

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

**FRIDAY, DECEMBER 5, 2025 - 8:30 A.M.**

**DoubleTree by Hilton Raleigh Crabtree Valley  
4100 Glenwood Ave  
Raleigh, NC 27612  
Raleigh/Crabtree Room**

<b>I.</b>	<b>CALL TO ORDER</b>		<i>Sheriff Norman</i>
	* Roll Call		<i>Alex Radford</i>
	* Declaration of a Quorum		<i>Sheriff Norman</i>
	* Welcome to the NCSETS Commission Meeting		<i>Sheriff Norman</i>
	* Welcome by Host Sheriff		<i>Sheriff Rowe</i>
	* Ethics Reminder		<i>Ian Courts</i>
	* Recognition of Visitors and Division Staff		<i>Sheriff Norman</i>
<b>II.</b>	<b>MINUTES OF SEPTEMBER 12, &amp; OCTOBER 15, 2025, MEETINGS</b>		<i>Sheriff Norman</i>
	* Motion to Approve	<b>Pages 3-17</b>	
<b>III.</b>	<b>CERTIFICATES/AWARDS</b>	<b>Page 18</b>	<i>Sheriff Norman</i>
	* Motion to Approve List of Certificate/Awards		
	* Presentation of Awards		
	* Cleveland County NCLEA award		<i>Karen Ashley</i>
<b>IV.</b>	<b>REPORTS</b>		<i>Sheriff Norman</i>
	* North Carolina Sheriffs' Association	<b>Page 21</b>	<i>Eddie Caldwell</i>
	* North Carolina Justice Academy	<b>Pages 23-28</b>	<i>Trevor Allen</i>
	* NCLEA	<b>Pages 29-44</b>	<i>Karen Ashley</i>
	* Probable Cause Committee		<i>Sheriff McMahon</i>
<b>V.</b>	<b>DIVISION REPORT</b>		<i>William Mitchell</i>
	* Informational and Action Items		
<b>VI.</b>	<b>ADMINISTRATIVE RULES</b>	<b>Pages 45-51</b>	<i>Pendergraft/Strickland</i>
	* Administrative Rules		
<b>VII.</b>	<b>DISCUSSION ITEMS</b>		<i>Pendergraft/Strickland/Mitchell</i>
	* Expunction rule NCGS 90-96	<b>Pages 52-54</b>	
	* MIST- Action Item		
<b>VIII.</b>	<b>CLOSED SESSION ITEMS</b>		<i>Sheriff Norman</i>
	* Personnel Related Training/Certification Requests		<i>William Mitchell</i>
	* Consent Agreements (if any)		<i>Sheriff McMahon</i>
	* Employee Issue		<i>William Mitchell</i>
<b>IX.</b>	<b>APPROVAL OF CONSENT AGREEMENTS (If any)</b>		<i>Sheriff Norman</i>
<b>X.</b>	<b>APPROVAL OF TRAINING EXTENSIONS/WAIVERS (If any)</b>		<i>Sheriff Norman</i>
<b>XI.</b>	<b>OTHER BUSINESS</b>		<i>Sheriff Norman</i>

**XII. NEXT MEETINGS**

- \***March 12-13, 2026 (New Bern)**
- \***June 4-5, 2026 (Concord)**
- \***September 17-18, 2026 (Hickory)**
- \***December 3-4, 2026 (Burlington)**

*Sheriff Norman*

**XIII. ADJOURNMENT**

*Sheriff Norman*

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

**DATE:** September 12, 2025

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

**LOCATION:** Fairfield Inn & Suites Boone  
2060 Blowing Rock Road, Boone, North Carolina, 28607

**SUBMITTED BY:** William Mitchell, Director

**I. CALL TO ORDER**

**Sheriff Van Shaw**

The North Carolina Sheriffs' Education and Training Standards Commission meeting was called to order by Sheriff Van Shaw on Friday, September 12, 2025.

Vice Chairman Shaw requested a roll call of Commission members. Robin Pendergraft recorded the following:

**MEMBERS PRESENT**

Sheriff Shelton White  
Sheriff Mike Roberson  
Sheriff James McVicker  
Sheriff Banks Hinceman  
Sheriff Van Shaw  
Retired Sheriff BJ Barnes  
Ms. Jennifer Fisher

**MEMBERS ABSENT**

Sheriff Jack Smith  
Sheriff Terry Johnson  
Sheriff Alan Norman  
Mr. Wayne Branch

**STAFF**

William Mitchell	Director – Sheriffs' Standards Division
Sirena Jones	Deputy Director - Sheriffs' Standards Division
Joy Strickland	NC Department of Justice, Legal Counsel

Robin Pendergraft

North Carolina Sheriffs’ Standards Division

Alan Jones

North Carolina Sheriffs’ Standards Division

Robin Pendergraft declared a quorum was present.

Sheriff Van Shaw addressed the Commission to welcome everyone to Watauga County. Sheriff Len Hagaman Jr. of Watauga County also addressed the Commission and hoped everyone enjoyed their stay.

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	North Carolina Justice Academy
Karen Ashley	NCLEA
Chris Anderson	North Carolina Justice Academy
Alex Gazaway	North Carolina Justice Academy
Tim Fuss	Cape Fear Community College
Tim Branch	Burke County SO
Dawn Branch	Burke County
Dominic Alvarado	Harnett County SO
Weldon Bullock	Yancey County SO
Jamie Orr	Vance County SO
Taylor Inscoe	Vance County SO
Dr. Osiris Carter	Buncombe County 911
Lauren Earnhardt	NC Sheriffs’ Association
Eddie Caldwell	NC Sheriff’s Association
Ronnie Allen Jr.	Wake Forest PD
Jeremy Strickland	Wake Forest PD
Ricky Oliver	Retired Sheriff Yadkin County
Sheriff Scott Howell	Anson County SO
Steven Kelly	Anson County SO
David Spencer	Anson County SO
Charles Mickey III	Yadkin County SO
Lynette Clements	Granville County SO

**Sheriff Van Shaw**

**II. MINUTES OF JUNE 13, 2025, AND JULY 22, 2025, MEETINGS**

A **MOTION** was made by Sheriff Lowell Griffin to approve the minutes of June 13, 2025, and July 22, 2025, meeting minutes: Second by Sheriff Chip Hughes. **MOTION CARRIED**.

**III. CERTIFICATES/AWARDS/RESOLUTIONS**

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

**IV. INFORMATIONAL REPORTS**

**\*N.C. Sheriffs’ Association**

**Eddie Caldwell**

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

The 2025 North Carolina Sheriffs’ Association Annual Business Conference took place July 25–29, 2025 in Myrtle Beach, South Carolina, with 61 sheriffs attending or represented.

The State v. Dobson oral argument, concerning whether the odor of marijuana constitutes probable cause for a search, is scheduled for September 9, 2025, at the North Carolina Supreme Court, with NCSA filing an Amicus Curiae brief and sheriffs attending.

The 2025 Jail Administrators’ Institute of Leadership will run October 12 through 17 with 53 registered participants. A joint NCSA State Auditor’s Office project on returning jail inmates’ funds will begin with a working group meeting on November 18, 2025, in Burlington NC, with 33 sheriffs and staff attending.

Upcoming 2025 Statewide Misdemeanant Confinement Program trainings will be held in:

- Haywood (Sept. 23)
- Catawba (Sept. 24)
- Duplin (Oct. 9)
- Pitt (Oct. 10)
- Wake (Oct. 21)

Legislative Update trainings are set for:

- Haywood (Oct. 28)

- Catawba (Oct. 29)
- Duplin (Nov. 12)
- Pitt (Nov. 13)
- Wake (Dec. 9)

The 2025 NCSA Fall Meeting is scheduled for November 1-5, 2025, in Cherokee, North Carolina.

The General Assembly has sessions scheduled on:

- September 22–25, 2025
- October 21, 2025
- November 18, 2025
- December 16, 2025
- January 13, 2026
- February 10, 2026
- March 10, 2026
- April 7, 2026
- April 21, 2026.

#### **\*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.

Director Allen reported on training statistics for In-Person Courses, In Person Students, Online Courses, Online Instructor Updates and SRO Updates.

We are requesting approval to change the DOCC Subject Control block to Compliance and Control Techniques for Detention Officers, effective January 1, 2026.

Notable changes from the CCT lesson used for BLET are the removal of the training objective related to the hazards and considerations when making an arrest, and the discussion of arrests with or without an arrest warrant.

A **MOTION** was made by Sheriff Mike Roberson to approve the transition of Subject Control Arrest Techniques to Compliance and Control Techniques for Detention Officers to be effective January 1, 2026; Second by Sheriff Don Brown. **MOTION CARRIED**

#### **\*BLET REVISIONS Updates**

**Alex Gazaway**

Alex Gazaway presented an update on the BLET Revision. The Academy’s BLET team has begun monitoring the statewide implementation of the 2025 BLET curriculum. The Team has started

receiving feedback for both student and instructor materials. I will be providing an overview of the curriculum status, the revision process, student evaluation, course management and implementation.

### **State-wide Implementation**

- 44 Basic Law Enforcement Training (BLET) classes delivered across the state.
- Mix day and night classes.

### **Testing**

- The end-of-block test results are consistent with those from pilot schools.
- All schools now use online testing via Acadis.
- Continued test question and content validation.
- Student performance trends mirror pilot schools.
- State exams are now fully online.

### **Moving Forward**

- BLET Field Representatives:
  - Support implementation and address concerns.
  - Maintain and develop curriculum.
  - Serve as resources for school staff.
- Continued collection and incorporation of field feedback.
- Ongoing Webinar Series.

### **\*NC Law Enforcement Accreditation**

**Karen Ashley**

Karen Ashley presented an update on NCLEA. Ms. Ashley provided a Draft NC Public Safety Communications Accreditation Program (NCPSCAP) for the Sheriffs’ Commission to review and approve.

A MOTION was made by Sheriff Lowell Griffin to approve the NCPSCAP as proposed; Second by Sheriff James McVicker.  
**MOTION CARRIED**

Ms. Ashley addressed the Commission regarding Chapter 10 of the program guide. NCLEA Program is jointly managed by the North Carolina Sheriffs’ Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission. While there is overlap in some areas, the individual Commissions retain approval authority for individual programs as indicated in this chapter.

