

MINUTES
OF
THE NORTH CAROLINA SHERIFFS'
EDUCATION AND TRAINING STANDARDS COMMISSION

DATE: June 14, 2019

TIME: 8:30 A.M.

SUBMITTED BY: Diane Konopka, Director Sheriffs' Standards Division

I. CALL TO ORDER

Chairman Sheriff Alan Cloninger

The North Carolina Sheriffs' Education and Training Standards Commission meeting was called to order by Chairman Cloninger on Friday, June 14 at 8:30 A.M. The Sheriffs' Commission Meeting was held at the Wake Technical Community College Public Safety Education Center, 321 Chapanoke Rd., Raleigh, NC.

Chairman Cloninger requested a roll call of Commission members. Judy Marchetti recorded the following:

MEMBERS PRESENT

Sheriff Dwayne Goodwin
Sheriff Jack Smith
Sheriff Landric Reid
Sheriff Ricky Oliver
Cpt. Brian Chism (proxy for Sheriff Ingram)
Sheriff Alan Cloninger
Sheriff Alan Jones
Sheriff David Mahoney
Sheriff Terry Johnson
Mr. Marc Nichols
Sheriff Doug Doughtie
Ms. Tracy McPherson

MEMBERS ABSENT

Sheriff Steve Bizzell
Mr. Jamie Markham
Sheriff Ed McMahan
Sheriff Alan Norman

STAFF

- Diane Konopka - Director, Sheriffs’ Standards Division
- Sirena Jones - Deputy Director Sheriffs’ Standards Division
- Judy Marchetti - Admin. Ass’t Sheriffs’ Standards Division
- Tammera Hill - Legal Counsel – NC Department of Justice

Sheriff Cloninger welcomed everyone to the June Sheriffs’ Commission meeting

In the first order of business, Legal Counsel Tammera Hill read the Ethics Reminder which states:

All members have a duty to avoid conflicts of interest and appearances of conflict. Commission members have an affirmative duty to fully disclose any conflict of interest or potential conflict of interest between the member’s service on the Commission and his or her private interests. One of the most basic rules is that members cannot knowingly use their position on the Commission in a manner that will result in a financial benefit to the person, a member of the person’s family, or a business with which he or she is associated. [N.C.G.S. 138A-31]. Commission members are also prohibited from accepting gifts from persons doing or seeking to do business with the Commission, persons engaging in activities that are regulated or controlled by the Commission, or persons having a financial interest that may be substantially affected by the member’s official duties.

Legal Counsel Tammera Hill asked whether any member had a known conflict or appearance of conflict with respect to any matters coming before the Commission at this time. Negative response.

VISITORS

- Trevor Allen - NC Justice Academy
- Laurie Austen - NC Justice Academy
- Amanda Stephenson - NC Justice Academy
- Steven Combs - CJ Standards Deputy Director
- Pearl Minter - Wake County Sheriff’s Office
- Mike Norton - Wake County Sheriff’s Office
- Chris Scott - Sheriffs’ Standards
- Autumn Hanna - Sheriffs’ Standards
- Danielle Woods - Sheriffs’ Standards Intern
- Grant Pendergraff - NC DOJ Intern
- Chris Cantrell - NC DOJ
- Andrea Hyson - NC Community Colleges
- Cley Carroll - Bladen County
- Jordan T. Ray - Rutherford County Sheriff’s Office
- William R. James Jr. - Northampton County Sheriff’s Office
- Jarrett Umstead - Franklin County Sheriff’s Office
- Wayne Daniels - Franklin County Sheriff’s Office

Dean Woody - Franklin County Sheriff's Office
Terry Wright - Franklin County Sheriff's Office

II. MINUTES OF MARCH MEETING

Sheriff Cloninger

A **MOTION** was made by Mr. Marc Nichols to accept the minutes of the March 2019 meeting; Seconded by Sheriff Alan Jones. **MOTION CARRIED.**

III. CERTIFICATES/AWARDS/RESOLUTIONS – (Attachment #1)

A **MOTION** was made by Mr. Marc Nichols to approve the list of Professional Certificates and Service Awards; Seconded by Sheriff Terry Johnson. **MOTION CARRIED.**

Sheriff Alan Cloninger presented the Advanced Law Enforcement Professional Certificate to:
Anthony Cley Carroll, Advanced Law Enforcement Professional Certificate, Bladen County.

