

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

**DATE:** March 24, 2017

**TIME:** 8:30 A.M.

**SUBMITTED BY:** Diane Konopka, Director Sheriffs' Standards Division

**I. CALL TO ORDER**

**Sheriff Brad Riley**

The North Carolina Sheriffs' Education and Training Standards Commission meeting was called to order by Chairman Brad Riley on Friday, March 24, 2017 at 8:30 A.M.

Chairman Riley requested a roll call of Commission members. Administrative Assistant Judy Marchetti recorded the following:

**MEMBERS PRESENT**

Sheriff Alan Cloninger  
Sheriff Brad Riley  
Mr. Marc Nichols  
Sheriff Dwayne Goodwin  
Sheriff Steve Bizzell  
Sheriff Ricky Oliver  
Sheriff David Mahoney  
Sheriff Alan Jones  
Sheriff Jerry Monette  
Sheriff Alan Norman  
Mr. Zack Koonce  
Ms. Tracy McPherson

**MEMBERS ABSENT**

Sheriff B. J. Barnes  
Sheriff John Ingram  
Mr. Jamie Markham

**STAFF**

- Diane Konopka - Director, Sheriffs’ Standards Division
- Sirena Jones - Deputy Director, Sheriffs’ Standards Division
- Judy Marchetti - Administrative Assistant - Sheriffs’ Standards Division
- Hal Askins - Legal Counsel – NC Department of Justice
- Chris Batten - Field Representative - Sheriffs’ Standards Division
- Mike McLaughlin - Field Representative - Sheriffs’ Standards Division

In the first order of business, Legal Counsel Hal Askins 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 Hal Askins asked whether any other member had a known conflict or appearance of conflict with respect to any matters coming before the Commission at this time. Negative response.

Sheriff Riley thanked Sheriff Norman for hosting such a nice dinner Thursday evening. Sheriff Norman introduced his command staff and welcomed all in attendance to Cleveland County.

**VISITORS**

- Mark Strickland - NC Justice Academy
- Amanda Stephenson - NC Justice Academy
- Tony Losada - NC Justice Academy
- Gary Dudley - NC Justice Academy
- Bill Dubois - NC Justice Academy
- Stacy Holloman - NC Justice Academy
- Steven Combs - Criminal Justice Standards Division
- Tim Fuss - Henderson County Sheriff’s Office
- Chad Scott - Wake County Sheriff’s Office
- Bradley Abate - Harnett County Sheriff’s Office
- Nathan Honaker - ATF Fayetteville
- Scott A. Zeman - Cabarrus County Sheriff’s Office
- Jay Jewell - Washington County Sheriff’s Office

**VISITORS (cont.)**

- Michael Furr - Cabarrus County Sheriff's Office
- Sean Austin - Cabarrus County Sheriff's Office
- Charlene Eloranta - Cabarrus County Sheriff's Office
- Mariah Averett - Wake County Sheriff's Office
- Lib Stewart - Kings Mountain Herald
- Brian Gooch - Rutherford County Sheriff's Office
- Chris Francis - Rutherford County Sheriff's Office
- Oliver Grimes - Cabarrus County Sheriff's Office
- Michael Mauney - Cleveland County Sheriff's Office
- Justin Ettos - Cleveland County Sheriff's Office
- Jonathan S. Kirby - Caldwell County Sheriff's Office
- Kevin H. Bear - Caldwell County Sheriff's Office

**II. MINUTES OF DECEMBER MEETING**

**Sheriff Brad Riley**

A **MOTION** was made by Sheriff Alan Cloninger to accept the minutes of the December 2016 meeting; Seconded by Mr. Marc Nichols. **MOTION CARRIED.**

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

A **MOTION** was made by Sheriff David Mahoney to approve the list of Professional Certificates and Service Awards; Seconded by Sheriff Alan Jones. **MOTION CARRIED.**

Sheriff Alan Jones presented the Advanced Certificates/Awards to:

*Charlene Elizabeth Eloranta – Advanced Detention Officer Certificate, Caldwell County.*

*Jonathan Shane Kirby – Advanced Law Enforcement Professional Certificate, Caldwell County.*

Sheriff Alan Norman of Cleveland County Sheriff's Office presented the Advanced Law Enforcement Professional Certificate to:

***Michael Lee Mauney*** – *Advanced Law Enforcement Professional Certificate*, Cleveland County.

Sheriff Chris Francis presented the Advanced Law Enforcement Certificate to:

