

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

**DATE:** March 20, 2025

**TIME:** 1:00 P.M.

**LOCATION:** Hilton Garden Inn Outer Banks / Kitty Hawk  
5353 N Virginia Dare Trail, Kitty Hawk, NC 27949

**SUBMITTED BY:** Robin Pendergraft, Interim Director

**I. CALL TO ORDER**

**Sheriff Ed McMahon**

The North Carolina Sheriffs' Education and Training Standards Commission's Final Agency Decision meeting was called to order by Sheriff Ed McMahon on Thursday, March 20, 2025. Chair Ed McMahon welcomed everyone to Dare County. Chair McMahon requested a roll call of Commission members. Alex Radford recorded the following:

**MEMBERS PRESENT**

Sheriff Chip Hughes  
Sheriff Banks Hinceman  
Sheriff Ed McMahon  
Sheriff Terry Johnson  
Sheriff James McVicker  
Sheriff Lowell Griffin  
Chief Deputy Durwin Briscoe  
Ms. Jennifer Fisher

Sheriff Shelton White (Probable Cause)  
Sheriff Jeff Crisco (Probable Cause)  
Sheriff Don Brown (Probable Cause)

**MEMBERS ABSENT**

Sheriff Jack Smith  
Sheriff Van Shaw  
Sheriff Mike Roberson  
Mr. George Dunlap  
Mr. Marc Nichols  
Mr. Jamie Markham

**STAFF**

Joy Strickland	North Carolina Department of Justice
John Congleton	North Carolina Department of Justice
Steven Wilson	North Carolina Department of Justice
Alex Radford	North Carolina Sheriffs’ Standards Division
Jasmine Caldwell	North Carolina Sheriffs’ Standards Division

Alex Radford announced that a quorum was present.

Chair McMahon noted that Mr. John Congleton, Assistant Attorney General, would serve as the Commission Legal Counsel. Mr. Congleton read the ethics statement to the Commission members and reminded everyone that both the Petitioner and the Respondent would be limited to 30 minutes of oral argument.

Chair McMahon welcomed everyone to the North Carolina Sheriffs’ Training and Standards Commission meeting and asked the visitors to stand and introduce themselves.

**VISITORS**

Eddie Caldwell	North Carolina Sheriffs’ Association
Lauren Earnheart	North Carolina Sheriffs' Association
Lynn Slycord	Kings Mountain Police Department
Timothy Kimbrell	Rutherford County Sheriff’s Office
Lateshia Polk	Durham County Sheriff’s Office
Barry Henline	Attorney
Roy Caro	N/A
Doug Doughtie	Dare County Sheriff
Mantress Dodson	Captain Alamance County Sheriff’s Office
Christina White	Alamance County Sheriff’s Office
Alan Cloninger	Retired Sheriff Gaston County
Ricky Oliver	Retired Sheriff Yadkin County

**II. APPROVAL OF SEPTEMBER FAD MINUTES**

**Sheriff Ed McMahon**

Chair McMahon requested a motion to approve minutes for the November 21, 2024, Final Agency Decisions.

A **MOTION** was made by Sheriff Terry Johnson to approve the minutes from the November 21, 2024, Final Agency Decision meeting; seconded by Sheriff Van Shaw. **MOTION CARRIED**

### III. FINAL AGENCY DECISION

Joy Strickland

Sheriff McMahon informed the Commission that the case involving Joshua Andrew Phillips had been continued.

#### **\*Lynn Burns Slycord**

Ms. Slycord was present for the proceedings. Mrs. Joy Strickland presented oral arguments regarding the case against Lynn Slycord. The petitioner applied for telecommunicator certification with the North Carolina Sheriffs' Education and Training Standards Commission on June 8, 2022, for a position with the Kings Mountain Police Department. As part of the application process, she submitted a Personal History Statement (Form F-3) disclosing her prior criminal history, including four convictions for failing to file income taxes.

The convictions, which occurred between 2008 and 2009, involved charges for failing to file taxes for the years 2008 and 2009. The petitioner explained that her financial difficulties were caused by her husband's addiction, which led him to steal money from her accounts and hide business paperwork. Despite these challenges, she was able to pay her taxes before court and was placed on unsupervised probation.

After an investigation by Investigator Melissa Bowman, the Probable Cause Committee of the North Carolina Sheriffs' Commission found probable cause to deny the petitioner's certification, citing her conviction of four Class B Misdemeanors for failing to file income taxes. The petitioner was notified of this decision in a certified letter dated May 8, 2024.

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby proposed ordered that Petitioner's justice officer certification is Granted due to the circumstance surrounding the convictions.

Chair McMahon asked the Commission if there were any questions.