Chief of Staff Terry Wright presented the Advanced Service Award to:
Larry Dean Woody, Advanced Service Award, Franklin County.

Detective Woody presented the Advanced Service Award to:
Wayne Edward Daniels, Advanced Service Award, Franklin County.

Sheriff Jack Smith presented the Advanced Law Enforcement Professional Certificate to:
William R. James, Advanced Law Enforcement Professional Certificate, Northampton County.

Sheriff Alan Cloninger presented the Advanced Law Enforcement Professional Certificate to:

Jordan Timothy Ray, Advanced Law Enforcement Professional Certificate, Rutherford County.

Lt. Mike Norton presented the Advanced Service Award to:

Pearlie S. Minter, Advanced Service Award, Wake County.

IV. INFORMATIONAL REPORTS

***North Carolina Justice Academy**

Trevor Allen

Mr. Trevor Allen addressed the Sheriffs' Commission Members and thanked them for the opportunity to present the North Carolina Justice Academy updates. Mr. Allen provided the Sheriffs' Commission Members with a summary of news and events [**Attachment #1**].

Mr. Allen provided an update with regard to personnel. Ms. Whitney Givens accepted the Administrative Specialist QA position March 11th at the Salemburg campus.

Ms. Amber Burgess Cox accepted the Coordinator 1 – Temporary Domestic Violence Instructor Developer position March 21st at the Edneyville campus.

Mr. Christopher Cantrell accepted the Coordinator 1 – SCAT/PT Instructor Developer position at the Salemburg Campus May 9th. Mr. Cantrell brings 21 years of law enforcement experience as a Deputy Sheriff, Police Officer and Supervisor with the Clinton Police Department.

Mr. Dan Grossi accepted the Coordinator 1 – Leadership Instructor Developer position at the Edneyville campus May 13th. Mr. Grossi was employed with Miami Dade College as the Director of Public Safety. Mr. Grossi also has 13 years of experience in law enforcement with the Lee County Sheriff's Office in Florida.

Mr. Rodney Harris resigned from the Coordinator 1 – Swat Instructor Developer position at the Edneyville campus on April 5th. This position was posted May 21st.

Mr. Bill DuBois plans to retire from the Coordinator 1 – In-Service Instructor Developer position at the Salemburg campus on July 1st. This position will be posted as soon as possible.

The Coordinator / Firearms Instructor Developer position at the Edneyville campus has a Candidate that will begin July 8th. The Traffic Drug Instructor Developer position had been reposted and closed on May 15th. The selection and interview process is next.

Mr. Allen provided the Sheriffs' Commission Members with some statistics:

2019 MIST Completions (as of 5/21/19) = 80,963

On-line Completions (Total) = 84,322

Officers Trained In-Person (as of 4/30/19) = 3,898

Total Courses Offered (as of 4/30/19) = 627

2019 Instructor Update (as of 4/30/19) = 4,754

Mr. Allen informed the Sheriffs' Commission Members of new courses and events:

The Acadis Summit was held at the Edneyville campus with 100 attendees from 19 states to discuss successes and needs with the software platform. Several training blocks were presented.

The NCJA Leadership Institute had 35 enrolled and completed Phase 1. Phase 2 will begin the last week of August and ends the last week of October.

Residence Hall C located at the Salemburg campus has received funding of six million dollars. It has been taken off-line until 2020. Construction will begin soon.

School Resource Officer Training has had courses held at both the Salemburg and Edneyville campus this spring. After the Samarcand course in June, the Train-the-Trainer course will have prepared 100 individuals to train the Basic SRO course throughout North Carolina.

The Edneyville campus held Active Attack Integrated Response training in May (via ALERRT) for 47 individuals. They are currently exploring the Train-the-Trainer option so they can deliver future courses at NCJA.

The Edneyville campus also held the Community Response to Active Shooter Event (CRASE). They are currently exploring future delivery after October.

The US Cops Office had an agreement with IADLEST through some grant funding to provide training in regional hubs.

Chairman Cloninger asked the Commission Members if there were any questions.

