NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION MINUTES

DATE: August 26, 2011

TIME: 9:00 A. M.

LOCATION: N. C. Department of Correction

Apex, North Carolina

SUBMITTED BY: Wayne Woodard

Director

The Education and Training Committee, the Planning and Standards Committee, the Probable Cause Committee and the Executive Committee met on August 25, 2011 for their regular quarterly meetings. The Probable Cause Committee also met on August 24, 2011.

MEMBERS PRESENT

MEMBERS ABSENT

Mr. John Glenn Mr. Johnson Britt
Dr. Robert Ruth Mr. Ray Davis
Mr. Eddie Caldwell Mr. Frank Rogers

Captain Lee Farnsworth

Captain Terry Jones

Colonel Mike Gilchrist

Chief Ira Jones

Mr. Brent Herron

Ms. Gwen Norville

Chief Wrenn Johnson

Mr. Steve Johnson Chief Tim Ledford

Mr. Thomas Thornburg
Chief Patricia Bazemore

Ms. Linda Hayes

Chief Scott Cunningham Ms. Stephanie Freeman Sergeant Lorie Hersey Ms. Angela Williams

Ms. Tracy McPherson
Ms. Robin Pendergraft
Chief Tim Hayworth

Mayor Bobby Kilgore

VISITORS

Captain Gary Bost Claremont Police Department

Joyce Ruth

Kaye G. Best

Chief Gerald Tolbert Claremont Police Department

Brenda Tolbert

Andrew Cagle N. C. Sheriffs' Association

Keron Testman UNC-Charlotte Public Safety

Trooper Eric Badgett N. C. State Highway Patrol

April Badgett

Sergeant Joey Robertson

N. C. State Highway Patrol

Trooper Melvin R. Allen

N. C. State Highway Patrol

Norman Young

N. C. Department of Justice

Bobby Kalgain

Kelly White N. C. A&T State University Deputy Chief Cindy Poole N. C. A&T State University Jacques K. Gilbert Apex Police Department Susan Metz Apex Police Department Chief Jack Lewis **Apex Police Department** King Police Department Jordan Boyette Chief Paula May King Police Department Captain Gary Williams King Police Department

Troy D. Powell Guilford Technical Community College

Caleb Powell

Natasha Powell Guilford Technical Community College
Chief Jerry Clark Guilford Technical Community College

Annie Harvey N. C. Department of Correction Jermaine Thomas Wendell Police Department Chief Vance Johnson Wendell Police Department Ivey Beaver N. C. Department of Correction Wilbur Reaves N. C. Department of Correction John Gaby N. C. Department of Correction Eric Erickson N. C. Department of Correction Rick Fields N. C. Department of Correction Ryan Norman N. C. State Highway Patrol

Tommy Edwards Wake Technical Community College
Jon Gregory Wake Technical Community College

John Hathcock Mint Hill Police Department

Sue Hathcock

STAFF

Wayne Woodard Richard Squires Lauren Tally Tim Pressley

Pam PopeEd ZapolskyTeresa MarrellaMark DearryBrandy MireeWilliam Hart, Jr.Dawn SuffelDonna Byrd

I. CALL TO ORDER

Commission Chairman John Glenn brought the meeting to order. He read the Ethics Statement into the minutes. Chairman Glenn personally thanked Commissioner Gwen Norville for hosting the Commission at the North Carolina Department of Correction's training facility in Apex. He extended a warm thank you to the Department of Correction staff in assisting and coordinating the planning of the Commission meeting.

II. PRESENTATION OF RESOLUTIONS OF APPRECIATION

MOTION was made by Commissioner Eddie Caldwell on behalf of the Executive Committee that the Commission approve the Resolution of Appreciation for Commissioner Annie Harvey; seconded by Commissioner Scott Cunningham. The MOTION carried unanimously.

Vice-Chairman Eddie Caldwell presented a Resolution of Appreciation for Annie Harvey. Ms. Harvey stated that she had enjoyed working with staff and the Commission and she would miss everyone.

