

**THE NORTH CAROLINA**  
**SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**  
**MEETING AGENDA**  
**FRIDAY, NOVEMBER 22, 2024 - 8:30 A.M.**  
**BEST WESTERN PLUS**  
**770 HUFFMAN MILL ROAD**  
**BURLINGTON, NORTH CAROLINA 27215**  
**BANQUET ROOM**

- |  |  |   |
|--|--|---|
| <b>I. CALL TO ORDER</b><br>* Roll Call<br>* Declaration of a Quorum<br>* Welcome to the NCSETS Commission Meeting<br>* Welcome by Host Sheriff<br>* Ethics Reminder<br>* Recognition of Visitors   |  | Sheriff Norman<br>Alex Radford<br>Sheriff Norman<br>Sheriff Norman<br>Sheriff Johnson<br>Joy Strickland<br>Sheriff Norman |
| <b>II. MINUTES OF SEPTEMBER 20, 2024 AND OCTOBER 2, 2024 MEETINGS</b><br>* Motion to Approve   | <b>Pg 3</b><br><b>Pg 19</b>  | Sheriff Norman  |
| <b>III. CERTIFICATES/AWARDS</b><br>* Motion to Approve List of Certificate/Awards<br>* Presentation of Awards  |  | Sheriff Norman  |
| <b>IV. 2026 Mandatory In-service Training Topics</b>   | <b>Pg 22</b>   | Merrily Cheeks  |
| <b>V. Telecommunicator Certification Course</b>  | <b>Pg 24</b>   | Melinda McClenny  |
| <b>VI. REPORTS</b><br>* North Carolina Sheriffs' Association<br>* North Carolina Justice Academy<br>* BLET Revision<br>* NC Law Enforcement Accreditation<br><br>* Probable Cause Committee  |  | Sheriff Norman<br>Eddie Caldwell<br>Trevor Allen<br>Alex Gazaway<br>Karen Ashley /<br>Elizabeth Bynum<br>Sheriff McMahon  |
| <b>VII. Probable Cause Policy</b>  | <b>Pg 25</b>   | Sheriff McMahon /<br>Joy Strickland   |
| <b>VIII. DIVISION REPORT</b>   | <b>Pg 34</b>   | Richard Squires   |
| <b>IX. Certification Workshops and On-line Training</b>  |  | Richard Squires   |
| <b>X. Administrative Rules</b><br>Periodic Review -Vote to consider as necessary or unnecessary<br>12 NCAC 10B .0501 Purpose<br>12 NCAC 10B .0701 Purpose<br>12 NCAC 10B .1001 Purpose<br>12 NCAC 10B .1101 Purpose<br>12 NCAC 10B .1201 Purpose | <b>Pg 36</b><br><b>Pg 38</b><br><b>Pg 38</b><br><b>Pg 38</b><br><b>Pg 39</b><br><b>Pg 39</b> | Melissa Bowman /<br>Joy Strickland  |

12 NCAC 10B .1301 Purpose	<b>Pg 39</b>	
12 NCAC 10B .1401 Purpose	<b>Pg 39</b>	
12 NCAC 10B .1501 Purpose	<b>Pg 40</b>	
12 NCAC 10B .1601 Purpose	<b>Pg 40</b>	
12 NCAC 10B .2001 Purpose	<b>Pg 40</b>	
12 NCAC 10B .0110 Divulging Personnel Information		<b>Pg 41</b>
<b>Adoption of Rules</b>		
12 NCAC 10B .0402 Probationary Certification		<b>Pg 42</b>
12 NCAC 10B .0403 Probationary Certification Requirement		<b>Pg 43</b>
12 NCAC 10B .0404 General Certification		<b>Pg 44</b>
12 NCAC 10B .0503 Time Req/Completion/Basic Law Enforcement Training Course		<b>Pg 45</b>
<b>Updates</b>		
<b>Training Courses</b>		
12 NCAC 10B .0601 Detention Officer Certification Course		<b>Pg 46</b>
12 NCAC 10B .1302 Telecommunicator Certification Course		<b>Pg 47</b>
<b>Rules limiting the number of documents agency submits to Division</b>		
12 NCAC 10B .0305 Background Investigation		<b>Pg 48</b>
12 NCAC 10B .0408 Verification of Records to Division		<b>Pg 51</b>
12 NCAC 10B .0409 Employing Agency Retention of Certification Records		<b>Pg 55</b>
*For a February 1, 2025 effective date, Commission would need to hold special meeting on December 17, 2024.		

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|--------------|--|---------------|---|
| <b>XI.</b>   | <b>Vote on Extending Renewals and Reportings Due to Disaster</b> |               | <b>Richard Squires /<br/>Joy Strickland</b> |
| <b>XII.</b>  | <b>Discussion Items</b>  |               | <b>Richard Squires /<br/>Joy Strickland</b> |
|              | Lateral Transfer – Draft legislation / Draft rule                | <b>Pg 57</b>  |   |
|              | Form F-4 – Report of Appointment                                 | <b>Pg 60</b>  |   |
|              | Form F-8 – Mandated Background Investigation Form                |               | <b>Pg 62</b>                                |
|              | Organization By Laws and/or creation of working groups           |               | <b>Pg 95</b>                                |
|              | Moving Commission meetings to Wednesdays, Thursday, and Fridays  |               |   |
| <b>XIII.</b> | <b>*Closed Session Items</b>                                     | <b>Pg 113</b> | <b>Sheriff Norman</b>                       |
|              | <b>* Personnel Related Training/Certification Requests</b>       |               | <b>Richard Squires</b>                      |
|              | <b>* Consent Agreements (if any)</b>                             |               | <b>Sheriff McMahon</b>                      |
| <b>XIV.</b>  | <b>Approval of Consent Agreements (If any)</b>                   |               | <b>Sheriff Norman</b>                       |
| <b>XV.</b>   | <b>NEXT MEETINGS</b>   |               |   |
|              | <b>* March 20, 21, 2025 (Kill Devil Hills)</b>                   |               | <b>Richard Squires</b>                      |
| <b>XVI.</b>  | <b>ADJOURNMENT</b>   |               | <b>Sheriff Norman</b>                       |

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

**DATE:** September 20, 2024

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

**LOCATION:** The Lodge at Flat Rock  
 42 McMurray Road, Flat Rock, North Carolina, 28731

**SUBMITTED BY:** Richard Squires, Director

**I. CALL TO ORDER**

**Sheriff Alan Jones**

The North Carolina Sheriffs' Education and Training Standards Commission meeting was called to order by Sheriff Alan Norman on Friday, September 20, 2024.

Chairman Norman requested a roll call of Commission members. Alex Radford recorded the following:

**MEMBERS PRESENT**

Sheriff Shelton White  
 Sheriff Terry Johnson  
 Sheriff Jeff Crisco  
 Sheriff Mike Roberson  
 Sheriff Don Brown  
 Sheriff Alan Norman  
 Sheriff James McVicker  
 Sheriff Lowell Griffin  
 Sheriff Banks Hinceman  
 Sheriff Van Shaw  
 Sheriff Ed McMahan  
 Sheriff Chip Hughes

**MEMBERS ABSENT**

Sheriff Jack Smith  
 Mr. Jamie Markham

**STAFF**

Richard Squires	Director - Sheriffs' Standards Division
Sirena Jones	Deputy Director - Sheriffs' Standards Division
Melissa Bowman	Sheriffs' Standards Division
Alex Radford	Sheriffs' Standards Division
Joy Strickland	NC Department of Justice, Legal Counsel
Leslie Cooley Dismukes	NC Department of Justice, Criminal Bureau Chief
Trey Piland	Sheriffs' Standards Division
Andy Stone	Sheriffs' Standards Division
Alan Jones	Sheriffs' Standards Division

Alex Radford declared a quorum was present.

Sheriff Lowell Griffin addressed the Commission to welcome everyone to Henderson County.

Legal Counsel Joy Strickland read the Ethics Reminder to the Commission. Ms. Strickland 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
Chris Anderson	NC Justice Academy
Alex Gazaway	NC Justice Academy
Amber Cox	NC Justice Academy
Eddie Caldwell	NC Sheriffs' Association
Lauren Earnhardt	NC Sheriffs' Association
Timothy Fuss	Cape Fear Community College
Benjamin Zellinger	NC Department of Justice
Sheriff Kevin H. Bean	Caldwell County Sheriff's Office
Clayton K. Albrecht	Caldwell County Sheriff's Office
Dayton A. Sigmon	Caldwell County Sheriff's Office
Keischa M. Lovelace	Durham County Sheriff's Office
Laurie Austin	Durham County Sheriff's Office
Kimberly D. Lane	Durham County Sheriff's Office
Victor Willis	Henderson County Sheriff's Office
David Mahoney	Henderson County Sheriff's Office

**Sheriff Alan Norman**

## II. MINUTES OF THE JUNE 21, 2024, AND SEPTEMBER 5, 2024, MEETINGS

A **MOTION** was made by Commissioner George Dunlap to approve the minutes of the June 21, 2024, and September 5, 2024, minutes, meeting: Second by Commissioner Marc Nichols. **MOTION CARRIED.**

## III. CERTIFICATES/AWARDS/RESOLUTIONS

A **MOTION** was made by Sheriff Mike Roberson to approve the list of Professional Certificates and Service Awards; Second by Sheriff Jeff Crisco. **MOTION CARRIED**

Chairman Alan Norman and Retired Sheriff Alan Jones presented the advance certificate to newly appointed Sheriff from Caldwell County, Sheriff Kevin H. Bean.

Sheriff Lowell Griffin presented Corporal Victor Willis with his Advance Certificate.

Chairman Norman presented a resolution of appreciation for Retired Sheriff Alan Jones for his years of service on the Sheriffs’ Training and Standards Commission.

## IV. INFORMATIONAL REPORTS

### \*N.C. Sheriffs’ Association

**Eddie Caldwell**

Mr. Eddie Caldwell of the North Carolina Sheriffs’ Association addressed the Sheriffs’ Commission with his updates.

Mr. Caldwell reported that Operation Catch-up had concluded; after 4 months of working closely with staff from various Sheriffs’ Offices and the certification team at the Sheriffs’ Standards Division, 2,800 backlogged applications were caught up. There was a need identified during this project and that was to push out more training to the Sheriffs’ Offices when submitting applications. Director Squires noted that there is a plan for workshops all throughout the rest of the year and next year.

The Office of Sheriff Refresher Course was taught August 26 & 27, 2024. There was 35 Sheriffs who attended the class.

Mr. Caldwell reported the Statewide Misdemeanant Confinement Program (SMCP) Training at 5 locations across the state had been completed for 2024.

Mr. Caldwell reported the legislative update training and Law Enforcement Officer Retirement Training Classes were on the following dates:

- Haywood County – Tuesday, October 29, 2024
- Catawba County– Wednesday, October 30, 2024
- Pitt County– Wednesday, November 13, 2024
- Duplin County– Thursday, November 14, 2024
- Wake County– Thursday, November 21, 2024

In cooperation with the North Carolina Justice Academy, the legislative update training will be included in the 2025 mandatory in-service training (MIST) required of all law enforcement officers.

The North Carolina Sheriffs' Association Fall Meeting will be held at the Cherokee Conference Center from November 1-5, 2024. There will be several training panel discussions for all the Sheriff's.

Mr. Caldwell reported the Sheriffs' Executive Assistant Institute will be held at the Rizzo Center at UNC Chapel Hill. Currently, there are 63 students enrolled and the course begins on January 5-10, 2025. Graduation will be on the 10<sup>th</sup> and all Sheriff's should plan to attend the ceremony.

**\*North Carolina Justice Academy**

**Trevor Allen**

Director Trevor Allen addressed the Commission members and thanked them for the opportunity to present the North Carolina Justice Academy updates.

Mr. Allen reported training statistics for In-Person Courses, In Person Students, On-line Courses, Online Instructor Updates and SRO Updates.

Synopsis of all the updates is attached.

**\*BLET REVISIONS Updates**

**Alex Gazaway**

Mr. Gazaway presented an update on the PILOT BLET. He briefed the Commission on the status of the BLET Revision Project pursuant to the Job Task Analysis. Mr. Gazaway informed the Commission about the August 2023 pilot program and went through the pilot test Data.

Synopsis of the BLET Pilot Test Data Summary is attached.

**\*Probable Cause Committee**

**Sheriff Ed McMahon**

Sheriff McMahon reported that the Probable Cause Committee met on September 19, 2024. During that session, the Committee reviewed a total of forty (40) cases. Eleven (11) cases were closed pursuant to the Probable Cause Policy. No probable cause was found in nine (9) cases. Probable cause was found in nineteen (19) cases with ten (10) of those cases resulting in Consent Agreements. Eight (8) Consent Agreements were signed and are presented for approval today. Two (2) of those Consent Agreements may be executed at your next meeting. One (1) case was postponed until the November 2024 meeting.

A **MOTION** was made by Sheriff Shelton White to approve the Probable Cause Committee's recommendation of the eight (8) signed Consent Agreements; seconded by Sheriff Van Shaw.  
**MOTION CARRIED**

Commission Legal Council, Joy Strickland also noted that she would be working on some changes to the Probable Cause policy and wanted to update the Sheriffs' Commission.

## V. DIVISION REPORT

**Richard Squires**

Director Squires presented the Division Report to the Sheriff's Commission. He advised that the Division currently has three open full-time positions:

1. A certification specialist position that supports the telecommunicator certification program. This position closed on Friday, September 6, 2024, and staff are in the process of reviewing applications.
2. An administrative support position supporting the telecommunication certification program. The posting of this position is on hold.
3. An administrative support position supporting the Piedmont Region. Interviews have been conducted and a candidate has been submitted to HR for salary qualification.

Part time positions:

Certification Section:

1. This position supports in assisting with the processing of certifications, staff is in the process of hiring a temporary certification specialist and a temporary administrative assistant. These positions are currently posted.

Investigations:

1. The Division is also in the process of hiring four (4) part-time investigators to assist with numerous investigations.

Scanning Project:

1. The Division is in the process of hiring two (2) part-time administrative positions to assist in the scanning of the Division's certification files into Acadis.

### **\*RAPBACK**

The Division is still working with the SBI to find a solution for the Commission to participate in RapBack.

### **\*OPERATION CATCHUP UPDATE**

As of September 16, 2024, the Division is waiting on pending information for 27 certification files.

**\*CERTIFICATION WORKSHOPS**

The Division currently has certification workshops scheduled for the following dates:

**2024**

October 1, 2024 - Haywood County  
 December 18, 2024 - NCJA Salemburg

**2025**

January 14, 2025 - Rowan County  
 January 31, 2025 - Henderson County  
 February 12, 2025 - NCJA Salemburg  
 March 5, 2025 - Duplin County  
 April 9, 2025 - NCJA Edneyville  
 May 1, 2025 - Wake County  
 June 3, 2025 - Pitt County  
 July 9, 2025 - NCJA Edneyville  
 August 20, 2025 - Caldwell County  
 October 7, 2025 - Wake County  
 December 16, 2025 - NCJA Salemburg

**\*INACTIVE COST DISCUSSION**

Discussion referenced the cost of maintaining inactive individuals in the Acadis system.

**\*TRANSITION TO ELECTRONIC SUBMISSION OF DOCUMENTATION ON OCTOBER 1, 2024**

Effective October 1, 2024, the Division will start requiring the electronic submission of certification documentation. The Division has created regional email addresses for deputy and detention officers and a separate one for telecommunicator documentation. The email addresses are:

- [SScerteast@ncdoj.gov](mailto:SScerteast@ncdoj.gov)
- [SScertcentral@ncdoj.gov](mailto:SScertcentral@ncdoj.gov)
- [SScertpiedmont@ncdoj.gov](mailto:SScertpiedmont@ncdoj.gov)
- [SScertwest@ncdoj.gov](mailto:SScertwest@ncdoj.gov)
- [Telecommunicatorcert@ncdoj.gov](mailto:Telecommunicatorcert@ncdoj.gov)

The Division also has emails that allows the electronic submission documentation for professional certificates, in-service end-of-year compliance reports, and submission of training pre/post deliveries and instructor certifications.



- Professional Certificates – [SSprocert@ncdoj.gov](mailto:SSprocert@ncdoj.gov)
- Training/Instructors – [SStraining@ncdoj.gov](mailto:SStraining@ncdoj.gov)
- In-service (End of year compliance) – [SSinservice@ncdoj.gov](mailto:SSinservice@ncdoj.gov)

The Sheriffs' Standards Division and the Criminal Justice Standards Division will begin the process of scanning all our certification files into Acadis. The Division will have three temp employees who will work with volunteers to scan the files into the system.

Staff has also created a memorandum along with questions and answers that will be sent out to all agencies pertaining to the transition.

## VI. ACTION ITEMS

Richard Squires

### \*ORGANIZATION BY LAWS

Due to the periodic review of all the Commission rules in the upcoming year, I would like to propose the Commission consider approving the creation of a new Committee, named Rules and Standards Committee. I would propose that the Committee would meet during the morning of the Final Agency Decisions.

The Commission asked to table the discussion until the next meeting.

### \*CEASE AND DESIST NOTIFICATIONS

Director Squires proposed to continue to allow staff to issue cease and desist notices for:

1. Deficient certification packets
2. Deputies not completing BLET
3. Not receiving documentation within ten (10) working days of the request
4. After three (3) attempts fails to submit the proper documentation.

After discussion, the Commission directed staff to continue working with agencies to correct deficiencies in the same manner as with operation catch up – continue to ask for needed documentation to be submitted within days of the request.

The Commission decided to move forward with all the requests.

**\*CONSIDERATION OF MOVING COMMISSION MEETINGS TO WEDNESDAY, THURSDAY AND FRIDAY**

Director Squires proposed that we move the Commission meetings to three days. This would allow the Commission more time to address items before them.

The Commission asked to table the discussion until the next meeting.

**\*TRAINING EXTENSIONS**

Director Squires would like the Commission to considering stopping the granting of training request unless there is a medical reason the officer could not attend training within their one-year probationary period or being called up for military service.

The Commission asked to table the discussion until the next meeting.

**\*SEPARATIONS – DISCUSSION TO REQUIRE THE COMPLETION OF IA**

The Division staff currently reviews separation to for indications from the previous agency of a potential rule violations. During the process staff will reach out to the agency and request any IA’s pertaining to the individual’s separation. In some cases, the agency would indicate that no IA was initiated or was not completed due to the individual resigning. I would like to propose the Commission vote to allow staff to come back to the Commission with proposed rule language that would require an agency to complete a IA regardless of whether or not the individual had resigned

The Commission asked to table the discussion until the next meeting.

**\*ADMINISTRATIVE RULES**

**Melissa Bowman**

Melissa Bowman addressed the Commission and presented several rules for their consideration for adoption, rulemaking authority, or tabled by the Commission.

- “Purpose” rules of 12 NCAC 10B .0501, .0701, .1001, .1101, .1201, .1301, .1401, .1501, .1601, and .2001 consider as unnecessary.
- 12 NCAC 10B .0408 Verification of Records to Division
- 12 NCAC 10B .0409 Employing Agency Retention of Certification Records
- 12 NCAC 10B .0305 Background Investigation

The Sheriffs' Commission decided to table the purpose rules so they could have more time to review the information before a final vote.