***Brian Lee Gooch, Jr.*** – *Advanced Law Enforcement Professional Certificate*, Rutherford County.

Nathan Honaker, ATF Fayetteville presented the Advanced Law Enforcement Certificate to:

***Bradley Jordan Abate*** – *Advanced Law Enforcement Professional Certificate*, Harnett County.

Commission Chairman, Sheriff Brad Riley, presented the Advanced Certificates/Awards to:

***Michael T. Furr*** – *Advanced Law Enforcement Professional Certificate*, Cabarrus County.

***Sean Christopher Austin*** – *Advanced Law Enforcement Professional Certificate*, Cabarrus County.

***Oliver Jerry Grimes, Jr.*** – *Advanced Law Enforcement Professional Certificate*, Cabarrus County.

Commission Chairman Sheriff Riley presented Mr. Strickland with an award for all his hard work and dedication as Director of the North Carolina Justice Academy. Mr. Strickland announced his retirement and the Sheriffs' Commission wanted to publically present an award to show their appreciation of him. Mr. Strickland is a gentleman and a scholar; he has always given his full support to the needs of law enforcement. We all wish Mark well for his future endeavors.

#### **IV. INFORMATIONAL REPORTS**

##### **\*North Carolina Justice Academy**

**Mark Strickland**

Mr. Strickland informed the Sheriffs' Commission Members that the North Carolina Justice Academy had eight (8) retirements and they are now seeking the replacements fill those positions.

Ms. Becky Peterson was hired as a Program Assistant V at the East Campus on December 01, 2016. She will be working with both the Investigation and Traffic/Tactical Training Centers. Ms. Heather Melton was hired as a Program Assistant V at the East Campus on December 19, 2016. She was most recently employed by the Sampson County School System and has over 28 years of office related experience.

Ms. Laurie Austen was hired as an Instructor at the West Campus on January 02, 2017. Ms. Austen was most recently employed as Lieutenant with the Yadkin County Sheriff's Office. Ms. Austen has more than 30 years of law enforcement related experience. She will be teaching in the Academy's Law Enforcement Leadership Center. Mr. Casson Reynolds was hired as an Instructor at the East Campus. Mr. Reynolds is the new CSI Instructor.

Ms. Lisa Strasner was hired as a Program Assistant V at the West Campus on February 20, 2017. Ms. Strasner has over 21 years of administrative service. Mr. T. A. Hairr was hired as a Maintenance Mechanic II at the East Campus. Previously Mr. Hairr worked as a security guard for the North Carolina Justice Academy.

Mr. Floyd Yoder was promoted to Training Manager of the Investigations Center at the West Campus. Mr. Yoder has been with the North Carolina Justice Academy since 2013 and taught in Tactical programs. Mr. Edward Anderson was hired as an Instructor at the East Campus. Mr. Anderson is the new CSI Instructor. Mr. Amit Sujanani was hired as a Program Assistant V at the East Campus on March 13, 2017.

On December 31, 2016 Ms. Lisa Conner resigned as a Program Assistant V at the West Campus. Ms. Tanya Chapman retired January 01, 2017 as the Training Manager for the Investigations Training Center. Ms. Nancy Meadows retired from State Government January 01, 2017 as a Program Assistant V at the West Campus. Mr. Mark Strickland will retire as Director of the NC Justice Academy on April 01, 2017.

Mr. Strickland informed the Commission Members of several course offerings in the near future:

- Crime Prevention Through Environmental Design
- Developing Writing Skills
- Community Policing Before the Crisis
- Smith & Wesson M&P Pistol Armorer Course
- Smith & Wesson M&P Shield Armorer Course

During the 2016 – 2017 North Carolina Justice Academy Instructor Updates, the number of instructors who attended and listened to NCJA Developers are:

- Law Enforcement (4 classes) = 249
- Telecommunicator (2 classes) = 37
- Detention (2 classes) = 29
- Total = 315

Instructors who attend the NCJA Instructor Updates receive their materials that day at no cost.

Mr. Strickland, Tami Warren, and Dana Phillips will travel to Mobile, Alabama to attend the CALEA Conference and a meet with the CALEA Commissioners and answer questions to determine the NC Justice Academy's re-accreditation status. Mr. Strickland stated that since the Justice Academy had such a great on-site assessment, he does not anticipate any problems.