The jointly appointed Accreditation Committee will meet and review all final reports for agencies under consideration for accredited status. The Accreditation Committee will vote on each agency and make recommendations to the appropriate Commission on awarding accredited status. The Chair of the Accreditation Committee, or the Vice-Chair, in the absence of the Chair, shall present the agency to the Commission as soon as feasible to do so following a recommendation from the Accreditation Committee on accreditation status.

She is asking the Commission to approve adding chapter 10 to the program guide.

**A MOTION** was made by Sheriff Don Brown to approve chapter 10 of the program guide; Second by Sheriff Lowell Griffin.  
**MOTION CARRIED**

#### **\*Probable Cause Committee**

**Sheriff Ed McMahon**

Sheriff McMahon reported that the Probable Cause Committee met on September 10-11, 2025. During those two sessions, the Committee reviewed a total of sixty-seven (67) cases. Probable cause was found in forth-two (42) cases with twenty-five (25) of those cases resulting in Consent Agreements. Twenty-three (23) Consent Agreements were signed and are presented for approval today. Two (2) of those Consent Agreements may be executed at your next meeting. No Probable cause was found on eleven (11) cases. Three (3) cases were postponed until the December 2025 Meeting. Four (4) cases were continued for further investigation. Seven (7) cases were closed pursuant to Probable Cause Policy.

**A MOTION** was made by Sheriff Mike Roberson to approve the Probable Cause Committee’s recommendation of the twenty-three (23) signed Consent Agreements. Second by Sheriff Don Brown.  
**MOTION CARRIED**

#### **VIII. DIVISION REPORT**

**William Mitchell**

#### **\*NEW EMPLOYEES**

Director William Mitchell presented the Division Report to the Sheriff’s Commission.

William Mitchell joined the office on August 18, 2025, as the Division’s new Director. He served in a law enforcement capacity with the Franklin County SO and Vance County SO. William began his career in 1992 with the Youngsville Police Department and joined the Franklin County Sheriff’s Office in 1994. In 2019 he accepted employment with the Vance County Sheriff’s Office where he retired as the Major.

Candance Herring has been promoted from Certification Specialist II to Certification Specialist III and has worked with the Division for 3 years. She was previously the Certification Specialist for

the Piedmont Region and worked as a Courtroom Clerk in Wake County for many years before joining the Division.

She enjoys working with our staff and is excited to continue her career with us.

Kevin Smith joined our office on September 2, 2025, as the Division’s Investigator. Kevin brings nearly 29 years of law enforcement experience having been employed with the Wilson County Sheriff’s Office and then onto the Wilson Police Department where he retired in July of 2024.

#### **\*VACANT POSITIONS**

The Division currently has an open Criminal Justice Certification Specialist II position. This position only recently became vacant with the promotion of Candance Herring to the III position and is in the HR process to be filled.

#### **\*TEMPORARY POSITIONS**

Robin Pendergraft, our Interim Director for 5 months has agreed to stay on with the SSD in a new role of Projects Manager.

#### **\*CERTIFICATION TURN-AROUND TIME**

As of September 12, 2025, the turn-around time for new applications when there are no issues that require further review/inquiry/investigation is within 5 days for all regions and telecommunicators

#### **\*INVESTIGATIONS**

As of 09/12/25, we have significantly reduced the number of certification matters pending investigation from 143 (which was reported in June) to approximately 19 certification files. Our staff has worked diligently conducting interviews and obtaining necessary documents to memorialize their findings in investigative reports/memos on all the files but the 19 that remain.

Already, we have about 25 cases (with written memos or investigative reports which require further review by management to resolve per policy or submit the PC Committee in December.

#### **\*CERTIFICATION WORKSHOPS**

Since the November 2024 meeting, staff have delivered 13 certification workshops. The Division has four more certification workshops scheduled for the following dates / locations:

September 9, 2025, Onslow County, NC

October 7, 2025, Wake County, NC

November 18, 2025, Iredell County, NC

December 16, 2025, Salemburg, NC

There are plans to continue these workshops in 2026.

#### **\*UPLOADING CERTIFICATION FILES IN ACADIS**

Temporary employees hired last fall have made significant progress scanning and uploading certification files into ACADIS. All active deputy files have been uploaded into ACADIS. They are currently working through the Detention Officer files.

Our certification assistants recently began assisting the Telecommunicator Specialists in our Division with the uploading of telecommunicator files when time permitted. They have uploaded all files of those telecommunicators employed by sheriff offices. Now they are working through the 911 centers’ certification files which should be completed by the end of September at the latest

#### **IX. ACTION ITEMS**

**Joy Strickland/William Mitchell**

#### **\*PC POLICY UPDATES**

Joy Strickland addressed the Commission and proposed a request to amend the Probable Cause Policy set forth by the Sheriffs’ Commission.

A MOTION was made by Sheriff Mike Roberson to adopt the proposed changes to the PC policy; Second by Sheriff Shelton White. MOTION CARRIED

#### **\*DRUG USE ISSUE/DETENTION OFFICER FIREARMS REQUIREMENTS**

Director William Mitchell addressed the Commission and asked if they had reviewed the risk of taking CBD products letter and the detention officer firearms letter. It was a consensus that the Commission agreed with what Director Mitchell had proposed, and he may send both letters to all 100 sheriffs.

#### **\*MEDICAL FORMS**

Joy Strickland addressed the Commission and presented several medical forms changes. She presented the Medical History Statement (F-1), Medical Examination Report (F-2), Tuberculosis Questionnaire (F-2A) and Medical Examination Report Addendum (F-2B). If approved by the Sheriffs’ Commission today, we will present these to the Criminal Justice Commission for their approval.

A MOTION was made by Sheriff Ed McMahon to adopt the proposed changes for the F-1, F-2, F-2A and F-2B forms; Second by Sheriff James McVicker. **MOTION CARRIED**

#### **\*F-6, F-4A, AND F-33 FORMS**

Robin Pendergraft addressed the Commission and presented several forms that have been revised. The F-6 Application for Professional Certificate/Service Award, F-4 Report of Appointment, F-4A Lateral Report of Appointment and F-33 Officer Charges and Orders Report Form.

A MOTION was made by Sheriff Mike Roberson to adopt the proposed changes for the F-6, F-4A and F-33 forms; Second by Sheriff James McVicker. **MOTION CARRIED**

#### **\*RULES**

Robin Pendergraft addressed the Commission regarding several rules to be reviewed and voted on approval. The following rules are: 12 NCAC 10B .0101 Location, 12 NCAC 10B .0104 Sheriffs Standards Division, 12 NCAC 10B .0105 Administrative hearing procedures, 12 NCAC 10B .0106 Procedures for petitions for rulemaking and 12 NCAC 10B .0107 procedures for petitions for declaratory rulings.

A MOTION was made by Sheriff Mike Roberson to adopt the proposed change to rule .0101; Second by Sheriff Jeff Crisco. **MOTION CARRIED**

A MOTION was made by Sheriff Jeff Crisco to repeal rules .0104 and .0105; Second by Sheriff Ed McMahon. **MOTION CARRIED**

A MOTION was made by Sheriff James McVicker to adopt the proposed change to rules .0106 and .0107; Second by Sheriff Lowell Griffin. **MOTION CARRIED**

#### **\*BLET OUT OF STATE TRANSFER OBJECTIVES**

Joy Strickland addressed the Commission regarding the proposed out-of-state BLET learning objectives.

A MOTION was made by Sheriff Mike Roberson to adopt the objectives and practical recommendations; Second by Sheriff Ed McMahon. **MOTION CARRIED**

**\*JOINT IN-SERVICE COMMITTEE POLICY**

Joy Strickland addressed the Commission regarding the joint mandatory in-service training committee policy.

A **MOTION** was made by Sheriff Mike Roberson to accept the policy; Second by Sheriff Don Brown. **MOTION CARRIED**

**\*IADLST REVIEW/CONTRACT FOR SHERIFFS AND CJ COMMISSION**

Joy Strickland addressed the Commission regarding the review of the IADLST contract.

The Commission approved the IADLST contract.

A **MOTION** was made by Sheriff Lowell Griffin to go into closed session; Second by Sheriff Shelton White. **MOTION CARRIED**

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

Director William Mitchell discussed personnel related training / Certification Requests, Training Extensions/Waivers, Discussion of Division Director Candidates in closed session.

A **MOTION** was made in closed session by Sheriff Lowell Griffin to approve the Extension and waiver requests; Second by Sheriff Banks Hinceman. **MOTION CARRIED**

Director William Mitchell discussed that there were some certification issues and wanted to request sending out cease and desist letters to individuals.

A **MOTION** was made in closed session by Sheriff Chip Hughes to approve the cease-and-desist letters; Second by Sheriff Don Brown. **MOTION CARRIED**

The Commission discussed in closed session the twenty-three (23) consent agreements from the Probable Cause Committee.

A **MOTION** was made in closed session by Sheriff Mike Roberson to approve the consent agreements; Second by Sheriff Don Brown. **MOTION CARRIED**

A **MOTION** was made by Retired Sheriff BJ Barnes to go into open session; Second by Sheriff James McVicker. **MOTION CARRIED**

Sheriff Shaw addressed the Commission regarding the Commission date and location that would be December 4-5, 2025, in Raleigh North Carolina.

## **XI. ADJOURNMENT**

A **MOTION** was made by Sheriff Van Shaw to adjourn the September 12, 2025, Sheriffs’ Commission meeting; Second by Sheriff Mike Roberson. **MOTION CARRIED**

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

**DATE:** October 15, 2025

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

**SUBMITTED BY:** William Mitchell, 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 15, 2025, 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 Chip Hughes  
Sheriff Don Brown  
Sheriff Banks Hinceman  
Sheriff Van Shaw  
Mr. Wayne Branch  
Mr. Jamie Markham  
Sheriff Jack Smith  
Sheriff Mike Roberson  
Sheriff Terry Johnson  
Sheriff Lowell Griffin  
Sheriff Alan Norman  
Retired Sheriff BJ Barns Jr.  
Ms. Jennifer Fisher

**MEMBERS ABSENT**

Sheriff James McVicker  
Sheriff Jeff Crisco  
Sheriff Ed McMahon

**STAFF**

Joy Strickland/Arnetha James	North Carolina Department of Justice
Ian Courts	North Carolina Department of Justice
William Mitchell	Sheriffs' Standards Division
Robin Pendergraft	Sheriffs' Standards Division
Sirena Jones	Sheriffs' Standards Division
Alex Radford	Sheriffs' Standards Division

**VISITORS**

Lauren Earnhardt	NC Sheriffs’ Association
Eddie Caldwell	NC Sheriffs’ Association
Trevor Allen	NC Justice Academy
Chris Anderson	NC Justice Academy

**DECLARATION OF A QUORUM**

**Sheriff Alan Norman**

Chair Norman welcomed everyone and declared a quorum.