A **MOTION** was made by Sheriff Van Shaw to grant rulemaking authority for 12 NCAC 10B .408; Second by Sheriff Don Brown. **MOTION CARRIED**

A **MOTION** was made by Sheriff Lowell Griffin to grant rulemaking authority for 12 NCAC 10B .0409; Second by Sheriff Mike Roberson. **MOTION CARRIED**

A **MOTION** was made by Sheriff Shelby White to grant rulemaking authority for 12 NCAC 10B .0409; Second by Sheriff James McVicker. **MOTION CARRIED**

#### **\*RULES UPDATE**

Melissa Bowman addressed the Commission and presented several rules updates:

- **12 NCAC 10B .1302 Telecommunicator Certification Course**
  - Submitted to RRC on September 5, 2024
  - If approved, effective date will be October 1, 2024
- **12 NCAC 10B .0601 Detention Officer Certification Course**
  - Submitted to RRC on September 5, 2024
  - If approved, effective date will be July 1, 2025
- **12 NCAC 10B .0402, .0403, .0404, .0503**
  - Rules related to a return to deputies being able to complete BLET during their probationary period
  - Comment period ends September 30, 2024
  - Next step is to adopt at November Commission Meeting
  - Proposed effective date is February 1, 2025, but will be contingent on RRC approval of rules
- **Lateral Transfer Rule**
  - Joint Committee Meeting on October 4, 2024, discuss further

**\*DURHAM COUNTY EXTENSION REQUEST**

At the last Commission meeting the Commission voted to approve training extension for 86 detention officers. The Commission also voted to require the Durham County Sheriff's Office to report at the end of each month a list of individuals who completed DOCC and their completion date. The Commission also voted to require the monthly turnover rate by name and certification type. This information was required to be reported by the end of each month.

The Division received reports from the Durham County Sheriff's Office on: July 8, 2024, August 5, 2024, and September 5, 2024. Attorney Keisha M. Lovelace and Captain Kimberly D. Lane with the Durham County Sheriff's Office were present for the meeting and asked the commission to allow another extension. They stated that by the end of the year, they would be in a better position after graduation with all the classes going on now.

A **MOTION** was made by Commissioner Marc Nichols to go into closed session to discuss Durham's request and personnel matters; Second by Sheriff Mike Roberson. **MOTION CARRIED**

A **MOTION** was made by Sheriff Chip Hughes to go into opened session; Second by Sheriff Shelby White. **MOTION CARRIED**

A **MOTION** was made by Sheriff Ed McMahon to Approve the request for extensions until December 31, 2024; Second by Sheriff Alan Norman. **MOTION CARRIED**

**The Commission summarized the closed session matters as follows:**

The Franklin County Sheriff's Office requested a six (6) month training extension for Allyson Holmes to obtain her Basic Law Enforcement Training (BLET) certification. The extension would be granted until April 16, 2025, if approved.

The Stanly County Sheriff's Office requested a twelve (12) month extension for Katherine Michelle Braswell to Complete Detention Officer Certification Course (DOCC). The extension would be granted until October 2, 2025, if approved.

The Warren County Sheriff's Office requested an extension for Ashley Macon Pearsall to Complete Telecommunicator Course training. She has completed the training.

The Warren County Sheriff's Office requested a six (6) month extension for Jordan Tyler Stevenson to Complete Detention Officer Certification Course (DOCC). The extension would be granted until April 27, 2025, if approved.

The Brunswick County Sheriff's Office requested an extension for Luis Avila to Complete Detention Officer Certification Course (DOCC). He has completed the training.

The Brunswick County Sheriff's Office requested an extension for Angel Estrada-Aguillon to Complete Detention Officer Certification Course (DOCC). He has completed the training.

The Buncombe County Sheriff's Office requested a six (6) month extension for Shellie Katlin Long to Complete Detention Officer Certification Course (DOCC). The extension would be granted until May 27, 2025, if approved.

The Duplin County Sheriff's Office requested a three (3) month extension for Rhonda Pickett Thomas to Complete Detention Officer Certification Course (DOCC). The extension would be granted until January 9, 2025, if approved.

The Greene County Sheriff's Office requested a six (6) month extension for Quanshay Nicole Johnson to Complete Detention Officer Certification Course (DOCC). The extension would be granted until February 26, 2025, if approved.

The Graham County Sheriff's Office requested a nine (9) month training extension for Joshua Dylan Cooley to obtain his Basic Law Enforcement Training (BLET) certification. The extension would be granted until September 23, 2025, if approved.

The Wake County Sheriff's Office requested a nine (9) month extension for Carl Robert Stell Jr. to complete the requirements for Deputy Sheriff Challenge. The extension would be granted until May 26, 2025, if approved.

The Northampton County Sheriff's Office requested a nine (9) month training extension for Rekillya Shaneka Mallory to obtain her Basic Law Enforcement Training (BLET) certification. The extension would be granted until May 28, 2025, if approved.

The Northampton County Sheriff's Office requested a six (6) month training extension for Jonathan De'Vante Buffaloe to obtain his Basic Law Enforcement Training (BLET) certification. The extension would be granted until May 8, 2025, if approved.

The Guilford County Sheriff's Office requested six (6) months past her return date an extension for Jonquil Latecia Smith to Complete Detention Officer Certification Course (DOCC). The agency related she would be called up to active duty until September 30, 2026, which the request would be for March 30, 2027.

The Granville County Sheriff's Office requested a ninety (90) day extension for Christopher Scott Cox to Complete Detention Officer Certification Course (DOCC). The extension would be granted until December 15, 2024, if approved.

The Granville County Sheriff's Office requested a ninety (90) day extension for Jonathan Dwayne Mangum Jr. to Complete Detention Officer Certification Course (DOCC). The extension would be granted until November 29, 2024, if approved.

The Granville County Sheriff's Office requested four (4) ninety (90) day extensions for Betsey Lue Terry, Justin Wyatt Earp Adams, Jasmine Nicole Artis and Gloria Jean Alston to Complete Detention Officer Certification Course (DOCC). The extensions would be granted until December 5, 2024, if approved.

The New Hanover County Sheriff's Office requested a six (6) month extension for Kristopher Allen Withem to complete the requirements for Deputy Sheriff Challenge. The extension would be granted until May 11, 2025, if approved.

The Montgomery County Sheriff's Office requested a six (6) month extension for Stacy Renee Moore to Complete Detention Officer Certification Course (DOCC). The extension would be granted until January 23, 2025, if approved.

The Montgomery County Sheriff's Office requested a six (6) month extension for Mark Wendell Perry to Complete Detention Officer Certification Course (DOCC). The extension would be granted until February 21, 2025, if approved.

The Washington County Sheriff's Office requested a nine (9) month training extension for Garry Wayne Koonce Jr. to obtain his Basic Law Enforcement Training (BLET) certification. The extension would be granted until June 1, 2025, if approved.

The Rutherford County Sheriff's Office requested a break in service waiver request for Brandi Rose Cole. Requests the Commission to consider waiving the break in service requirements. If granted, she would not be required to attend DOCC again and she would not be required to complete BLET.

The Chatham County Sheriff's Office requested a break in service waiver request for Christopher Franklin Fox. If granted, Mr. Fox would not be required to complete BLET.

The Madison County Sheriff's Office request that the Commission grant an education waiver for Kevin Dwight McHone. Mr. McHone would have until March 8, 2025, to meet the educational requirements.

The Concord Police Department requested a three (3) month Telecommunicator Certification Course extension for Brianna Nicole Lyles. The extension would be granted until December 18, 2024, if approved.

The Concord Police Department requested a three (3) month Telecommunicator Certification Course extension for Camden Elizabeth Bickerstaff. The extension would be granted until January 18, 2025, if approved.

The Wake County Sheriff's Office requested a six (6) month Telecommunicator Certification Course extension for Angelica T. Hands. The extension would be granted until February 16, 2025, if approved.

**The Commission Discussed in closed session the eight (8) consent agreements from the Probable Cause Committee.**

A **MOTION** was made in closed session by Sheriff Van Shaw to approve the consent agreements; Second by Sheriff Shelton White. **MOTION CARRIED**

A **MOTION** was made by Sheriff Jeff Crisco to go into open session; Second by Sheriff Don Brown. **MOTION CARRIED**

Director Squires addressed the Commission regarding next year's Commission dates.

- March 20-21, 2025
- June 12-13, 2025
- September 11-12, 2025
- December 4-5, 2025

## VII. ADJOURNMENT

A **MOTION** was made by Commissioner Marc Nichols to adjourn the September 2024 Sheriffs' Commission meeting; Second by Sheriff Mike Roberson. **MOTION CARRIED**

**NC JUSTICE ACADEMY REPORT**  
**SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**  
 September 20, 2024

**PERSONNEL**

- Instructor/Developer: In-Service (2) – Candidates selected for salary qual.
- Instructor/Developer – Aaron Moore moved from In-service team to BLET
- Instructor/Developer – Criminal Investigations: Anthony Stafford began Sept. 9
- Instructor/Developer – Weathering the Storm: Heather Perkins began Aug. 26

**TRAINING STATISTICS**

In-Person Courses: <u>337</u>	In-Person Students: <u>7,740</u>	Online Courses: <u>153</u>
Online: <u>191,008</u>	Instructor Update: <u>6,575</u>	SRO Update: <u>2,307</u>

**NEWS, NEW COURSES, AND EVENTS:**

*BLET Revision Update – Alex Gazaway provided an update to the CJ Commission, which voted to implement the new curriculum, beginning January 1, 2025.*

*Internet Upgrades – NCJA is planning to replace old cables with Fiber Optics and upgrade the IT infrastructure on both campuses.*

*2025 Course Scheduling – All 2025 courses are published in Acadis®.*

*2026 MIST – Joint In-Service Training Committee meets on September 25 to approve 2025 lesson plans and identify 2026 topics.*

*DOCC – New curriculum implementation date is July 1, 2025.*

*CALEA – Year 4 audit completed this week; On-site Assessment October 28-30.*

*2025 Peace Officers' Memorial Day Ceremony: Save the date: Tuesday, May 6, 2025.*



## BLET Pilot Test Summary

Test Topic	Students	Failed 1st Test	Failed Re-Test	Final Pass Rate	Average Test Score
Orientation	264	10	0	100%	86.2
Ethical Problem Solving	262	32	7	97.33%	81.43
Communication & De-Escalation Skills	251	53	10	96.01%	77.5
Officer Health & Wellness	255	20	3	98.82%	83.25
Field Notes & Report Writing	234	36	3	98.72%	83.21
Arrest, Search, Seizure & Constitutional Law	238	59	23	90.37%	77.37
First Responder	151	19	3	98.01%	83.21
Interview & Interrogation	233	26	0	100%	82.05
Crisis Intervention	229	49	6	97.38%	80.35
Responding to Crime Victims	223	12	0	100%	85.11
Property Crimes	142	20	0	100%	81.02
Person Crimes	213	22	0	100%	83.43
Criminal Investigation	226	33	0	100%	81.81
LEO Driver Training	139	15	1	99.28%	84.02
Missing Persons	207	52	1	99.52%	73.92
Crimes Against the Public	204	50	1	99.51%	80.53
Human Trafficking	212	34	0	100%	79.04
Deceased Persons	205	61	0	100%	75.87
Sexual Assaults	129	3	1	99.22%	86.65
Controlled Substances	196	38	1	99.49%	79.11
Hate Crimes	198	62	3	98.48%	74.59
Juvenile Law	211	40	0	100%	77.83
Domestic Violence	193	15	0	100%	85.75
Homeland Security	138	22	1	99.28%	80.71
Traffic Crash Investigation	136	5	0	100.00%	85.72
Traffic Law Enforcement	123	10	0	100.00%	84.21
Motor Vehicle Law	202	99	4	98.02%	74.01
Crime Prevention	131	33	0	100.00%	76.52
Firearms	182	18	0	100.00%	83.11

## BLET Pilot Test Summary

Test Topic	Students	Failed 1st Test	Failed Re-Test	Final Pass Rate	Average Test Score
Explosives & HAZMAT Emergencies	123	9	0	100.00%	82.5
Crowd Management	122	1	0	100.00%	91.11
Transporting & Processing	129	15	0	100.00%	82.97
Courtroom Security	128	20	1	99.22%	83.33
Testifying in Court	132	9	2	98.48%	81.04
Civil Process	122	13	0	100.00%	82.75
Compliance & Control Tactics	128	18	0	100.00%	82.93
Patrol Techniques	122	1	0	100.00%	92
Rapid Deployment	122	0	0	100.00%	93.73



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

**DATE:** October 2, 2024

**TIME:** 10:00 A.M.

**SUBMITTED BY:** Richard Squires, Director

**I. CALL TO ORDER**

**Sheriff Alan Norman**

The North Carolina Sheriffs' Education and Training Standards Commission was called to order by Sheriff Alan Norman on Wednesday, October 2, 2024, at 10:00 am. The Special Commission Meeting was held via teleconference.

**Roll Call**

**Alex Radford**

Chair Norman requested a roll call of Commission members. Alex Radford recorded the following:

**MEMBERS PRESENT**

Sheriff Shelton White

Sheriff Alan Norman

Sheriff Van Shaw

Marc Nichols

Jennifer Fisher

Jamie Markham

Sheriff Jack Smith

Sheriff James McVicker

Sheriff Terry Johnson

**MEMBERS ABSENT**

Sheriff Jeff Crisco

Sheriff Mike Roberson

Sheriff Don Brown

Sheriff Lowell Griffin

Sheriff Banks Hinesman

Sheriff Ed McMahan

Sheriff Chip Hughes

George Dunlap

**STAFF**

Richard Squires

Melissa Bowman

Alex Radford

Joy Strickland

Sheriffs' Standards Division

Sheriffs' Standards Division

Sheriffs' Standards Division

NC Department of Justice

**VISITORS**

Lauren Earnhardt	NC Sheriffs’ Association
Eddie Caldwell	NC Sheriffs’ Association
Chris Anderson	NC Justice Academy
Merrily Cheek	NC Justice Academy

**Declaration of a Quorum**

**Sheriff Alan Norman**

Chair Norman welcomed everyone and declared a quorum.

**Ethics Reminder**

**Joy Strickland**

Joy Strickland read the ethics reminder to the Commission.

**II. Consideration of Adoption of Rules**

**Melissa Bowman**

- 12 NCAC 10B .1302 – Telecommunicator Certification Course

Melissa Bowman addressed the Commission regarding telecommunicator rule. Ms. Bowman related that the Commission had already seen this rule at earlier, but we are proposing that the Commission re-adopt the rule and have it submitted to the RRC at their next meeting on October 30, 2024.

A **MOTION** was made by Sheriff McVicker to adopt 12 NCAC 10B .1302; seconded by Sheriff White. **MOTION CARRIED**

Joy Strickland wanted to address to the Commission that with the rule they are adopting that if there needed to be some minor language changes made before submitting to the Rules Review Committee on October 30, 2024, she asked the Commission if they would approve those minor changes.

Chair Norman asked if anyone had any questions regarding the language changes. A role call vote was entertained.

A **MOTION** was made by Sheriff White to allow staff if needed to make minor changes to the language of rule 12 NCAC 10B .1302 before submitting to the RRC; seconded by Commissioner Marc Nichols. **MOTION CARRIED**

**VI. November 2024 Sheriffs' Commission Meeting Location**

**Alan Norman**

Chair Norman addressed the Commission and stated that our next meeting will be held in Burlington North Carolina on November 21-22, 2024, hosted by Sheriff Terry Johnson.

**VII. ADJOURNMENT**



## NORTH CAROLINA JUSTICE ACADEMY

JOSH STEIN  
ATTORNEY GENERAL

STATE OF NORTH CAROLINA  
DEPARTMENT OF JUSTICE

TREVOR ALLEN  
DIRECTOR

November 8, 2024

### MEMORANDUM

**TO:** Richard Squires, Director  
NC Sheriffs' Education and Training Standards Division

Trevor Allen, Director  
North Carolina Justice Academy

**FROM:** Merrily Cheek  
Training Manager  
North Carolina Justice Academy

**DATE:** October 18, 2024

**SUBJECT:** Agenda Item for November Commission Meeting

The Joint In-Service Training Committee met on September 25<sup>th</sup>, 2024, to review and approve the draft 2025 Mandatory In-Service Training material, and to discuss and adopt the 2026 topics.

At this time, we are submitting the 2026 Mandatory In-Service Training topics for approval.

#### Law Enforcement

2026 Legal Update – 4 credits  
2026 Legislative Update – 2 credits  
2026 Firearms Training and Qualification – 4 credits  
2026 Youth-Focused: Strategies and Responses – 2 credits  
2026 Armed/Unarmed Security – 2 credits  
2026 Committed to Integrity – 2 credits  
2026 Critical Decision-Making Model – 2 credits  
2026 Illegal Business Activity – 4 credits  
DWI – Arrest to Conviction – 4 credits (Topic of Choice)

*Total Developed: 26 credits*

#### Detention

2026 Expect the Unexpected – Inmate Behavior - 2 credits  
2026 Professionalism in the Workplace – 4 credits  
2026 Leadership from Within – 2 credits  
2026 The Detention Officer's Critical Role – 2 credits

2026 Committed to Integrity – 4 credits  
2026 Purpose and Responsibilities – 14 J

*Total Developed: 16 credits*

Telecommunications

2026 Committed to Integrity – 2 credits  
2026 Leadership from Within – 2 credits  
2026 Surviving Operation Disruptions – 2 credits  
2026 Professionalism in the Workplace – 4 credits  
2026 Railroad Safety – 2 credits  
2026 How Can I Help You? Customer Service – 2 credits  
2026 Court Preparation and Testimony – 2 credits

*Total Developed: 16 credits*

Thank you for your time and partnership in meeting the training needs of our state's criminal justice personnel.

PO Box 99, SALEMBURG, NC 28385-0099, PH: 910.525.4151  
PO Box 600, EDNEYVILLE, NC 28727-0600, PH: 828.685.3600  
[HTTP://NCJA.NCDOJ.GOV](http://NCJA.NCDOJ.GOV)



## NORTH CAROLINA JUSTICE ACADEMY

JOSH STEIN  
ATTORNEY GENERAL

STATE OF NORTH CAROLINA  
DEPARTMENT OF JUSTICE

TREVOR ALLEN  
DIRECTOR

### MEMORANDUM

**TO:** Richard Squires, Director  
NC Sheriffs' Education and Training Standards Division

Trevor Allen, Director  
North Carolina Justice Academy

**FROM:** Melinda McClenny, School Director  
Telecommunicator Certification Course  
North Carolina Justice Academy

**DATE:** November 1, 2024

**SUBJECT:** Agenda Item for November 2024 Commission Meeting

At this time, we are submitting revisions to the Telecommunicator Certification Course for your consideration and approval with an effective date of February 1, 2025.

Updates to the curriculum were based on a continued review by Academy staff. None of the changes incorporated affect topic hours or titles. The updated lesson plans were provided to Sheriffs' Standards staff in order to reconcile with the state exam. Examples of changes include:

- Addition of a "Railroad Safety" section to an existing block
- Re-wording of various training objectives for conciseness
- Updating reference material
- Formatting, grammatical, spelling, punctuation

Moving forward, the Academy and the Telecommunicator Certification Course Advisory Group anticipate an on-going review process, with a yearly submission to the Commission for approval in the event of any major revisions.

Thank you for your time and partnership in meeting the training needs of our state's telecommunicators.



**NC SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**  
**PROBABLE CAUSE COMMITTEE POLICY**

I. Purpose

The purpose of this policy is to set out the process by which cases are processed through the Sheriffs' Standards Division, presented to the Probable Cause Committee of the NC Sheriffs' Education and Training Standards Commission, and resolved post Committee meeting.

II. Prior to the Probable Cause Meeting

A. Review of Application and Officer Certification File for Failure to Meet Minimum Standards or for Possible Rule Violation

The Director or staff shall review all applications for justice officer certification and issues that may subject a certified officer to denial, suspension, or revocation. The following are options for how the matters will be processed if it is not apparent that the applicant clearly meets the minimum standards for certification and is otherwise qualified:

1. The Director shall notify the appointing agency & applicant of the deficiency and offer an opportunity to show compliance by submitting additional information or a clarifying statement concerning qualifications for certification. The agency and/or applicant shall be allowed no more than ninety (90) calendar days to respond to the Director's request. Failure to respond within the ninety (90) day period may result in an adverse determination against the applicant.
2. If information in an application packet clearly establishes the application should be denied because the applicant fails to meet the minimum standards or information obtained by the Division clearly establishes the justice officer should be revoked or suspended, the Director shall notify the applicant or officer pursuant to section "II C" of this policy.

