

JEFF JACKSON
ATTORNEY GENERAL



J. JOY STRICKLAND
SENIOR DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: N.C. Sheriffs' Education and Training Standards Commission Members and Staff

FROM: J. Joy Strickland
Senior Deputy Attorney General
Counsel to the Commission

DATE: August 27, 2025

RE: **FINAL AGENCY DECISIONS**

Jonathan Gilyard
Christian Ortega
Michael Harvan

These matters are scheduled to be heard before the Commission at its September 11, 2025, meeting. At that time, you will be called upon to render your Final Agency Decision in these matters after reviewing all pertinent documents and hearing oral arguments. Please review the enclosed documents prior to the Commission meeting and bring them with you to the meeting.

The official records and transcripts from these hearings will be available at the meeting for your review. If additional submissions by the parties come to my attention before the Commission meeting, I will forward them to you immediately.

JONATHAN GILYARD

An administrative hearing was held on March 25, 2025, before Administrative Law Judge Brian LiVecchi. The case was later reassigned to Administrative Law Judge John Evans. The issue before the court was regarding whether Petitioner's justice officer certification should be denied for producing a positive drug screen and because he had been denied by the Criminal Justice Education and Training Standards Commission. On July 14, 2025, Judge Evans filed his Proposal for Decision and recommended that the Commission find that Petitioner did not violate any rules and be **GRANTED** certification. Counsel for the Commission has submitted **Exceptions to the Proposal for Decision** and a **Proposed Final Agency Decision** for your review. Counsel for Petitioner has requested to provide oral argument and submitted **Exceptions to the Proposal for Decision and Written Argument** for your consideration.

CHRISTIAN ORTEGA

An administrative hearing was held on May 23, 2025, before Administrative Law Judge Michael C. Byrne regarding whether Petitioner's justice officer certification should be revoked for the commission of the criminal offenses of assault on a female and common law forgery. On May 23, 2025, Judge Byrne issued his Proposal for Decision and recommended that **NO ACTION** be taken against Petitioner's certification. Counsel for the Commission has submitted **Exceptions to the Proposal for Decision** and a **Proposed Final Agency Decision** for your review.

MICHAEL HARVAN

An administrative hearing was held on March 6, 2025, before Administrative Law Judge David F. Sutton regarding whether Petitioner's justice officer certification should be revoked for the commission of the criminal offenses of common law obstruction of justice and willfully failing to discharge his duties. On July 3, 2025, Judge Sutton filed his Proposal for Decision and recommended that **NO ACTION** be taken against Petitioner's certification. Counsel for the Commission has submitted **Exceptions to the Proposal for Decision** and a **Proposed Final Agency Decision** for your review. Counsel for Petitioner has requested to present oral argument and submitted a **Legal Brief** for your consideration.

cc: William Mitchell, Director, Sheriffs' Standards Division
Grant Simpkins, Attorney for Jonathan Gilyard
Christian Ortega
Michael McGuinness, Attorney for Michael Harvan