Mr. Marc Nichols commended Trevor Allen on doing a great job at the Justice Academy. Mr. Nichols asked Mr. Allen if there is any training for first aid of gun battle wounds. The BLET program does cover first aid in the First Responder block of training. Mr. Allen responded that the advanced SRO training also has first aide topic. Mr. Allen stated that they will explore the possibility of including first aid with in-service.

Mr. Allen introduced Mr. Chris Cantrell to the Sheriffs' Commission Members.

Chairman Cloninger commended Mr. Allen for the hard work done on the SRO training program. Mr. Allen thanked Chairman Cloninger and will pass it along to his staff.

V. OTHER REPORTS

***Probable Cause Committee**

Sheriff Jones

Sheriff Alan Jones reported that the Probable Cause Committee met June 13, 2019, and during that session, the Committee reviewed a total of 34 cases. In fourteen (14) cases, Probable Cause was found, with three (3) of those cases resulting in Consent Agreements which were signed for your approval. No Probable Cause was found in eleven (11) cases, in two (2) cases the individual was separated prior to Probable Cause, and seven (7) cases were closed pursuant to the Consolidated Probable Cause Policy.

Chairman Cloninger asked the Commission Members if there were any questions. Negative response.

A **MOTION** was made by Sheriff Alan Jones to approve the Consent Agreement for Erica Gibson, Ashe County Detention applicant; seconded by Mr. Marc Nichols. **MOTION CARRIED**

A **MOTION** was made by Mr. Marc Nichols to approve the Consent Agreement for Elijah Bennett, Rowan County Detention applicant; seconded by Sheriff Terry Johnson. **MOTION CARRIED**

A **MOTION** was made by Sheriff Landric Reid to approve the Consent Agreement for Howell Mabe, Brunswick County Deputy applicant; seconded by Sheriff Ricky Oliver. **MOTION CARRIED**

A **MOTION** was made by Sheriff Dwayne Goodwin to approve the Consent Agreement for Christopher Thompson, Durham County Detention applicant; seconded by Sheriff Landric Reid. **MOTION CARRIED**

***CJ Fellows Program Update**

Sheriff Oliver

Sheriff Ricky Oliver addressed the Sheriffs' Commission Members and provided a brief update. Currently there are 22 applicants for 100 Fellowship awards. Originally, April 15th was the deadline for students to apply. This deadline was extended to April 30th and then again to May 31st in an attempt to get as many applicants as possible. Out of the 22 applications, one (1) was withdrawn, one (1) lived in an ineligible county, and four (4) others were not eligible because they were looking for money to earn a Bachelors, Masters, or Doctorate degree. The 16 remaining applications are being reviewed. The legislature did appropriate approximately \$34,000 over a two (2) year period towards the Fellowship Program. Sheriff Oliver stated that this is a new program and there is a lot of hard work in progress to get the word out.

Director Combs addressed the Sheriffs' Commission Members and stated that currently there is a Bill in the Senate that will increase the current population of less than 75,000 restriction. This action would then only eliminate approximately six (6) counties in North Carolina.

Director Combs stated that they keep hearing from people that they did not know about the program. They have also heard that High School counselors do not promote Community Colleges as much as the four (4) year schools. The group is working on ideas of how to best promote the program.

Chairman Cloninger asked the Commission Members if there were any questions. Negative response.

***Community Colleges Update**

Tracy McPherson

Ms. Tracy McPherson addressed the Sheriffs' Commission Members and provided an update on the training taking place across North Carolina for Detention Officer and Telecommunicator Training. The most current data is for calendar year 2018.

Thirty-six colleges provided the Detention Officer Certification Course to a total of 1,005 students. The colleges training the most Detention Officers were Guilford Technical Community College, Rowan-Cabarrus Community College, and Wake Technical Community College.

Twelve colleges provided Sheriffs' Telecommunicator Certification training to 312 students. Colleges training the most Telecommunicators were Wake Tech, College of The Albemarle, and Rowan-Cabarrus Community College.

Ms. McPherson noted that although she highlighted the colleges with the highest number of students trained, the smaller number of those trained in other communities are just as important to the Sheriffs who need these employees.

Ms. McPherson informed the Sheriffs' Commission Members of a new Public Safety Administration Degree Program. The State Board of Community Colleges recently approved this program which was requested by Piedmont Community College and they were the first approved to offer this new program.