B. Authority Delegated to Staff To Issue Certification Without Presentment to the PC Committee

The Commission has delegated authority to Division staff to approve an application without presentment to the PC Committee in the following circumstances:

1. Discrepancies Between Personal History Statements and Other Records

a. Lesser Included Offense

When an applicant listed a lesser included offense of a previously charged offense on the Personal History Statement, and no other unrelated charges were omitted, provided the applicant/officer updates the Personal History Statement.

b. Simultaneous Service of Multiple Charges

When an applicant listed one or more of several charges, but failed to list all charges which were served at the same time as those listed, and no other unrelated charges were omitted, provided the applicant updates the Personal History Statement.

c. Discussed or Otherwise Divulged

When an applicant/officer discussed or otherwise divulged previous criminal charges to his employing agency, but omitted such charges from his Personal History Statement, provided:

- 1) the applicant/officer submits a notarized statement explaining why he/she failed to list the criminal history record on his/her Personal History Statement and updates the Personal History Statement; and
- 2) the employing agency submits:
  - a) verification that the offense(s) was divulged by the applicant/officer prior to the submission of the application for certification to the Division; or
  - b. verification that the discrepancies were not brought to the attention of the applicant/officer and the applicant/officer was not allowed the opportunity to update the Personal History Statement prior to the submission of the application to the Division in accordance with Rule .0305(c).

In cases where it is apparent upon initial receipt of the application for certification that the employing agency had actual or constructive knowledge of the omitted information, then the Director may resolve the discrepancy in favor of the applicant without the verification set out in 2 a) and b) above and allow the applicant to update the relevant response(s) on the Personal History Statement.

d. Included on Previous Application Materials

When an applicant/officer discussed or otherwise divulged previous criminal charges, past drug use, issues concerning employment separation reasons to this Commission or the Criminal Justice Commission at any time in connection with a previous application(s), provided:

- 1) the omission occurred on a Sheriffs' Standards Personal History Statement, and the applicant/officer updates the Personal History Statement consistent with the criminal history record; or
- 2) the omission occurred on a Criminal Justice Commission Report of Appointment or Personal History Statement, then notice will be given to that Commission and the CJ Commission staff confirms that the omission does not violate its rules.

If in the above, conflicting facts exist which prevent the Director from clearly establishing that the applicant/officer is eligible for certification, the Director may present the matter to the Probable Cause Committee for a determination as to whether a discrepancy constitutes falsification.

e. Failure to list ONE of the following charges or convictions:

- 1) Fishing, Hunting, or Boating violations, except for those specifically listed as Class B Misdemeanors;
- 2) Any Local Ordinance Violation;
- 3) Purchase, Possess or Consumption of an Alcoholic Beverage by a person under the age of 21 [NCGS 18B-302(b)(1) & (3)];
- 4) Transporting Opened Alcoholic Containers [NCGS 18B-401(a)]
- 5) Simple Worthless Check [NCGS 14-107]

f. Past Prescription Drug Use

Cases where there was limited (one or two times) use of a prescription drug that was prescribed to a family member or even a friend, used for a sickness or ailment.

g. Failure to Make Timely Notifications of Criminal Charges

- 1) Division staff shall gather evidence to show whether or not the applicant or officer made notification to his/her employing agency, and whether or not the applicant or officer should have been aware of the notification requirement. Where no evidence exists to show that the applicant/officer could or should have known of this requirement, staff is authorized to continue certification. Additionally, if Criminal Justice Standards Division receives and documents timely notification from officer or agency, then certification shall be continued.
- 2) Where there is some minimal level of evidence to show this knowledge, then the matter will be presented to the PC Committee to determination whether there has been an intentional violation of the notification requirement.

h. Transferees from the Criminal Justice Commission

- 1) Where, in the course of reviewing a lateral transferee application/certification, Sheriffs' Standards staff discovers an omission or misrepresentation of which it appears that the CJ Commission is unaware, then CJ standards staff will be informed. Unless the CJ Commission determines that action against the certification is warranted, then Division staff will issue certification provided the applicant/officer has properly listed the information on the Sheriffs' Commission application.

- 2) Failure to Make Notification of Criminal Charges

Failure to make timely notification of criminal charges to the CJ Commission is only sanctionable where the conviction would have potentially caused a deferral of certification. The Sheriffs' Commission's code has no provision to act upon a certification, with the exception of falsification, unless the CJ Commission suspends, denies or revokes certification. Therefore, unless the CJ Commission acts upon the certification for failure to make notification of criminal charges, no action will be taken against the certification being applied for or held by the Sheriffs' Commission.

C. Authority Delegated to Staff to summarily deny an application or suspend a certification without presentment to the PC Committee in the following circumstances:

1. Felony conviction [12 NCAC 10B .0204(a)(1)];
2. Misdemeanor conviction which carries punishment of more than two years confinement [12 NCAC 10B .0204(a)(2)];

3. Has failed to meet or maintain any of the minimum employment standards [12 NCAC 10B .0204(b)(2)];
4. Has been removed from office by decree of the Superior Court [12 NCAC 10B .0204(c)(4)];
5. Has failed to satisfactorily complete minimum in-service training requirements [12 NCAC 10B .0204(b)(3)];
6. Has refused to submit to a drug screen as required by the Commission's rules [ 12 NCAC 10B ];
7. Has produced a positive result on a drug screen reported to the Commission [12 NCAC 10B .0204(b)(5)].

If the Director acts under this section, the notice to the applicant/officer will be provided in writing and include appellate rights per N.C.G.S. Chapter 150B.

D. Criteria for Considering Commission of an Offense, Juvenile or Sealed Records, or Expunged records.

The following is intended to provide Division staff and the Probable Cause Committee guidelines to use in determining whether the actions of an applicant/officer are sufficient to impose sanctions under Rules 12 NCAC 10B .0204(a) and (d) for "commission" of a criminal offense or constitute a rule violation.

1. Criteria for "Commission" of an Offense

- a. Staff and the PC committee will consider whether a criminal investigation, criminal charges, or agency investigation was initiated against the applicant/officer; or the act was otherwise endorsed by a judicial official (i.e., Domestic Violence Protective Orders or Civil No Contact Orders).
- b. Was the original charge(s), reduced to a lesser included offense, dismissed, or resulted in a "not guilty" verdict?
- c. Where an applicant or certified officer has more than one charge on his/her record, and at least one of, or a combination of his/her charges, if substantiated, would preclude certification from being issued, then the commission of the offense(s) will be investigated and presented to the PC Committee.
- d. Is there reliable, substantial, and admissible evidence that the officer or applicant committed a criminal violation of law?

## 2. Consideration of Juvenile, Sealed, and/or Other Restricted Records

- a. Where an applicant/officer is found was the subject of a juvenile petition or was charged in North Carolina as a youthful offender, and the case was not referred to Superior, Division staff shall not consider the juvenile petition or the youthful offender offense as possible grounds for denial, suspension, revocation of certification.
- b. Where an applicant/officer was subject to proceedings as a juvenile in whatever jurisdiction located as a result of potential criminal conduct, the Division staff shall seek, if available, any documentation or witnesses relating to the conduct of the applicant or officer.
- c. Where an applicant/officer is found to have been subject to proceedings in whatever jurisdiction located as a result of potential criminal conduct with the results that the proceedings are sealed or otherwise restricted, Division staff shall seek, if available, any documentation or witnesses relating to the conduct of the applicant or officer.

## 3. Expunged Offenses

Where an applicant/officer obtains an expungement order for criminal charges, the Division staff shall in accordance with N.C.G.S. §15A-151(a)(6) with the exception of offenses expunged under G.S. 15A-145.4 or G.S. 15A-145.8, investigate the possible commission of the offense(s).

## E. Pre PC Review

The Division Director or Deputy Director and Legal Counsel shall make a preliminary determination of whether there is sufficient evidence to establish probable cause of a rule violation.

1. The Director or Deputy Director and Legal Counsel will take into consideration whether information in the file is derived from a juvenile matter, sealed file, or expunged charge/conviction.
2. If the Director or Deputy Director and Legal Counsel determine there is insufficient evidence that the applicant/officer violated a rule or “committed” the offense(s), the Deputy Director will report this information to the PC Committee along with a brief summary of each case, and a recommendation that the case be closed. If the PC Committee votes to close the case, Staff will close the investigation and issue certification. If the Committee determines additional information is needed, the Committee may direct staff to perform more investigation. Notice to the

applicant/officer or hiring agency is not required to be made at this stage of the investigation.

3. If the Director or Deputy Director and Legal Counsel determine there is sufficient evidence that the applicant/officer violated a rule or “committed” the offense(s), the case will be submitted to the PC Committee for consideration.

### III. Probable Cause Meeting

#### A. Notice of Probable Cause Meeting

Thirty (30) days prior to the PC meeting, Division staff will send notice to the applicant/officer of the meeting date, time and location. The notice will also include the alleged rule that has been violated or minimum standard that is not met.

#### B. Review by Legal Counsel

Prior to the notice of probable cause being mailed to the applicant/officer, Division staff will provide the probable cause memoranda and supporting documentation for legal review.

#### C. Documentation to Probable Cause Committee Members

Division staff will provide the final probable cause memoranda and supporting documentation to the PC Committee members two weeks prior to the meeting in a secure electronic format.

#### D. Meeting Process

At the meeting, Division staff will provide a summary of the alleged rule violations or minimum standards which are not met.

1. After presentation of evidence from division staff, the officer/applicant, and any others present at the request of the officer/applicant, the following are possible findings:
  - a. No Probable Cause; or
  - b. Probable Cause with an offered lesser sanction; or
  - c. Probable Cause with no lesser sanction offered.
2. If probable cause is found, the PC Committee will use the following in consideration of whether to offer a lesser sanction. These criteria are to be used as guidelines and do not necessarily mean that all of the criteria must be present before a sanction less than active suspension or denial is recommended. Where the PC Committee believes a lesser sanction is appropriate, and the reasoning is not already listed above, the Committee shall articulate the reasoning for the recommended lesser sanction.

- a. An alleged material misrepresentation:
  - i) did the applicant/officer admit to the misrepresentation;
  - ii) did the hiring agency fail to emphasize to the applicant the seriousness of being forthright on the Personal History Statement.
- b. An alleged material misrepresentation where the applicant/officer does not admit to an intentional misrepresentation:
  - i) the seriousness of the matter that was omitted;
  - ii) the age of the matter;
  - iii) the age of the applicant/officer when the matter occurred;
  - iv) the age of the applicant/officer at the time of omission;
  - v) the amount of involvement that the individual had with the court system or other disciplinary venue in question.
- c. The commission or conviction of Class A or B Misdemeanors:
  - i) whether the period of sanction will expire before a Final Agency Decision is likely to be reached;
  - ii) the age of the offense;
  - iii) the age of the applicant/officer at the time of the offense;
  - iv) the nature of any restitution or reparations;
  - v) the applicant's or officer's potential for future service;
  - vi) the amount of involvement that the individual had with the court system or other disciplinary venue in question.
- d. Failure to make notice of charges, domestic violence orders, or civil no contact orders where there is reasonable doubt as to the applicant's or officer's knowledge of his duty to report:
  - i) the passage of time between when the applicant/officer failed to make notice and when the applicant/officer completed the Personal History Statement,
  - ii) Report of Appointment Form; was the applicant or officer taught of the duty to make notification in basic training.

### 3. Previous Finding of Lack of Good Moral Character



When there has been a previous finding that an applicant/officer lacked Good Moral Character; then any subsequent application for certification shall be presented to the PC Committee for their review to determine if the applicant/officer has produced sufficient evidence of rehabilitation.

IV. Post Probable Cause Meeting

A. No probable cause is found.

Division staff will notify the applicant or officer in writing within ten (10) business days of the Commission meeting.

B. Probable cause is found, and a sanction is offered by the Probable Cause Committee.

Legal Counsel will review the consent agreement with the applicant/officer during the PC committee meeting and will obtain authorization to present the agreement to the Full Commission for approval. If the Full Commission approves the proposed sanction, Division staff will notify the applicant or officer in writing within ten (10) business days of the Commission meeting.

C. Probable Cause with no lesser sanction offered.

1. Division staff will prepare a notice of probable cause letter and provide to Legal Counsel for review. Division staff will notify the applicant/officer within fifteen (15) to twenty (20) business days of the Commission meeting. That notice will include information regarding the process to appeal the finding of probable cause.

2. If the applicant/officer timely requests a hearing within thirty (30) calendar days of receiving notification in order to resolve any dispute concerning the applicant's/officer's qualifications for certification, DOJ legal counsel will represent the Commission at the administrative hearing.

3. If the officer/applicant fails to timely request a hearing within the thirty (30) day period, this will constitute a waiver of rights to a hearing and the applicant's/officer's certification will, thereby, be denied, suspended or revoked and staff will notify the applicant/officer and the employing agency in writing.

**MEMORANDUM**

November 5, 2024

TO: Sheriffs' Education and Training Standards Commission Members

FROM: Richard Squires, Director

RE: Division Report

**\*\*INFORMATIONAL ITEMS\*\*****I. Division Updates**

Since the last meeting the Division has hired the following personnel:

Full-time

a. Kayla Stratton – Administrative Assistant for the Piedmont region. Her first day was October 21, 2024.

Part-time

a. Megan Anderson – Administrative Assistant supporting the transition to electronic files. Her first day was September 30, 2024.

b. Audrey Judd – Administrative Assistant supporting the transition to electronic files. Her first day was September 30, 2024.

c. Leya Drumm – Administrative Assistant for the Telecommunicator Officer program. Her first day was October 21, 2024.

Promotions

a. Jasmine Caldwell was promoted to serve as the certification specialist for the telecommunication certification program. Jasmine previously served as the administrative specialist for the western region.

Vacant Positions

The Division currently has two vacant administrative assistant positions which we are in the process of filling. One of the positions supports the western certification region and the other position supports the telecommunicator certification program.

**II. Transition to Electronic Submission of Applications**

On October 1, 2024, the Division transitioned to receiving applications electronically. The process has gone well and staff has worked with agencies to assist them with the transition.

**III. Rap Back**

There has been no change with the status of the Rap Back Program. Staff continues to meet with SBI to discuss possible solutions.

**IV. Detention Officer Certification Courses – Waiver of the requirement to have a minimum of 40 hours of instruction per week.**

Staff received and granted a waiver to Catawba Valley Community College and to Wilkes County Community College. The request was made due to the effect of the hurricane on their DOCC programs.

**12 NCAC 10B .0704 RESPONSIBILITIES: SCHOOLS AND DETENTION OFFICER COURSES**

(a) In planning, developing, coordinating, and delivering any commission-certified Detention Officer Certification Courses, the school shall:

- (1) Formalize and schedule the course curriculum in accordance with the curriculum standards established by the rules in this Chapter.
- (B) Upon written request by the school delivering a class, the Director shall grant a waiver of the minimum hours requirement to that particular delivery of the class when illness, adverse weather, staffing shortages at the school or law enforcement agency employing the students or hosting the course, a declared state of emergency, incident requiring an emergency response by law enforcement, or riot prevent students from attending class or the school from staffing instructors for the class for 40 hours of instruction a week.

**V. School Director / Qualified Assistant Conference**

The Sheriffs' Standards Division and the Criminal Justice Standards Division held their mandatory annual School Director / Qualified Assistant Conference on September 30, 2024 at the Embassy Suites, in Greensboro. The conference provided training and updates on the Commission programs. For those that could not make the training, staff will be holding virtual training for these individuals on November 8, 2024 and December 6, 2024.

**VI. Update on Durham County Sheriff Office Extension**

At your last meeting, the Sheriffs' Standards Commission granted training extensions, until December 31, 2024, to allow 38 individuals with the Durham County Sheriff Office to complete DOCC. As of this date, of those granted a training extension there are still 30 individuals needing the training.

**\*\*ACTION ITEMS\*\***

**I. Extension/Waiver Requests.** Staff would like the Commission to consider the approval for the individuals listed on your handout.

## **Rules: Action Items and Updates**

## November 2024 Commission Meeting Rules Agenda: Action Items and Updates

### 1. ACTION ITEM- Vote to consider adopting staff's recommendation on unnecessary rules (pp 2-5)

- Commission must determine if each rule is necessary or unnecessary
- Unnecessary rule means “a rule the agency determines to be obsolete, redundant, or otherwise not needed.” [G.S. 150B-21.3A(a)(6)] If designated as such, it will be removed from the code.
- Staff recommends a finding that the following rules are unnecessary:
  - “Purpose” rules of .0501, .0701, .1001, .1101, .1201, .1301, .1401, .1501, .1601, and .2001
  - .0110 which addresses confidentiality provisions set out in 17E-5 and 17E-6
- At the next Commission meeting, you will review public comments and approve report.
- The votes at the November and March meetings MUST occur as the final report for necessary/unnecessary rules must be submitted to RRC by May 20, 2025.

### 2. ACTION ITEM- Vote to consider adoption of the following rules related to a return to deputies being able to complete BLET during their probationary period. (pp. 6-9)

#### 12 NCAC 10B .0402 Probationary Certification

#### 12 NCAC 10B .0403 Probationary Certification Requirement

#### 12 NCAC 10B .0404 General Certification

#### 12 NCAC 10B .0503 Time Req/Completion/Basic Law Enforcement Training Course

- If adopted by the Commission, it will be submitted to RRC.
- If approved by RRC, would be effective February 1, 2025

### Updates

#### 1. 12 NCAC 10B .0601 Detention Officer Certification Course (p. 10)

- Approved at RRC meeting on October 30, 2025
- Effective date is July 1, 2025

#### 2. 12 NCAC 10B .1302 Telecommunicator Certification Course (p. 11)

- Approved at RRC meeting on October 30, 2025
- Effective date November 1, 2024

#### 3. 12 NCAC 10B .0305, .0408, and .0409 (pp. 12-20)

- Rules limiting the number of documents agency submit to Division
- Comment period ends December 16, 2024

## Staff Recommendations for Unnecessary Rules

### **12 NCAC 10B .0501    PURPOSE**

This Section establishes the current minimum standard by which deputy sheriffs shall receive basic recruit law enforcement training. These Rules ensure the continued standard of training followed previously by all law enforcement officers across the state.

*History Note: Authority G.S. 17E-4(a);  
Eff. January 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

### **12 NCAC 10B .0701    PURPOSE**

This Section establishes the minimum standards for the schools from which sheriffs' office shall receive training. These Rules shall serve to define the areas of responsibility for the institutions and personnel associated with and responsible for the delivery of said training programs.

*History Note: Authority G.S. 17E-4;  
Eff. January 1, 1989;  
Amended Eff. February 1, 1998;  
Temporary Amendment Eff. March 1, 1998;  
Amended Eff. August 1, 1998;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

### **12 NCAC 10B .1001    PURPOSE**

In order to recognize the level of competence of sheriffs and deputy sheriffs serving the sheriffs' offices of North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a law enforcement career, the North Carolina Sheriffs' Education and Training Standards Commission establishes the Sheriffs and Deputy Sheriffs' Professional Certificate Program. This program is a method by which dedicated sheriffs and deputy sheriffs may receive local, state-wide and nation-wide recognition for education, professional training and on-the-job experience.

*History Note: Authority G.S. 17E-4;  
Eff. January 1, 1989;  
Amended Eff. February 1, 1998; January 1, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

**12 NCAC 10B .1101 PURPOSE**

In order to recognize Sheriffs', deputy sheriffs', detention officers', and telecommunicators' loyal and competent service to a particular sheriff's office in North Carolina, and also to the State of North Carolina, the Commission establishes the Sheriffs' and Justice Officers' Service Award Program. This program is a method by which dedicated officers may receive local, state-wide and nation-wide recognition for their loyal and competent law enforcement service.

