

MINUTES

North Carolina Criminal Justice Education and Training Standards Commission

Planning and Standards Committee February 24, 2021

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards (CJETS) Commission met virtually via Zoom on Wednesday, February 24, 2021 at 10:02 a.m.

Committee Members Present

Commissioner Leslie Cooley-Dismukes (Chair), Commissioner Robert Hassell (Vice Chair), Commissioner Richard Epley, Commissioner Andrew Hendry, Commissioner Cerelyn Davis, Commissioner Andrew Gregson, Commissioner Stan Hicks, Commissioner Theresa Jardon, Commissioner Billy Gartin.

Guests Present

Jennifer Beauchamp, Melissa Earp, Nelson Freeman, FMRT, John Warren, FMRT, Monica Shabo, DPS, Dr. Christopher Baker, FMRT, Thomas Forrest, Pitt Community College, Elizabeth Morris, FMRT, Mickey Biggs, NCCC, Director Trevor Allen, NCJA, Commissioner Tracy McPherson, NC Community Colleges, Beverly Deans, School Director, Wayne Community College, Lee Hinson, School Director, Robeson Community College, Lacy McVey, NCLEA Program Manager, Mohammed Abdulzahra, Criminal Justice Standards Division Intern, Commissioner Nathan Mizell, Commissioner Steve Johnson, Commissioner Eddie Caldwell, Commissioner Stephanie Freeman, and Brenda Rivera, Legal Staff .

CJ Standards Staff Present

Interim Director Richard Squires, Deputy Director Michelle Schilling, Charminique Williams, Alex Radford and Sharon Witherspoon.

Call to Order

Committee Chair Leslie Cooley-Dismukes called the meeting to order at 10:02 a.m. and read the ethics statement. The Chair requested a roll call and declared a quorum. The Committee then welcomed new Committee member Sgt. Billy Gartin of the Raleigh Police Department.

Approval of Minutes

A Motion to approve the November 18, 2020 committee minutes was made by Commissioner Cerelyn Davis, seconded by Commissioner Andrew Hicks. Motion carried.
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Requests for Rulemaking Authority

The Committee considered 6 rules for rulemaking authority.

12 NCAC 09A .0206 & 12 NCAC 09G .0506 (Summary Suspensions) (sister rules)

- The Committee considered proposed changes to these rules to ensure that Instructors who are either in violation of their instructor certification or teaching a course in violation of Commission rules may be summarily suspended until the non-compliance can be remedied. The Committee approved staff revisions to each rule along with the following changes:
 - 09A .0206
 - New subsection (h) should have additional subsections (1) and (2) like new subsection (g)
 - Subsection (i) should be changed to read “appeals to the Superior and Appellate courts”
 - 09G .0506
 - Same revisions to parallel provisions as the above rule.

A motion to adopt the above changes were made by Commissioner Teresa Jardon and seconded by Commissioner Cerelyn Davis. The Motion carried.

12 NCAC 09B .0101 (Minimum Standards for Criminal Justice Officers) & 12 NCAC 09G .0205 (Physical and Mental Standards) (sister rules)

- The Committee considered proposed changes to these rules to ensure proper pre-employment psychological screening for applicants, adopting in large measure the recommendations of the Psychological Screening Advisory Group. The Committee approved staff revisions to each rule along with the following changes:
 - 09B .0101
 - Subsection (6) was modified to remove the word “examination”
 - Subsection (6)(a) was modified to remove the word “evaluations and add “at a minimum”
 - Subsection (6)(b) was modified to remove the word “evaluations” and add “at a minimum”, as well as to add “in the pre-employment process or otherwise”
 - The term “MMPI” was removed throughout the rule and replaced with “pre-employment written psychological test recognized in the field”

- 09G .0205
 - Same revisions to parallel changes made to reflect the above rule.

A motion to adopt the above changes were made by Commissioner Andrew Hendry and seconded by Commissioner Teresa Jardon. The Motion carried.

12 NCAC 09G .0206 (Moral Character) & 12 NCAC 09G .0504 (Suspension: Revocation or Denial of Certification)

- The Committee considered proposed changes to these rules to bring Probation/ Parole Officers more in line with Law Enforcement Officers in terms of consideration of prior commission or conviction of a crime for certification. The Committee approved staff revisions to each rule along with the following changes:
 - 09G .0206
 - Paragraph (10) court case citation “in” changed to “In”
 - 09G .0504
 - Subsections (d)(3) and (d)(4) – “has” to “have”
 - Subsection (d)(4) – remove reference to (10)

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Teresa Jardon. The Motion carried.

Rulemaking Hearing

The Committee conducted a public rulemaking hearing on five (5) rules. The Committee considered the following rules:

12 NCAC 09B .0202 (Responsibilities of the School Director)

- The Committee adopted the changes proposed by staff, which would remove the 1 to 6 teacher to student ratio, consistent with other rules. The Committee voted to recommend adoption of the proposed changes to the rule as set out in the packet.

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Stan Hicks. The Motion carried.

12 NCAC 09B .0209 (Criminal Justice Instructor Training)

- The Committee considered revisions to this rule to remove the practical skills hours from each topic and replace it in subsection (14) as a catch-all provision. Commissioner McPherson noted that this will not relieve instructors of their requirements under contract with the community colleges and so it may need to be something that we cover with instructors in their training.

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Teresa Jardon. The Motion carried.

12 NCAC 09E .0105 (Minimum Training Specifications: Annual In-Service Training)

- The Committee considered proposed changes to this rule to update the mandatory in-service training topics for 2022. The Committee voted to recommend adoption of the proposed changes to the rule as set out in the packet.

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Teresa Jardon. The Motion carried.

12 NCAC 09G .0414 (Instructor Training)

- The Committee considered revisions to this rule to make the rule refer back to other NCAC provisions so that it does not have to be amended every time there is a change in the code. The Committee voted to recommend adoption of the proposed changes to the rule as set out in the packet.

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Cerelyn Davis. The Motion carried.

12 NCAC 09B. 0403 (Evaluation for Training Waiver)

- The Committee considered revisions to this rule to establish the criteria by which individuals who have been separated from a sworn position for more than a year but less than 5 years can re-activate their certification, as set out in the packet.

A motion to adopt the above changes were made by Commissioner Robert Hassell and seconded by Commissioner Richard Epley. The Motion carried.

Committee Item:

The Committee reviewed the Goals and Objectives of the 9th System Plan. In particular, Goal #1 was discussed, in that it is the only Goal for which no substantial progress has been made. Commissioner Freeman explained the budgetary setbacks surrounding the Department of Public Safety's ability to conduct a formal Job Task Analysis, but then further explained the extensive steps that the Department of Public Safety has taken to address each of the Objectives irrespective of their ability to conduct a formal Job Task Analysis. The Committee was satisfied with the steps that the Department of Public Safety has taken.

Next Meeting:

The next meeting of the Committee will be on May 19, 2021.

The meeting adjourned at 12:19 pm.