III. AWARDING OF ADVANCED CERTIFICATES

[Agenda Memorandum No. 03-11]

Chairman Glenn reported that staff had evaluated the applications of all one hundred and nineteen (119) candidates. There were one hundred and four (104) candidates for the Advanced Law Enforcement Certificate and fifteen (15) candidates for the Advanced Criminal Justice Certificate. He noted that each of these applicants had met the requirements to receive the Advanced Certificate and the Advanced Certificate pin.

MOTION was made by Commissioner Robin Pendergraft that the Commission award the Advanced Law Enforcement Certificate or Advanced Criminal Justice Certificate to each named individual. The MOTION was seconded by Commissioner Linda Hayes and carried unanimously.

The following individuals were present to personally receive their Advanced Law Enforcement and Advanced Criminal Justice Certificates:

Commission Minutes

Page 4

August 26, 2011

Presented by Sergeant Joey Robertson and

Trooper Melvin Allen

Gary Evans Bost Claremont Police Department

Presented by Chief Gerald Tolbert

Lieutenant Jordan J. Boyette King Police Department

Presented by Captain Gary Williams

John Douglas Hathcock Mint Hill Police Department

Presented by Chief Tim Ledford

Susan Elizabeth Metz Apex Police Department

Presented by Chief Jack Lewis and Captain Jacques Gilbert

Natasha L. Powell Guilford Technical Community College Police

Department presented by Chief J. W. Clark

Keron Johntez Testman UNC-Charlotte Public Safety

Presented by Commissioner Glenn

Jermaine Andrew Thomas Wendell Police Department

Presented by Chief Vance Johnson

Kelly White N. C. A&T State University

Presented by Deputy Chief Cindy Poole

Eric S. Erickson N. C. Department of Correction

Presented by Commissioner Gwen Norville

Wilbur Ivey Reaves, III N. C. Department of Correction

Presented by Sergeant John Gaby

Steve C. Mitchell N. C. State Highway Patrol

Presented by Commissioner Glenn

III. ELECTIONS

A. Chairman

Vice-Chairman Eddie Caldwell presided over the Commission to take nominations for the office of Chairman.

MOTION was made by Commissioner Steve Johnson to nominate John Glenn as Chairman of the North Carolina Criminal Justice Education and Training Standards Commission. The MOTION was seconded by Commissioner Linda Hayes and carried unanimously.

B. Vice-Chairman

Chairman Glenn presided over the remainder of the nominations.

MOTION was made by Commissioner Lee Farnsworth to nominate Eddie Caldwell as Vice-Chairman of the North Carolina Criminal Justice Education and Training Standards Commission. The MOTION was seconded by Commissioner Tim Hayworth and carried unanimously.

C. Standing Committee Chairpersons

1. Education and Training Committee

MOTION was made by Commissioner Steve Johnson to nominate Wrenn Johnson as Chairman of the Education and Training Committee. The MOTION was seconded by Commissioner Robin Pendergraft and carried unanimously.

2. Planning and Standards Committee

MOTION was made by Commissioner Scott Cunningham to nominate Stephanie Freeman as Chairman of the Planning and Standards Committee. The MOTION was seconded by Commissioner Tom Thornburg and carried unanimously.

3. Probable Cause Committee

MOTION was made by Commissioner Ira Jones to nominate Ray Davis as Chairperson of the Probable Cause Committee. The MOTION was seconded by Commissioner Bobby Kilgore and carried unanimously.

V. MINUTES OF MAY 20, 2011 MEETING

Chairman Glenn entertained a motion to approve the minutes of the previous Commission meeting.

MOTION was made by Commissioner Stephanie Freeman that the Commission approve the minutes of the May 20, 2011 meeting as mailed. The MOTION was seconded by Commissioner Ira Jones and carried unanimously.