*History Note: Authority G.S. 17E-4;  
Eff. January 1, 1989;  
Amended Eff. February 1, 1998; January 1, 1992;  
Temporary Amendment Eff. March 1, 1998;  
Amended Eff. April 1, 2001; August 1, 1998;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

**12 NCAC 10B .1201 PURPOSE**

In order to recognize the level of competence of detention officers serving the Sheriffs' offices of North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a law enforcement career, the North Carolina Sheriffs' Education and Training Standards Commission established the Professional Certificate Program for Detention Officers.

*History Note: Authority G.S. 17E-4;  
Eff. January 1, 1990;  
Amended Eff. February 1, 1998; January 1, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

**12 NCAC 10B .1301 PURPOSE**

This Section establishes the current minimum standards by which telecommunicators shall receive telecommunicator certification training.

*History Note: Authority G.S. 17E-4(a);  
Temporary Adoption Eff. March 1, 1998;  
Eff. August 1, 1998;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

**12 NCAC 10B .1401 PURPOSE**

In order to recognize reserve deputy sheriffs serving the sheriffs' offices of North Carolina, the North Carolina Sheriffs' Education and Training Standards Commission establishes the Reserve Deputy Sheriff Professional Certificate Program. This program is a method by which dedicated reserve deputy sheriffs

may receive local, state-wide and nation-wide recognition for professional training and participation in law enforcement functions.

*History Note: Authority G.S. 17E;  
Eff. August 1, 2000;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

#### **12 NCAC 10B .1501 PURPOSE**

In order to recognize reserve justice officers' loyal and competent service to a particular Sheriff's office in North Carolina, the Commission establishes the Reserve Justice Officers' Service Award Program. This program is a method by which dedicated reserve justice officers may receive local, statewide and nation-wide recognition for their law enforcement participation.

*History Note: Authority G.S. 17E-4;  
Eff. April 1, 2001;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

#### **12 NCAC 10B .1601 PURPOSE**

In order to recognize the level of competence of telecommunicators serving the sheriffs' offices of North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a career as a telecommunicator, the North Carolina Sheriffs' Education and Training Standards Commission establishes the Telecommunicators' Professional Certificate Program. This program is a method by which dedicated telecommunicators may receive local, state-wide and nation-wide recognition for education, professional training and on-the-job experience.

*History Note: Authority G.S. 17E-4;  
Eff. August 1, 2002;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

#### **12 NCAC 10B .2001 PURPOSE**

In order to ensure a minimum level of proficiency in specific topical areas for justice officers within the state the Commission establishes the Justice Officers' In-Service Training Programs.

*History Note: Authority G.S. 17E-4; 17E-7;  
Eff. January 1, 1989; Amended Eff. January 1, 2007; February 1, 1998; January 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*



**12 NCAC 10B .0110 DIVULGING PERSONNEL INFORMATION**

Information maintained in the Division's files concerning a Justice Officer may be inspected or disclosed only as provided by law.

*History Note: Authority G.S. 17E-6;  
Eff. January 1, 1989;  
Recodified from 12 NCAC 10B .0203 Eff. January 1, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.  
March 6, 2018.*

1 12 NCAC 10B .0402 is proposed for amendment as published in 39:03 NCR 97 as follows:

2

3 **12 NCAC 10B .0402 PROBATIONARY CERTIFICATION**

4 All justice officers, except those transferred or reinstated pursuant to Rule .0406 of this ~~Section~~ Section, shall serve a  
5 probationary certification period of one year; provided that the one year probationary period has not been extended  
6 for cause pursuant to ~~12 NCAC 10B .0602(a) or .1303(a)~~ Rules .0503(a), 0602(a), and .1303(a) of this Subchapter.

7 For certification as a deputy sheriff the probationary period begins on the date the officer took the Oath of ~~Office after~~  
8 ~~completion of Basic Law Enforcement Training as described in 12 NCAC 10B .0502 and 12 NCAC 09B .0205.~~ Office.

9 For certification as a detention officer or telecommunicator, the probationary period begins on the date the person was  
10 appointed.

11

12 *History Note: Authority G.S. 17E-4; 17E-7;*

13 *Eff. January 1, 1989;*

14 *Amended Eff. January 1, 1996; January 1, 1994; January 1, 1991;*

15 *Temporary Amendment Eff. March 1, 1998;*

16 *Amended Eff. August 1, 1998;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
18 *2018;*

19 *Amended Eff. February 1, 2025; July 1, 2024.*

20

1 12 NCAC 10B .0403 is amended with changes as published in 39:03 NCR 97 as follows:

2

3 **12 NCAC 10B .0403 PROBATIONARY CERTIFICATION REQUIREMENT**

4 (a) For certification as a deputy ~~sheriff~~, the applicant must successfully complete Basic Law Enforcement Training  
5 as described in ~~12 NCAC 10B .0502 and 12 NCAC 09B .0205~~, and sheriff or detention officer, a Report of  
6 Appointment (Form F-4) ~~must~~ shall be submitted to the Division. For certification as a telecommunicator, a Report of  
7 Appointment (Form F-4T) shall be submitted to the Division.

8 ~~(b) For certification as a detention officer, a Report of Appointment (Form F-4) must [shall] be submitted to the~~  
9 ~~Division.~~

10 ~~(c) For certification as a telecommunication officer, a Report of Appointment (Form F-4T) must [shall] be submitted~~  
11 ~~to the Division.~~

12 ~~(d)~~(b) Report of Appointment forms ~~must~~ shall be submitted to the Division by the employing agency no later than  
13 10 days after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been  
14 appointed.

15 ~~(e)~~(c) The Division shall forward the justice officer's certification to the ~~appointing~~ employing agency.

16 ~~(f)~~(d) No deputy sheriff or detention officer probationary certification shall be issued by the Division prior to the  
17 applicant meeting the conditions set forth in this Paragraph. As an additional requirement for probationary  
18 certification, the applicant shall meet the following requirements:

19 (1) If the applicant for probationary certification is authorized by the sheriff to carry a firearm pursuant  
20 to the provisions of ~~12 NCAC 10B .2104~~, Rule .2104 of this Subchapter, the employing agency shall  
21 submit evidence of satisfactory completion of the employing agency's in-service firearms training  
22 and ~~requalification~~ qualification program pursuant to ~~12 NCAC 10B .2000 and .2100~~; Section .2100  
23 of this Subchapter; or

24 (2) If the applicant for probationary certification is not authorized by the sheriff to carry a firearm  
25 pursuant to the provisions of ~~12 NCAC 10B .2104~~, Rule .2104 of this Subchapter, the employing  
26 agency shall notify the Division, in writing, that the applicant is not authorized by the sheriff to  
27 carry a firearm.

28

29 *History Note: Authority G.S. 17E-4; 17E-7;*

30 *Eff. January 1, 1989;*

31 *Amended Eff. February 1, 1998, January 1, 1996; January 1, 1994; January 1, 1991;*

32 *Temporary Amendment Eff. March 1, 1998;*

33 *Amended Eff. August 1, 1998;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
35 *2018;*

36 *Amended Eff. February 1, 2025; July 1, 2024.*

37

1 12 NCAC 10B .0404 is proposed for amendment as published in 39:03 NCR 97 as follows:

2  
3 **12 NCAC 10B .0404 GENERAL CERTIFICATION**

4 (a) The Commission shall grant an officer general certification if evidence is received by the Division that the officer  
5 has:

- 6 (1) complied with all of the requirements of ~~12 NCAC 10B .0300;~~ Section .0300 of this Subchapter;  
7 and  
8 ~~(2) successfully completed the required probationary period pursuant to Rule .0402 of this Section; and~~  
9 ~~(3)(2) detention officers and telecommunicators have~~ successfully completed the required training as set  
10 out in Sections .0500, .0600, or .1300 of this Subchapter within the probationary period.

11 (b) General certification is continuous from the date of issuance if:

- 12 (1) ~~The~~ the certified officer remains continuously employed or appointed as an officer with an agency  
13 and the certification has not been terminated for cause; or  
14 (2) ~~The~~ the certified officer, having separated without a pending disciplinary action from an agency, is  
15 reemployed or reappointed as a justice officer within one year from the date of separation, and the  
16 certification has not been terminated for cause.

17  
18 *History Note: Authority G.S. 17E-4; 17E-7;*

19 *Eff. January 1, 1989;*

20 *Amended Eff. January 1, 1993;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
22 *2018;*

23 *Amended Eff. February 1, 2025; July 1, 2024.*

24

1 12 NCAC 10B .0503 is amended with changes as published in 39:03 NCR 97-98 as follows:

2  
3 **12 NCAC 10B .0503 TIME REQ/COMPLETION/BASIC LAW ENFORCEMENT TRAINING COURSE**

4 (a) Each deputy sheriff shall have completed with passing scores the accredited basic law enforcement training course  
5 [program] as prescribed in 12 NCAC 09B .0205 ~~prior to obtaining probationary certification.~~ within one year from  
6 the date of his or her Oath of Office. Any deputy sheriff who does not comply with this Rule or other training  
7 provisions of this Chapter shall not exercise the powers of a deputy sheriff, including the power of arrest. If an officer  
8 has enrolled in a [an accredited] basic law enforcement training [program] course that concludes later than the end of  
9 the officer's probationary period, the Commission may extend the probationary period for a period not to exceed 12  
10 months. In determining whether to grant an extension, the Commission shall consider the circumstances that created  
11 the need for the extension and accept reasons related to medical and military events.

12 (b) Any applicant for certification who has completed a ~~Commission-certified [the accredited]~~ a basic law  
13 enforcement training program, course, but has not been duly appointed and certified in a sworn law enforcement  
14 position within one year of completion of the course, [program,] shall complete a subsequent ~~Commission-certified~~  
15 [accredited] basic law enforcement training program course and pass the ~~State Comprehensive Examination state~~  
16 comprehensive examination pursuant to 12 NCAC 09B .0406 within the 12 month probationary period. The ~~Director~~  
17 shall waive this requirement to complete a subsequent ~~Commission-certified [accredited]~~ basic law enforcement  
18 training program course and to pass the ~~State Comprehensive Examination state comprehensive examination~~ and  
19 accept a basic law enforcement training program and pass the State Comprehensive Examination that was completed  
20 outside of the one year time period as set forth in this Rule unless shall be waived if he or she the Director determines  
21 that a delay in applying for certification was not due to negligence on the part of the applicant or employing agency.  
22 The extension of the one year period shall not exceed 30 days from the expiration date of the ~~commission-certified~~  
23 [accredited] basic law enforcement training program course completed by the applicant.

24  
25 *History Note: Authority G.S. 17E-4; 17E-7;*

26 *Eff. January 1, 1989;*

27 *Amended Eff. January 1, 2006; January 1, 1996; January 1, 1994; January 1, 1991;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
29 *2018;*

30 *Amended Eff. February 1, 2025; July 1, 2024; June 1, 2019.*

31

**SECTION .0600 - MINIMUM STANDARDS OF TRAINING FOR DETENTION OFFICERS**

**12 NCAC 10B .0601 DETENTION OFFICER CERTIFICATION COURSE**

(a) The detention officer certification training program shall consist of the 182-hour Detention Officer Certification Course developed by the North Carolina Justice Academy and approved by the Commission to ensure compliance with Paragraph (b) of this Rule.

(b) Each Detention Officer Certification Course shall include the following identified topic areas and minimum instructional hours for each area:

(1)	LEGAL UNIT	
	(A) Orientation	3 hours
	(B) Criminal Justice Systems	2 hours
	(C) Legal Aspects of Management and Supervision	14 hours
	(D) Introduction to Rules and Regulations	2 hours
	(E) Ethics	3 hours
	UNIT TOTAL	24 Hours
(2)	PHYSICAL UNIT	
	(A) Contraband/Searches	6 hours
	(B) Patrol and Security	5 hours
	(C) Key and Tool Control	2 hours
	(D) Investigative Process	8 hours
	(E) Transportation of Inmates	7 hours
	(F) Prison Rape Elimination Act	2 hours
	UNIT TOTAL	30 Hours
(3)	PRACTICAL APPLICATION UNIT	
	(A) Processing Inmates	8 hours
	(B) Supervision and Management of Inmates	5 hours
	(C) Suicides and Crisis Management	5 hours
	(D) Aspects of Mental Illness	6 hours
	(E) Fire Emergencies	4 hours
	(F) Notetaking and Report Writing	6 hours
	(G) Communication Skills	5 hours
	UNIT TOTAL	39 hours
(4)	MEDICAL UNIT	
	(A) First Aid and CPR	8 hours
	(B) Medical Care	6 hours
	(C) Stress	3 hours
	(D) Subject Control Techniques	40 hours
	(E) Physical Fitness for Detention Officers	22 hours
	UNIT TOTAL	79 hours
(5)	REVIEW AND TESTING	7 hours
(6)	STATE EXAM	3 hours
	TOTAL HOURS	182 HOURS

(c) No Detention Officer Certification Course shall be offered by any agency or institution without first complying with the requirements set forth in Rules .0704 and .0802 of this Subchapter. Any agency or institution desiring to offer the Detention Officer Certification Course shall file a Pre-Delivery Report, Form F-7A, with the Division.

*History Note: Authority G.S. 17E-4(a); Eff. January 1, 1989; Amended Eff. August 1, 2016; February 1, 2014; August 1, 2011; October 1, 2009; January 1, 2006; August 2, 2002; August 1, 2000; August 1, 1998; February 1, 1998; January 1, 1996; June 1, 1992; January 1, 1992; January 1, 1991; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018; Amended Eff. July 1, 2025.*

**12 NCAC 10B .1302 TELECOMMUNICATOR CERTIFICATION COURSE**

(a) The telecommunicator certification training program shall consist of the 47-hour Telecommunicator Certification Course developed by the North Carolina Justice Academy and approved by the Commission to ensure compliance with Paragraph (b) of this Rule.

(b) Each Telecommunicator Certification Course shall include the following identified topic areas and minimum instructional hours for each area:

(1)	Orientation	2 hours
(2)	Introductory Topics for the Telecommunicator	3 hours
(3)	Interpersonal Communication	2 hours
(4)	Civil Liability for the Telecommunicator	5 hours
(5)	Telecommunications Systems and Equipment	3 hours
(6)	Overview of Emergency Services	7 hours
(7)	Call Reception and Prioritization	8 hours
(8)	Broadcasting Techniques and Resource Allocation	7 hours
(9)	Telecommunicator Training Practicum	8 hours
(10)	State Comprehensive Examination	2 hours
TOTAL HOURS		47 hours

(c) No Telecommunicator Certification Course shall be offered by any agency or institution without first complying with the requirements set forth in Rules .0709 and .0804 of this Subchapter. Any agency or institution desiring to offer the Telecommunicator Certification Course shall file a Pre-Delivery Report, Form F-7A-T, with the Division.

*History Note: Authority G.S. 17E-4(a);  
 Temporary Adoption Eff. March 1, 1998;  
 Eff. August 1, 1998;  
 Amended Eff. April 1, 2001;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;  
 Amended Eff. November 1, 2024.*

1 12 NCAC 10B .0305 is proposed for amendment as follows:

2  
3 **12 NCAC 10B .0305 BACKGROUND INVESTIGATION**

4 (a) Prior to employment, an agency shall complete a background investigation on all applicants for certification. The  
5 investigation shall examine the applicant's character traits and habits relevant to performance as a justice officer and  
6 shall determine whether the applicant is of good moral character pursuant to ~~12 NCAC 10B .0301(a)(12)~~. Rule  
7 .0301(12) of this Subchapter. This examination includes completion of the Commission's Personal History Statement  
8 Form (F-3) and Mandated Background Investigation Form (F-8), ensuring the proper certification and criminal history  
9 record check required by each.

10 (b) Prior to the investigation, the applicant shall complete the Commission's Personal History Statement Form (F-3)  
11 to provide a basis for the investigation. The agency shall certify that the results of the background investigation are  
12 consistent with the information provided by the applicant on the Personal History Statement Form (F-3) and give the  
13 applicant the opportunity to update the Personal History Statement Form (F-3) prior to submission to the Division.

14 (c) The agency shall utilize an investigator with ~~prior~~ experience or training in conducting background investigations.  
15 The investigator shall document the results of the investigation on the Mandated Background Investigation Form (F-  
16 8) ~~and shall include in the report of investigation:~~ which shall include information concerning the following:

17 (1) ~~biographical data;~~ information;

18 (2) ~~family data;~~ family;

19 (3) ~~scholastic data;~~ education;

20 (4) ~~employment data;~~ employment;

21 (5) ~~criminal history data;~~ including:

22 (A) a Statewide search of the Administrative Office of the Courts (AOC) computerized system;

23 (B) a search of the national criminal record database accessible through the Division of  
24 Criminal Information (DCI) network;

25 (C) where the applicant resided in a state other than North Carolina, a records check through  
26 the Division of Criminal Information (DCI) using the Out-of-State Computer Name Query  
27 (IQ) shall be acceptable provided the state will respond to an Out-of-State Computer Name  
28 Query. If not, then either a records check response from both the municipality, city, or  
29 town, where the applicant resided and the county-wide Sheriff's Office or Police  
30 Department obtained by mail, facsimile, or electronic mail, or a records check from the  
31 county-wide or state-wide record holding agency shall be acceptable.

32 (D) if a criminal record is found, criminal records shall be obtained from the Clerk of Court, a  
33 law enforcement agency within the jurisdiction, or other governmental entity that maintains  
34 or has access to criminal records for the jurisdiction;

35 (E) records checks shall be performed on each name by which the applicant for certification  
36 has been known since obtaining the age of majority. If the applicant has had an official



- 1                   name change that occurred after the applicant reached the age of majority, then a copy of  
2                   the legal document effecting the name change shall be obtained by the employing agency;  
3       (6)       military service history. If the applicant had prior military service, the background investigation  
4                   shall include a copy of the applicant's DD214, Certificate of Release from Active Duty, that shows  
5                   the characterization of discharge for each discharge that occurred and military discipline received,  
6                   if any. If the DD214 indicates a discharge characterization of any type other than Honorable, then  
7                   a military records check shall also be required;  
8       (7)       credit history;  
9       (8)       fingerprints;  
10      (9)       driving history including a search of:  
11                   (A)       the North Carolina Division of Motor Vehicles, if the applicant has ever possessed a  
12                   driver's license in North Carolina; and  
13                   (B)       an out-of-state- motor vehicles check obtained through the Division of Criminal  
14                   Information (DCI) or obtained through another state's division of motor vehicles agency  
15                   for any state in which the applicant held a license;  
16      (10)      prior applications to law enforcement agencies;  
17      (11)      civil court history;  
18      (12)      applicant interview;  
19      ~~(6)~~(13)    interviews with the applicant's references; and  
20      ~~(7)~~(14)    a summary of the investigator's findings and conclusions regarding the applicant's moral character  
21                   known to the agency or listed on the applicant's Personal History Statement (F-3). ~~This~~  
22                   ~~documentation shall be included with all other documentation required in 12 NCAC 10B .0408.~~  
23      (d) The Mandated Background Investigation Form (F-8) shall be completed within 120 days of employment. If the  
24      investigator signs the form more than 120 days prior to the applicant's date of employment, then the investigator will  
25      certify with a notarized statement on their agency letterhead that all information on the form has been updated or a  
26      new F-8 shall be completed.  
27      ~~(d)~~(e) The employing agency shall include a Release Authorization Form signed and notarized by the applicant that  
28      authorizes the Division staff to obtain documents and records pertaining to the applicant for certification that may be  
29      required in order to determine whether certification may be granted.  
30      ~~(e)~~(f) The employing agency shall provide to the Division staff the results of a completed and processed form AOC-  
31      CR-280, Law Enforcement Application for Verification of Expunction under G.S. 15A-145.4, 15A-145.5, 15A-145.6,  
32      15A-145.8A or 15A-146, for each applicant presented for certification. The AOC-CR-280 form is available on the  
33      Commission's website at no cost [https://ncdoj.gov/law-enforcement-training/sheriffs/all-commision-forms-](https://ncdoj.gov/law-enforcement-training/sheriffs/all-commision-forms-publications/)  
34      publications/.  
35      (g) The applicant's notarized Personal History Statement (F-3) shall be completed within 120 days of employment.  
36      If the form is completed more than 120 days prior to the applicant's date of employment, the Personal History

1 Statement (F-3) shall be updated by the applicant, who shall initial and date all changes no more than 120 days prior  
2 to employment or a new Personal History Statement (F-3) shall be completed.