This new associate degree program includes specific ways for students to be awarded credit towards the degree through documenting completion of Sheriffs' Telecommunicator training, Detention Officer training, BLET and In-Service Training.

Asheville-Buncombe Technical Community College has been approved to offer the Public Safety Administration Degree Program, and Sampson Community College has just submitted its formal request for approval. It is anticipated that many more colleges will request approval of this program in the coming year.

This program does not replace the Criminal Justice Degree. This program will allow many students an additional alternative to obtaining an associate degree that leverages the relevant criminal justice training they have already completed. Ms. McPherson noted that it will take some months for colleges to get these programs up and running, but students will start enrolling in the first-approved programs this Fall.

This new associate degree program was endorsed by the Higher Education Committee, a subcommittee of the Criminal Justice Commission's Education and Training Committee that includes members of the Sheriffs' Commission. Ms. McPherson looks forward to bringing the Sheriffs' Commission additional updates in the future related to this initiative to assist criminal justice professionals in reaching the next step in their formal training.

Ms. McPherson highlighted information with regard to School Resource Officer Training. Ms. McPherson stated that colleges are reporting that they are getting requests from their local sheriffs to provide School Resource Officer (SRO) training for law enforcement in their communities. Some colleges have already offered the Commission approved training using the curriculum from the Justice Academy or are planning to in the near future. An example Ms. McPherson provided is that Mr. Curtis Dowdle, School Director at Southwestern Community College told us that they have been able to have eight (8) SRO instructors trained through the Justice Academy's Train-the-Trainer program, which will help meet the training needs in the far western part of the state.

Ms. McPherson stated that colleges will continue to work with their local sheriffs and police chiefs to meet this demand in the coming months and they appreciate the partnership.

Chairman Cloninger asked the Commission Members if there were any questions.

Sheriff Reid asked if BLET course credit may be accepted by Community Colleges towards an associate degree. Ms. McPherson answered yes and that there are many opportunities. Those people interested should reach out to their Community College or to herself.

Chairman Cloninger asked Ms McPherson for a North Carolina University System and Community College list that shows information with regard to agreements for credit transfer.

A **MOTION** was made by Sheriff Alan Jones to task Ms. Tracy McPherson with gathering a list of the North Carolina University System and Community Colleges that also provides information with regard to bilateral agreements for credit transfer; seconded by Mr. Marc Nichols. **MOTION CARRIED**

Ms. Tracy McPherson introduced Ms. Andrea Hyson to the Sheriffs' Commission Members and stated that Ms. Hyson is now a part of their staff as a Criminal Justice Training Specialist. Ms. Hyson came from Vance-Granville Community College where she served as School Director for BLET, Detention Officer, Telecommunicator, and General Instructor. She is also sworn with the Warren County Sheriff's Office. Ms. Hyson will be assisting in the support of law enforcement training programs at the 58 community colleges.

Chairman Cloninger informed the Sheriffs' Commission Members that Sheriff Goodwin represented the Sheriffs' Commission with regard to keeping the Civil Process Section of BLET. There is an issue with the failure rate that occurs with the Civil Process Section.

Chairman Cloninger asked the Sheriffs' Commission Members to support a future movement to add SRO training to BLET. Sheriff Cloninger also believes that Field Force training should be added to BLET. This three (3) day training is audited and certified by FEMA. Sheriff Cloninger believes that it would be best to have this training on the front-end while students are attending BLET courses rather than taking personnel away from an agency for training.

Mr. Trevor Allen addressed the Sheriffs' Commission Members and stated that BLET does currently have a course titled "Crowd Control". Mr. Allen suggested putting those items on the agenda for the BLET advisory group.

Director Combs addressed the Sheriffs' Commission Members and stated that the Job Task Analysis is really getting ramped up. On July 1st a survey will be going out to all agency heads. The job task analysis will only be as good as the response received from the survey. The survey is going to be long but it is very important that everybody participate in completing this survey. The timeframe is from July 1st thru September 1st.

Ms. Laurie Austin addressed the Sheriffs' Commission with regard to the 2020 In-service Topic for Telecommunicators on mass casualty and civil unrest. Ms. Austin has been communicating with Legal with regard to the use of appropriate language. Ms. Austin will put a report together for Mr. Allen with regard to FEMA's Field Force Training.

