

**MINUTES**

**North Carolina Criminal Justice  
Education and Training Standards Commission**

**Planning & Standards Committee  
May 17, 2017**

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at Wake Tech Public Safety Center, Raleigh on May 17, 2017 at 10:30am.

**Committee Members Present**

Commissioner Jeff Welty, Chair  
Commissioner Brent Herron  
Commissioner Trey Robison  
Commissioner Teresa Jardon  
Commissioner James Fisher-Davis  
Commissioner Richard Epley  
Commissioner Robert Hassell  
Commissioner James Moore

**Guests Present**

Monica Shabo, OSDT  
Nathan Mizell, Nash CC  
Chief Jeff Smythe, Burlington PD  
Chief David Hess, Roxboro PD  
Trevor Allen, NC Justice Academy

**CJ Standards Staff Present**

Steven Combs  
Richard Squires  
Charminique Williams  
Dawn Suffel  
Susan Myers  
Thomas Sheinall

**Call to Order**

Committee Chair Jeff Welty called the meeting to order and declared a quorum.

**Approval of the February 15, 2017 Meeting Minutes**

**Motion** to approve was made by Commissioner Richard Epley and **seconded** by Commissioner Robert Hassell.  
**Motion carried** unanimously.

**Rule-Making Hearing**

Under separate cover.

**Proposed Rule Revisions**

**12NCAC 09C .0306 Item (d) – LATERAL TRANSFER OF LE OFFICERS**

Chief Smythe, Burlington PD, appeared before the committee to ask the Commission to consider allowing a transferring officer a waiver for paperwork to expedite the officer's start date. Chief Smythe explained that requested permission would allow the officer to begin working with his or her new agency while completing the necessary paperwork for CJ Standards Division (fingerprints, drug screen, medical examination). The transferring officer must still complete the required items and receive Division approval within 60-days of starting with his or her new agency. Chief Hess, Roxboro PD, also appeared before the committee and stated his support of the request by stating that this change would highly benefit the smaller agencies across the state.

Other rules affected include: 12 NCAC 09A .0206 – SUMMARY SUSPENSION; 12 NCAC 09B .0101 – MINIMUM STANDARDS FOR CJ OFFICERS; and 12 NCAC 09B .0104 – MEDICAL EXAMINATION.

Division Director Steven Combs informed the committee that the proposed change will not negatively impact staff workload.

**Motion** to amend the rule to allow the CJ Standards Division 60-days, upon receiving request from the agency's department head, approval for the officer to begin working with his or her new agency while completing the necessary paperwork, and to request from the full Commission rule-making authority of this and other affected rules was made by Commissioner Robert Hassell and **seconded** by Commissioner Teresa Jardon. The motion further stipulates that amendment specifically applies to currently certified, full-time officers with no break in service. **Motion carried.**

**12 NCAC 09B .0101 MINIMUM STANDARDS FOR CJ OFFICERS**

The committee discussed options for modifying language concerning moral character of law enforcement officers to be parallel with that of corrections officers in 12 NCAC 09G .0206. Options included either adding same moral character language to 09B .0101 to mirror what is in 09G .0206 or create a new rule. **Motion** to select the option of adding same moral character language to 09B .0101 to mirror what is in 09G .0206 and to ask the full Commission for rulemaking authority was made by Commissioner Robert Hassell and **seconded** by Commissioner Teresa Jardon. **Motion carried.**

**12 NCAC 09B. 0301 Item (g) CERTIFICATION OF INSTRUCTORS**

The committee discussed and agreed that non-law enforcement instructors should have his or her instructor certification automatically suspended or revoked if his or her professional certification (for example, as an EMT) is suspended or revoked. **Motion** was made to adopt rule revision to allow for automatic suspension/revocation as stated, but with language added to include an obligation for the instructor to self-report to the Commission within 30-days of suspension from their respective certifying body and to ask the full Commission for rule-making authority was made by Commissioner James Moore and **seconded** by Commissioner Robert Hassell. **Motion carried.**

**Decennial Rules Review**

Ms. Charminique Williams presented the committee with an update of requirements in response to **G.S. 150B-21.3A** (Periodic Review and Expiration of Existing Rules) in which state legislature requires the “Rules Review Commission (RRC)” to enforce a process for affected agencies’ review of respective active rules within the NC Administrative Code every 10 years. Ms. Williams explained that the CJ Commission has a responsibility to complete the process by March 2019 with an overall goal of deciding necessity of rules. She also provided a list of suggested (40+) rules, selected based on group subject matter, to be considered by the committee at the August meeting.

**Motion to Adjourn**

**Motion** to adjourn was made by Commissioner Brent Herron and **seconded** by Commissioner Richard Epley.  
**Motion carried.**