3

4 *History Note: Authority G.S. 17E-7;*

5 *Eff. January 1, 1989;*

6 *Amended Eff. January 1, 2010; January 1, 2009; January 1, 2007; August 1, 2002; January 1, 1994;*

7 *January 1, 1993; January 1, 1992; January 1, 1990;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
9 *2018;*

10 *Amended Eff. February 1, 2025; April 1, 2023; January 1, 2023; June 1, 2021.*

11

12

1 12 NCAC 10B .0408 is proposed for amendment as follows:

2  
3 **12 NCAC 10B .0408 VERIFICATION OF RECORDS TO DIVISION**

4 (a) ~~Prior to issuing certification of each justice officer, for the purpose of verifying compliance with these Rules,~~  
5 Before the Division will issue certification of a justice officer, the employing agency shall submit to the ~~Division,~~  
6 along with the Report of Appointment (F-4), ~~Division~~ the following documents:

- 7 (1) ~~documentation consisting of diplomas, school transcripts, or certificates from the educational~~  
8 ~~institution attended by the applicant confirming the applicant's compliance with the educational~~  
9 ~~requirement pursuant to Rule .0302(a) of this Subchapter;~~ the Report of Appointment (F-4);  
10 (2) ~~certified~~ a copy of the applicant's Oath of Office, if applying for certification as a deputy sheriff;  
11 (3) ~~the applicant's Medical History Statement (F-1);~~  
12 (4) ~~the applicant's Medical Examination Report (F-2);~~  
13 (5) ~~the applicant's unredacted Psychological Screening Examination form (F-2C);~~  
14 (6) ~~the applicant's notarized Personal History Statement (F-3);~~  
15 (7) ~~the Commission mandated Background Investigation Form (F-8) with all accompanying~~  
16 ~~documentation set out in Rule .0305 of this Subchapter;~~  
17 (8) ~~documentation of negative results on a drug screen pursuant to Rule .0301(6) of this Subchapter;~~  
18 ~~and~~  
19 (9)(3) documentation of the applicant's compliance with the probationary certification requirements  
20 pursuant to Rule .0403(b) Rule .0403(f) of this Section, if the applicant is a deputy sheriff or a  
21 detention officer and is authorized by the ~~agency~~ sheriff to carry a ~~firearm.~~ firearm;  
22 (4) the results of the fingerprint criminal history records check of the applicant pursuant to Rule .0303  
23 of this Subchapter;  
24 (5) the applicant's processed Administrative Office of the Courts' AOC-CR-280 form as set forth in  
25 Rule .0305 of this Subchapter;  
26 (6) the applicant's Release Authorization as set forth in Rule .0305 of this Subchapter;  
27 (7) copies of court documentation and final disposition from the Clerk of Court in the county of  
28 adjudication of all criminal offenses for which the applicant was charged, arrested, pleads no contest,  
29 pleads guilty, or of which the applicant was found guilty. This shall include traffic offenses  
30 identified as a class B misdemeanor as defined in Rule .0103(17)(b) of this Subchapter and offenses  
31 of driving under the influence (DUI) or driving while impaired (DWI);  
32 (8) a notarized written statement from the applicant providing details of all criminal offenses identified  
33 pursuant to Subparagraph (7) of this Paragraph; and  
34 (9) the applicant's Personal History Statement (F-3) if the applicant reports any charges as referenced  
35 in Subparagraph (a)(7) of this Rule or any expunged charges pursuant to Subparagraph (a)(5) of this  
36 Rule.

1 (b) Compliance with this Rule is waived, with the exception of the requirements of ~~Subparagraph (a)(9)~~  
 2 Subparagraphs (a)(1), (2), and (3) of this Rule for officers applying for dual certification as defined in Rule .0103(9)  
 3 of this Subchapter provided that:

4 (1) the officer holds a valid certification issued by this Commission as either a deputy sheriff, detention  
 5 officer, or telecommunicator, with the employing agency requesting dual certification; and

6 (2) the officer has continuously been employed as a justice officer with the agency.

7 ~~(e) Where the Division has previously received a complete Background Investigation Form (F-8) with all~~  
 8 ~~accompanying documentation set out in Rule .0305 of this Subchapter in connection with another application for~~  
 9 ~~certification to this Commission, the Background Investigation need only be updated from the date of the last~~  
 10 ~~background investigation on file in the Division with documentation of compliance with Subparagraphs (f)(1), (2),~~  
 11 ~~and (3) of this Rule, and a certified criminal record check from each jurisdiction in which the person has resided in~~  
 12 ~~and for each name the applicant has used since the initial Background Investigation (Form F-8) was completed. The~~  
 13 ~~criminal record check shall be from the Clerk of Court, a law enforcement agency within the jurisdiction, or other~~  
 14 ~~governmental entity that maintains or has access to criminal records for the jurisdiction. The criminal record check~~  
 15 ~~shall be certified by the entity providing the record with either a raised seal or other visible verification that the~~  
 16 ~~document is an authentic copy. In addition:~~

17 (1) ~~if the applicant has been issued an out of state driver's license by a state other than North Carolina~~  
 18 ~~since obtaining certification, then compliance with Subparagraph (f)(4) of this Rule, is required; and~~

19 (2) ~~if the applicant has resided in a state other than North Carolina since obtaining certification, a~~  
 20 ~~certified criminal record check from each jurisdiction shall be provided, if available. The criminal~~  
 21 ~~record check shall be from the Clerk of Court, a law enforcement agency within the jurisdiction, or~~  
 22 ~~other governmental entity that maintains or has access to criminal records for the jurisdiction. The~~  
 23 ~~criminal record check shall be certified by the entity providing the record with either a raised seal~~  
 24 ~~or other visible verification that the document is an authentic copy.~~

25 ~~(d) If the Personal History Statement (F-3) required in Subparagraph (a)(6) of this Rule was completed more than 120~~  
 26 ~~days prior to the applicant's date of appointment, the Personal History Statement (F-3) shall be updated by the~~  
 27 ~~applicant, who shall initial and date all changes, or a new Personal History Statement (F-3) shall be completed.~~

28 ~~(e) If the Mandated Background Investigation Form (F-8) required in Subparagraph (a)(7) of this Rule was completed~~  
 29 ~~more than 120 days prior to the applicant's date of appointment, the Mandated Background Investigation Form (F-8)~~  
 30 ~~shall be updated by the background investigator who shall initial and date all changes or a new Mandated Background~~  
 31 ~~Investigation Form (F-8), must be completed.~~

32 ~~(f) The Background Investigation Form (F-8) shall have the following records checks attached to it when submitted:~~

33 (1) ~~a Statewide search of the Administrative Office of the Courts (AOC) computerized system;~~

34 (2) ~~the national criminal record database accessible through the Division of Criminal Information (DCI)~~  
 35 ~~network;~~

36 (3) ~~the North Carolina Division of Motor Vehicles, if the applicant has ever possessed a driver's license~~  
 37 ~~issued in North Carolina;~~

1           (4)     ~~an out of state motor vehicles check obtained through the Division of Criminal Information or~~  
 2           ~~obtained through another state's division of motor vehicles agency for any state in which the~~  
 3           ~~applicant held a license within the 10 year period prior to the date of appointment; and~~

4           (5)     ~~the applicant's Administrative Office of the Courts' AOC CR 280 form as set forth in Rule .0305 of~~  
 5           ~~this Subchapter.~~

6     (g) ~~The Background Investigation shall include records checks from jurisdictions where the applicant resided within~~  
 7     ~~the 10 year period prior to the date of appointment and where the applicant attended high school, as follows:~~

8           (1)     ~~where the applicant resided in jurisdictions in North Carolina, Clerk of Court records checks shall~~  
 9           ~~be acceptable;~~

10          (2)     ~~where the applicant resided in another country:~~

11           (A)     ~~an Interpol records check shall be acceptable provided the country is a member of Interpol;~~

12           (B)     ~~if the applicant was in the United States military, a military records check shall be~~  
 13           ~~acceptable; or~~

14           (C)     ~~if neither an Interpol or United States military record check are available, subject to the~~  
 15           ~~limits of United States and North Carolina law, the employing agency shall make a good~~  
 16           ~~faith effort to obtain a records check from the national law enforcement authority, judicial~~  
 17           ~~authority, or other governmental entity charged with maintaining criminal records for the~~  
 18           ~~country where the applicant resided and submit the record check if available. If the~~  
 19           ~~employing agency cannot obtain the records check it shall submit documentation consisting~~  
 20           ~~of the correspondence with the foreign governmental entity and a written report from the~~  
 21           ~~assigned background investigator explaining the employing agency's efforts to obtain the~~  
 22           ~~record and why the record could not be obtained. The following steps are required to show~~  
 23           ~~a good faith effort to obtain the record check:~~

24           (i)     ~~contacting and requesting the record from the foreign governmental entity or~~  
 25           ~~entities the employing agency believes are likely to possess the records by mail,~~  
 26           ~~telegram, telephone, facsimile or electronic mail;~~

27           (ii)    ~~if referred to another foreign governmental entity, contacting and requesting the~~  
 28           ~~record from that foreign governmental entity; and~~

29           (iii)   ~~if requested, providing and submitting any formal requests, forms, or~~  
 30           ~~documentation required by the foreign governmental entity before it will provide~~  
 31           ~~the record check;~~

32          (3)     ~~where the applicant resided in a state other than North Carolina, a records check through the Division~~  
 33           ~~of Criminal Information using the Out of State Computer Name Query (IQ) shall be acceptable~~  
 34           ~~provided the state will respond to an Out of State Computer Name Query. If not, then either a~~  
 35           ~~records check response from both the municipality, city, or town where the applicant resided and~~  
 36           ~~the county wide Sheriff's Office or Police Department obtained by mail, telegram, facsimile, or~~

1                   ~~electronic mail, or a records check from the county wide or state wide record holding agency shall~~  
2                   ~~be acceptable.~~

3 (h) ~~If the applicant had prior military service, the Background Investigation shall also include a copy of the applicant's~~  
4 ~~DD214, Certificate of Release from Active Duty, that shows the characterization of discharge for each discharge that~~  
5 ~~occurred and military discipline received, if any. If the DD214 indicates a discharge characterization of any type other~~  
6 ~~than Honorable, then a military records check shall also be required.~~

7 (i) ~~All records checks shall be performed on each name by which the applicant for certification has ever been known~~  
8 ~~since the age of 12. If the applicant has had an official name change that occurred after the applicant had reached the~~  
9 ~~age of 12 years of age, then a copy of the legal document effecting the name change with either a raised seal or other~~  
10 ~~visible verification that the document is an authentic copy from the governmental entity that issued the document or~~  
11 ~~is charged with maintaining the record of the document shall be submitted by the employing agency.~~

12 (j) ~~The employing agency shall forward to the Division certified copies of any criminal charges and dispositions~~  
13 ~~known to the agency or listed on the applicant's Personal History Statement (F 3). The employing agency shall identify~~  
14 ~~any charges or other violations on the records checks required in Paragraph (f) of this Rule that are for individuals~~  
15 ~~other than the applicant for certification and explain why the employing agency believes another individual is~~  
16 ~~responsible for the charge or violation.~~

17  
18 *History Note: Authority G.S. 17E-4; 17E-7;*

19 *Eff. January 1, 1989;*

20 *Recodified from 12 NCAC 10B .0407 Eff. January 1, 1991;*

21 *Amended Eff. January 1, 1996; January 1, 1994; January 1, 1993; January 1, 1992;*

22 *Temporary Amendment Eff. March 1, 1998;*

23 *Amended Eff. August 1, 2002; August 1, 1998;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
25 *2018;*

26 *Amended Eff. February 1, 2025; September 1, 2024; February 1, 2024; December 1, 2023; April 1,*  
27 *2023; February 1, 2023; January 1, 2023.*

1 12 NCAC 10B .0409 is proposed for amendment as follows:

2  
3 **12 NCAC 10B .0409 EMPLOYING AGENCY RETENTION OF CERTIFICATION RECORDS**

4 (a) ~~Each~~ In addition to the records required to be submitted to the Division pursuant to Rule .0408 of this Section, the  
5 employing agency shall maintain original documentation of the following certification records: place in the  
6 appropriate justice officer's personnel file the official notification of either probationary or general certification. Such  
7 files shall be available for examination at any reasonable time by representatives of the Commission for the purpose  
8 of verifying compliance with these Rules. Each personnel file shall also contain copies of the original documentation  
9 submitted to the Division in accordance with 12 NCAC 10B .0408.

10 (1) documentation consisting of diplomas, school transcripts, or certificates from the educational  
11 institution attended by the applicant confirming the applicant's compliance with the educational  
12 requirement pursuant to Rule .0302 of this Subchapter;

13 (2) the applicant's Medical History Statement (F-1) pursuant to Rule .0304 of this Subchapter;

14 (3) the applicant's Medical Examination Report (F-2) pursuant to Rule .0304 of this Subchapter;

15 (4) the applicant's unredacted Psychological Screening Examination as required by G.S. 17E-7;

16 (5) the applicant's notarized Personal History Statement (F-3) pursuant to Rule .0305 of this  
17 Subchapter;

18 (6) documentation of the applicant's negative results on a drug screen pursuant to Rule .0301(6) of this  
19 Subchapter; and

20 (7) the Mandated Background Investigation Form (F-8) with all accompanying documentation as set  
21 out in Rule .0305 of this Subchapter.

22 (b) ~~Compliance with this Rule is waived, with the exception of the requirements of 12 NCAC 10B .0408(a)(8), for~~  
23 ~~officers applying for dual certification as defined in 12 NCAC 10B .0103(9) provided that:~~

24 (1) ~~the officer holds a valid certification as a deputy sheriff, detention officer, or telecommunicator with~~  
25 ~~the employing agency requesting dual certification; and~~

26 (2) ~~the officer has not had a break in service since initial certification with the employing agency~~  
27 ~~requesting dual certification.~~

28 (c) ~~Where the Division has previously received a complete Background Investigation Form (F-8) with all~~  
29 ~~accompanying documentation set out in 12 NCAC 10B .0305 in connection with another application for certification~~  
30 ~~to this Commission, and a subsequent hiring agency requests a copy of such documentation, the Division shall comply~~  
31 ~~with that request upon submission of a commission approved Release Authorization Form for Law Enforcement~~  
32 ~~Agencies.~~

33 (b) The certification records shall be available for examination at any time by representatives of the Division for the  
34 purpose of verifying compliance with the rules of this Subchapter.

35 (d)(c) ~~All information~~ certification records maintained pursuant to ~~the requirements of~~ this Rule shall be subject to  
36 ~~all~~ state and federal laws governing confidentiality.

37

1 *History Note: Authority G.S. 17E-4;*  
2 *Eff. January 1, 1989;*  
3 *Recodified from 12 NCAC 10B .0408 Eff. January 1, 1991;*  
4 *Amended Eff. January 1, 1996; January 1, 1994; January 1, 1993; January 1, 1991;*  
5 *Temporary Amendment Eff. March 1, 1998;*  
6 *Amended Eff. August 1, 2002; August 1, 1998;*  
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
8 *2018;*  
9 *Amended Eff. February 1, 2025; December 1, 2023.*  
10  
11



**Amendments to Chapter 17C and 17E  
Review of Personnel Records**

17C-10.2 Transfer of Certified Law Enforcement Officers

- (a) Notwithstanding any other provision of law, a North Carolina law enforcement agency considering an applicant for employment as a criminal justice officer shall request access to and review the complete personnel file of the applicant maintained by any North Carolina law enforcement agency where the applicant was employed for the five year period preceding the current application.
- (b) With a release signed by the applicant, any North Carolina law enforcement agency that previously employed the applicant, shall grant access to and may, if requested, provide the applicant's complete personnel file including confidential information as defined by G.S. 153A-98, 160A-168 and 126-24 to the law enforcement agency considering the applicant for employment.
- (c) To the extent that confidential information as defined by G.S. 153A-98, G.S. 160A-168 or G.S. 126-24 is maintained in the personnel file of any law enforcement agency that previously employed the applicant, that information shall remain confidential in the files of any law enforcement agency obtaining the information pursuant to this section.
- (d) A law enforcement agency and the personnel of such agency providing access to or copies of an applicant's personnel file pursuant to subsections (a) and (b) of this statute shall not be held civilly or criminally liable for doing so.

17E-7.1 Transfer of Certified Law Enforcement Officers

- (a) Notwithstanding any other provision of law, a sheriff considering an applicant for employment as a deputy sheriff shall request access to and review the complete personnel file of the applicant maintained by any North Carolina law enforcement agency where the applicant was employed for the five year period preceding the current application.
- (b) With a release signed by the applicant, any North Carolina law enforcement agency that previously employed the applicant shall grant access to and may, if requested, provide a copy of the applicant's complete personnel file including confidential information as defined by G.S. 153A-98, 160A-168 and 126-24 to the sheriff's office considering the applicant for employment.
- (c) To the extent that confidential information as defined by G.S. 153A-98, G.S. 160A-168 or G.S. 126-24 is maintained in the personnel file of any law enforcement agency that previously employed the applicant, that information shall remain confidential in the files of any sheriff's office obtaining the information pursuant to this section.
- d) A law enforcement agency and personnel of such law enforcement agency providing access to or copies of an applicant's personnel file pursuant to subsections (a) and (b) of this statute shall not be held civilly or criminally liable for doing so.

### **Rule for In-State Lateral Transfer of a Law Enforcement Officer**

- (a) A North Carolina criminal justice officer or justice officer (deputy sheriff only) is eligible to transfer certification from one law enforcement agency to another law enforcement agency and be certified by the Commission if the officer:
1. Has completed basic law enforcement training and holds or has held a general certification or probationary certification from the Commission or the Criminal Justice Education and Training Standards Commission; and
  2. has not had more than a 12-month consecutive break in service immediately preceding the current application.
- (b) Prior to a certification being transferred per this rule, a law enforcement agency considering the applicant for employment as a law enforcement officer shall submit a Form F-4A, Lateral Report of Appointment, to the Division reporting that the employing agency has done the following:
1. Obtained and forwarded the applicant's fingerprints to the North Carolina State Bureau of Investigation, in compliance with the requirements set forth in 12 NCAC 09B .0103(a) and (b), reviewed the results of the criminal history record check provided as a result and provided a copy of the results to the Division.
  2. Completed the AOC-CR-280 expungement form and provided the results to the Division.
  3. Obtained a signed and notarized Authorization for Release of Information Form from the applicant. The employing agency shall review the following documents of the applicant maintained by any North Carolina law enforcement agency where the applicant was employed for the five year period preceding the current application:
    - a. the personnel file including confidential information as defined by G.S. 153A-98, G.S. 160A-168 and G.S. 126-24;
    - b. Form F-5B, Affidavit of Separation, if the applicant has separated;
    - c. Form F-8, Background Investigation; and
    - d. Any internal investigations.
  4. Verified that the applicant:
    - a. has not had more than a 12-month consecutive break in service immediately preceding the current application;
    - b. has completed all mandatory in-service training for the preceding calendar year;
    - c. has not committed any criminal offenses and does not have any convictions or pending criminal charges that would prohibit certification; and
    - d. does not have any internal investigation within the last 18 months that contains allegations which could prevent the law enforcement officer's certification.