**ETHIC REMINDER**

**Joy Strickland**

Legal Counsel Joy Strickland read the ethics reminder to the Commission.

**II. REVIEW ADMINISTRATIVE RULES FOR APPROVAL**

**Robin Pendergraft**

Robin Pendergraft addressed the Commission and stated that they would be reviewing several rules for approval. The Commission will review and vote on the permanent approval of the rules outlined in Section A, followed by consideration of rulemaking authority for the rules in Section B.

Rules 12 NCAC 10B .0403 and .0407, filed on July 24, 2025, and presented at a public hearing on September 2, 2025, received no public comments. If approved, these rules may take effect as early as December 1, 2025.

Rule .0403 updates probationary certification requirements, allowing issuance prior to completion of Basic Law Enforcement Training (BLET) and clarifying the authority of officers during this period.

Rule .0407 removes the four-year minimum service requirement for former sheriffs seeking certification under specified conditions.

Additional rules (.0412, .1002–.1606, and .1901), filed on July 10, 2025, were discussed at a public hearing on August 19, 2025, with one public comment received on the Critical Incident Reporting rule (.0412). If approved, these may also take effect December 1, 2025.

Rule .0412 establishes requirements for reporting critical incidents, while amendments to rules .1002 through .1606 streamline and consolidate the Professional Certificate programs for sheriffs, deputies, detention officers, reserve deputies, and telecommunicators, including updated application procedures.

Rule .1901 simplifies language regarding documentation submission for military transferees. Rules .1004, .1005, .1204, .1205, .1404, .1405, .1604, and .1605 are repealed, as their provisions have been incorporated into the amended rules.

A **MOTION** was made by Sheriff Chip Hughes to adopt the rules as written in section A of the agenda and memo which also allows the repeal of the rules identified in section A; seconded by Sheriff Mike Roberson. **MOTION CARRIED**

Robin Pendergraft addressed the Commission regarding section B.

Rules 12 NCAC 10B .0502 and .2103 through .2105 are being presented for authorization to begin the rulemaking process, with a potential effective date of March 1, 2026. The proposed amendments include an update to Rule .0502, which revises the cost of purchasing a Basic Law Enforcement Training manual from the North Carolina Justice Academy (NCJA).

Rule .2103 specifies the required topics to be included in Annual Firearms Qualification courses, while Rule .2104 establishes training standards for deputy sheriffs and detention officers authorized to carry handguns, removing the prior adoption by reference to the Basic Law Enforcement Training Course.

Finally, Rule .2105 mandates that deputy sheriffs and detention officers who fail to meet firearms qualification standards must immediately surrender their weapons to the sheriff or authorized representative and are granted 30 days to achieve the required qualification score.

A **MOTION** was made by Sheriff Lowell Griffin to adopt rulemaking authority as identified in section B; seconded by Sheriff Don Brown. **MOTION CARRIED**

### III. NEW BUSINESS

**Ian Courts**

Ian Courts, Counsel for the Sheriffs’ Commission addressed the commission regarding the new law Governor Stein signed into law, HB 926. The new law would create room for the Commission to provide further guidance to the Probable Cause Committee.

**IV. PROPOSED 2026 COMMISSION DATES/LOCATIONS**

**Sheriff Alan Norman**

Director Mitchell addressed the Commission and stated that the following dates for the 2026 had been approved:

- March 12-13 (New Bern, NC)
- June 4-5 (Concord, NC)
- September 17-18 (Hickory, NC)
- December 3-4 (Burlington, NC)

**V. NEXT MEETING**

Chair Norman addressed the Commission and stated that our next meeting will be held in Raleigh North Carolina on December 4-5, 2025.

**VI. ADJOURNMENT**

North Carolina Sheriffs' Education and Training Standards Commission Meeting

December 5, 2025

First	Middle	Last	Certificate	Years	Sheriff's Office	Sheriff
Philip	Lee	Starnes	Advanced Detention Officer Certificate	18.6	Alamance County Sheriff's Office	Terry S. Johnson
Matthew	Lee	Walker	Advanced Detention Officer Certificate	20	Alamance County Sheriff's Office	Terry S. Johnson
Trevor	Bruce	Fender	Advanced Deputy Sheriff Certificate	7	Buncombe County Sheriff's Office	Quentin Miller
Dustin	Adam	Meissner	Advanced Detention Officer Certificate	12	Buncombe County Sheriff's Office	Quentin Miller
Jonathan	Brett	Aldred	Advanced Deputy Sheriff Certificate	7	Burke County Sheriff's Office	Banks Hinceman
Penny	Kate	Smith	Advanced Deputy Sheriff Certificate	12	Burke County Sheriff's Office	Banks Hinceman
Blake	Allen	Plummer	Advanced Deputy Sheriff Certificate	9	Cabarrus County Sheriff's Office	Van Shaw
April	Renee	Staton	Advanced Detention Officer Certificate	17	Cabarrus County Sheriff's Office	Van Shaw
Theresa	Marie	Baez	Advanced Detention Officer Certificate	16	Catawba County Sheriff's Office	Don Brown
Tonia	Jo	Elrod	Advanced Detention Officer Certificate	18	Catawba County Sheriff's Office	Don Brown
Brandon	Cole	Grant	Advanced Deputy Sheriff Certificate	9	Catawba County Sheriff's Office	Don Brown
Tyler	Jordan	Langer	Advanced Deputy Sheriff Certificate	7.5	Catawba County Sheriff's Office	Don Brown
Mark	Evert	Pearson	Advanced Detention Officer Certificate	14	Catawba County Sheriff's Office	Don Brown
Ernest	Alexander	Scaglione	Advanced Deputy Sheriff Certificate	6	Catawba County Sheriff's Office	Don Brown
Phillip	Todd	Starnes	Advanced Detention Officer Certificate	13	Catawba County Sheriff's Office	Don Brown
Robert	Alan	Pelkey	Advanced Deputy Sheriff Certificate	13	Chatham County Sheriff's Office	Mike Roberson
Olivia	Lee	Soles	Advanced Deputy Sheriff Certificate	7	Chatham County Sheriff's Office	Mike Roberson
Jonathan	Daniel	Owen	Advanced Deputy Sheriff Service Award	20	Cleveland County Sheriff's Office	Alan Norman
Dani	Karole	Jackson	Advanced Telecommunicator Certificate	16	Craven County Emergency Services	Stanley L. Kite
Lyn	Thomas	Cartwright	Advanced Deputy Sheriff Certificate	11	Craven County Sheriff's Office	Chip Hughes
Milton	Kian	Long	Advanced Deputy Sheriff Certificate	8	Craven County Sheriff's Office	Chip Hughes
Keith	Andrew	Bates	Advanced Deputy Sheriff Service Award	20	Cumberland County Sheriff's Office	Johnathan Morgan
Luis	Salvador	Fermin	Advanced Deputy Sheriff Service Award	20	Cumberland County Sheriff's Office	Johnathan Morgan
Michael	Chase	Figueroa	Advanced Deputy Sheriff Certificate	15	Cumberland County Sheriff's Office	Johnathan Morgan
Shannon	Louise	Odenwelder	Advanced Deputy Sheriff Service Award	20	Cumberland County Sheriff's Office	Johnathan Morgan
Richard	Neal	Westmoreland	Advanced Deputy Sheriff Service Award	20	Cumberland County Sheriff's Office	Johnathan Morgan
Anji	Ellen	Wick	Advanced Deputy Sheriff Certificate	20	Cumberland County Sheriff's Office	Johnathan Morgan
Anji	Ellen	Wick	Advanced Deputy Sheriff Service Award	20	Cumberland County Sheriff's Office	Johnathan Morgan
Nathaniel	Paul	Riggs	Advanced Deputy Sheriff Service Award	20	Davidson County Sheriff's Office	Richie Simmons
Richard	Bradley	Beeson	Advanced Deputy Sheriff Certificate	12	Forsyth County Sheriff's Office	Bobby F. Kimbrough
Mark	Wayne	Bruce	Advanced Deputy Sheriff Service Award	26	Forsyth County Sheriff's Office	Bobby F. Kimbrough
Bradley	Elliott	Emilson	Advanced Deputy Sheriff Certificate	16	Forsyth County Sheriff's Office	Bobby F. Kimbrough
Van	Clark	Loveland-Stanley	Advanced Deputy Sheriff Service Award	23	Forsyth County Sheriff's Office	Bobby F. Kimbrough
Sebastian		Trzeciak	Advanced Deputy Sheriff Certificate	6	Forsyth County Sheriff's Office	Bobby F. Kimbrough
Amy	Carol	Dillon	Advanced Deputy Sheriff Certificate	9	Franklin County Sheriff's Office	Kevin White
Ronnie	Norman	Thomas	Advanced Deputy Sheriff Certificate	15	Gaston County Sheriff's Office	Chad Hawkins
Lena	Benita	Deberry-Morris	Advanced Detention Officer Certificate	11	Guilford County Sheriff's Office	Danny H. Rogers
Adam	Michael	Miller	Advanced Deputy Sheriff Certificate	9	Guilford County Sheriff's Office	Danny H. Rogers

