

MINUTES

North Carolina Criminal Justice Education and Training Standards Commission

Planning and Standards Committee

February 20, 2020

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards (CJETS) Commission met at the Wake Technical Community College Public Safety Center on Thursday, February 20, 2020, at 10:01 a.m.

Committee Members Present

Commissioner Leslie Dismukes (Chair), Commissioner Richard Epley, Commissioner Robert Hassell, Commissioner David Rose, Commissioner Andrew Hendry, Commissioner Cerelyn Davis and Commissioner Stella Patterson.

Guests Present

Director Trevor Allen, NCJA, Commissioner Tracy McPherson and Ms. Andrea Hyson, NC Community Colleges, Mr. Steve Bell and Mr. Chris Nesbitt, Rowan-Cabarrus Community College, Mr. Mickey Biggs, Robeson Community College, Mr. Thomas Forrest, Pitt Community College, Commissioner Stephanie Freeman, Ms. Tara Richardson, and Ms. Monica Shabo, NCDPS/DACJJ, and Mr. Brandon McGaha, NC Police Benevolent Association.

CJ Standards Staff Present

Director Steven Combs, Deputy Director Michelle Schilling, Deputy Director Richard Squires, Charminique Williams, Jason McIntyre, Alex Radford, and Donna Byrd.

Call to Order

Committee Chairperson Leslie Dismukes called the meeting to order and declared a quorum.

Approval of Minutes

Motion to approve the November 21, 2019 committee minutes was made by Commissioner Richard Epley, seconded by Commissioner Stella Patterson. **Motion carried.**

Requests for Rulemaking Authority

12 NCAC 09B .0101 – Minimum Standards for Criminal Justice Officers (reporting charges)

12 NCAC 09G .0302 – Notification of Criminal Charges/Convictions

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Rule 12 NCAC 09B .0101 – Minimum Standards for Criminal Justice Officers and Rule 12 NCAC 09G .0302 were being presented on behalf of legal counsel and would be congruent with the Sheriffs’ Commission rules. This rule would have a time period of five days to report to an agency and 30 days to report to the Criminal Justice Standards Division. Rule 12 NCAC 09G .0302 – Notification of Criminal Charges/Convictions rule would reflect the same language as Rule 12 NCAC 09B .0101. Chairperson Dismukes asked staff in the previous November 2019 committee meeting to look at the two versions then bring the two versions back to the Planning & Standards Committee in February for review and revise the rule. The Committee considered proposed revisions to both rules that would have (1) shortened the time period within which officers must notify the Standards Division of certain events such as being charged with a crime or being served with a 50B order, to five days, and (2) addressed certain inconsistencies and ambiguities in the reporting rules. The Committee reviewed revisions to each rule and approved the staff revisions. After discussion, there was a motion by Commissioner Epley to approve those changes, seconded by Commissioner David Rose. During this motion, CJ staff brought to the Committee’s attention that there could be some confusion with the rule and a new motion was brought up by Commissioner Epley to make the notification from 30 business days to 30 days for clarity. Seconded by Commissioner Rose. The motion carried.

12 NCAC 09G .0302 – Notification of Criminal Charges/Convictions

Commissioner Epley requested that Commissioner Stephanie Freeman provide input on this Rule change as it affects the Division of Adult Correction. Commissioner Freeman request the Rule be consistent in language – 30 days vice 30 business days. A motion by Commissioner Robert Hassell was made to correct the language in the following paragraphs: Paragraphs (1) – (3): “within thirty business days” was changed to “within thirty days.” Remainder of the paragraph: inserted “of” between “date” and “the” on line 36, seconded by Commissioner Epley. The motion carried.

12 NCAC 09B .0301 – Certification of Instructors

12 NCAC 09G .0307 – Certification of Instructors

The Committee considered proposed revisions to both rules that would prohibit instructors, school directors, and qualified assistants from being involved with the instruction of students with whom they have a close personal relationship. The Committee reviewed revisions to each rule and approved the staff revisions. Commissioner Hassell made a motion to approve the amended rules and language corrections, seconded by Commissioner Patterson. The motion carried.

12 NCAC 09G .0307 – Certification of Instructors

The committee proposed some corrections in the following paragraphs in this rule. Paragraph (e)(5): change “commission” to “Commission”. Paragraph (e)(9): line 8 shall remain unchanged

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and read “has failed to meet or maintain good moral character as defined in...”. The Committee removed the proposed changes, including “involve” and “moral turpitude.” Paragraph (f): on line 24, change “ten days” to “5 days”. A motion to approve the changes was made by Commissioner Andrew Hendry, seconded by Commissioner Epley. The motion carried.

12 NCAC 09B .0301 – Certification of Instructors

A motion was made by Commissioner Rose to amend Paragraph (e)(6): on line 22, change “who” to “whom.” Paragraph(e)(9): line 8 shall read “has failed to meet or maintain good moral character as defined in...” The Committee agreed to remove “or involve moral turpitude.” Paragraph (f): on line 30, change “ten days” to “5 days”, seconded by Commissioner Cerelyn Davis. The motion carried.

Informational Items

Director Steven Combs presented an update on the Field Training Best Practices document entitled “North Carolina Criminal Justice Education Training Standards Commission Recommendation for Law Enforcement Field Training Programs” developed by the North Carolina Justice Academy. The Law Enforcement field-training document will provide an overview to the Commission of the foundation for and best practices in well-run programs. Much of the content in the document is an accumulation of the best aspects of existing field training programs. The Committee requested that Director Combs ensure the final document notes the date of legal review and the name of the reviewer, consistent with other Justice Academy publications. The Planning and Standards Committee will review the presented document and vote to make it a commission-approved publication at the May 2020 meeting.

Next meeting

The next meeting of the committee will be on May 13, 2020.

The meeting adjourned at 11:06 pm