(c) Prior to appointment as a deputy sheriff, the sheriff's office must verify that the applicant satisfactorily completed the sheriff's office in-service firearms training program as prescribed in 12 NCAC 10B.2103 and .2104.



JOSH STEIN  
 ATTORNEY GENERAL

**REPORT OF APPOINTMENT** – Form F-4 (revised 02/2025)

RICHARD SQUIRES  
 DIRECTOR

**INSTRUCTIONS:** Please type or print all information clearly. This form shall be completed for each individual irrespective of whether service is to be full-time, part-time, paid, unpaid, regular, reserve, auxiliary, honorary, or special. This appointment must be submitted to the Standards Division no later than 10 days after applicant has been appointed pursuant to 12 NCAC 10B .0403(a). A copy must be maintained in the appointing agency's personnel files.

**I. APPOINTING AGENCY:** \_\_\_\_\_ **ORI #:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_ **ZIP CODE:** \_\_\_\_\_  
**PHONE NUMBER:** \_\_\_\_\_ **Agency POC email:** \_\_\_\_\_

**II. APPOINTEE'S NAME:** \_\_\_\_\_  
 (First) (Middle) (Last)  
**Address:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_  
**Date of Birth:** \_\_\_\_\_ **Operator's License Number:** \_\_\_\_\_ **Gender:**  Male  Female  
**Social Security Number:** \_\_\_\_\_  
**Race:**  African American  Asian American  Hispanic  Caucasian  Other \_\_\_\_\_  
**Deputy Sheriff**  Authorized  Unauthorized **Detention Officer**  Authorized;  Unauthorized  
**Date of Oath:** \_\_\_\_\_ **Date of Appointment:** \_\_\_\_\_  
**Part Time** \_\_\_\_\_ **Inactive** \_\_\_\_\_ **Part Time:** \_\_\_\_\_ **Inactive:** \_\_\_\_\_  
**Full Time** \_\_\_\_\_ **Active** \_\_\_\_\_ **Full Time:** \_\_\_\_\_ **Active:** \_\_\_\_\_  
**Previous Law Enforcement:**  **Yes** (Complete the below);  **No** (Go to Section III)  
**Previous Law Enforcement Agency** (Include state): \_\_\_\_\_ **Date of Separation:** \_\_\_\_\_  
 If certification has expired, as a LE Officer in NC or the individual has out-of-state or federal law enforcement experience, did the applicant have at least 2 years full time service (not counting the academy)  Yes  No  
 Did they leave in good standing  Yes  No

**III. Section for New Applicants, Probationary Appointees and Lateral Transfers**

This section must be completed indicating that the requirements of the administrative code have been met with the necessary forms and documentation having been placed in the applicant's personnel file prior to submitting this application.

**The application must include the below documentation as attachments:**

- Oath of Office (Required for Deputy Position) **Date Completed BLET:** \_\_\_\_\_
- Authorization for Release of Information  SBI Fingerprint Response Sheet
- AOC-CR-280 Form (completed and processed)  If authorized, F-9A - Day/Night (Handgun, Shotgun Combat Course)
- Criminal History Checks (County/state records checks from each jurisdiction where the applicant resided)

**The agency needs to provide the following information and maintain the documentation in the officer's certification file:**

- Fingerprints Submitted for Rap Back **Date:** \_\_\_\_\_
- F-1 Medical History Statement (valid for **one year**) (Signed and dated by Applicant and Licensed Physician, Nurse Practitioner or Physician's Assistant)
- F-2 Medical Examination Report (valid for **one year**) **Date Conducted:** \_\_\_\_\_  
 Completed by:  Physician  PA  Nurse Practitioner  
 Full Name: \_\_\_\_\_ **License #:** \_\_\_\_\_
- Psychological Screening Evaluation (valid for **one year**) **Doctor's Name** \_\_\_\_\_ **License #** \_\_\_\_\_

Applicant Name: \_\_\_\_\_ Agency: \_\_\_\_\_

**III (Cont.) The agency needs to provide the following information and maintain the documentation in the officer's certification file:**

- Drug Screening Results (valid for **60 days**) Date of Laboratory Reported Test Result: \_\_\_\_\_  
 Name of HHS Certified Laboratory: \_\_\_\_\_
- Education Verified by:  Diploma  G.E.D. Report  Transcript (Home school should have state verification letter)
- F-3 Personal History Statement (Signed, dated by applicant, and notarized no more than 120 days prior to the date of appointment)
- F-8 Summary of Background Investigation Date Completed: \_\_\_\_\_

Note: F-8 attachments must include: a statewide search of the Administrative Office of the Courts (AOC, DCI, Odyssey) computerized system; the national criminal record data base accessible through the Division of Criminal Information (DCI) network; the NC Department of Motor Vehicles, if the applicant ever possessed a driver's license issued in NC; out-of-state motor vehicles check from the appropriate agency (KQ if using DCI), if applicant has ever been issued a driver's license by a state other than NC; and completed and processed AOC-CR-280 form.

**IV. Note: Answer all of the following questions completely and accurately. Any falsification or misstatement of fact may be sufficient to disqualify you. If any doubt exists in your mind as to whether or not you were arrested or charged with a criminal offense at some point in your life or whether an offense remains on your record, you should answer "yes." You **MUST** attach Form F-3 with any and all criminal charges listed regardless of the date of the offense and disposition (to include dismissals, not guilty, nol pros, Prayer for Judgement Continued, or other dispositions where you entered a plea of guilty), including any and all Juvenile charges or arrests. Include all offenses other than minor traffic offenses. Specifically include DWI, DUI, driving while under the influence of drugs, driving while license permanently revoked, speeding to elude arrest, or duty to stop in the event of accident. Traffic Offenses in the "Class B Misdemeanor" Manual **MUST** be listed.**

**You must include any and all offenses and convictions regardless of whether or not the offenses/conviction were expunged pursuant to NCGS 15A-145.4 and 15A-145.5, 15A-145.6, 15A-145.8A, 15A-146, or expunged or sealed with a similar out-of-state law.** If you list a charge(s) on Form F-3, please attach copies of warrant(s) and judgment(s) for each offense, even if documentation and charges have previously been reported to Sheriffs' Standards.

a. Have you ever been arrested by a law enforcement officer or otherwise charged with a criminal offense? (The term "charge" as used in this question includes being issued a criminal citation or summons.)

- No – Applicant's Initials \_\_\_\_\_  Yes – Applicant's F-3 Personal History Statement **must** be attached

b. Have you ever had a criminal offense or criminal conviction expunged pursuant to NCGS 15A-145.4 and 15A-145.5, 15A-145.6, 15A-145.8A, 15A-146, or expunged or sealed with a similar out-of-state law.

- No – Applicant's Initials \_\_\_\_\_  Yes – Applicant's F-3 Personal History Statement **must** be attached

**V.** As the applicant for certification, I attest that I am aware of the minimum standards for employment, that I meet or exceed each of those requirements, that the information provided above and all other information submitted by me, both written and oral throughout the employment and certification process is thorough, complete, and accurate to the best of my knowledge. I further understand and agree that any omission, falsification, or misrepresentation of any fact or portion of such information may be the sole basis for termination of my employment and/or denial or revocation of my certification at any time; now or later. If applicable, I specifically acknowledge that my continued employment and certification are contingent on the results of the fingerprint record check and other criminal history records being consistent with the information provided in the Personnel History Statement as reflected in this application.

**I also acknowledge that I have a continuing duty to update all information contained in this document. I further understand that I have a continuing duty to notify in writing to the Commission of all criminal offenses which I am arrested for or charged with, plead no contest to, plead guilty to, or am found guilty of; and all Domestic Violence Protective Orders (50B) and Civil No Contact Orders (50C) which are issued by a judicial official. This notice must be made in writing within five (5) business days of arrest or issuance of 50B or 50C and the final disposition.**

Signature of Applicant/Candidate

Date

I, as an official representative of the appointing agency, do submit to the Commission the above-named appointee as a candidate for certification. The candidate meets or exceeds each of the minimum standards for employment and this agency has properly conducted the required employment procedures as established by the Commission and incorporated into 12 NCAC 10B. Copies of all documents necessary to insure compliance with the rules of the Code are being retained in the personnel files of this agency and may be inspected at any reasonable time by representatives of the Commission. I acknowledge that any omission, falsification, or misrepresentation of information or procedures, by either the candidate or this Agency, throughout the employment and/or certification process may result in certification being denied or revoked by the Commission at any time, now or later.

Signature (Sheriff or Authorized Representative)

Title

Date

**SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION****SHERIFFS' STANDARDS DIVISION**

Telephone: 919-779-8213

**FORM F-8**

Rev. 12.01.2024

**MANDATED BACKGROUND INVESTIGATION FORM**

It is the determination of the Commission that the information in this document is necessary in order to fully and adequately evaluate applicants for justice officer certification. This investigation is required to ascertain whether the applicant meets the minimum standards for certification

**NOTE:** This form is designed for use of the investigator conducting the background investigation only. This document is **NEVER** to be used as an application or in any way filled out by the applicant, but shall accurately reflect the applicant's responses and the investigator's findings.

**Applicant Name:** \_\_\_\_\_  
*First Middle Last*

**Address:**

**Phone Numbers:** *Mobile:* \_\_\_\_\_ *Work:* \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Race/Sex/Age:** \_\_\_\_\_

**Height:** \_\_\_\_\_ **Weight:** \_\_\_\_\_

**Position Considered for Applicant:** \_\_\_\_\_

**To Be Completed By Background Investigator**

I certify that the results of the Background Investigation conducted on this applicant are consistent with the answers contained in the applicant's Personal History Statement, Form F-3. Any discrepancies noted in the F-3 have been addressed within this Background Investigation.

I understand it is the responsibility of this agency to obtain a county-wide criminal history check from each jurisdiction required and that \_\_\_\_\_ (*Agency Name*) is satisfied that this requirement has been met.

Printed Name of Investigator: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Extension (complete only if applicable pursuant to 12 NCAC 10B .0305(d))**

I certify that I have reviewed and updated with any changes the employment and criminal history information in this Background Investigation.

Printed Name of Investigator: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**NORTH CAROLINA  
SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

**BACKGROUND INVESTIGATION**

As Required by 12 NCAC 10B.0305

**Instructions:** Legibly fill out this form **completely** and **accurately**. If you need extra space, add additional pages and identify the information by item number.

**NOTE: All statements must be verified. Court records are required for out of state charges, federal charges and for any charges (not including traffic violations) that are within five years of the date of this Background Investigation. If further criminal record documentation is required, the Commission will inform the agency. All attachments to this form are mandatory additions.**

1. Obtain from applicant a signed and dated authorization and release form to obtain information and an authorization to release military records.
2. Following is a list of required documents to be collected during this investigation:
  - Commission Form F-3, Personal History Statement, completed and notarized
  - Computerized Criminal History (CCH) through NCIC check
  - Administrative Office of the Courts computerized record search (AOC)
  - Copies of warrants for arrest, criminal summonses or any other criminal charges with dispositions, with such copies being certified true for any out of state offenses within five years of the date of this Background Investigation.
  - Driver's History check (in and out-of-state if applicable)  
(Ask to see Driver's License)
  - Copy of Birth Certificate and/or Certificate of Naturalization
  - Copy of High School Diploma or certified copy of transcript, High School Equivalency Credential, and College Transcript if applicable
  - Military discharge papers if applicable
  - Copy of Social Security card
  - Credit Report
  - Current photograph of applicant
  - AOC-CR-280 (Law Enforcement Application for Verification of Expunction)



**INTERVIEW WITH APPLICANT**

Conduct a personal interview with applicant to review the completed Commission Form F-3, Personal History Statement; to discuss any discrepancies; and to obtain from the applicant the required documentation from listing on page 3.

**\*See Attachment I** - Questions contained in Attachment I (APPLICANT INTERVIEW QUESTIONS) shall be used during interview.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

**CRIMINAL OFFENSE RECORD**

- 1. Conduct a Criminal History Check (CCH) utilizing computerized histories from SBI/DCI system to obtain any criminal records from State, local, and national files.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings, including all criminal offenses found on criminal history checks:

- 2. Conduct a search, through the Administrative Office of the Courts (AOC) computerized files or through personal contact with individual Clerks of Court, to obtain local charges and dispositions. Be sure to include in the search any counties where applicant resided, attended school, worked, or served in the military.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings, including all criminal offenses found on criminal history checks:

- 3. Ensure fingerprints are properly completed and submitted to SBI for processing on the state and national levels.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

4. Obtain a computerized driver's history check, including an out-of-state check if applicable.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

5. Check and document any military disciplinary actions or offenses which may have occurred while applicant was in the armed forces.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

**CREDIT REPORT**

Obtain a credit check through a credit bureau and determine the applicant's suitability for financial responsibility.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

**PERSONAL AND FAMILY INFORMATION**

**\*See Attachment II** - Questions in Attachment II (QUESTIONS FOR SPOUSE/FAMILY MEMBERS) shall be used for family members.

1. Name and occupation of spouse, if applicable:

2. Names, ages and addresses of all dependents.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

**EMPLOYMENT**

**\*See Attachment III** - Questions in Attachment III  
(EMPLOYMENT HISTORY CHECK) shall be completed.

1. Verify employment history and obtain contact numbers. Be aware of any unaccountable gaps of time and obtain explanation of such gaps in employment from applicant.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

2. Use **Attachment III** (EMPLOYMENT HISTORY CHECK) to conduct an employment history check for each employment, past and present.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_

Summary of Findings:

**REFERENCES**

**\*See Attachment IV - Questions in Attachment IV (QUESTIONS FOR REFERENCES) shall be utilized.**

- 1. Using the attached "Questions for References," interview all references supplied by applicant and any references developed by investigator.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_  
 Summary of Findings:

- 2. Check Military references, if applicable.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_  
 Summary of Findings:

- 3. As the Investigator may elect, contact neighbors, landlords, school friends, and any Basic Law Enforcement Training Instructors and/or School Directors and document here.

Date Completed: \_\_\_\_\_ Investigator's Initials: \_\_\_\_\_  
 Summary of Findings:

**INVESTIGATOR ASSESSMENT**

Please include Investigator's comments regarding this applicant's suitability to be a justice officer and note any additional observations that warrant reporting, such as: appearance; attitude; interest in criminal justice; conduct during interview; and any other pertinent information.

Printed Name of Investigator: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Applicant Name:** \_\_\_\_\_

**Investigator Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Attachment I**

**APPLICANT INTERVIEW QUESTIONS**

1. Are you a US citizen by birth or naturalization (review document establishing either)?
  
2. Are you at least 20 years of age?
  
3. Do you have a high school diploma (public or home school), high school equivalency credential, or college degree (name of school, date received, type of degree received: Associate, Bachelor, Masters or Doctorate Degree)?
  
4. Have you attended any other educational or learning institutions? List any disciplinary actions received while in attendance. Names and dates:
  
5. Do you have a valid driver's license? What state and operator number?
  
6. In what other states have you been licensed to operate a vehicle in the past? For any, what were the states and operator numbers?
  
7. Has your driver's license in any state ever been suspended or revoked?  
If so, when and why?
  
8. Have you ever been arrested for DWI or DUI or a like offense?
  
9. Have you ever you received a citation for a driving offense ?

If so, starting with the most recent citation, give the year, location, violation and disposition. This must include all citations, including any that were dismissed or given prayer for judgment in court.

10. What are your personal strengths?
11. What are your personal weaknesses?
12. What do you consider to be good traits for a police officer?
13. Which of these traits do you consider yourself to have?
14. Why do you want to become an officer?
15. Have you ever applied for employment with this department in the past? When?
16. Are you applying or have you applied to other enforcement agencies, including any federal, state or local agencies? If so, what agencies and when?
17. Have you ever been denied employment by a law enforcement agency, corrections agency, or security agency which required certification or licensure from any Commission, Board or Agency after a conditional offer of employment was made?  Yes  No If yes, provide Commission, Board or Agency name and the reason for the denial:

18. Do you know any law enforcement, corrections, or other justice officers?  
Who and what department?
19. Do you have any relatives employed by this agency?
20. Do you speak a language other than English and, if so, what is your proficiency?
21. Who have you been previously employed by and when? List all jobs, positions or appointments you have held to include temporary, part-time, paid or not paid employment, active or inactive reserve, and internships.
22. Have you ever been discharged, requested to resign, allowed to resign in lieu of termination, or resigned under investigation, from any position because of criminal or personal misconduct or rules violations?  
 Yes     No  
If Yes, provide organization name and the reason(s) for discharge or termination:
23. Describe any criminal involvement that you may have had in the past since turning 16 years of age. By way of example this includes even minor acts such as taking pens/pencils from an employer; taking change from a drawer at work for a drink; taking money out of a cash register; or shoplifting to any degree.
24. Have you been involved in any acts of moral turpitude that would raise questions or impair your performance of this job?
25. Have you ever been involved in any incident or conduct which might expose you to blackmail?

26. Have you ever been arrested, detained, or charged with a crime, or summonsed to appear in court, even if the charges against you have been dismissed? This includes citations issued for crimes such as, but not limited to, public consumption, assault, trespass, or any city ordinances. Note: You must include any and all convictions regardless of whether or not the convictions were expunged in any state.
27. Have you ever had a criminal offense or criminal conviction expunged in any state? List the offenses and convictions, including dates and jurisdictions.
28. How many times have you stood by and observed someone else take part in criminal activity?
29. Have you ever been convicted of, or arrested for, a crime? This includes misdemeanor and felony offenses, as well as city ordinances and crimes of Domestic Violence.
30. Have you ever had any type of Domestic Violence Restraining Order, including *ex parte*, issued against you?
31. Do you have relatives who have criminal convictions? If so, for what crimes?

32. Describe any involvement or instance when you have been sued or sued someone in civil or any other court, including divorce or child custody proceedings.

33. Do you have any outstanding civil judgments against you?

34. Are you currently (now or within the last year) using any type of illegal drugs?

35. Explain your knowledge or involvement regarding illegal drugs.

36. Have you ever used, possessed, tasted, sniffed, or sold any amount of any of the following drugs? This includes one time, or more, including experimentation.

- |  |   |
|--|---|
| <input type="checkbox"/> Marijuana             | <input type="checkbox"/> LSD (Lysergic Acid Diethylamide) |
| <input type="checkbox"/> Powder Cocaine        | <input type="checkbox"/> Steroids                         |
| <input type="checkbox"/> Crack Cocaine         | <input type="checkbox"/> Mushrooms (Hallucinogens)        |
| <input type="checkbox"/> PCP (Phencyclidine)   | <input type="checkbox"/> Opiates (Morphine & Codeine)     |
| <input type="checkbox"/> Amphetamines          | <input type="checkbox"/> Synthetic or 'Designer'          |
| <input type="checkbox"/> Pills                 | <input type="checkbox"/> Heroin                           |
| <input type="checkbox"/> Designer or synthetic |   |

37. Have you ever been in the presence of anyone possessing drugs illegally, including during social functions? Explain.

38. Do you drink alcoholic beverages?  Yes  No

39. Have you ever operated a vehicle after consuming an alcoholic beverage?

40. Have you ever used prescription drugs other than under the supervision of or as prescribed by a physician?

41. Are you now or have you ever been a member of any group that practices discrimination against any race, sex, religion, or that advocates the overthrow of the government?
  
42. Are you able and willing to work rotating shifts?
  
43. Are you able and willing to wear a uniform?
  
44. Are you able and willing to meet this department's grooming standards?
  
45. Do you object to carrying a firearm?
  
46. On occasion you may be required to travel out of town for training. Would you be able and willing?
  
47. Would you have any reservation in regard to working an assignment with someone of a different gender or sex?
  
48. Are you willing to use deadly force, if necessary, to protect your life and that of another? Explain.
  
49. Have you ever used a weapon against anyone or caused injury to another person?
  
50. Are you able and willing to render emergency aid to trauma victims?
  
51. Are you able and willing to identify deceased persons or witness autopsies?

52. Are you capable of enforcing a law with which you do not agree?

53. Are you capable of arresting a friend?

54. With proper training and supervision, are you able and willing to perform **all** of the essential job functions of a justice officer, unassisted and without delay?