A **MOTION** was made by Sheriff Lowell Griffin to enter closed session; seconded by Sheriff Chip Hughes. **MOTION CARRIED**

A **MOTION** was made by Sheriff James McVicker to enter open session; seconded by Sheriff Banks Hinceman. **MOTION CARRIED**

A **MOTION** was made by Sheriff Lowell Griffin in the matter of Lynn Burns Slycord; Adopt the proposed final agency decision that Petitioner’s Justice officer certification is **GRANTED**; seconded by Sheriff James McVicker. **MOTION CARRIED**

**\*Roy Caro**

Mr. Caro was present for the proceedings and Attorney Barry Henline was representing Mr. Caro. Mrs. Joy Strickland presented oral arguments regarding the case against Mr. Caro. The petitioner was initially certified by the Respondent on July 16, 2018, through the Onslow County Sheriff’s Office, but separated from the office in 2019 due to an injury. On July 3, 2020, he received general certification as a detention officer. As of the hearing, the petitioner remained certified. In August 2022, the Onslow County Sheriff’s Office submitted a Form F-5, indicating that the petitioner had separated from employment on August 15, 2022, due to a criminal investigation or violation of Commission rules. The form also noted an ongoing or substantiated internal investigation regarding the petitioner.

Investigator Melissa Bowman, employed by the North Carolina Sheriffs’ Standards Division, was assigned to investigate the case. The investigation revealed a use of force incident involving the petitioner and inmate John Walsh, which included incident reports and photographs of injuries. Based on the findings, the Probable Cause Committee of the Sheriff’s Commission determined in 2023 that there was probable cause to revoke the petitioner’s certification due to an allegation of committing a Class B misdemeanor assault against Walsh, in violation of state law and Commission rules. The petitioner was notified of this decision via certified letter on October 25, 2023.

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby proposed ordered that Petitioner’s justice officer certification is Revoked for a period of five years.

The petitioner’s attorney, Barry Henline presented oral arguments regarding the case.

Chair McMahon asked the Commission if there were any questions.

A **MOTION** was made by Sheriff James McVicker to enter closed session; seconded by Sheriff Chip Hughes. **MOTION CARRIED**

A **MOTION** was made by Sheriff Chip Hughes to enter open session; seconded by Chief Deputy Briscoe. **MOTION CARRIED**

A **MOTION** was made by Sheriff Chip Hughes in the matter of Roy Caro; to **ADOPT** the proposed final agency decision and that Petitioner's certification be **REVOKED** for a period of **FIVE** years; seconded by Sheriff James McVicker. **MOTION CARRIED**

**\*Lateshia Polk**

Ms. Polk was present for the proceedings. Mrs. Joy Strickland presented oral arguments regarding the case against Ms. Polk. On or around April 3, 2023, Petitioner submitted a Report of Appointment to apply for certification as a detention officer with the Durham County Sheriff's Office, which included information about her criminal history. Investigator Melissa Bowman reviewed the application and criminal history, including charges of Simple Assault and Possession of Marijuana. These charges were dismissed in court on August 23, 2023. Ms. Bowman investigated further, reviewing records from various law enforcement agencies and found no significant charges since 2012, aside from the June 15, 2023, assault charge.

Petitioner's application and investigation results were presented to the Respondent's Probable Cause Committee, which determined there was probable cause to deny certification based on several alleged offenses, including a domestic violence-related Simple Assault charge and marijuana possession in June 2023, along with past misdemeanors and felony charges.

On June 15, 2023, during a domestic dispute with her spouse, Kitsi Mahasi, Petitioner was arrested for Simple Assault and Possession of Marijuana after a confrontation where both parties recorded each other. Petitioner denied knowledge of the marijuana in her bag, suggesting Mahasi may have planted it there. The assault charge was related to an incident where Petitioner tried to stop Mahasi from recording her, though Petitioner claimed she did not have physical contact with Mahasi. Petitioner was cooperative with the police, and the charges against both her and Mahasi were later dismissed.

Investigator Bowman interviewed Petitioner on October 27, 2023. Petitioner explained the domestic dispute, stating Mahasi had returned intoxicated from a bar, and the argument escalated when Mahasi attempted to record her. Petitioner admitted to trying to stop Mahasi from recording but denied any physical assault. She also explained her belief that Mahasi planted the marijuana in her bag. Despite passing a drug test, Investigator Bowman could not verify Mahasi's account, as she was unable to contact her for an interview.

Throughout the investigation and hearing, Petitioner consistently maintained her version of events, asserting that the incident was not an assault but an attempt to stop unwanted recording by Mahasi.

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby proposed ordered that Deny Petitioner’s justice officer certification for five years pursuant to 12 NCAC 10B .0204(d)(1) and 12 NCAC 10B .0205(2)(a) for the commission of the misdemeanor of Simple Assault. Deny Petitioner’s justice officer certification for an indefinite period pursuant to 12 NCAC 10B .0204(d)(5) and 12 NCAC 10B .0205(3)(d) for the commission of four or more Class A or B misdemeanors. Deny Petitioner’s justice office certification permanently pursuant to 12 NCAC .0204(a)(1) and 12 NCAC 10B .0205(1)(a) for the commission of the felony offense of obtaining property by false pretenses.