North Carolina Sheriffs' Education and Training Standards Commission Meeting

December 5, 2025

First	Middle	Last	Certificate	Years	Sheriff's Office	Sheriff
Storm	Tristian	Odom	Advanced Deputy Sheriff Certificate	10	Harnett County Sheriff's Office	Wayne Coats
Joel	Wayne	Hepler	Advanced Deputy Sheriff Certificate	24	Iredell County Sheriff's Office	Darren E. Campbell
Ethan	Alexander	Johnson	Advanced Deputy Sheriff Certificate		Iredell County Sheriff's Office	Darren E. Campbell
Brandilyn	Elizabeth	Allison	Advanced Detention Officer Certificate	6	Jackson County Sheriff's Office	Doug Farmer
Joseph	Lannie	Harrell	Advanced Deputy Sheriff Service Award	20	Johnston County Sheriff's Office	Steve Bizzell
Wesley	Kyle	Jenkins	Advanced Telecommunicator Certificate	11	Kings Mountain Police Department	Gerald R. Childress
Elwood	Charles	Ottaway	Advanced Deputy Sheriff Service Award	22	Lee County Sheriff's Office	Brian Estes
Cherry	Maria	Walls	Advanced Detention Officer Certificate	10	Lenoir County Sheriff's Office	Jackie Rogers
Brigette	Leondra	Covington	Advanced Detention Officer Certificate	22	Lincoln County Sheriff's Office	Bill Beam
Brigette	Leondra	Covington	Advanced Detention Officer Service Award	22	Lincoln County Sheriff's Office	Bill Beam
Steven	William	Grinnell	Advanced Deputy Sheriff Certificate	22	Lincoln County Sheriff's Office	Bill Beam
Steven	William	Grinnell	Advanced Deputy Sheriff Service Award	22	Lincoln County Sheriff's Office	Bill Beam
Nancy	Madel	Isenhour	Advanced Detention Officer Certificate	13	Lincoln County Sheriff's Office	Bill Beam
Kelly	Wayne	Paris	Advanced Deputy Sheriff Service Award	22	Lincoln County Sheriff's Office	Bill Beam
Kelly	Wayne	Paris	Advanced Deputy Sheriff Certificate	22	Lincoln County Sheriff's Office	Bill Beam
Timothy	Allen	Parker	Advanced Deputy Sheriff Service Award	20	Lincoln County Sheriff's Office	Bill Beam
Jonathan	Chad	Propst	Advanced Deputy Sheriff Service Award	21	Lincoln County Sheriff's Office	Bill Beam
James	Andrew	Ray	Advanced Deputy Sheriff Certificate	13	Lincoln County Sheriff's Office	Bill Beam
David	Lee	Blanton	Advanced Deputy Sheriff Service Award	20	Macon County Sheriff's Office	Brent Holbrooks
Anthony	Bradford	Zari	Advanced Deputy Sheriff Certificate	13	Macon County Sheriff's Office	Brent Holbrooks
Rusty	Herron	Cuthbertson	Advanced Deputy Sheriff Certificate	15	Mecklenburg County Sheriff's Office	Garry L. McFadden
Jack	Eugene	Clark	Advanced Deputy Sheriff Certificate	25	Nash County Sheriff's Office	Keith Stone
Jack	Eugene	Clark	Advanced Deputy Sheriff Service Award	25	Nash County Sheriff's Office	Keith Stone
Jeremy	Matthew	Bosell	Advanced Deputy Sheriff Certificate	14	New Hanover County Sheriff's Office	Ed McMahon
Leyla	M	Davis-Woodhouse	Advanced Detention Officer Certificate	11	New Hanover County Sheriff's Office	Ed McMahon
Michael	Anthony	Fike	Advanced Deputy Sheriff Service Award	20	New Hanover County Sheriff's Office	Ed McMahon
Ethan	Jacob	Gibbs	Advanced Deputy Sheriff Certificate	9	New Hanover County Sheriff's Office	Ed McMahon
Efrain	Jacome	Granda	Advanced Deputy Sheriff Service Award	25	New Hanover County Sheriff's Office	Ed McMahon
Michael	Lee	Greenway	Advanced Deputy Sheriff Certificate	11	New Hanover County Sheriff's Office	Ed McMahon
Corey	Andrew	Somersett	Advanced Deputy Sheriff Certificate	17	New Hanover County Sheriff's Office	Ed McMahon
Timothy	John	Wilson	Advanced Deputy Sheriff Certificate	16	New Hanover County Sheriff's Office	Ed McMahon
Matthew	Adam	Moore	Advanced Detention Officer Certificate	13	Onslow County Sheriff's Office	Chris Thomas
Aaron	Joseph	Popp	Advanced Deputy Sheriff Certificate	16	Orange County Sheriff's Office	Charles S. Blackwood
Timothy	Daniel	Roberson	Advanced Deputy Sheriff Service Award	23	Orange County Sheriff's Office	Charles S. Blackwood
Timothy	Daniel	Roberson	Advanced Deputy Sheriff Certificate	23	Orange County Sheriff's Office	Charles S. Blackwood
Kevin	Michael	Burgess	Advanced Deputy Sheriff Certificate	13	Pasquotank County Sheriff's Office	Tommy S. Wooten, II
Charlie	Morris	Oakley	Advanced Deputy Sheriff Certificate	20	Person County Sheriff's Office	Jason Wilborn
Kimberly		Potts	Advanced Detention Officer Certificate	11	Person County Sheriff's Office	Jason Wilborn

**North Carolina Sheriffs' Education and Training Standards Commission Meeting**  
**December 5, 2025**

First	Middle	Last	Certificate	Years	Sheriff's Office	Sheriff
Andrew	Nathan	Torres	Advanced Deputy Sheriff Certificate	6	Pitt County Sheriff's Office	Paula Dance
Wayne	Shawn	Williams	Advanced Deputy Sheriff Certificate	18	Pitt County Sheriff's Office	Paula Dance
Mary	Langley	Wilson	Advanced Detention Officer Service Award	26	Pitt County Sheriff's Office	Paula Dance
Cody	Alan	Rich	Advanced Deputy Sheriff Certificate	16	Randolph County Sheriff's Office	Greg Seabolt
Jesse	Lorenzo	Tenhagen	Advanced Deputy Sheriff Certificate	10	Randolph County Sheriff's Office	Greg Seabolt
Smith	Robin	Christopher	Advanced Deputy Sheriff Certificate	12.6	Richmond County Sheriff's Office	Mark Guledge
Latisha	Renia	Canady	Advanced Deputy Sheriff Certificate	12	Robeson County Sheriff's Office	Burnis Wilkins
Ronald	Wayne	Ivey	Advanced Deputy Sheriff Service Award	29	Robeson County Sheriff's Office	Burnis Wilkins
Ronald	Wayne	Ivey	Advanced Deputy Sheriff Certificate	29	Robeson County Sheriff's Office	Burnis Wilkins
Nicholas	Leon	Clifton	Advanced Deputy Sheriff Certificate	10	Rockingham County Sheriff's Office	Samuel S. Page
Joseph	Stephen	Ellis	Advanced Deputy Sheriff Service Award	20	Rutherford County Sheriff's Office	Aaron Ellenburg
Melody	Melson	Bass	Advanced Detention Officer Certificate	12	Sampson County Sheriff's Office	Jimmy Thornton
Lamon	Daniel	Kennedy	Advanced Detention Officer Certificate	28	Sampson County Sheriff's Office	Jimmy Thornton
David	Michael	Kidd	Advanced Deputy Sheriff Certificate	35	Sampson County Sheriff's Office	Jimmy Thornton
Patrick	Travis	Naylor	Advanced Detention Officer Certificate	14	Sampson County Sheriff's Office	Jimmy Thornton
Edward	Thomas	Stephens	Advanced Deputy Sheriff Certificate	29	Sampson County Sheriff's Office	Jimmy Thornton
Edward	Thomas	Stephens	Advanced Deputy Sheriff Service Award	29	Sampson County Sheriff's Office	Jimmy Thornton
Christopher	Ryan	Adams	Advanced Deputy Sheriff Certificate	9	Surry County Sheriff's Office	Steve C. Hiatt
Wayne	Frederick	Banks	Advanced Deputy Sheriff Service Award	24	Surry County Sheriff's Office	Steve C. Hiatt
Robert	Anthony	Sardler	Advanced Deputy Sheriff Service Award	29	Surry County Sheriff's Office	Steve C. Hiatt
Kassandra	Thompson	Clark	Advanced Deputy Sheriff Certificate	9	Union County Sheriff's Office	Eddie Cathey
Katelyn	Elizabeth	Gaughran	Advanced Detention Officer Certificate	6	Union County Sheriff's Office	Eddie Cathey
Darrell	Wayne	Morris	Advanced Deputy Sheriff Certificate	9	Union County Sheriff's Office	Eddie Cathey
Roderick		Belfield	Advanced Deputy Sheriff Service Award	20	Wake County Sheriff's Office	Willie Rowe
William	Robert	Harding	Advanced Deputy Sheriff Service Award	27	Wake County Sheriff's Office	Willie Rowe
Michael	David	Reitmann	Advanced Deputy Sheriff Certificate	14	Wake County Sheriff's Office	Willie Rowe
Forest	Lindell	Hewlin	Advanced Deputy Sheriff Certificate	16	Warren County Sheriff's Office	John Branche
Loretta	Lynn	Hodges	Advanced Telecommunicator Service Award	23	Washington Police Department	Stacy Drakford
Steven	Ray Thomas	Ash	Advanced Deputy Sheriff Certificate	11	Wayne County Sheriff's Office	Larry Pierce
Richard	Lee	Carmack	Advanced Detention Officer Certificate	16	Wayne County Sheriff's Office	Larry Pierce
Ryan	Alyn	Narron	Advanced Detention Officer Certificate	11	Wayne County Sheriff's Office	Larry Pierce
Shemeka	Shian	Best-Taylor	Advanced Telecommunicator Certificate	20	Wilson County Emergency	Jeff Williford



**NORTH CAROLINA SHERIFFS' ASSOCIATION**  
LAW ENFORCEMENT OFFICERS AND STATE OFFICIALS  
OF NORTH CAROLINA

President  
**SHERIFF RICKY T. BUCHANAN**  
McDowell County

First Vice President  
**SHERIFF CLEVELAND "CLEE" ATKINSON, JR.**  
Edgecombe County

Second Vice President  
**SHERIFF JEFF CRISCO**  
Stanly County

Third Vice President  
**SHERIFF CHIP HUGHES**  
Craven County

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**SHERIFF JOEY LEMONS**  
Stokes County