Note: You may be required to demonstrate the ability to accomplish the essential job functions by performing various tasks. Applicants should be provided a copy of the essential job functions and have been afforded an opportunity to review them.

55. Have you ever failed to file state or federal income taxes on time?

56. Are you able to manage your personal finances?

57. Explain the status of any delinquent accounts.

58. Have you ever filed for bankruptcy?  Yes  No

If yes, provide year, amount, court in which filed, and indicate whether Chapter 7, 11, or 13.

59. Have you ever had a vehicle or any other object repossessed?

60. Do you pay personal property tax to the county where you currently reside?

61. Are you effective at communicating with all kinds of people?

62. Do you become angry, and if so can you control that emotion, when insulted or threatened?

63. Does being under stress impair your ability to function normally?

64. What experience have you had with stressful situations? How did you resolve these?

65. Describe your ability to work under pressure.

66. Describe any past experience you may have had as a member of a team.

67. What accomplishments in your life are you most proud of?

68. Give an example of an experience that demonstrates your integrity.

69. Do you consider yourself to be honest and reliable?



70. How do other people perceive you?

71. Why do you believe you are qualified for this position?

**Applicant Name:** \_\_\_\_\_

**Investigator Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**MILITARY SERVICE**

1. Have you ever been a member of the armed services? If **yes**, list the branch, dates of service, and your military specialty (MOS).
  
  
  
  
  
  
  
  
  
  
2. Was what listed as your Character of Service on your most recent DD-214 (honorable, general, etc.)? Date of separation?
  
  
  
  
  
  
  
  
  
  
3. Are you eligible to re-enlist?
  
  
  
  
  
  
  
  
  
  
4. Were you ever tried on charges, or the subject of a court martial, summary court, deck court, non-judicial punishment, captain's mast, company punishment, article 15, and/or any other disciplinary action while a member of the armed services? If yes, explain what occurred and what type of punishment you received.
  
  
  
  
  
  
  
  
  
  
5. Last rank obtained?
  
  
  
  
  
  
  
  
  
  
6. Were you ever stationed and/or deployed outside the United States? If yes, list locations, dates, and nature of assignment, notwithstanding any non-disclosure statements in effect.
  
  
  
  
  
  
  
  
  
  
7. Were you ever questioned, detained or charged in regard to any criminal activity while a member of the armed services? List even if the charge was dismissed or not prosecuted.
  
  
  
  
  
  
  
  
  
  
8. Were you ever issued a security clearance? Has it ever been revoked? If so, why?

**Applicant Name:** \_\_\_\_\_

**Family Member Name:** \_\_\_\_\_

**Relationship to Applicant:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Investigator Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Attachment II**

**QUESTIONS FOR SPOUSE/FAMILY MEMBERS**

1. Are you familiar with the hours the applicant will be required to work if accepted?
  
2. Tell us your thoughts regarding the dangers involved in police duty?
  
3. How does the applicant handle pressure situations?
  
4. Is the applicant a good financial manager?
  
5. Describe the applicant's level of responsibility.
  
6. Describe the applicant's ability to make decisions.
  
7. What are the applicant's strengths and weaknesses?
  
8. Are you aware of any criminal activity, current or previous, involving the applicant? If yes, explain.

**Applicant Name:** \_\_\_\_\_

**Attachment III**

**EMPLOYMENT HISTORY CHECK**

(Fill out one form for each place of employment of applicant)

Applicant's Name: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**QUESTIONS**

Dates of employment: \_\_\_\_\_ to \_\_\_\_\_

Job Title: \_\_\_\_\_

Duties and responsibilities:

Rate the work performance:

Do you consider the applicant to be honest and reliable?  Yes  No Explain:

What type of temperament does the applicant have?

How does the applicant respond under pressure?

Has the applicant ever been involved in any employment disruption?

How does the applicant deal with problems?

Is the applicant able to accept:

Discipline?       Yes       No      Explain:

Orders?       Yes       No      Explain:

Responsibility?       Yes       No      Explain:

Was the applicant frequently:

Absent?       Yes       No      Explain:

Late?       Yes       No      Explain:

Has the applicant ever been disciplined, asked to resign, terminated or released due to any criminal or personal misconduct?       Yes       No      Explain:

What was the applicant's attitude toward supervisors, coworkers, and the public?

What was the applicant's general appearance while working?

Was the applicant involved in any accidents while employed?

Do you have any knowledge of any behavior, activities, or association which tends to show this person is not reliable, honest, or trustworthy, and of good conduct and character?  No  Yes Explain:

Would you consider rehiring the applicant?  Yes  No

Reasons for leaving this employment:

Reasons given for leaving prior employments:

What prior places of employment did the applicant list when applying with your organization?

Was the applicant willing to do more than the applicant's share of work when circumstances called for that?

What was the quality of work performed?

Would you recommend the applicant for this position?  Yes  No Explain:

**Information provided by:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

Additional comments:

Date: \_\_\_\_\_

Investigator: \_\_\_\_\_

**Applicant Name:** \_\_\_\_\_

**Reference Name:** \_\_\_\_\_

**Type of Reference:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Investigator Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Attachment IV**

**QUESTIONS FOR REFERENCES**

1. How long have you known the applicant?
  
2. What is the nature of your association with the applicant?
  
3. What type of attitude or personality does the applicant have?
  
  
  
  
  
  
  
  
  
  
4. Is the applicant reliable, honest and dependable?
  
  
  
  
  
  
  
  
  
  
5. Is the applicant courteous in contacts with others, including attitudes towards different races, religions, and nationalities?
  
  
  
  
  
  
  
  
  
  
6. Is the applicant mature and responsible?
  
  
  
  
  
  
  
  
  
  
7. How does the applicant handle problems?



8. Do you believe the applicant makes sound decisions? Please explain.
  
9. Does the applicant live within the applicant's means?
  
10. How does the applicant get along with people?
  
11. What kind of reputation does the applicant have within the neighborhood and with friends?
  
12. Describe the applicant's social life:
  
13. What is the applicant's perception of law enforcement, detention officers or telecommunicators?
  
14. To your knowledge, has the applicant ever been arrested or charged with a criminal offense, or received a traffic citation?
  
15. Do you believe the applicant can perform this type of work? (Read essential job functions)
  
16. Would you recommend the applicant for a position in law enforcement?

17. Do you know of any other person who may know or could tell me more about the applicant?

18. What do you believe are the applicant's strengths and weaknesses?

19. Are there any additional comments you think our agency should know about the applicant?

**Attachment V****INEXPERIENCED LAW ENFORCEMENT OFFICER**  
**ESSENTIAL JOB FUNCTIONS**

INSTRUCTIONS: The following are the “essential job functions” that are common to all inexperienced law enforcement officers in North Carolina, as determined by the N.C. Sheriffs’ Education and Training Standards Commission and the Criminal Justice Education and Training Standards Commission. The successful applicant must be able to perform **ALL** of the essential job functions of an inexperienced law enforcement officer, generally unassisted and at a pace and level of performance consistent with the actual job performance requirements. This requires a high level of physical ability to include vision, hearing, speaking, flexibility and strength.

1. Effect an arrest, forcibly if necessary, using handcuffs and other restraints; subdue resisting suspects using maneuvers and weapons and resort to the use of hands and feet and other approved weapons in self-defense.
2. Prepare investigative and other reports, including sketches, using appropriate grammar, symbols and mathematical computations.
3. Exercise independent judgement in determining when there is reasonable suspicion to detain, when probable cause exists to search and arrest and when force may be used and to what degree.
4. Operate a law enforcement vehicle during both the day and night; in emergency situations involving speeds in excess of posted limits, in congested traffic and in unsafe road conditions caused by factors such as fog, smoke, rain, ice and snow.
5. Communicate effectively and coherently over law enforcement radio channels while initiating and responding to radio communications.
6. Gather information in criminal investigations by interviewing and obtaining the statements of victims, witnesses, suspects and confidential informers.
7. Pursue fleeing suspects and perform rescue operations which may involve quickly entering and exiting law enforcement patrol vehicles; lifting, carrying and dragging heavy objects; climbing over and pulling up oneself over obstacles; jumping down from elevated surfaces; climbing through openings; jumping over obstacles, ditches and streams; crawling in confined areas; balancing on uneven or narrow surfaces and using body force to gain entrance through barriers.

**Inexperienced Law Enforcement Officer Essential Job Functions (cont'd.)**

9. Load, unload, aim and fire from a variety of body positions handguns, shotguns and other agency firearms under conditions of stress that justify the use of deadly force and at levels of proficiency prescribed in certification standards.
9. Perform searches of people, vehicles, buildings and large outdoor areas which may involve feeling and detecting objects, walking for long periods of time, detaining people and stopping suspicious vehicles and persons.
10. Conduct visual and audio surveillance for extended periods of time.
11. Engage in law enforcement patrol functions that include such things as working rotating shifts, walking on foot patrol and physically checking the doors and windows of buildings to ensure they are secure.
12. Effectively communicate with people, including juveniles, by giving information and directions, mediating disputes and advising of rights and processes.
13. Demonstrate communication skills in court and other formal settings.
14. Detect and collect evidence and substances that provide the basis of criminal offenses and infractions and that indicate the presence of dangerous conditions.
15. Endure verbal and mental abuse when confronted with the hostile views and opinions of suspects and other people encountered in an antagonistic environment.
16. Perform rescue functions at accidents, emergencies and disasters to include directing traffic for long periods of time, administering emergency medical aid, lifting, dragging and carrying people away from dangerous situations and securing and evacuating people from particular areas.
17. Process and transport prisoners and committed mental patients using handcuffs and other appropriate restraints.
18. Put on and operate a gas mask in situations where chemical munitions are being deployed.
19. Extinguish small fires by using a fire extinguisher and other appropriate means.
20. Read and comprehend legal and non-legal documents, including the preparation and processing of such documents as citations, affidavits and warrants.
21. Process arrested suspects to include taking their photographs and obtaining a legible set of inked fingerprint impressions.

**INEXPERIENCED DETENTION OFFICER**  
**ESSENTIAL JOB FUNCTIONS**

1. Effectively restrain an inmate, forcibly if necessary, using handcuffs and other restraints; subdue resisting inmates using maneuvers and resort to the use of hands and feet and other approved devices in self-defense.
2. Prepare investigative and other reports, including sketches, using appropriate grammar, symbols and mathematical computations, to include filing, alphabetizing and labeling.
3. Exercise independent judgement in determining the appropriate classification of inmates and assessing and responding to the needs of special populations.
4. Operate a law enforcement vehicle for long periods of time during both the day and night; in congested traffic and in unsafe road conditions cause by factors such as fog, smoke, rain, ice and snow.
5. Communicate effectively and coherently with other officers and inmates using existing communication systems.
6. Gather information in criminal and administrative investigations by interviewing and obtaining the statements of victims, witnesses, suspects and confidential informers and exercise independent judgment by determining when probable cause exists to recommend disciplinary action.
7. Pursue fleeing inmates and perform rescue operations and other duties which may involve quickly entering and exiting secured areas; lifting, carrying and dragging heavy objects; climbing up to and down from elevated surfaces; climbing through openings; jumping over obstacles; crawling in confined areas; and, using body force to gain entrance.
8. Perform searches of people, vehicles, mail items, objects capable of concealing contraband, buildings and large outdoor areas which may involve feeling and detecting objects, walking for long periods of time and detaining people.
9. Conduct visual and audio surveillance for extended periods of time.
10. Engage in functions in confined areas that include such things as preparing and serving food, working rotating shifts, extended walking on foot patrol and physically checking the doors, windows and other areas to ensure they are secure.
11. Effectively communicate with inmates and the public, including minors, by giving information and directions, mediating disputes and advising of rights and processes.

**Inexperienced Detention Officer Essential Job Functions (cont'd.)**

12. Demonstrate communication skills in court and other formal settings.
13. Detect and collect evidence and substances that provide the basis of criminal offenses or administrative violations; and detect the presence of conditions such as smoke, unusual or excessive noise, odors, etc.
14. Endure verbal and mental abuse when confronted with the hostile views and opinions of inmates and other people encountered in an antagonistic environment.
15. Perform rescue functions at accidents, emergencies and disasters to include standing for long periods of time, administering basic emergency medical aid, lifting, dragging and carrying people away from dangerous situations and securing and evacuating people from confined areas.
16. Transport and escort prisoners, detainees, and committed mental patients using handcuffs and other appropriate restraints.
17. Put on and operate a self-contained breathing apparatus and extinguish small fires by using a fire extinguisher and other appropriate means.
18. Read and comprehend legal and non-legal documents, including the processing of such documents as medical instructions, commitment orders, summons and other legal writs.
19. Process and release inmates to include taking their photographs and obtaining a legible set of inked fingerprint impressions.
20. Perform crisis intervention functions to include counseling, suicide prevention, recognizing abnormal behavior and taking appropriate action.
21. Break up fights and affrays.
22. Possess sufficient dexterity to manipulate keys and keyboards, operate levers and buttons, manually operate heavy doors and to count, collect and inventory small items.
23. Read computer and camera screens, court and other legal and non-legal documents, distinguish colors, and exercise full field of vision while supervising inmates.
24. Inspect unclothed inmates including body cavities, with exposure to body fluids, wastes and possible encounter with deceased persons.

NORTH CAROLINA SHERIFFS'  
EDUCATION AND TRAINING STANDARDS COMMISSION

PLAN OF ORGANIZATION AND BY-LAWS

(Revised 09/13/19; 01/19/2023; 09/24/2024)

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UNDER THE AUTHORITY OF CHAPTER 17E OF THE GENERAL STATUTES OF NORTH CAROLINA, THE NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, HEREINAFTER REFERRED TO AS "COMMISSION" ADOPTS A PLAN OF ORGANIZATION AND BY-LAWS AS FOLLOWS:

PART I. COMPOSITION OF THE COMMISSION

A. MEMBERSHIP

The Commission is composed of 17 members, 15 of whom are representative designees and 2 of whom are ex-officio, as prescribed by the General Assembly. [G.S. 17E-3(a)(4)]

B. TERM

The original members serve staggered terms of specified duration varying from one to three years, as established by the General Assembly. Thereafter, each of the sheriffs shall serve a term of three years. The appointees of the General Assembly shall consistently serve terms of two (2) years. In the event an appointee of the General Assembly is also a Sheriff, that appointee serves a term of three years.<sup>1</sup> Notwithstanding the appointments for a term of years, each member serves at the will of the appointing authority and continues to serve until their successors are appointed and qualified. [G.S.17E-3(b)]

C. VACANCY

Vacancies in membership of the Commission occurring for any reason shall be filled for the unexpired term by the authority making the original appointment [G.S. 17E-3(c)]

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<sup>1</sup> G.S. 17E(3)(b) provides that the initial term for this appointee is two years, and every two years thereafter. However, the two year reference is mooted by time passage since the enactment of this legislation.

PART II. ORGANIZATION OF THE COMMISSIONA. OFFICERS

## 1. CHAIRMAN

- a. Election The Commission elects from among the 15 representative members, a ~~Chairman~~ Chair. Ex-officio members are not eligible to serve as Chairman. [G.S. 17E-3(e)]
- b. Term The ~~Chairman~~ Chair shall serve as the Presiding Officer to the Commission and in such capacity, consistent with the will of the majority of members, has complete control of the proceedings of the Commission. The ~~Chairman~~ Chair shall authenticate, by his his/her signature, the acts, orders, and proceedings of the Commission unless ~~he~~ he/she delegates such function to another. The ~~Chairman~~ Chair holds office until the first regular meeting of the Commission held after July 1<sup>st</sup> of each year. At that time, the Commission shall either elect or re-elect a ~~Chairman~~ Chair who shall serve for one year, or until a successor is qualified. If the ~~Chairman~~ Chair position is vacated, a new ~~Chairman~~ Chair shall be elected from among the membership as soon as practicable at the time of the vacancy.
- c. Authority The ~~Chairman~~ Chair's authority includes, but is not restricted to:
- Recognizing speakers, setting and modifying time restrictions on presentations, questioning speakers, directing discussion, and managing the Commission's proceedings.
  - The ~~Chairman~~ Chair shall ensure that each person participating in a proceeding is given a fair opportunity to present views, data, and comments.



d. Duties - The duties of the ~~Chairman~~ Chair include:

- Opening the sessions at the designated time, by taking the chair and calling the members to order;
- Announcing the business before the Commission in the order in which it is acted upon;
- Recognizing members entitled to the floor;
- Stating and putting to vote all questions moved or arising in the course of proceedings and announcing the result of the vote;
- Expediting the business of the Commission in every way compatible with the rights of the members of the Commission to be heard;
- Enforcing the rules of order and the observance of decorum among the members; and
- Appointing such special or select Committees, as deemed necessary.
- The ~~Chairman~~ Chair will not close debate on an issue except by vote of the Commission; nor will he he/she prevent the making of legitimate motions by hurrying through the proceedings.

2. ~~VICE-CHAIRMAN~~ CHAIR

- a. Election -- The Commission elects from among the 15 representative members, a ~~Vice-Chairman~~ Chair. Ex-officio members are not eligible to serve as Vice-Chair.
- b. The ~~Vice-Chairman~~ Chair holds office until the first regular meeting of the Commission held after July 1<sup>st</sup> of each year. At that time, the Commission shall either elect or re-elect a ~~Vice-Chairman~~ Chair who shall serve for one year, or until a successor is qualified. If the ~~Vice-Chairman~~ Chair position is vacated, a new ~~Vice-Chairman~~ Chair shall be elected from among the membership as soon as practicable at

the time of the vacancy.

- c. Authority and Duties -- The Vice ~~Chairman~~ Chair to the Commission, upon and during the absence, incapacitation, or other vacancy of the chair by the duly appointed ~~Chairman~~ Chair, assumes the duties and acquires full authority of the ~~Chairman~~ Chair of the Commission.

### 3. OTHER OFFICES

At such time as the need may arise, the Commission will create such other official positions, with designated duties, as it may determine beneficial. Such positions will be filled by election from among the 15 representative members. These officers will serve terms of one year but may be elected to serve more than one (1) term.[G.S. 17E-3(e)]

## B. COMMITTEES OF THE COMMISSION

### 1. STANDING COMMITTEES

#### a. EXECUTIVE COMMITTEE

- (1) Composition --The Executive Committee consists of three ~~(3)~~(4) members: the ~~C~~ Chairman Chair and the Vice--~~Chairman~~ Chair of the Commission, the ~~Chairman~~ Chair of the Probable Cause Committee, and the Chair of the Rules and Standards Committee. The Executive Committee is chaired by the ~~Chairman~~ Chair of the Commission or the ~~Chairman~~ Chair's designee. No member of the Executive Committee may appoint a proxy.
- (2) Purpose -- The purpose of the Executive Committee shall be to provide general guidance for the Commission and to act on its behalf in matters requiring immediate action, such action being subject to ratification by the full Commission.
- (3) Duties -- The duties of the Executive Committee shall include:

- To consider issues where immediate action may be required and it is impractical to convene the full Commission;
- To develop and maintain an effective working relationship with the Department of Justice in the provision of staff and other support services to the Commission;
- To preview, consider, review, develop, recommend and/or promote, as necessary, but not limited to: a long range agenda for the Commission; proposals outside of the scope of normal Commission business prior to their introduction to the full Commission; organizational structure of the Commission; Commission By-Laws. Any such actions would be reported at a subsequent regular meeting of the Commission.
- To, when necessary, resolve any issue of absence, incapacitation or other vacancy of any elected officer or Commission member.

b. PROBABLE CAUSE COMMITTEE

- (1) Composition –The Probable Cause (PC) Committee consists of five (5) voting members of the Commission, to be appointed by the Commission's ~~Chairman~~ Chair. The Commission ~~Chairman~~ Chair shall appoint one of these five members to serve as the PC Committee's ~~Chairman~~ Chair and another committee member to serve as PC Vice-Chairman ~~Chair~~. Members shall serve until no longer a Commission member, the member resigns from the committee, or the member is removed by majority vote of the Executive Committee. In the event there are not enough Probable Cause Committee members present at a scheduled meeting for a quorum, the Commission ~~Chairman~~ Chair (or upon the ~~Chairman's~~ Chair's unavailability, the Vice-

Chairman Chair) may appoint another voting Commission member to serve on the Committee for that meeting only. This temporary appointment will not affect the appointment and position of the regularly appointed five members. If for any reason a committee member is unable to complete his his/her term, the Chairman Chair shall immediately appoint a replacement.