The petitioner’s attorney, David Myer presented oral arguments regarding the case via TEAMS. Chair McMahon asked the Commission if there were any questions.

A **MOTION** was made by Sheriff Terry Johnson to enter closed session; seconded by Chief Deputy Durwin Briscoe. **MOTION CARRIED**

A **MOTION** was made by Sheriff Banks Hinceman to enter open session; seconded by Sheriff Chip Hughes. **MOTION CARRIED**

A **MOTION** was made by Sheriff Lowell Griffin in the matter of Lateshia Polk; **ADOPT** the proposed final agency decision; seconded by Sheriff Terry Johnson. **MOTION CARRIED**

**\*Timothy G. Kimbrell**

Mr. Kimbrell was present for the proceedings. Mrs. Joy Strickland presented oral arguments regarding the case against Mr. Kimbrell. The Petitioner is currently a Detention Officer with the Rutherford County Sheriff’s Office; was previously employed by both Rutherford County Sheriff’s Office and the Forest City Police Department. The issue concerns his most recent employment with FCPD, where officers were issued MiFi® devices for portable internet access with minimal oversight. After it was discovered that several devices were unaccounted for, a request was made for their return. The Petitioner returned a device and admitted it to personal use. An Internal Affairs investigation followed, during which the Petitioner acknowledged possession of the device but initially minimized the duration of use. These actions violated FCPD policies. The Petitioner later voluntarily left FCPD. Despite showing honesty and remorse at the hearing, the Commission, after learning of the incident through a separation report and conducting its own investigation, found probable cause to believe the Petitioner lacks the moral character required for a justice officer. Based on the foregoing Findings of Fact and Conclusions

of Law, it is hereby proposed that the petitioner’s justice officer certification is revoked for an indefinite period.

Mr. Kimbrell spoke briefly regarding the case and stated that he has been working in law enforcement for seven years and takes full responsibility for his actions.

Chair McMahon asked the Commission if there were any questions.

Sheriff Lowell Griffin asked why the Commission was hearing this case.

Joy Strickland stated that he had applied to the Brunswick County Sheriff’s Office.

A **MOTION** was made by Sheriff James McVicker to enter closed session; seconded by Sheriff Chip Hughes. **MOTION CARRIED**

A **MOTION** was made by Sheriff Banks Hinceman to enter open session; seconded by Sheriff Chip Hughes. **MOTION CARRIED**

A **MOTION** was made by Sheriff James McVicker in the matter of Timothy Kimbrell; **ADOPT** the proposed final agency decision, the certification is **REVOKED** for an indefinite period; seconded by Sheriff Lowell Griffin. **MOTION CARRIED**

**\*Darrion J. Foster**

Mr. Foster was not present for the proceedings. Mrs. Joy Strickland presented oral arguments regarding the case against Mr. Foster. The case is recommended for dismissal without prejudice due to the Petitioner’s failure to comply with multiple prehearing orders and failure to prosecute the case. Despite being ordered twice (starting July 2, 2024) to submit a Prehearing Statement, the Petitioner did not comply, which caused unreasonable delays and prejudiced the Respondent’s ability to prepare for the hearing. The Administrative Law Judge (ALJ) found that lesser sanctions would not be effective due to the Petitioner’s ongoing irresponsibility. Under North Carolina statutes and regulations (N.C.G.S. §150B-33(b)(10), 26 NCAC 03.0114, and Rule 41(b) of the Rules of Civil Procedure), dismissal is deemed an appropriate and authorized sanction.

Based on the foregoing Findings of Fact and Conclusions of Law, the Commission is hereby adopting the recommendation of the Administrative Law Judge to dismiss this case, and it is hereby ordered that the case is dismissed, and therefore the original proposed action is instituted, and Petitioner’s certification is revoked for a period of five years.

Chair McMahon asked the Commission if there were any questions.

A **MOTION** was made by Chief Deputy Durwin to enter closed session; seconded by Sheriff James McVicker. **MOTION CARRIED**

A **MOTION** was made by Sheriff Chip Hughes to enter open session; seconded by Sheriff Terry Johnson. **MOTION CARRIED**

A **MOTION** was made by Sheriff Terry Johnson in the matter of Darrion Foster; **ADOPT** the proposed final agency decision, the certification is **REVOKED** for a period of **FIVE** years; seconded by Sheriff Lowell Griffin. **MOTION CARRIED**

#### IV. LEGAL COUNSEL’S REPORT

Joy Strickland

Mrs. Joy Strickland summarized the Legal Counsel’s Report, and reviewed the various stages of litigation for the administrative cases as follows:

- 34 active cases.
- 5 cases closed since the November 21, 2024, meeting.
- 5 cases pending judicial review

#### V. RECESS

A **MOTION** by Sheriff James McVicker to recess the March 2025 Sheriff’s Final Agency Decision meeting: Seconded by Sheriff Lowell Griffin. **MOTION CARRIED**