VI. DIVISION REPORT [Attachment #2]

Diane Konopka

Sheriffs' Standards Division Director Diane Konopka addressed the Sheriffs' Commission Members and provided an update on the Division Activities. Ms. Adriana Martinez will soon be joining Division as a Certification Processing Assistant. Ms. Martinez worked as an intern with the Criminal Justice Division before graduating in May from North Carolina Central University with a degree in Criminal Justice.

Director Konopka stated that the Division is very fortunate to have Danielle Woods working with the Division as an intern. Danielle is currently a student at NC State University, majoring in Criminology. She obtained her Associate Degree in Arts and Sciences last year from Cape Fear Community College as part of the Wilmington Early College High School program.

Currently, the Division is working with the Criminal Justice Division and DOJ to improve our website and update and/or replace our shared Training and Standards database. The Division is also working with DOJ IT Division to create an on-line F-2100 In-Service Training portal that we hope to implement later this year. The goal is to have all Sheriff's Offices and reporting agencies enter their 2019 In-Service training in this electronic format where it will be uploaded to our database.

Director Konopka provided an update for the Sheriffs' Supplemental Pension Fund. There is currently a record 110 retired sheriffs eligible for/participating in the Fund, with 53 receiving the maximum benefit of \$1500 per month and the remaining 57 receiving either 75% of their salary at retirement when LGERS and SSPF are combined; or 100% of their salary at retirement when LGERS, SSA and SSPF are combined.

Ms. Konopka provided an update for the DOCC and TCC Task Analysis project. The Request for Proposal: Consultant Service for Detention Officer and Telecommunicator Job Task Analysis is currently awaiting approval from the Governor's Office. The last Task Analysis done for Detention Officers was 2003. The last Task Analysis done for Telecommunicators was 1998.

Director Konopka thanked Sheriff Goodwin, Criminal Justice, School Directors, Tracy McPherson and everyone that spoke on behalf of waiting until the Task Analysis project is complete before initiating a proposed rule change to eliminate Unit 6 from Basic Law Enforcement Training (BLET).

The NC Law Enforcement Accreditation advisory group met most recently on April 30th in Raleigh and reviewed the remaining program objectives. The goal of this program is to allow agencies to voluntarily comply with State standards for accreditation. This accreditation is similar to that offered by CALEA, but at a much lower cost. At the March Sheriffs' Commission Meeting, the Commission Members voted in favor of supporting and participating in this program.

There is a lot of excitement about this program but if there is not funding for a Program Manager position, neither Division currently has sufficient personnel to support this program. It is unclear at this time whether or not such funding will be available.

Director Konopka reported that at the March Sheriffs' Commission Meeting, CJ Deputy Director Richard Squires reported that an Advisory Group was being formed for the purpose of reviewing CJ's rule requiring a criminal history records check prior to admission into BLET. Sheriff Jack Smith agreed to be the Sheriffs' Commission representative for the group. This meeting took place in Raleigh on May 15th and resulted in the recommendations noted behind [Tab #1] of the Division Report [Attachment #2].

Director Konopka referred the Sheriffs' Commission Members to [Tab #2] of the Division Report [Attachment #2] and provided a status of proposed legislation relating to both Commissions. The Criminal Justice Executive Committee asked that an exception be added to the most recent statute (SB 562) which would require disclosure of these expungements to the Commissions. Chairman Alan Cloninger agreed and also requested an exception to the statute on behalf of the Sheriffs' Commission.

Ms. Konopka informed the Sheriffs' Commission Members that during the month of May, our Division issued 17 suspensions to individuals holding Instructor Certification within this Commission. The basis for the suspensions is the fact that these individuals failed to maintain their General Instructor Certification with the CJ Commission, which is a requirement for some Instructor Certification with this Commission. In recent years, the CJ Commission has made changes to their rules for Instructor Certification, which, by default, impact our instructor Certifications. Director Konopka stated that our staff is working with legal counsel to clarify these rules such that we will be bringing recommendations for changes to the Sheriffs' Commission Members at a future meeting.

Director Konopka referred the Sheriffs' Commission Members to [Tab #3] of the Division Report [Attachment #2]. Ms. Konopka stated that approval is needed for the Fiscal note approved by OSBM for the 2020 In-Service Training rules (topics) - Rule Title: Education and Training Standards for 2020.