Treasurer  
**SHERIFF VAN SHAW**  
Cabarrus County

Chairman - Executive Committee  
**SHERIFF MIKE ROBERSON**  
Chatham County

Executive Vice President and  
General Counsel  
**EDMOND W. CALDWELL, JR.**

**EXECUTIVE COMMITTEE MEMBERS**  
(Past Presidents)

SHERIFF STEVE BIZZELL  
Johnston County

SHERIFF SAM PAGE  
Rockingham County

SHERIFF ASA B. BUCK, III  
Carteret County

SHERIFF ED McMAHON  
New Hanover County

SHERIFF CHARLES S. BLACKWOOD  
Orange County

SHERIFF DARREN E. CAMPBELL  
Iredell County

**MEMORANDUM**

**TO:** North Carolina Sheriffs' Education and Training Standards Commission

**FROM:** Eddie Caldwell  
Executive Vice President and General Counsel  
North Carolina Sheriffs' Association

**RE:** December 2025 Report

**DATE:** December 4, 2025

**Events:**

1. The 2025 Jail Administrators' Institute of Leadership Week One was held October 12<sup>th</sup> – 17<sup>th</sup> at the Rizzo Center in Chapel Hill. 53 students attended. Week Two is scheduled for January 25<sup>th</sup> – 30<sup>th</sup> with graduation being held on January 30<sup>th</sup>. All sheriffs are invited and encouraged to attend this very important graduation.
2. The 2025 NCSA Fall Meeting was held November 1<sup>st</sup> – 5<sup>th</sup> in Cherokee at The Cherokee Convention Center. 59 sheriffs attended or were represented. It was at this meeting where the Hurricane Helene video was unveiled.
3. A joint project between NCSA and the State Auditor's Office on returning jail inmates' funds started with a working group meeting between sheriffs and staff of the Auditor's office. It was held on Tuesday, November 18<sup>th</sup> in Raleigh. 83 sheriffs and sheriffs' personnel attended.
4. Upcoming 2025 Legislative Update Training Classes
  - o December 9 – Wake County
5. Upcoming NCSA Regional Meetings
  - o February 11 – Haywood County
  - o February 12 – Catawba County
  - o February 24 – Wake County

- February 25 – Martin County
- February 26 – Duplin County

6. Upcoming 2026 Firearms Laws and Permits Training Classes
  - June 10 – Pitt County
  - June 24 – Catawba County
  - July 8 – Wake County
7. Upcoming 2026 Sex Offender Registration Training Classes
  - June 9 – Pitt County
  - June 23 – Catawba County
  - July 7 – Wake County
8. 2026 NCSA Spring Meeting will be held April 24 – 28 in Wrightsville Beach, North Carolina at the Lumina (formerly the Holiday Inn) on Wrightsville Beach.

**Legislative Update:**

1. The General Assembly has sessions scheduled on:
  - December 16, 2025
  - January 13, 2026
  - February 10, 2026
  - March 10, 2026
  - April 7, 2026
  - April 21, 2026

**NC JUSTICE ACADEMY REPORT**  
**SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**  
December 5, 2025

**PERSONNEL**

- Firearms Instructor – Salemburg Campus (Awaiting Qualified Candidates)
- TV Producer/Director: Kennedy Bell hired on 12/15/25

**TRAINING STATISTICS** (10/30/25)

In-Person Courses: <u>433</u>	In-Person Students: <u>11,312</u>	Online Courses: <u>176</u>
Online: <u>258,489</u>	Instructor Update: <u>6,936</u>	SRO Update: <u>2,813</u>

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

**Facilities Updates:**

- The resurfacing of the driving track (Salemburg) and the placement of cone courses are complete.
- Faculty Drive resurfacing project is underway.
- The Residence Hall and Administration Building Renovation (Edneyville) is expected to be under bid in Winter 2026.
- HVAC in the cafeteria/classroom building (Edneyville) is being requoted due to a recommended increase in system size.
- Chiller replacement in the Learning Resource Center in Salemburg is complete.

**BLET Update:** Alex Gazaway will present an update.

**Academy Authorized Instructor:** This program provides an avenue for NCJA course of high demand to be delivered locally at community colleges or individual agencies. I provided information on this program at the September meeting. The NCJA course 'Officer Safety/Survival Training' has been added to the list of available courses under that program.

**SDIT Pilot:** The Specialized Driver Instructor Training program has been updated, and NCJA was granted pilot authority by the Criminal Justice Education and Training Standards Commission to deliver the new curriculum. The new curriculum includes training courses for SUVs and pickup trucks.

**2026 Peace Officers' Memorial Day Ceremony:** Tuesday, April 14, 2026, at 10:00 AM at Lawndale Baptist Church in Greensboro, NC.



## NORTH CAROLINA JUSTICE ACADEMY

Jeff Jackson  
ATTORNEY GENERAL

STATE OF NORTH CAROLINA  
DEPARTMENT OF JUSTICE

TREVOR ALLEN  
DIRECTOR

Monday, October 27, 2025

### MEMORANDUM

**TO:** Sheriff Alan Norman, Chairman  
NC Sheriffs Education and Training Standards Commission

**FROM:** Alex Gazaway, Training Manager  
North Carolina Justice Academy

**SUBJECT:** Status update for the BLET Revision Project.

Sherrif Norman,

I am requesting to present an informational update to the Commission for the 2025 Basic Law Enforcement Training (BLET) Program

The North Carolina Justice Academy's BLET Team continues to monitor the statewide implementation of the 2025 BLET curriculum. Most schools have begun the transition to the new curriculum whereas a small number of schools are just beginning their first delivery of the new program. I will be providing an overview of the statewide implementation status and the 2027 revision process.

Thank you for the opportunity to present this update. The BLET Team of the North Carolina Justice Academy will continue to provide updates and curriculum information throughout the implementation process to the Commission as needed.

AEG

# Basic Law Enforcement Training Revision Cycle

## 2026-2028

TOPIC	2026	2027	2028
<b>MODULE 1</b>			
Course Orientation	X		
Ethical Problem-Solving		X	
Communication and De-Escalation Skills	X		
Crisis Intervention: Interacting with Special Needs Populations		X	
Officer Health and Wellness		X	
Field Notes and Report Writing			X
Arrest, Search, Seizure and Constitutional Law	X		
Interviews and Interrogations		X	
Compliance and Control Tactics			X
Firearms	X		
Law Enforcement Driver Training		X	
First Responder	X		
<b>MODULE 2</b>	2026	2027	2028
Criminal Investigations	X		
Responding to Crime Victims			X
Testifying in Court			X
Person Crime Investigations		X	
Property Crime Investigations			X
Crimes Against the Public	X		
Juvenile Laws & Procedures	X		
Domestic Violence Response	X		
Sexual Assaults		X	
Human Trafficking		X	
Hate Crimes		X	
Controlled Substances		X	
Missing Persons		X	
Deceased Persons			X

TOPIC	2026	2027	2028
MODULE 3	2026	2027	2028
Motor Vehicle Law		X	
Traffic Law Enforcement			X
Traffic Crash Investigations	X		
Standardized Field Sobriety Testing	N/A	N/A	N/A
MODULE 4	2026	2027	2028
Patrol Techniques			X
Crowd Management	X		
Courtroom Security			X
Homeland Security		X	
Rapid Deployment to Active Assailant			X
Civil Process	X		
Crime Prevention			X
Explosives and Hazardous Material Emergencies			X
Transporting and Processing Arrestee			X



## NORTH CAROLINA JUSTICE ACADEMY

STATE OF NORTH CAROLINA

DEPARTMENT OF JUSTICE

JEFF JACKSON  
ATTORNEY GENERAL

TREVOR ALLEN  
DIRECTOR

### MEMORANDUM

**TO:** Sheriff Alan Norman, Chair  
NC Sheriffs' Education and Training Standards Commission

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

**DATE:** November 14, 2025

**SUBJECT:** Agenda Item for December 2025 Commission meeting

The new Joint Mandatory In-Service Training Committee met on October 30th, 2025, to review and approve the draft 2026 In-Service training material, and to discuss and adopt the 2027 topics.

At this time, we are submitting the 2027 Law Enforcement, Detention, and Telecommunicator In-Service training topics for approval.

### Law Enforcement

#### *Required*

2027 Firearms Training – 4 credits  
2027 Emotional Fitness – 4 credits  
2027 Legal Update – 4 credits  
2027 Legislative Update – 2 credits  
2027 Interviewing the Adolescent Mind – 2 credits  
2027 Financial Fitness for First Responders – 2 credits  
2027 Upholding the Badge: Professionalism – 2 credits

#### *Topics of Choice*

From Notes to Narrative – 4 credits (Report Writing)  
From Dispatch to Disengage – 4 credits (Officer Safety)

## **Detention**

### *Required*

2027 Emotional Fitness – 4 credits  
2027 From Notes to Narrative – 4 credits (Report Writing)  
2027 Detention Legal Update – 2 credits  
2027 Technology in the Detention Center – 2 credits  
2027 In-Custody Deaths – 2 credits  
2027 Contraband in the Detention Center – 2 credits

### *Topic of Choice*

Financial Fitness for First Responders – 2 credits

## **Telecommunicator**

### *Required*

2027 Emotional Fitness – 4 credits  
2027 Active Attacker Response – 4 credits  
2027 Call-Taking: Cognitively Challenged Callers – 4 credits  
2027 Assessing for Human Trafficking – 2 credits  
2027 Flip the Switch on Interpersonal Conflict – 2 credits

### *Topic of Choice*

Financial Fitness for First Responders – 2 credits

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



## NORTH CAROLINA DEPARTMENT OF JUSTICE CRIMINAL JUSTICE STANDARDS DIVISION

JEFF JACKSON  
ATTORNEY GENERAL

PO DRAWER 149  
RALEIGH, NC 27602  
PHONE: (919) 661-5980

JEFFREY SMYTHE  
DIRECTOR

**TO:** Sheriffs' Commission Members

**FROM:** Karen Ashley, North Carolina Law Enforcement Accreditation (NCLEA) Program Manager

**SUBJECT:** Review the DRAFT Essential Standards Program (ESP)

**DATE:** November 25, 2025

### **Purpose**

Request the Commission review the draft Essential Standards Program (ESP) designed to provide a practical entry point into accreditation for small and rural agencies.

### **Background**

The North Carolina Law Enforcement Accreditation (NCLEA) Program was approved two years ago by both Commissions and currently has ninety (90) law enforcement agencies enrolled. The North Carolina Public Safety Communications Accreditation Program (NCPSCAP) was approved by this Commission on September 13<sup>th</sup> and approved by the CJ Education & Training Standards Commission on November 21<sup>st</sup>. We will start taking applications for the communications accreditation program in early 2026. State accreditation programs are growing in NC with your leadership and support.