VI. STANDING COMMITTEE REPORTS

A. Executive Committee - Chairman Eddie Caldwell

Chairman Caldwell reported that the Executive Committee met on Thursday, August 25, 2011 at the North Carolina Department of Correction's Office of Staff Development and Training in Apex. He stated that the Committee discussed a number of issues. He noted that the Executive Committee had discussed the goals assigned to the Committee under the new System Plan.

Chairman Caldwell stated that on behalf of the Executive Committee he would like to make a motion to approve a Resolution of Appreciation to former Commissioner Ricky Anderson.

MOTION was made by Commissioner Caldwell on behalf of the Executive Committee that the Commission approve the Resolution of Appreciation for Ricky Anderson; seconded by Commissioner Angela Williams. The MOTION carried unanimously.

Vice-Chairman Caldwell next stated that the Executive Committee discussed and approved the meeting dates for 2012. Chairman Caldwell reported that at the present time, all of next year's meetings are scheduled to be held in Apex at the North Carolina Department of Correction's Office of Staff Development and Training facility on February 23-24, 2012, May 24-25, 2012, August 23-24, 2012 and November 15-16, 2012.

MOTION was made by Commissioner Caldwell on behalf of the Executive Committee that the Commission approve the proposed dates for 2012 Commission meetings; seconded by Commissioner Freeman. The MOTION carried unanimously.

Chairman Caldwell next asked Director Wayne Woodard to give an update on the Criminal Justice Standards Division.

Mr. Woodard stated that both the Sheriffs' Training and Standards and CJ Standards have officially moved to the new location of 1700 Tryon Park Drive, Raleigh. He reported that the new filing system is in place and hopefully soon the file transition will be completed. Mr. Woodard stated that an open house would be

scheduled in the near future.

Mr. Woodard stated that due to the amount of court fees coming in for the budget, the Division did not have to make any cuts in personnel and is currently 100% staffed. He noted that the Division does a tremendous amount of work whether it is rule amendments, training issues and so forth each day to make sure that North Carolina has the best officers within the state. He thanked staff for their hard work.

Mr. Caldwell asked Director Mark Strickland to give an update on the Justice Academy.

Mr. Strickland stated that the indoor firing range at the West Campus was now completed. He stated that on August 17th, doors were opened at the range for Law Enforcement Day. A total of 97 guests attended.

Mr. Strickland next reported that hopefully by mid September, the east campus Administration Annex Building will be completed.

Mr. Strickland stated that Anthony Aycock was promoted to Instructional Support Services Manager. He stated that due to the budget this year, the Academy lost 3.5 positions and are in the process of reorganizing workloads.

Mr. Strickland concluded his report by stating that the Management Development Program was going well. He reported that they were in the process of accepting applications for 2012 until September 30, 2011. The North Carolina Justice Academy's annual SWAT competition will be September 7-9, 2011 in Salemburg, North Carolina.

B. Education and Training Committee - Vice-Chairperson Robin Pendergraft

Vice-Chairperson Robin Pendergraft reported that the Education and Training Committee met on Thursday, August 25, 2011 at the Department of Correction Office of Staff Development and Training, Apex, North Carolina.

Vice-Chairperson Pendergraft stated that Tim Pressley, with the Criminal Justice Standards Division, appeared before the Committee to explain that a new rule was needed within the Administrative Code to outline the requirements of the new Specialized Explosives and Hazardous Materials Instructor Training course.

MOTION was made by Commissioner Pendergraft that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to approve 12 NCAC 09B .0417 - Specialized Explosives and Hazardous Materials Instructor Training; seconded by Commissioner Bob Ruth. The MOTION carried unanimously.

Vice-Chairperson Pendergraft reported that Mr. Pressley further explained that rules associated with

Specialized Explosives and Hazardous Materials Instructor Training course needed to be revised.

MOTION was made by Commissioner Pendergraft that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to approve changes to 12 NCAC 09B .0202(b)(4) - Responsibilities of the School Director, 12 NCAC 09B .0304(j) (1-2) - Specialized Instructor Certification; 12 NCAC 09B .0414(a) - Comprehensive Written Exam - Specialized Instructor Training and 12 NCAC 09B .0415(a)(1) - Satisfaction of Minimum Training - Specialized Instructor; seconded by Commissioner Ruth. The MOTION carried unanimously.