- (2) Purpose – The purpose of the Probable Cause Committee shall be to carry out the Commission’s previously adopted hearing procedures in cases relating to certification and compliance with the rules of the Sheriffs’ Commission.
- (3) Duties – The duties of the Probable Cause Committee shall include:
  - To promote adherence to the Commission’s rules and regulations with respect to justice officer standards and certification.
  - To consider matters relating to an applicant or officer’s initial or continued eligibility to hold Probationary or General Certification. Findings of probable cause shall be subject to review by the Commission only after the Administrative Hearing process has been completed.
  - To consider matters relating to an instructor’s eligibility to hold certification. Findings of probable cause shall be subject to review by the Commission only after the Administrative Hearing process has been completed.
  - To consider matters relating to agency and school compliance with Commission rules. Findings of probable cause shall be subject to review by the Commission only after the Administrative Hearing process has been completed.

## c. RULES and STANDARDS COMMITTEE

(1) **Composition.** -- The Rules and Standards Committee consists of five (5) voting members of the Commission, to be appointed by the Commission's Chair. The Commission Chair shall appoint one of these five members to serve as the Committee's Chair and another committee member to serve as PC Vice-Chair. Members shall serve until no longer a Commission member, the member resigns from the committee, or the member is removed by majority vote of the Executive Committee. In the event there are not enough Rules and Standards Committee members present at a scheduled meeting for a quorum, the Commission Chair (or upon the Chair's unavailability, the Vice-Chair) may appoint another voting Commission member to serve on the Committee for that meeting only. This temporary appointment will not affect the appointment and position of the regularly appointed five members. If for any reason a committee member is unable to complete his-his/her term, the Chair shall immediately appoint a replacement.

(2) **Purpose.** -- The Rules and Standards Committee shall be responsible for the formation of a system plan as required by NCGS 17E-4.1(10), and the development of proposed legislation and position statements by the Commission. The Committee shall also provide policy administration for the development of standards for the Commission as outlined in NCGS 17E. Action of the Rules Committee shall be subject to review by the full Commission.

(3) **Duties.** -- The duties of the Rules and Standards Committee shall be:

(a) To develop a system plan for the promotion of a system of criminal justice education and training, to include the development of proposed legislation and resolutions for adoption by the Commission;

(b) To develop and maintain an effective working

relationship with the Department of Justice in the provision of staff and other support services to the Commission;

(c) To administer policies concerning mandated entry level standards established by the Commission;

(d) To administer policies concerning advanced voluntary standards established by the Commission;

(e) To administer policies and provide advice concerning criminal justice career development programs; and

(f) To research and identify organizations or classifications for possible inclusion into minimum or advanced standards.

## 2. SPECIAL COMMITTEES

The Commission may create special committees with defined authority and specific responsibilities. Members of special committees will be appointed by the Commission ~~Chairman~~ Chair. Persons other than Commission members are eligible for appointment to special committees; however, the ~~Chairman~~ Chair and the Vice-~~Chairman~~ Chair to the committee must be members of the Commission.

## 3. COMMITTEE ORGANIZATION

### a. Officers

(1) Chairman -- Upon creation of each committee, standing or special, the Commission Chairman shall appoint a ~~Chairman~~ Chair to the committee. All voting members of the Commission are eligible to be appointed to a committee ~~Chairmanship~~ Chairship. An appointed committee ~~Chairman~~ Chair shall serve in such capacity until no longer a Commission member, the member resigns from the committee, or the member is removed by majority vote of the Executive Committee.

- (2) Vice--Chairman ~~Chair~~ -- Upon creation of each committee, standing or special, the Commission ~~Chairman~~ ~~Chair~~ shall appoint a Vice--Chairman ~~Chair~~ to the committee. All members of the committee are eligible to be appointed to a Vice--Chairmanship ~~Chairship~~. A Vice--Chairman ~~Chair~~ shall serve in such capacity until no longer a Commission member, the member resigns from the committee, or the member is removed by majority vote of the Executive Committee.
- (3) Other Officers -- A committee may create such other official positions, with designated duties, as it may determine beneficial. The officers elected by the committee to such positions shall serve until no longer a Commission member, the member resigns from the committee, or the member is removed by majority vote of the Executive Committee.
- (4) Committee Proxy - Members of a committee shall have the authority expressed in G.S 17E-3(i) to designate another person in writing to serve as their proxy. If the member possesses voting authority, the representative has the authority to vote for the member at all meetings the member is unable to attend.

b. Term of Membership

Membership on a committee to the Commission is continuous and concurrent with membership on the Commission, unless terminated earlier by action of the Executive Committee, or unless otherwise specified in these by-laws.

C. ADVISORY GROUPS OF THE COMMISSION

1. STANDING ADVISORY GROUPS: CURRICULUM REVISION

The Commission may create standing advisory groups to

continually review curriculum mandates by the Commission. These advisory groups shall have a defined authority and specific responsibilities. Any recommendations by this Advisory Group shall be subject to the approval of the Commission. Where there is a common interest, membership on curriculum revision advisory groups may also include representatives from other Commissions. Members of revision advisory groups will be approved by the Commission ~~Chairman~~ Chair. Persons other than Commission members are eligible for appointment to curriculum revision committees; and the ~~Chairman~~ Chair and the ~~Vice-Chairman~~ Chair to the committee are not required to be members of the Commission.

## 2. SPECIAL ADVISORY GROUPS

The Commission may create one or more advisory groups to address specific issues or needs identified by the Commission. An advisory group shall be advisory in nature and shall not have decision-making authority. The function of an advisory group shall be to research and discuss the designated topic(s) and report any findings or suggestions to the Commission, as needed. The membership of an advisory group is to be determined by Commission staff on the basis of subject matter knowledge, expressed interest and willingness to serve. Such an advisory group shall exist until such time as study or input on the designated topic or project is no longer necessary.

## D. STAFF

The Attorney General shall provide staff assistance required by the Commission. [G.S. 17E-5]

### 1. Director

- a. Designation of Director -- The Director of the North Carolina Sheriffs' Education and Training Standards Division of the North Carolina Department of Justice, as appointed by the Attorney General, is designated the Director of the Commission for each of the programs developed and implemented by the Commission.
- b. Authority and Duties of the Director -- The Director is directed, authorized, and empowered to act on behalf



of and in the name of the Commission. Duties shall include:

- (1) To comprehensively administer the Commission's programs and their attendant rules, standards, and procedures, as contained in the North Carolina Administrative Code;
- (2) To authenticate, by his/her signature, the actions, orders, rules, and official notifications of the Commission;
- (3) To be the recording officer of the Commission and the custodian of its records, except those specifically assigned by the Commission Chairman to others;
- (4) To ensure that all official acts, orders, rules, proceedings, and notifications of the Commission are properly recorded, registered, and transmitted as required by law or by the Commission, and to ensure that proper notification is given to all criminal justice agencies affected by Commission action;
- (5) To compile data, develop reports, identify needs and perform research relevant to the improvement of the North Carolina Sheriffs' Departments;
- (6) To develop and revise programs for consideration by the Commission;
- (7) To monitor and evaluate programs of the Commission;
- (8) To provide technical assistance to relevant agencies regarding their participation and responsibilities in Commission programs;
- (9) To divulge such information from Commission files as is available to the public under North Carolina law;
- (10) To take other actions necessary or appropriate

to fulfill the duties and responsibilities assigned by the Commission. [G.S. 17E-6(c)(7)]

PART III. OPERATION OF THE COMMISSION

A. IMPLEMENTATION OF CHAPTER 17E OF GENERAL STATUTES

In its endeavor to improve administration of justice in North Carolina, it is the purpose of the Commission to upgrade the capabilities, competence, and proficiency of Sheriffs' Office personnel through programs, standards, and procedures involving the employment, improvement, career development, and retention of the Office personnel. In meeting those responsibilities, the Commission utilizes those powers and authority expressly delegated and granted to it by the General Assembly under Chapter 17E of the General Statutes.

B. NORTH CAROLINA ADMINISTRATIVE CODE

Each formal program of the Commission, with its accompanying standards, guidelines, and procedures, are developed into rules for appropriate entry into Chapter 10B of Title 12 of the North Carolina Administrative Code.

1. AUTHENTICATION OF RULES -- The rules adopted by the Commission are authenticated by the signature of the ~~Chairman~~ Chair of the Commission or by the signature of the Director to the Commission.
2. FILING RULES -- The rules, as adopted by the Commission, are filed in accordance with the requirements of G.S. 150B, Article 2A, by the Director.

C. MEETINGS

1. COMMISSION MEETINGS

- a. Regular Meetings -- The Commission has a minimum of four (4) regular meetings annually, as required by statute, upon official call of the ~~Chairman~~ Chair to the Commission. When possible, the ~~Chairman~~ Chair, prior to adjournment of a regular meeting, shall initiate discussion of the date and location of the next regular meeting. [G.S. 17E-3(g)]
- b. Special Meetings -- The ~~Chairman~~ Chair (or the Vice--~~Chairman~~ Chair) to the Commission is empowered at any time to call a special meeting of the Commission. Furthermore, upon the written request of at least four members of the Commission directed to the ~~Chairman~~

~~Chairman~~ **Chair** by registered mail for call of a special meeting of the Commission, the ~~Chairman~~ **Chair** shall immediately issue the call for such meeting so that it will be concluded within thirty days from the date of receipt of the fourth request. [G.S. 17E-3(g)]

## 2. COMMITTEE MEETINGS

All committees of the Commission or subcommittees of committees of the Commission will meet as needed upon the call of the ~~Chairman~~ **Chair** of the Commission or the ~~Chairman~~ **Chair** of the respective committee or subcommittee.

## 3. NOTICE OF MEETINGS

- a. Commission Meetings -- At the direction of the ~~Chairman~~ **Chair** of the Commission, the Director shall expeditiously issue an official notice of the meeting to each member of the Commission at least twenty days prior to each regular or 48 hours prior to each special meeting of the Commission.
- b. Committees and Sub-committee Meetings -- Unless otherwise provided, the Director, at the direction of the ~~Chairman~~ **Chair** to a committee or subcommittee, shall expeditiously issue an official notice of meeting to each member of that committee or subcommittee at least ten days prior to the date of the scheduled meeting, and at least 48 hours prior to each special meeting.

## 4. EXTENDED MEETING

A meeting of the Commission, committee of the Commission, or subcommittee of a committee of the Commission which continues for more than one consecutive day is considered one meeting.

## 5. OPEN MEETINGS

- a. Commission -- All regular and special meetings of the Commission are open to the public, except those meetings, or portions thereof, properly designated as Closed Sessions as authorized under G.S. 143-318.11, or those for the purpose of authorized quasi-judicial findings as provided in G.S. 143-318.18.
- b. Committee and Sub-committee -- Meetings of committees or subcommittees are public meetings and are open to the public. [G.S. 143-318.10(b)], except those for the purpose of authorized quasi-judicial findings as provided in G.S. 143-318.18. However, a

committee or subcommittee meeting may be closed to the public for closed session upon the vote of its members, pursuant to G.S. 143-318.11.

## 6. QUORUM

A quorum of the Commission is that number of members required to be present for official business to be lawfully transacted.

- a. Number Necessary -- A simple majority of the membership of the Commission represents a quorum. The quorum refers to the number of members present at the meetings, not the number voting. For purposes of entry of any Final Agency Decision, a quorum shall mean a simple majority of members who are eligible to vote on the Final Agency Decision.
- b. Quorum Continues -- Upon announcement from the ~~Chairman~~ **Chair** that a quorum exists, that quorum will remain in effect, even if a simple majority of members does not continue to be present, unless two-thirds (2/3) of the remaining members vote to adjourn or to recess until a quorum returns.

## 7. MINUTES OF MEETINGS

The Director shall develop and maintain record of the proceedings of each meeting of the Commission, or its committees and their subcommittees which will be denoted as *Minutes of Meeting*.

- a. Commission Meeting -- The minutes of a meeting of the Commission are public records and are open for inspection or copying with the exception of the portions which were developed while the Commission was sitting in closed or executive session. The minutes of closed or executive sessions are available only to Commission members and support staff.
- b. Committee and Subcommittee -- The minutes, together with reports, and findings of each committee or subcommittee to the Commission are public records and are open for inspection or copying except those portions which were developed in closed or executive session. These minutes are available only to Commission members and support staff.

## 8. ORDER OF BUSINESS

- a. General Order -- The general order of conducting business by the Commission or any committee thereof is as follows:

- Call to Order: Roll Call, Declaration of a Quorum, Ethics Reminder, Administration of Oaths (if needed), Recognition of Visitors;
  - Approval of Minutes of Prior Meeting;
  - Plaques/Awards/Resolutions;
  - Informational Reports: Criminal Justice Commission; North Carolina Justice Academy; Community Colleges; Institute of Government; NC Sheriffs' Association; and any others as needed.
  - Committee Reports: Probable Cause Committee; Curriculum Revision Committees; or any other special committee created by the Commission;
  - Legal Counsel's Report: Status of Cases on Appeal; Legislative Issues; Final Agency Decisions. (If not already presented at FAD meeting.)
  - Division Report on projects, budget, special requests, and any other issue of which the Commission needs to be made aware or act upon;
  - Other Business: next meeting dates/location and any other business.
- b. Special Order -- Action to adopt, amend or repeal the Commission's Administrative Rules contained in the North Carolina Administrative Code, and the hearing of contested cases by the Commission under the Administrative Procedures Act shall comprise special business and shall, in the order herein listed, precede the general order of the Commission's business.

## 9. MEETING AGENDA

The ~~Chairman~~ **Chair** shall, at each meeting, have an agenda of the order of business, including matters to be considered during the meeting. The agenda shall be made available to each member prior to or at the commencement of the meeting.

## 10. CONDUCTING BUSINESS

- a. Rules of Order - Meetings of the Commission, committees of the Commission, and subcommittees of committees shall be conducted according to Roberts' Rules of Order.
- b. Votes Necessary for Adopting - Unless otherwise expressly required, all motions or other items of business subjected to vote of the members either the Commission or a committee are officially adopted or approved by a simple majority of the votes cast by members of the body on each motion or other issue for determination. "Simple majority" means at least one vote greater than half the total votes cast on the question regardless of the number of members in attendance at the time of the vote.
- c. Commission Proxy - Pursuant to G.S. 17E-3(i), members of the Commission shall have the authority to designate, in writing, one member of his/her office to represent them and, if the member possesses voting authority, vote for them on the Commission at all meetings the voting member is unable to attend. This voting authority extends to all matters brought before the Commission and includes the entry of final agency decisions and adoption or amendment of administrative rules. The written designation, or proxy, shall remain a part of the permanent records for that Commission meeting.

## 11. RESPONSIBILITIES OF MEMBER COMMISSIONERS

- a. Participation on the Commission is a privilege made possible by selection to serve by a statutorily designated appointing authority. Selection to serve is for a time certain limited by the provisions of G.S. 17E.
- b. G.S. 17E further provides for the removal of Commission members for malfeasance, misfeasance, or nonfeasance. Failure to participate in Commission meetings and other obligations will be grounds for the Commission to proceed to remove a member.
- c. Grounds for the initiation of removal proceedings shall include, but not be limited to:
  - Failure to attend properly called (G.S. 17E-3(g), or C.3. above) meetings;
  - Failure to designate a proxy for properly called meetings;
  - Behavior that disrupts the normal working of the

Commission and its ability to conduct its business in a sound and efficient manner; and

- Behavior or actions that bring discredit to the Commission and the Sheriffs of North Carolina.
- d. Failure to attend the meetings shall be defined by three (3) consecutive un-excused absences from properly called Commission meetings. An absence may be excused if and only if a delegate is properly qualified. Unless excused by majority vote of the members present and voting, the third consecutive delegation of a proxy, and each thereafter, shall be considered an un-excused absence.
- e. Delegates will be properly qualified when they present to the ~~Chairman~~ Chair of the Commission a signed letter written by the member explaining why the member cannot attend. A proxy vote may not be delegated to another commissioner or staff person, and may only be exercised in accordance with paragraph 10(b) of these by-laws. The delegate must be a resident of the county of the Commission member, or a member of their organization.
- f. The procedure for removing a Commission member shall employ every means possible to give the at-risk member notice of the proceedings and an opportunity to present explanation. There is no right to counsel or to present witnesses in such a hearing. The member will be removed only upon a motion, seconded, with a majority vote of those Commission members present and voting.
- g. Removal proceedings may take place only at regularly scheduled meetings; or, unless a special meeting of the full Commission is called expressly for this purpose. Normal notice provisions shall be followed with the exception that the member at-risk of removal shall receive notice by registered mail, return receipt requested. Removal proceedings may be instituted by the Chairman on his own motion, or by motion, seconded, and sustained by majority vote at any regularly scheduled or special meeting of the Commission.
- h. A Commission member removed from office by such proceeding may appeal the decision to binding arbitration, or as otherwise provided for by law. The ~~Chairman~~ Chair shall be the sole authority for the Commission in negotiations with respect to the selection of an arbitrator, conditions, etc.

18

REVISED EFFECTIVE ~~JANUARY 19, 2023~~ SEPTEMBER 20, 2024 .





**NORTH CAROLINA DEPARTMENT OF JUSTICE  
SHERIFFS' STANDARDS DIVISION**

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ATTORNEY GENERAL

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RICHARD SQUIRES  
DIRECTOR

November 5, 2024

**To:** Members of the Sheriffs' Education and Training Standards Commission

**From:** Richard Squires, Director

**Reference:** Extension and Waiver Requests

**Extension Requests**

<u>Officer Name / DAP</u>	<u>Agency</u>	<u>Type of Request</u>	<u>Extension length / Through Date</u>
1. Charles Isaiah Kukulka / DAP: 12-11-23	Beaufort County Sheriff Office	Extension -Training	6 months / 6-11-25
2. Brandon Keith Marion DAP: 10-16-23	Surry County Sheriff Office	Extension - Training	6 months / 4-16-25
3. Qyshondra Dyveshia Evans DAP: 10/25/23	Hoke County Sheriff Office	Extension - Training	6 months / 4-25-25
4. Janyah Jones DAP: 11-13-23	Pitt County Sheriff Office	Extension – Training	6 months / 05-13-25
5. Michelle Meisterheim DAP: 11-27-23	Buncombe County Sheriff Office	Extension – Training	6 months / 05-27-25
6. Alexandria McCaskill DAP: 1-16-24	Jackson County Sheriff Office	Extension – Training	6 months / 7-16-25
7. Caleb Holland DAP: 2-29-24	Jackson County Sheriff Office	Extension – Training	6 months / 8-29-25
8. Timothy Dillon Revis DAP: 10/26/2023	Yancey County Sheriff Office	Extension – Training	6 month / 04/26/25

**Waiver Requests**

<u>Officer Name</u>	<u>Agency</u>	<u>Type of Request</u>	
1. John Edward Stokes Last Certified: 1-10-23	Orange County Sheriff Office	Break in service waiver	
2. Brandon Cole Lamb DAP: 6-3-24	McDowell County Sheriff Office	Waiver – Education	6 months / 12-3-25