The IALIFI Regional Firearms Training Conference will be held April 10<sup>th</sup> – 12<sup>th</sup> 2017 at the Salemburg campus. Those individuals attending the IALIFI Regional Training Conference will be introduced to a variety of events that ranges from classroom instructions to live fire classes on modern firearms training and the latest in firearms technology.

Mr. Strickland reflected upon the first time he addressed the Sheriffs' Commission 21 years ago. He has always been in awe of the Commission Members, what they stand for, and the responsibilities they take on not just for their county but for the entire State of North Carolina. Mr. Strickland thanked the Commission Members for the opportunity to have been able to share in their lives these past years and to have been able to share his life with them. Mr. Strickland thanked the Sheriffs' Commission for their support of the North Carolina Justice Academy, for their support of him personally, and for the support of all the employees who work for the NC Justice Academy.

Mr. Strickland asked the Commission Members if there were any questions. Sheriff Cloninger discussed the recertification process for Narcan. Sheriff Cloninger would like to see recertification included with in-service training. Mr. Strickland stated that he has reached out to Attorney General Stein with regard to the NC Justice Academy support for his needs with regard to the Opioid Act and any training needs.

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

**\*North Carolina Community Colleges**

**Tracy McPherson**

Ms. McPherson did not have any new updates to report but did respond to Sheriff Cloninger's concern with regard to recertification for Narcan. She stated that the Community Colleges will do whatever they can do in support of that discussion. Ms. McPherson said the 58 colleges of the Community College system are proud to continue doing the training in support of the Sheriff's needs.

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

**\*NC Sheriffs' Association**

**Chairman Riley**

Mr. Caldwell was not present but did submit a report of updates to Chairman Riley for presentation. House Bill 476 was introduced March 22, 2017. Mr. Caldwell will send the Sheriffs' Commission Members a separate email with the details of this legislation. This bill has to do with the police side of Telecommunicators and their certification requirements. There will be more discussion on this topic.

The North Carolina Sheriffs' Association Spring Meeting will be held in Carteret County, May 1<sup>st</sup> – 3<sup>rd</sup> at the Double Tree Hotel by Hilton in Atlantic Beach. Please note that the meeting is being held in Atlantic Beach and not in Wrightsville Beach this year. There is a block of rooms being held at the Double Tree Hotel until March 29<sup>th</sup>.

The Firearms Law Training classes will be taught by Mr. John Aldridge of the Sheriffs' Association. Training will be held at five (5) counties:

- June 06 – Martin County
- June 07 – Duplin County
- June 13 – Wake County
- June 27 – Haywood County
- June 28 – Catawba County

Peace Officer Memorial Day will be observed at the First Assembly of God church in Gastonia, NC on Thursday, May 4<sup>th</sup> beginning at 11:00 a.m.

Sheriff Riley communicated thanks from Eddie Caldwell to everyone for their inquiries about the status of the Sheriffs' Association's offices as a result of the fire. In spite of the necessary office relocation, the Sheriffs' Association has remained open and available to assist sheriffs and their personnel throughout this disaster with no interruption in service.

Mr. Caldwell also expressed his sincere thanks and appreciation for everyone's support, prayers, notes, and cards following his Mother's death on February 21<sup>st</sup>.

If anyone has any questions that Mr. Caldwell can address, please feel free to contact him.

**\*School of Government**

**Jamie Markham**

No report.

**V. OTHER REPORTS**

**\*Probable Cause Committee**

**Sheriff Jerry Monette**

Sheriff Jerry Monette reported that the Probable Cause Committee met March 23, 2017, and during that session, the Committee reviewed a total of 41 cases. In twenty-two (22) cases, Probable Cause was found, with four (4) of those cases resulting in a Consent Agreement to be executed at your next meeting. No Probable Cause was found in eight (8) cases, one (1) case was continued until June 2017, two (2) cases were postponed at the agency's request, and eight (8) cases were closed pursuant to the Consolidated Probable Cause Policy.

**\*North Carolina Justice Academy**

**Bill Dubois**

Mr. Bill Dubois presented the Sheriff Commission Members with the Proposed 2018 In-Service Training Objectives for Law Enforcement, Detention Officer, and Telecommunicator. The proposed topics were approved by the Sheriffs' Commission at the December 2016 meeting. Since that time, the Developers have been working on those objectives. Some adjustments were made to the topics after receiving input from the Joint In-service Committee meeting. Mr. Dubois referred the Sheriffs' Commission Members to the Division Report – Tabs 1, 2, 3 (**Attachment #1**).