Since the inception of the state law enforcement accreditation program in 2023, many smaller agencies have shared concerns about the hurdles of achieving full accreditation. The current law enforcement program includes 116 standards—achievable with leadership commitment, but an intimidating starting point for some agencies seeking to “dip their toes” into accreditation. As a result, NCLEA staff identified twenty (20) essential standards to develop an entry-level program that these agencies could participate in. This program would be a ***Professional Certificate Program*** that would expose participating agencies to accreditation-related requirements and ensure related policies, procedures, and practices align with essential standards for professionalism.

### **Essential Standards Program (ESP): Overview**

- **Purpose:** Offer an accessible on-ramp for small and rural sheriff's offices and police departments.
- **Scope:** A focused set of **20 high-impact standards** that immediately advance professionalism and reduce risk.
- **Design intent:** Encourage “learn by doing” without significant upfront burden, building momentum toward full accreditation.

- **Positioning:** ESP is **not** an alternative to accreditation; it lays the **foundation** for agencies to pursue full accreditation in subsequent years and completion would result in recognition from each Commission as a Professional Certificate Program.

### **Rationale and Benefits**

- Establishes early alignment of policy, practice, and training.
- Demonstrates tangible progress to governing bodies and communities.
- Reduces operational and liability risk while building capacity for full accreditation.
- Creates consistent expectations and a common framework across small and rural agencies.

### **Action Requested**

Review the Essential Standards Program (ESP) and contact the NCLEA Program Manager with any questions or concerns. Your feedback and suggestions are welcomed and encouraged as we continue to work together to reduce risk and increase professionalism in public safety. It is our hope that we can present the ESP to this Commission in the near future for your approval.



**Edition 1.0**

**XXX XX, 2025**

**Email: NCaccred@NCDOJ.gov**  
**Program Director Phone: 984-365-1926**  
**PO Drawer 149 | Raleigh, North Carolina 27602**

**Website: <https://ncdoj.gov/north-carolina-law-enforcement-accreditation/>**

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## Program Introduction

The North Carolina Law Enforcement Accreditation (NCLEA) Essential Standards Program (ESP) is a voluntary opportunity for local police and sheriff's agencies in North Carolina to demonstrate their commitment to complying with North Carolina law enforcement's current best practices and professional standards. The NCLEA ESP operates under authority granted by the North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission.

The NCLEA ESP was developed to assist North Carolina law enforcement agencies in meeting their professional obligations to the citizens of North Carolina. The NCLEA ESP is comprised of a minimal number of standards, ensuring that small and rural agencies that do not have the resources to enroll in the full accreditation program, can demonstrate compliance with essential standards that ensure transparency, promote public trust, and foster agency accountability.

Like the NCLEA program, participating agencies will establish electronic files and be audited by outside assessors to ensure their compliance with ESP standards. The NCLEA Accreditation Committee conducts reviews of the agencies that complete the ESP and make a recommendation to the appropriate Commission on awarding a certificate of completion. For more information on the process, refer to the NCLEA Program Guide.

# Chapter 1 – Administration/Organization/Professional Standards

The administration, organization, and professional standards of a law enforcement agency are crucial to achieving its mission. The public we serve expects their law enforcement agency to demonstrate professionalism in every community contact and establish high standards of expectations to ensure community trust.

Effective organizations have clear lines of authority that assign responsibility and ensure the agency performs critical tasks such as budgeting, financial/asset management, and developing policies and procedures in accordance with best practices in the profession. Effective agency administration and organization will assist in providing efficient and effective services to the community.

All professional law enforcement agencies must have clear rules and regulations for employee conduct to maintain a positive public image. This community expectation is imperative for employees and the agency to maintain public trust. The public needs to have confidence that the organization accepts all complaints against employees, thoroughly and fairly investigates all complaints, and takes appropriate action when complaints are sustained.

## 1.01 System of Written Agency Directives

The agency has a written directive system in place that includes all agency policies, procedures, and practices. The written directive system shall:

- A. Establish an organizational format for all written directives;
- B. Establish the process by which the agency issues, reviews, revises, and approves written directives, including persons authorized to revise and approve written directives and timeline procedures for review;
- C. Require written directives be made available to and reviewed by all affected personnel in a manner designated by the agency CEO;
- D. Provide a documented system and procedures for dissemination and acknowledgment of new and revised written directives to all affected personnel;
- E. Provide procedures and guidelines for deleting policies; and
- F. Require centralized storage of written directives and documentation of acknowledgment by all staff.

## 1.02 Bias-free Policing

The agency has a written directive that states that all persons having contact with members of the agency shall be treated in a fair, impartial, equitable, and objective manner without consideration of their individual demographics, in accordance with law.

## 1.03 Ethics Training

The agency requires all agency personnel to have ethics training at a minimum every two years. (This standard acknowledges the state requirement for Mandatory In-Service Training and intentionally sets a higher standard for accredited law enforcement agencies in North Carolina.)

## 1.04 Duty to Intervene

The agency has a written directive that includes the duty and obligation to intervene as provided for in NCGS 15A-401(d1).

## 1.05 Investigations of Complaints

The agency has a written directive requiring documentation, review, investigation, and disposition of complaints against employees. Sustained complaints must be based on facts determined during the investigation. The written directive shall include:

- A. Time limits for the completion of the internal investigation;
- B. Procedure for requesting and approving extensions of time if needed;
- C. A documentation process for notification made to the complainant on the outcome, as permitted by law.

## Chapter 2 – Training Functions

Law Enforcement agencies are held accountable by their community and the courts for their actions. An agency's employees' actions are guided by clearly written policy, adequate supervision, and training. The North Carolina Sheriffs' Education and Training Standards Commission or the Criminal Justice Education and Training Standards Commission regulate the minimum level of training for entry into law enforcement and continued annual in-service training after employment. Agencies are responsible for providing additional training to staff as needed. These standards ensure mandated training is completed in a timely manner and appropriate records are kept proving the training was completed.

### 2.01 Use of Force Training

The agency has a written directive requiring all sworn officers authorized to carry a firearm to:

- A. Attend firearms training and qualify annually as mandated by the appropriate Commission,
- B. Train sworn personnel at least annually in the legal use of force, as mandated by the appropriate Commission.
- C. Train annually all personnel authorized to use intermediate weapons (including Electronic Control Devices, pepper spray, batons, etc.) and to ensure they can demonstrate the legal use and proficiency with those weapons.
- D. Ensure all use of force training is conducted by instructors trained to teach the specific devices and weapons used by the agency.

### 2.02 Field Training Program

The agency has a written directive requiring all sworn personnel to complete a minimum 320-hour field-training program. The program shall:

- A. Provide a selection process for field training officers in the agency;
- B. Specify a position responsible for overseeing the field training program;
- C. Require selected field training officers to attend a field training officer school and periodic in-service training;
- D. Require rotation of the new officer's field assignments;
- E. Be divided into phases of training based on agency needs;
- F. Provide guidelines for evaluations of the new employee during the field training program; and
- G. List reports, evaluations, and responsibilities.

- H. Ensure trainees receive, at a minimum, weekly evaluations by the FTO which are reviewed with the trainee and maintained by the agency.

DRAFT

## Chapter 3 – Personnel

Employees are an agency's most valuable asset, and the recruitment and selection of the most qualified employees available is critical to the success of the agency's mission. The selection of employees must be non-discriminatory, job-related, and administered in a fair and consistent manner. Continuing evaluation of employees is necessary to ensure the consistent direction of employees' efforts towards agency goals. Good employee relations are necessary to retain competent employees and provide for their continued growth and development.

### 3.01 Employee Selection Procedures and Background Investigations

The agency has a written selection process that details all elements of the selection process for sworn and non-sworn applicants and requires those elements to be administered in a fair and consistent manner. Applicants for all positions must meet all legal requirements to hold their positions with the appropriate Commission. The written directive will specify that background investigations be conducted on all personnel prior to a conditional offer of employment, and shall include:

- A. The procedures for utilization of a Computer Voice Stress Analyzer (CVSA) or polygraph;
- B. The procedures for psychological evaluations;
- C. The verification of biographical data; family data; scholastic data; employment data; criminal history data; interviews with the applicant's references; and a summary of the investigator's findings and conclusions regarding the applicant's moral character known to the agency, and any reviews and/or reports required by the CEO.

### 3.02 Early Warning System

A written directive that mandates procedures for a personnel early warning system to document and track the actions and behaviors of law enforcement officers to intervene and improve performance, based on NCGS 17F-10. At a minimum, the system shall establish the following:

- A. Reporting of discharge of a firearm, instances of the use of force, vehicle collisions, and citizen complaints; or any other indicators identified by the agency;
- B. System for initiating review based on information reported and documented;
- C. Supervisory responsibilities and intervention to correct behavior;
- D. Referral (voluntary or involuntary) to the employee assistance program or counseling, if available; and
- E. Annual review of the system utilized to determine program effectiveness.

## Chapter 4 – Use of Force

Law enforcement agencies are the only part of the government authorized to use force against a citizen. Officers are authorized to intervene in circumstances to keep the peace in their jurisdiction and, in doing so, must sometimes resort to the use of force. The legislature and the courts grant the authority to use force with the expectation that it will be used appropriately. It is the obligation of professional law enforcement organizations to ensure that the force utilized conforms with the law and agency policies.

### 4.01 Authorization to Use Force and Deadly Force

The agency has a written directive that authorizes personnel to use only the physical force that is reasonable to achieve the desired legal objective. The written directive further authorizes law enforcement officers to use deadly force in accordance with NCGS 15A-401(d)(2).

### 4.02 Neck and Choke Holds

The agency has a written directive that prohibits the use of choke holds (a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation) except in those situations where the use of deadly force is allowed by law.

### 4.03 Documenting the Discharge of a Firearm

The agency has a written directive for the documentation and supervisory review of any intentional or unintentional discharge of a firearm by an employee, not inclusive of training scenarios or approved humane life-termination of injured animals.

## Chapter 5 – Law Enforcement Operations

Basic law enforcement operations have developed over time due to input from our community, the courts, professional law enforcement organizations, and technological advancements. The standards provided in this section are the best practices for law enforcement operations and ensure agencies are meeting their employees' and citizens' most basic needs.