Vice-Chairperson Pendergraft stated that Commissioner Terry Jones, Chairman of the School Accreditation Subcommittee recommended reaccreditation of the Guilford Technical Community College for a period of five years. The Education and Training Committee approved this request.

Vice-Chairperson Pendergraft next reported that Commissioner Steve Johnson reported that due to recent changes within the North Carolina firearms laws, a revision needed to be made to the North Carolina Concealed Carry Handgun Training Program and he proposed the following: suspend the portion of 12 NCAC 09F .0102(1) which currently requires the "use of training videos produced by the North Carolina Justice Academy" to be effective December 1st.

MOTION was made by Commissioner Pendergraft that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to amend 12 NCAC 09F .0102(1) to remove the mandatory "use of training videos produced by the North Carolina Justice Academy" to be effective December 1, 2011; seconded by Commissioner Terry Jones. The MOTION carried unanimously.

MOTION was made by Commissioner Steve Johnson that the Commission also authorize that language be removed from 12 NCAC 09F .0102(1) that requires the use of the lesson plan produced by the Justice Academy; seconded by Commissioner Terry Jones. The MOTION carried unanimously.

Vice-Chairperson Pendergraft stated that the following related requests were approved by the Education and Training Committee: (1) Schedule a series of legal updates for those currently certified as Concealed Carry Handgun Instructors; (2) Request that the North Carolina Criminal Justice Standards Division staff prepare and distribute a notice to all Concealed Carry Handgun instructors of the recently revised firearms laws and their impact on courses being conducted; and (3) Discuss the validity of producing a new or updated training video to enhance the legal block of instruction.

Vice-Chairperson Pendergraft related that Commissioner Steve Johnson further reported that the Joint Online In-service Training Committee met on July 14, 2011. As a result of their discussion, the following were recommended for adoption by the Commission: (1) Change the current requirement of 24 hours of In-Service Training to require 24 "credits" of In-Service Training. Credits would be given based on the time it would normally take to complete a traditional classroom activity with a full class; (2) Each block of instruction would

require final testing. This would apply to online training as well as traditional classroom training; (3) Each test would require a minimum of five questions per credit; (4) A minimum score of 70% would be required to pass the test; (5) Should an officer fail the online training test, one retest would be allowed. If the retest is failed, the officer would have to complete the training in a traditional classroom environment. Should the officer fail the traditional classroom training, one retest would be given. If the officer fails the retest, they would have

to repeat the classroom training again to attempt to pass; (6) Testing in traditional classroom settings would be proctored; and (7) Recommend that a "Model Policy on Academic Ethics" be developed and included with all In-Service testing. This model policy should include sanctions or actions that could be administered by the North Carolina Criminal Justice Education and Training Standards Commission.

MOTION was made by Commissioner Pendergraft that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to amend 12 NCAC Subchapter 9E to include the above seven recommendations to be effective January 1, 2013; seconded by Commissioner Lorie Hersey. The MOTION carried unanimously.

Vice-Chairperson Pendergraft stated that the Joint Online In-Service Training Committee further recommended the following recommendations as suggestions for presenting online training: (1) Suggest that test questions in online training environments be presented one question at a time and that the entire test not be available to copy or review; (2) Suggest that a pool of test questions be developed for each block of instruction. This pool could be developed by the North Carolina Justice Academy, but agencies should also generate their own questions as well; (3) Recommend that feedback from a test should be immediate for online training, and that a test would be reviewed in traditional classroom settings; (4) Recommend that each block of instruction have at least one "scenario-based" question; (5) Recommend that agencies further define the "Model Policy on Academic Ethics" by including agency penalties or sanctions; and (6) Recommend that all agencies who deliver online in-service training adopt a policy that addresses test security and integrity as well as assuring that the officer taking the test is the actual officer who will receive credit for the material. Suggestions include but are not limited to secure login and passwords, randomized authentication questions, virtual or remote proctoring solutions, and any new technologies or practices that may be developed that might enhance the security of the test procedure or aid in the identification of the individual taking the test. The Education and Training Committee approved submitting these suggestions for inclusion in the Online Training Guideline.