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

A **MOTION** was made by Sheriff Jerry Monette to accept the 2018 In-Service Training Topics for Law Enforcement, Detention Officer, and Telecommunicator; seconded by Mr. Marc Nichols. **MOTION CARRIED.**

**VI. DIVISION REPORT [See Attachment #1]**

**Diane Konopka**

Director Konopka addressed the Sheriffs' Commission and referred them to their copy of the Division Report (**Attachment #1**). Tab 4 of the Division Report has the F-9A form - Firearms Qualification Record. The matter of electronic signatures on the F-9A form was addressed at the Sheriffs Commission Meeting two (2) years ago. At that time the decision was made to not accept electronic signatures or stamps on the F-9A form.

At the last Criminal Justice Commission Meeting, they decided to allow for electronic signatures or stamps on the front side (page 1) of the form but not on page 2. The second page of the F-9A form must have a written signature. Since this form is shared by both the Sheriffs' Standards Division and the Criminal Justice Division, the question to the Sheriffs' Commission Members is whether you would accept electronic signatures or stamps on page 1 but continue to require a written signature on page 2.

Sheriff Cloninger stated that he is against using electronic signatures or stamps. Sheriff Bizzell stated that the Sheriffs' Commission had already voted to require written signatures on the F-9A form and he agrees with Sheriff Cloninger that the form should have written signatures.

A **MOTION** was made by Sheriff Steve Bizzell to continue the requirement of a written signature on the Firearms Qualification Record form F9-A, and not accept electronic signatures or stamps; seconded by Sheriff Alan Cloninger. **MOTION CARRIED.**



Director Konopka referred the Sheriffs' Commission Members to the 2016 – 2017 Activity Report for the Sheriffs' Supplemental Pension Fund update found behind Tab 5 of the Division Report (**Attachment #1**). Effective January 01, 2017, a total of ninety-six (96) retired Sheriffs were participating in the program. 2017 saw a decrease of \$26.89 under the 2016 per share amount of \$556.72.

Director Konopka updated the Sheriffs' Commission Members that as of February 01, 2017, Ms. Sirena Jones has accepted the Deputy Director position of the Sheriffs' Education and Training Standards Division. Also, in January of this year Brie Harter joined the Division as the Central Processing Assistant.

Ms. Konopka reminded the Sheriffs' Commission Members that their Statement of Economic Interest must be updated with the Ethics Commission by April 15, 2017.

Director Konopka gave the Sheriffs' Commission Members an update with regard to Occupational Licensing Boards and proposed legislation to add the Sheriffs' Commission and the Criminal Justice Commission to the Occupational Licensing Boards. Ms. Konopka, Sheriff Riley, and Legal Counsel have met with the Criminal Justice Commission Executive Committee and are working towards making sure the Commissions are not added to an Occupational Licensing Board. By definition the Commissions do not fit into an Occupational Licensing Board. It is important to protect your Final Agency Decision ability. Adding both Commissions to Article 3A-150B-38 would accomplish this goal.

Earlier this month the Sheriffs' Standards Division received approval from the Rules Commission to have a waiver for the deadline of filing existing rules. This is a new process for all Commissions to review all of their rules. The deadline for this review is now February of 2018. This may seem like a long time but given the process, this is something to begin work on as soon as possible.

Director Konopka addressed the topic of in-service training clarification. In 2013 in-service training went from hours to credits for in-service training. For 2017 there are six (6) credits that are attached to firearms training. While doing an audit, it was discovered that during 2014 there was an agency that was using eleven (11) credits towards firearms as part of their mandated 24. When this was discussed with the agency, they asked to see where it was stated/printed that they could not do that.

While looking into the issue, it was discovered that the Criminal Justice FAQ's did address it specifically but Sheriffs' Standards FAQ's did not. Ms. Konopka provided the Sheriffs' Commission an example of how Criminal Justice addressed this question and asked if this may be something the Sheriffs' Commission would like to do.

The Criminal Justice FAQ reads:

*Can additional firearms hours above the six (6) required be used for a portion of the department topic of choice requirement?*

The Criminal Justice response is: *Yes, but that the firearms training must be different than the required training and must be accompanied by a separate lesson plan that is kept on file.*

The Sheriffs' Commission Members agreed to follow the direction of having a mid-year update to the Sheriffs' Standards FAQ's.

