards Division
Felicia Banks, NC Dept. of Public Safety
Cheray Cherry, NC Dept. of Public Safety
Bruce Hathaway, NC Dept. of Public Safety
Anne Brown, NC Dept. of Public Safety

Staff Present

Steven Combs, CJ Standards Division
Trevor Allen, CJ Standards Division
Dawn Suffel, CJ Standards Division
Tim Pressley, CJ Standards Division
Sharon Witherspoon, CJ Standards Division

Chairperson Freeman advised that she would read the proposed amendments and, if needed, the amendments would be explained by her or a staff member. She stated that after the rules are presented and explained, any one wishing to comment would be allowed to do so. Ms. Freeman stated that the record should reflect no written comments or objections were received by the Rule-Making Coordinator.

Chairperson Freeman read into the record the proposed rule amendments as follows:

Proposed Repeal of Existing Rules

- 12 NCAC 09A .0108 - APPLICABILITY OF RADAR/TDS STANDARDS PRE 7/1/82
- 12 NCAC 09B .0311 - CERTIFIED INSTRUCTORS PRE 7/1/82
- 12 NCAC 09C .0217 - APPLICATION FOR LAW ENFORCEMENT EMPLOYMENT
- 12 NCAC 09C .0218 - FORM ORDER BLANK
- 12 NCAC 09C .0220 - ACQUISITION OF FORMS

Chair Freeman advised that in accordance with statutory authority G.S. 17C-6 and 150B-11, the CJ Education and Training Standards Commission voted to repeal the first two rules as they no longer apply to current standards and also voted to repeal the additional three rules since availability of forms can be found on the agency's website, rendering the rules unnecessary.

Motion to repeal the aforementioned rules was made by Commissioner Trey Robison; **seconded** by Commissioner Charles Johnson. **Motion carried** unanimously.

Proposed Amendment to Existing Rules

12 NCAC 09F .0102 – TOPICAL AREAS (CONCEALED CARRY HANDGUN TRAINING)

Chair Freeman advised that in accordance with statutory authority G.S. 14-415.12, the CJ Education and Training Standards Commission voted to amend this rule concerning topical areas of Concealed Carry Handgun Training under .0102, item (1) to remove the requirement that only lesson plans developed by the NC Justice Academy be used for training purposes. The revision will allow for other lesson plans, such as those developed by the National Rifle Association, to be utilized in satisfying the requirements of this rule.

After lengthy discussion concerning intent of the proposed change and questions raised surrounding commission approved course development and lesson plans, the committee agreed that further interpretation of objectives is needed before acting on this rule change.

Motion to postpone the proposed amendment to allow time for staff to clarify objectives concerning this amendment was made by Commissioner Trey Robison; **seconded** by Commissioner Brent Herron. **Motion carried** unanimously.

This concludes the Rule-Making Hearing.