### 5.01 24-hour Law Enforcement Response to Emergency Situations

The agency responds to requests for law enforcement services 24 hours a day or has arrangements with another law enforcement agency to respond to those requests.

### 5.02 Preliminary and Follow Up Investigations

The agency has a written directive for conducting preliminary and follow-up investigations. The written directive shall:

- A. Identify the criteria necessary for a case to be assigned for follow-up investigation;
- B. Identify how cases are assigned for follow-up investigations and any follow-up reporting if required; and
- C. Require appropriate personnel to be trained in conducting follow-up investigations.

### 5.03 Search Warrants/No Knock Warrants/Warrantless Searches

The agency has a written directive regarding procedures for entry into and searches and seizures of property with a warrant, without a warrant and for no-knock warrants. This should include the scope of such searches, and the documentation required of such searches in agency reports.

### 5.04 Vehicle Pursuits and Documentation

The agency has a written directive for vehicle pursuits and annually trains appropriate personnel in the pursuit policy. The written directive includes:

- A. Criteria for initiating a pursuit;
- B. Methods for conducting a pursuit;
- C. Appropriate personnel authorized to conduct a pursuit;
- D. Responsibilities of the officer(s) involved, telecommunicator(s), and supervisor of an officer in a pursuit;
- E. Criteria for exiting agency jurisdiction;

- F. Approved forcible stopping techniques, if any;
- G. Criteria for terminating vehicle pursuits; and
- I. An agency review of each vehicle pursuit as defined by the agency.

DRAFT

## Chapter 6 – Major Incidents

While the majority of law enforcement work does not involve major incidents, some circumstances are of such a critical nature or magnitude that special responses are necessary. These may include barricaded subjects, bomb threats, or even natural disasters. Prior planning and training for these events and sound policy on how they should be handled are critical to the successful conclusion of an event.

### 6.01 Emergency Operations Plan

The agency has a written Emergency Operations Plan (EOP) or is included in a city/county Emergency Operations Plan. The plan is accessible to all personnel and the agency trains appropriate personnel in the plan. The Plan shall include provisions covering:

- A. Civil disturbances;
- B. Bomb threats;
- C. Response to natural and manmade disasters;
- D. Crisis negotiation;
- E. Mass arrests;
- F. Other critical incidents or events;
- G. Provisions for alternative locations for functions and facilities to ensure continuity of operations; and
- H. An annual review of the Emergency Operations Plan.

## Chapter 7 – Detainee Processing and Transportation

Detainees in custody must be safely transported to a detention facility and held in a manner that meets constitutional standards. Proper transportation procedures also ensure the safety of law enforcement officers and detention personnel.

### 7.01 Searching, Transport, and Separation of Detainees

The agency has a written directive addressing searching, transporting, and the separation of detainees before transportation. The written directive includes, at a minimum:

- A. All detainees must be searched before any transport;
- B. The agency approved methods to transport detainees safely;
- C. Methods or actions for transporting sick, injured, or disabled detainees;
- D. Requirement that the transporting vehicle be searched before and after the transport;
- E. The proper use of any restraining devices;
- F. Monitoring the detainee to observe any medical difficulties that arise enroute;
- G. The reporting process or procedures following an escape of a detainee while being transported;
- H. The separation of male and adult female detainees; and
- I. Sight and sound separation between adult detainees and juveniles in temporary custody.

## Chapter 8 – Property and Evidence Management

The proper collection, preservation, and storage of evidence is crucial to the accomplishment of any law enforcement mission. Presentation of reliable evidence is required for the successful prosecution of criminal defendants. The property control function of the agency must be beyond reproach.

### 8.01 Property and Evidence Submission and Chain of Custody

The agency has a written directive for taking property and evidence into custody, including assets seized for forfeiture, to ensure proper inventory, storage, and chain of custody. The written directive shall further require all property and evidence seized by agency personnel to be submitted to the property/evidence technician or placed in the property and evidence area by the end of their shift. Employees shall not personally retain property or evidence.

### 8.02 Storage, Access, and Security

The agency has a written directive that identifies personnel authorized to enter the property and evidence storage area(s). The property and evidence storage area will be secure, with restricted access for unauthorized personnel unless they are escorted and sign in and out in a book or register or a digital agency-approved tracking system. High risk (guns, drugs, and money) property and evidence is stored separate from other property in locked storage areas inside the Property Room and requires additional security measures. If another entity stores property and evidence for the agency, that entity must comply with all the requirements of this standard.



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

**JEFF JACKSON  
ATTORNEY GENERAL**

**PO DRAWER 629  
RALEIGH, NC 27602-0629  
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**WILLIAM MITCHELL  
DIRECTOR**

**MEMORANDUM**

**To: William Mitchell  
Director**  
**Fr: Robin P. Pendergraft  
Projects Manager**  
**Re: Rule Changes Effective December 1, 2025**  
**Date: November 21, 2025**

The Sheriffs' Education and Training Standards Commission submitted a series of rules to the Rules Review Commissions' (RRC) approval. On November 10, 2025, the RRC approved the rules which provide an **effective date of December 1, 2025**. The rules and short summaries are listed below.

**12 NCAC 10B .0403** - This amended rule modifies the Probationary Certification requirements to allow the issuance of probationary certification prior to completion of BLET and adds clarifying language as to the authority of these officers to exercise the powers of a deputy sheriff until such training has been completed.

**12 NCAC 10B .0407** - This rule modifies the requirements for issuance of certification to a former sheriff by removing the requirement of serving for a minimum of four years if the former sheriff has specified qualifying conditions.

**12 NCAC 10B .0412** - This new rule sets forth the requirements of G.S. 17E - 16 for agencies to report Critical Incidents to the Division to be maintained in a database.

**12 NCAC 10B .1002** - This amended rule updates the Professional certificate program for sheriffs or deputy sheriffs by pulling information from .1004 and.1005.

**12 NCAC 10B .1006** - This amended rule updates the Professional certificate program for sheriffs or deputy sheriffs by specifying how to apply.

**12 NCAC 10B .1202** - This amended rule updates the Professional certificate program for detention officers by pulling information from 10B .1204 and.1205.

**12 NCAC 10B .1206** - This amended rule updates the Professional certificate program for detention officers by specifying how to apply.

**12 NCAC 10B .1402** - This amended rule updates the Professional certificate program for reserve deputies by pulling information from .1404 and.1405.

**12 NCAC 10B .1406** - This amended rule updates the Professional certificate program for reserve deputies by specifying how to apply.

**12 NCAC 10B .1602** - This amended rule updates the Professional certificate program for telecommunicators by pulling information from .1604 and.1605.

**12 NCAC 10B .1606** - This amended rule updates the Professional certificate program for telecommunicators by specifying how to apply.

**12 NCAC 10B .1901** - This amended rule updates the military transferee rules to streamline the language regarding when the applicant submits documentation to the Division.

The following rules are repealed since the relevant information has been incorporated into the above listed proposed amended rules. **12 NCAC 10B .1004, .1005, .1204, .1205, .1404, .1405, .1604, .1605.**

1 12 NCAC 10B .0101 is proposed for amendment as follows:

2

3 **SUBCHAPTER 10B - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

4

5 **SECTION .0100 - COMMISSION ORGANIZATION AND PROCEDURES**

6

7 **12 NCAC 10B .0101      LOCATION**

8 The staff supporting the N.C. Sheriffs' Education and Training Standards Commission is established within the  
9 Department of Justice and is located at 1700 Tryon Park Drive in Raleigh, North Carolina. The mailing address is:

10

11 North Carolina Sheriffs' Education and Training Standards Commission

12 Post Office P.O. Box 629

13 Raleigh, North Carolina 27602

14 Telephone (919) 779-8213

15

16 *History Note: Authority G.S. 17E-6;*

17 *Eff. January 1, 1989;*

18 *Amended Eff. January 1, 2013; August 1, 1998;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
20 *2018.*

21 *Amended Eff. March 1, 2026.*

1      12 NCAC 10B .0104 is proposed for repeal:

2

3      **12 NCAC 10B .0104        SHERIFFS' STANDARDS DIVISION**

4      ~~The Sheriffs' Standards Division of the North Carolina Department of Justice shall administer such programs as are~~  
5      ~~assigned to it by the Commission, including the standards set forth in these Rules. The Division shall present to the~~  
6      ~~Commission for its adoption administrative procedures for those programs of certification and accreditation and may~~  
7      ~~create appropriate forms for application for and administration of those programs.~~

8

9      *History Note:      Authority G.S. 17E-6;*

10                   *Eff. January 1, 1989;*

11                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
12                   *2018.*

13                   *Repeal Eff. March 1, 2026.*

1 12 NCAC 10B .0105 is proposed for repeal as follows:

2

3 **12 NCAC 10B .0105 ADMINISTRATIVE HEARING PROCEDURES**

4 ~~(a) Administrative hearings in contested cases conducted by the Commission or an administrative law judge, (as~~  
5 ~~authorized in G.S. 150B-40) shall be governed by:~~

6       (1) ~~procedures set out in Article 3A of G.S. 150B;~~  
7       (2) ~~insofar as relevant, the Rules of Civil Procedure as contained in G.S. 1A-1;~~  
8       (3) ~~insofar as relevant, the General Rules of Practice for the Superior and District Courts as authorized~~  
9                   ~~by G.S. 7A-34 and found in the Rules Volume of the North Carolina General Statutes.~~

10 ~~(b) The rules establishing procedures for contested cases adopted by the Office of Administrative Hearings as~~  
11 ~~contained in Title 26, Chapter 3 of the North Carolina Administrative Code are hereby incorporated by reference and~~  
12 ~~shall automatically include any later amendments and editions of the referenced materials as provided by G.S.~~  
13 ~~150B-21.6. Copies of these Rules may be obtained from the Office of Administrative Hearings, Post Office Drawer~~  
14 ~~27447, Raleigh, North Carolina 27611-7447 at a cost of three dollars and forty cents (\$3.40) per copy at the time of~~  
15 ~~amendment of this Rule.~~

16 ~~(c) If the case is conducted under G.S. 150B-40(b), the presiding officer shall have the powers and duties given to the~~  
17 ~~Chief Administrative Law Judge or the presiding Administrative Law Judge in Title 26, Chapter 3 of the North~~  
18 ~~Carolina Administrative Code.~~

19 ~~(d) An applicant for certification or a certified officer shall have 30 days from the date of receipt of a notice of~~  
20 ~~proposed action by the Commission to request a contested case hearing.~~

22 *History Note: Authority G.S. 17E-9(b); 150B-20; 150B-21.6; 150B-38(h); 150B-40;*

23 *Eff. January 1, 1989;*

24 *Amended Eff. January 1, 1996; January 1, 1994;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
26 *2018.*

27 *Repeal Eff. March 1, 2026.*

1 12 NCAC 10B .0106 is proposed for amendment as follows:

2

3 **12 NCAC 10B .0106 PROCEDURES FOR PETITIONS FOR ~~RULE MAKING~~ RULEMAKING**

4 In addition to the procedures set out in G.S. 150B-20, Petitions for ~~Rule Making~~ Rulemaking shall be submitted to  
5 the Commission and shall contain:

6 (1) petitioner's name, address and telephone number;

7 (2) a draft of the proposed rule or rule change;

8 (3) the reason for its proposal;

9 (4) the effect of the proposal on existing rules or decisions;

10 (5) data supporting the proposal;

11 (6) practices likely to be affected by the proposal; and

12 (7) a list or description of persons likely to be affected by the proposed rule.