Director Konopka addressed another issue for clarification regarding the challenge option.

At the June Sheriffs' Commission Meeting last year, the Commission Members voted to not require officers whose certification had lapsed to make up previously missed In-Service Training. An example of this is applicants who had to repeat Basic Training.

Would this also apply to a person whose certification had lapsed, but they are satisfying the Basic Training requirement by completing the Challenge option?

The Sheriffs' Commission Members agreed that an individual previously certified as a law enforcement officer that is required to go through the Basic Training program, including the BLET Challenge option, would not be required to make up any in-service training.

Director Konopka asked the Commission Members if there were any questions. Negative response.

Chairman Riley called on Lt. Jay Jewell of Washington County in attendance at the Sheriffs' Commission Meeting on behalf of James Michael Patterson to present a Request for Waiver.

Lt. Jay Jewell addressed the Sheriffs' Commission Members on behalf of Washington County Sheriff Johnny Barnes and stated "this is a very serious issue that they want to resolve."

Sheriff Riley asked Lt. Jay Jewell to remain in the lobby area just in case the Sheriffs' Commission Members have any questions for him while they are in closed session.

A **MOTION** was made at 9:30 a.m. by Sheriff Steve Bizzell to enter into a closed session; seconded by Sheriff Alan Norman. **MOTION CARRIED.**

A **MOTION** was made at 11:30 a.m. by Sheriff Jerry Monette to enter into an open session; seconded by Sheriff Steve Bizzell. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Alan Cloninger to lift the Suspension for James Michael Patterson, Washington County and allow until 6/8/2017 to complete the challenge option; seconded by Sheriff Jerry Monette. Sheriff Dwayne Goodwin recused himself. **MOTION CARRIED.**

**Requests for Waivers (See Attachment #1)**

Johnathan Kyle Miller – Deputy Sheriff Applicant – Orange County (Tab 6)

A **MOTION** was made by Sheriff Alan Cloninger to accept the Request for Waiver for Johnathan Kyle Miller; seconded by Sheriff Jerry Monette. **MOTION CARRIED.**

Salvator Zanghi – Deputy Sheriff Applicant – Craven County (Tab 7)

A **MOTION** was made by Sheriff Ricky Oliver to accept the Request for Waiver for Salvator Zanghi; seconded by Sheriff Alan Jones. **MOTION CARRIED.**

Tina Lynn Dunn – Deputy Sheriff Applicant – Scotland County (Tab 8)

A **MOTION** was made by Mr. Zack Koonce to accept the Request for Waiver for Tina Lynn Dunn; seconded by Sheriff David Mahoney. **MOTION CARRIED.**

Kevin Braeden Love – Deputy Sheriff/Detention Officer – Moore County (Tab 9)

A **MOTION** was made by Sheriff Steve Bizzell to reject the Request for Waiver for Kevin Braeden Love; seconded by Sheriff Alan Cloninger. **MOTION CARRIED.**

### **Extensions Granted by Chairman Riley (See Attachment #1)**

Wayland W. Mitchell, Jr. –Deputy Sheriff – Chowan County  
Sylvester Williams – Detention Officer – Edgecombe County  
Markish Cortine Dunston – Detention Officer – Columbus County  
Delton Petress – Detention Officer – Rockingham County  
Jason Stone – Detention Officer – Currituck County  
William Dale Tucker – Detention Officer – Duplin County

A **MOTION** was made by Sheriff Alan Jones to accept the Extensions authorized by Chairman Brad Riley; seconded by Sheriff Alan Cloninger. **MOTION CARRIED.**

## **VII. NEXT MEETING**

June 8<sup>th</sup> & 9<sup>th</sup> – Wake County

A couple topics were addressed for continued discussion at the June Sheriffs' Commission Meeting. The first topic is with regard to streamlining the process for law enforcement officers with no break in service to transfer to another County. The second topic is if security should be provided at the Sheriffs' Commission Meetings.

## **VIII. ADJOURNMENT**

A **MOTION** was made at 11:50 a.m. by Sheriff Steve Bizzell to adjourn the March 2017 Sheriffs' Commission meeting; Seconded by Sheriff Jerry Monette. **MOTION CARRIED.**