A **MOTION** was made by Sheriff Alan Jones to approve the document Rule Title: Education and Training Standards for 2020; seconded by Sheriff Terry Johnson. **MOTION CARRIED**

Director Konopka referred the Sheriffs' Commission Members to the "green sheet" [Attachment #3] found in the front of the Division Report binder [Attachment #2]. Ms. Konopka stated that this is the final filing for permanent rules and will need the Sheriffs' Commission approval:

12 NCAC 10B.2005 proposed to be amended
12 NCAC 10B.0302 proposed to be readopted

A **MOTION** was made by Sheriff Terry Johnson to approve the final filing for permanent rules: 12 NCAC 10B.2005 proposed to be amended and 12 NCAC 10B.0302 proposed to be readopted; seconded by Sheriff Alan Jones. **MOTION CARRIED**

Director Konopka referred the Sheriffs' Commission Members to the SRO Proposed Rule Change found behind [Tab#4] of the Division Report [Attachment #2]. Ms. Konopka stated that this proposed rule change is the consensus from the SRO Advisory Group consisting of both the Sheriffs' Standards Commission and the CJ Commission Members. The proposed rule change does mirror the proposed rule change approved by the CJ Commission. Director Konopka summarized each of the proposed changes.

A **MOTION** was made by Sheriff Terry Johnson to approve the SRO proposed rule change to amend rule: 12 NCAC 10B.0510; seconded by Sheriff Ricky Oliver. **MOTION CARRIED**

Director Konopka addressed the Sheriffs' Commission Members and asked if they would like to add similar language to the F-3 that was added to the F-5 and F-5T regarding any substantiated allegations of untruthfulness. Ms. Konopka referred the Commission Members to examples of language found in the Division Report [Attachment 2]. Director Konopka stated that if the Commission Members did decide to add such a question to the F-3, this would not be something that would automatically make an applicant ineligible for certification.

The Sheriffs' Commission Members will review the proposed language to be used on the F-3 and discuss at the September Sheriffs' Commission Meeting.

Director Konopka referred the Sheriffs' Commission Members to [Tab 5] of their Division Report [Attachment 2] with regard to the consideration of Rule Amendment/Certification of former Sheriff. Director Konopka summarized the current rule 12 NCAC 10B.0407.

Ms. Konopka stated that it has recently become apparent that there is not a rule that addresses the certification of a former sheriff that leaves office without having served eight (8) years (as required by the current rule) but who had previous BLET and sworn law enforcement experience with no break in service. Director Konopka stated that the Sheriffs' Commission Members may want to consider addressing this "gap" with a rule that would cover such a scenario. If the Commission Members would like to proceed, Director Konopka will present recommended language at the September Sheriffs' Commission Meeting.

Director Konopka asked the Sheriffs' Commission Members if they would like to consider if a Sheriffs' Executive Committee/Advisory Group would be beneficial consisting of the Commission Chair, Vice-Chair and Probable Cause Committee Chair. The purpose of such Committee would be to function similarly to a "planning committee" for the purpose of vetting, reviewing, and/or recommending issues to be brought before the full Commission, as well as dealing with "emergency" issues that might occur between regularly scheduled Commission meetings. This would require a change to your Commission By-Laws.

Sheriff Cloninger asked if staff would like to have that. Director Konopka replied that it would be helpful. Sheriff Cloninger stated that the Sheriffs' Commission Members will create an "Advisory Group".

Director Konopka referred the Sheriffs' Commission Members to [Tab #6] which contains the Sheriffs' Commission By-Laws. The By-Laws were last updated in 2014. Ms. Konopka asked the Sheriffs' Commission Members to review this document and note anything that needs to be changed or otherwise addressed. The Commission Members were asked to email their recommendations to either Marie Evitt or Director Konopka by July 15th.

Director Konopka addressed the request from Sheriff Chris Watkins with regarding DOC to DOCC transfers. The Sheriffs' Commission Members were provided with a letter from Montgomery County Sheriff Chris Watkins at the March Sheriffs' Commission Meeting [Tab #7].

Sheriff Watkins is asking that you consider the possibility of waiving the limited training (67) hours required for officers who transfer with General Certification from the NC Department of Adult Corrections to certified detention officer positions. A comparative summary of the basic training required for both certifications is behind [Tab #7].