Vice-Chairperson Pendergraft stated that Jennifer Fisher, on behalf of the BLET Revision Committee, explained that due to an oversight in the training objectives proposed for the Dealing with Epilepsy, Diabetes, Autism and Alzheimer's block of instruction, the words "signs and" had not been included, she requested approval to modify the objectives to include these words. The Committee approved this request.

Vice-Chairperson Pendergraft next reported that Commissioner Steve Johnson suggested at the February meeting that the Academy review admission practices to the Specialized Instructor courses with a goal of filling these classes with qualified students. Mark Strickland reported that research conducted by the North Carolina Justice Academy supports the implementation of a prequalification standard for all Specialized Instructor Training courses. Mr. Strickland requested that the Academy be allowed to pilot these standards for a period of one year to be effective January 2012. The Committee approved this request.

Vice-Chairperson Pendergraft stated that Dan Worley on behalf of the SMI Advisory Committee, reported that a significant amount of revisions and additions had been made to the Radar, Lidar and Time/Distance Instructor and Operator Training courses as well as the Supplement for Speed Measuring Instructor Training

Courses. The Committee approved these revisions.

Vice-Chairperson Pendergraft concluded her report by stating that Mark Strickland reported that the pilot agency topic of choice in-service training was successfully delivered at the North Carolina Police Executives

Annual Conference. The workshop was presented on Emotional Survival by Dr. Kevin Gilmartin.

C. Planning and Standards Committee - Chairperson Stephanie Freeman

Chairperson Stephanie Freeman reported that the Planning and Standards Committee met on Thursday, August 25, 2011. She reported that due to Hurricane Irene, Committee members were called away, therefore a quorum was not present and the Committee was unable to vote on any issues.

Chairperson Freeman stated that Goal #1 of the System Plan was discussed, which states: "Review the professional standards requirements for criminal justice officers to ensure that high quality officers are being hired and retained." A joint committee composed of members of both the Criminal Justice and the Sheriffs' Commissions and staff from each respective Standards Division has been created to study Commission forms.

Chairperson Freeman stated that the joint committee addressed concerns over the language of the Form F-5B (LE). The members reviewed forms from other states and noted that other states have provisions in their general statutes to mandate full completion of the separation form. A draft form was developed for the August meeting, including additional categories under "Reason for Separation," asking specific questions about criminal charges, including contact information for any investigators involved, a description of misconduct, and requiring that the form be signed and notarized. The officer is also informed of his/her opportunity to provide a statement. The Forms Subcommittee also recommends to the Planning and Standards Committee to require a full background investigation on all lateral transfers. The subcommittee is planning to meet again in November, 2011.

Chairperson Freeman stated that Senate Bill 781 was discussed and that existing sections had been amended and new sections added concerning rule making to 150B of the General Statutes. Several changes will directly affect the Criminal Justice Commission, and in order to illustrate the effect of these changes, the full rule-making process was explained. Senate Bill 781 requires the rule-making body to approve fiscal notes prior to submission to the Office of Administrative Hearings.

MOTION was made by Commissioner Caldwell on behalf of the Executive Committee that the Commission delegate the authority to the Executive Committee to review and approve fiscal notes. Such action being considered for ratification would be presented to the full Commission at the next quarterly meeting; seconded by Commissioner Scott Cunningham. The MOTION carried unanimously.

D. Probable Cause Committee - Vice-Chairman Ira Jones

Vice-Chairman Ira Jones stated that the Probable Cause Committee met on August 24 and on August 25, 2011.