13

14 *History Note: Authority G.S. 150B-20;*

15 *Eff. January 1, 1990;*

16 *Amended Eff. January 1, 1993;*

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

19 *Amended Eff. March 1, 2026.*

1 12 NCAC 10B .0107 is proposed for amendment as follows:

2

3 **12 NCAC 10B .0107 PROCEDURES FOR PETITIONS FOR DECLARATORY RULINGS**

4 (a) In addition to the procedures set out in G.S. 150B-4, ~~Petitions for Declaratory Rulings~~ petitions for declaratory  
5 rulings shall be submitted to the Commission and shall contain:

- 6 (1) petitioner's name, address and telephone number;
- 7 (2) the ~~statute(s), rule(s)~~ statutes, rules, or both to which the request relates;
- 8 (3) all facts and information which are relevant to the request;
- 9 (4) a concise statement of the manner in which petitioner has been aggrieved;
- 10 (5) a draft of the ~~Declaratory Ruling~~ declaratory ruling sought by ~~petitioner~~ petitioner, ~~(if if a~~ specified  
11 outcome is sought by ~~petitioner~~); petitioner;
- 12 (6) practices likely to be affected by the ~~Declaratory Ruling~~; declaratory ruling;
- 13 (7) a list or description of persons likely to be affected by the ~~Declaratory Ruling~~; declaratory ruling;  
14 and
- 15 (8) a statement as to whether the petitioner desires to present oral argument (~~not to exceed 30 minutes~~),  
16 to the Commission prior to its decision.

17 (b) The Commission ~~may shall~~ refuse to issue a ~~Declaratory Ruling~~ declaratory ruling when:

- 18 (1) the petition does not comply with Paragraph (a) of this Rule;
- 19 (2) the Commission has previously issued a ~~Declaratory Ruling~~ declaratory ruling on substantially  
20 similar facts;
- 21 (3) the Commission has previously issued a ~~Final Agency Decision~~ final agency decision in a contested  
22 case on substantially similar facts;
- 23 (4) the facts underlying the request for a ~~Declaratory Ruling~~ declaratory ruling were specifically  
24 considered at the time of the adoption of the rule in question; or
- 25 (5) the subject matter of the request is involved in pending litigation.

26

27 *History Note:* Authority G.S. 150B-4;

28 *Eff. January 1, 1990;*

29 *Amended Eff. August 1, 1998;*

30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest* *Eff. March 6,*  
31 *2018.*

32 *Amended Eff. March 1, 2026.*

## § 90-96. Conditional discharge for first offense.

(a) Whenever any person who has not previously been convicted of (i) any felony offense under any state or federal laws; (ii) any offense under this Article; or (iii) an offense under any statute of the United States or any state relating to those substances included in Article 5 or 5A of Chapter 90 or to that paraphernalia included in Article 5B of Chapter 90 of the General Statutes pleads guilty to or is found guilty of (i) a misdemeanor under this Article by possessing a controlled substance included within Schedules I through VI of this Article or by possessing drug paraphernalia as prohibited by G.S. 90-113.22 or G.S. 90-113.22A or (ii) a felony under G.S. 90-95(a)(3), the court shall, without entering a judgment of guilt and with the consent of the person, defer further proceedings and place the person on probation upon such reasonable terms and conditions as it may require, unless the court determines with a written finding, and with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense. Notwithstanding the provisions of G.S. 15A-1342(c) or any other statute or law, probation may be imposed under this section for an offense under this Article for which the prescribed punishment includes only a fine. To fulfill the terms and conditions of probation the court may allow the defendant to participate in a drug education program approved for this purpose by the Department of Health and Human Services or in the Treatment for Effective Community Supervision Program under Subpart B of Part 6 of Article 13 of Chapter 143B of the General Statutes. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings. Discharge and dismissal under this section shall be without court adjudication of guilt and shall not be deemed a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime including the additional penalties imposed for second or subsequent convictions under this Article. Discharge and dismissal under this section or G.S. 90-113.14 may occur only once with respect to any person. Disposition of a case to determine discharge and dismissal under this section at the district court division of the General Court of Justice shall be final for the purpose of appeal. Prior to taking any action to discharge and dismiss under this section the court shall make a finding that the defendant has no record of previous convictions as provided in this subsection.

(a1) Upon the first conviction only of any offense which qualifies under the provisions of subsection (a) of this section, and the provisions of this subsection, the court may place defendant on probation under this section for an offense under this Article including an offense for which the prescribed punishment includes only a fine. The probation, if imposed, shall be for not less than one year and shall contain a minimum condition that the defendant who was found guilty or pleads guilty enroll in and successfully complete, within 150 days of the date of the imposition of said probation, the program of instruction at the drug education school approved by the Department of Health and Human Services pursuant to G.S. 90-96.01. The court may impose probation that does not contain a condition that defendant successfully complete the program of instruction at a drug education school if:

- (1) There is no drug education school within a reasonable distance of the defendant's residence; or
- (2) There are specific, extenuating circumstances which make it likely that defendant will not benefit from the program of instruction.

The court shall enter such specific findings in the record; provided that in the case of subdivision (2) above, such findings shall include the specific, extenuating circumstances which make it likely that the defendant will not benefit from the program of instruction.

Upon fulfillment of the terms and conditions of the probation, the court shall discharge such person and dismiss the proceedings against the person.

For the purposes of determining whether the conviction is a first conviction or whether a person has already had discharge and dismissal, no prior offense occurring more than seven years before the date of the current offense shall be considered. In addition, convictions for violations of a provision of G.S. 90-95(a)(1) or 90-95(a)(2) or 90-95(a)(3), or 90-113.10, or 90-113.11, or 90-113.12, or 90-113.22, or 90-113.22A shall be considered previous convictions.

Failure to complete successfully an approved program of instruction at a drug education school shall constitute grounds to revoke probation pursuant to this subsection and deny application for expunction of all recordation of defendant's arrest, indictment, or information, trial, finding of guilty, and dismissal and discharge pursuant to G.S. 15A-145.2. For purposes of this subsection, the phrase "failure to complete successfully the prescribed program of instruction at a drug education school" includes failure to attend scheduled classes without a valid excuse, failure to complete the course within 150 days of imposition of probation, willful failure to pay the required fee for the course as provided in G.S. 90-96.01(b), or any other manner in which the person fails to complete the course successfully. The instructor of the course to which a person is assigned shall report any failure of a person to complete successfully the program of instruction to the court which imposed probation. Upon receipt of the instructor's report that the person failed to complete the program successfully, the court shall revoke probation, shall not discharge such person, shall not dismiss the proceedings against the person, and shall deny application for expunction of all recordation of defendant's arrest, indictment, or information, trial, finding of guilty, and dismissal and discharge pursuant to G.S. 15A-145.2. A person may obtain a hearing before the court of original jurisdiction prior to revocation of probation or denial of application for expunction.

This subsection is supplemental and in addition to existing law and shall not be construed so as to repeal any existing provision contained in the General Statutes of North Carolina.

(b) Upon the discharge of such person, and dismissal of the proceedings against the person under subsection (a) or (a1) of this section, such person, if he or she was not over 21 years of age at the time of the offense, may be eligible to apply for expunction of certain records relating to the offense pursuant to G.S. 15A-145.2(a).

(c) Repealed by Session Laws 2009-510, s. 8(b), effective October 1, 2010.

(d) Whenever any person is charged with a misdemeanor under this Article by possessing a controlled substance included within Schedules I through VI of this Article or a felony under G.S. 90-95(a)(3), upon dismissal by the State of the charges against such person, upon entry of a nolle prosequi, or upon a finding of not guilty or other adjudication of innocence, the person may be eligible to apply for expunction of certain records relating to the offense pursuant to G.S. 15A-145.2(b).

(e) Whenever any person who has not previously been convicted of (i) any felony offense under any state or federal laws; (ii) any offense under this Article; or (iii) an offense under any statute of the United States or any state relating to controlled substances included in any schedule of this Article or to that paraphernalia included in Article 5B of Chapter 90 of the General Statutes pleads guilty to or has been found guilty of (i) a misdemeanor under this Article by possessing a controlled substance included within Schedules I through VI of this Article, or by possessing drug paraphernalia as prohibited by G.S. 90-113.22 or G.S. 90-113.22A, or (ii) a felony under G.S. 90-95(a)(3), the person may be eligible to apply for cancellation of the judgment and expunction of certain records related to the offense pursuant to G.S. 15A-145.2(c).

(f) Repealed by Session Laws 2009-577, s. 6, effective December 1, 2009, and applicable to petitions for expunctions filed on or after that date. (1971, c. 919, s. 1; 1973, c. 654, s. 2; c. 1066; 1977, 2nd Sess., c. 1147, s. 11B; 1979, c. 431, ss. 3, 4; c. 550; 1981, c. 922, ss. 1-4; 1994, Ex. Sess., c. 11, s. 1.1; 1997-443, s. 11A.118(a); 2002-126, s. 29A.5(d);

2009-510, s. 8(a)-(d); 2009-577, s. 6; 2010-174, ss. 10-12; 2011-192, s. 5(a); 2013-210, s. 1; 2017-102, s. 38.)