The Department of Corrections is dealing with a population of convicted criminals and that is not the case in the jails. After further discussion with Amanda Stephenson and Autumn Hannah, any recommendation for change would be to increase hours rather than reduce. The Job Task Analysis will perform a thorough review of this issue.

Autumn Hannah addressed the Sheriffs' Commission Members and stated that one of the biggest issues and areas of concern they had in reviewing this issue is the "Use of Force" laws being different between the DOC and DOCC facilities. The laws for each are derived from different laws and statutes which could create greater liability.

A **MOTION** was made by Sheriff Dwayne Goodwin to table the request from Montgomery County Sheriff Chris Watkins until after the completion of the Task Analysis; seconded by Sheriff Alan Jones. **MOTION CARRIED**

Director Konopka provided the Sheriffs' Commission Members with an update on the proposed Rap-Back program. Both the Sheriffs' Commission and CJ Commission supported the proposed program presented by SBI Deputy General Counsel Joy Strickland [Tab #8]. Director Konopka summarized the Rap-Back program.

Director Konopka informed the Sheriffs' Commission Members that after recent discussion with legal counsel Marie Evitt, it was determined that there are additional issues related to the program that require the Sheriffs' Commission Members consideration. Specifically, if or when this legislation moves forward:

- Would you want to include language on the Report of Appointment form (F-4 and F-4T) advising new applicants that their fingerprints will be maintained by the SBI pursuant to this Program; and/or
- Would you want to apply this Program "retroactively", such that already certified justice officers would be required to submit fingerprints to the SBI to be maintained pursuant to the Program (this would require a rule change).

Director Combs stated that the Criminal Justice Commission did vote to apply the proposed Rap-Back program retroactively. The statute for the proposed Rap-Back program has not yet passed.

A **MOTION** was made by Sheriff Terry Johnson to place a notice of requirement with regard to holding fingerprints for certified justice officers on the Report of Appointment (F-4 and F-4T); and also apply the program retroactively to require all certified officers to be re-printed if the Rap-Back proposed program becomes law; seconded by Sheriff Landric Reid. **MOTION CARRIED**

Chairman Cloninger informed the Sheriffs' Commission Members that there will be an election for Chairman and Co-Chairman during the September Sheriffs' Commission Meeting being held in Cleveland County.

A **MOTION** was made by Sheriff Terry Johnson to go into closed session; seconded by Sheriff Ricky Oliver. **MOTION CARRIED**

A **MOTION** was made by Sheriff Alan Jones to go into open session; seconded by Mr. Marc Nichols. **MOTION CARRIED**

A **MOTION** was made by Sheriff Alan Jones to allow the Waiver for Bradley Justin Harbe-Deputy Sheriff, Randolph County; seconded by Mr. Marc Nichols. **MOTION CARRIED.**

A **MOTION** was made by Mr. Marc Nichols to deny the Extension for Scott Lee McCoy-Deputy Sheriff, Clay County; seconded by Sheriff Ricky Oliver. **MOTION CARRIED.**

Director Konopka stated that if Mr. McCoy begins the challenge or basic training prior to the expiration date he would not be suspended. Ms. Konopka will communicate with the Clay County Sheriff's Office and inform them that the Sheriffs' Commission must receive an update regarding Mr. McCoy's progress prior to the September Sheriffs' Commission Meeting.

A request was received from Dare County Sheriff Doug Doughtie for Deputy Sheriff Edward Francis Glaser, III to challenge the state exam and receive additional time. Sheriff Doughtie will summarize what Mr. Glaser has already completed and keep the Sheriffs' Commission Members apprised of his progress.

Sheriff Doug Doughtie recused himself from the motion.

A **MOTION** was made by Mr. Marc Nichols to allow an extension for Edward Francis Glaser, III-Deputy Sheriff, Dare County; seconded by Sheriff Ricky Oliver. **MOTION CARRIED.** Sheriff Doug Doughtie recused himself.

VII. NEXT MEETING

September 12th & 13th – Cleveland County

VIII. ADJOURNMENT

A **MOTION** was made at 11:30 a.m. by Mr. Marc Nichols to adjourn the June 2019 Sheriffs' Commission meeting; Seconded by Sheriff Jack Smith. **MOTION CARRIED.**