He reported that there were 28 cases on the agenda with 42 alleged violations of the Commission's Administrative Code. Two cases were pulled prior to the meeting and closed following additional investigation, three cases were continued and the remaining fifteen cases were heard. Probable Cause was found in twelve administrative code violations. No probable cause was found in the remaining thirty administrative code violations. In two cases where probable cause was found, the Committee recommended a "written reprimand" in lieu of action to deny the certification of one and suspend the certification on the other.

MOTION was made by Commissioner Jones that the Commission authorize a consent agreement for Memorandum Number 11/065, in that an "Official Written Reprimand" be issued; seconded by Commission Tim Hayworth. The MOTION carried unanimously.

MOTION was made by Commissioner Jones that the Commission authorize a consent agreement for Memorandum Number 11/069, in that an "Official Written Reprimand" be issued; seconded by Commission Linda Hayes. The MOTION carried unanimously.

Vice-Chairman Ira Jones concluded his report by stating that there were no officers in this category since the last Commission meeting.

VII. OTHER BUSINESS

None

VIII. OLD BUSINESS

A. Old Business

None

B. Legal Counsel Report

Ms. Lauren Tally distributed a document entitled "Pending Administrative Cases" for the membership's review:

1. Jay Eduard Krueger

Petitioner for Judicial Review filed 1/6/11 (Wake County); Official Record/Response filed February 7, 2011; Addition of Counsel JA/CJ 3/25/11.

2. Roy Lee Burgess

Petitioner for Judicial Review filed 7/14/09 (Wake County); Superior Court Order filed August 3rd; 33 days: September 6th; Notice of Appeal to COA filed by Petitioner September 2nd; Proposed Record on Appeal served October 7th: 30 days: November 8th; Record on Appeal filed November 23rd; Docketed November 30th; Petitioner Brief filed February 2, 2011; Respondent Brief due March 7, 2011. Brief filed: March 7th; Burgess Reply Brief filed April 12th; Waiting for Court to rule; Opinion out 8/16; FAD/Trail Ct. Affirmed.

3. Tommy Keith Lymon

Petition for Judicial Review filed April 29th (Wake County); Response filed May 27th; Sent Calendar Request for week of December 13th on September 28th; Hearing: December 15, 2010, 10:15 A.M.;

Remanded to Office of Administrative Hearing; Notice of Appeal/Motion to stay filed February 9, 2011; Proposed ROA sent to Gray March 16, 2011; 30 days for Petitioner to submit obj/amendments:

MTD no PHS filed 7/21; R due 8/8; waiting on Judge's ruling on MTD; Interrogatories sent 8/11; 15 days; Disc. Due: August 29th. Hearing week of September

Petitioner requested discovery. Interrogatories sent 8/11; 15 days; Disc. Due: August 29th. Hearing week

Petitioner requested discovery. Interrogatories Disc. Due: September 5th; Hearing week of September 19,

12, 2011; Fayetteville.

2011; Elizabeth City.

of September 12, 2011; Bolivia.

20. James Sprunt Community College

21. John Benjamin Whitehurst

	to days for 1 outsonor to outsine objectionations.
	March 15, 2011; Respondent filed Notice of
	Withdrawal with Court of Appeals on May 2, 2011;
	Letter to Office of Administrative Hearing requesting
	remand sent May 6, 2011; In process of scheduling
	hearing with OAH.
4. Mitchell Ray Satterthwaite	Petition for Judicial Review filed April 7, 2011 (Wake
	County); Response, Motion to Dismiss and Official
	Record filed May 16, 2011; Scheduled for 9/26.
5. James William Carpenter, Jr.	Final Agency Decision letter sent 3/16; Resent 7/18;
o. damos villiam carponior, or.	35 days: 8/23; Petitioner to file Petition for Judicial
	Review.
C. Timesthy Coast Dhilling	
6. Timothy Scott Phillips	Proposal for Decision letter sent to Petitioner 8/10; 30
	days: 9/12. To be Heard at the November 2011
	Commission meeting.
7. Ahmed Joseph Blake	Hearing: July 7, 2011, 9:30 AM; Raleigh. Draft
	Proposal for Decision due to Judge 8/30.
Bryson Lawrence Cornett	Hearing: May 11, 2011, 9:30 AM; Raleigh. Draft
	Proposal for Decision due 9/6.
9. Petre Earl Franks	To Be Heard at the August 2011 Commission
	meeting.
10. Thomas Lee Midgette	Waiting to receive dismissal from Office of
	Administrative Hearing.
11. Darryl DeCotis	Hearing: July 19, 2011, 1:00 PM; Raleigh; to resume
·	hearing August 23 rd .
12. Ikeisha Simone Jacobs	to be Heard at the August 2011 Commission meeting.
13. Anthony Jaron Meadors	Dismissal filed 5/27; 30 days; Waiting for Petitioner to
Tot 7 miniony curent modules	receive Dismissal. Dismissal letter sent 7/28.
14. Derrick Wayne Knox	Interrogatories - Hearing: continued to week of
14. Demok Wayne Kliox	October 10 th .
15. Vickie Carol Powers	Interrogatories sent 7/11; 15 days; 7/28 Hearing:
13. VICKIE CATOLI OWEIS	October 7 th .
4C Coom Michael Chlahus	
16. Geary Michael Chlebus	Interrogatories sent 7/11; 15 days: 8/1 Hearing:
	August 9, 2011, 9:00 AM; Fayetteville; Motion to
	Continue filed July 29 th .
17. Dustin Elvin Campbell	Interrogatories sent 7/14; 15 days; 8/9 discovery due: 8/8/11;
	Hearing: August 22, 2011, 9:30 AM; High Point.
Robert Wayne Gregg	Final Decision Order of Dismissal filed 8/4; 35 days:
	September 19 th .
Gary Richard Sessoms	Respondent filed PHS 7/6; Petitioner PHS due 7/8;

22. Wagner Lee Baskett

Respondent filed PHS 7/6; P PHS due 7/8; MTD no PHS filed 7/21; Response due 8/8; waiting on judge's ruling on MTD. Interrogatories sent 8/11; 15 days 8/29 disc. Due: August 29th. Hearing week of September 12, 2011; Fayetteville.

C. Final Agency Decisions

Ms. Tally noted that Norman Young would serve as the Commission's Legal Counsel for the Final Agency Decisions.

Chairman Glenn read the Recusal Statement to the Commission members and reminded everyone that both the Petitioner and the Respondent would be limited to 30 minutes of oral argument.

1. Petre Franks

Ms. Tally stated that Mr. Petre Earl Franks has asked for a continuance.

2. Ikeisha Simone Jacobs

Ms. Jacobs was not present to address the Commission.

Ms. Tally stated that Ms. Ikeisha Jacobs holds a correctional officer certification and was applying for a law enforcement officer certification. The Probable Cause Committee found probable cause in that Ms. Jacobs had committed the crime of filing a false police report. Ms. Tally stated that the facts were as follows: Ms. Jacobs had filed a false police report stating that her vehicle had been stolen. Evidence showed that her sister, Ernestine Jacobs, had the vehicle and was apprehended by the police shortly after the report had been made. Ms. Ernestine Jacobs told the detective that her sister knew that she had the car. The testimony of Ms. Ernestine Jacobs was not credible. Ms. Tally asked that the Commission adopt the Proposed Final Agency Decision.

MOTION was made by Commissioner Pendergraft that the Commission adopt the Proposed Final Agency Decision; seconded by Commissioner Lee Farnsworth. The MOTION was carried unanimously. See Attachment I for the Commission's Final Agency Decision and Attachment II for the roll call vote.

IX. DATE OF NEXT MEETING

Vice-Chairman Caldwell advised that the next Commission meeting is scheduled for November 17-18, 2011 in Apex.

X. MOTION TO ADJOURN

MOTION was made by Commissioner Pendergraft that the Commission adjourn; seconded by Commissioner Steve Johnson. The MOTION was unanimous.