

## MINUTES

### NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

#### EDUCATION AND TRAINING COMMITTEE

November 28, 2018

The Education and Training Committee of the North Carolina Criminal Justice Education and Training Standards Commission met in Room 1826 of the Public Safety Training Center, Wake Technical Community College, Raleigh, NC. Chair Stephanie Freeman called the meeting to order at 1:05 pm. Those in attendance were:

- \*Stephanie Freeman, Appointment by the Governor- Correctional Officer-OSDT
- \*Steve Johnson, Appointment by the General Assembly- Speaker of the House
- \*Lee Farnsworth, NC Law Enforcement Officers' Association
- \*Kenneth Mullen, NC Criminal Justice Association
- \*Tracy McPherson, NC Community College System - Ex-Officio Member
- \*Chris Blue, NC Police Executives Association
- \*Nathan Mizell, Jr., NC Law Enforcement Training Officers' Association
- \*David Rose, Appointment by the Attorney General - Citizen
- \*Bob Schuremeier, Director of NC State Bureau of Investigation
- \*Jeff McCracken, NC Police Executives Association
- Major Shane Manuel, NC Department of Public Safety, NC State Highway Patrol

#### Visitors

Eddie Caldwell, NC Law Enforcement Officers Association  
Chief William Hollingsed, NC Police Executives Association  
Thomas Forrest, Pitt Community College, BLET School Director  
Sgt. Chad Goss, Raleigh Police Department  
Julie Parish, NC Department of Public Safety, Division of Adult Correction and Juvenile Justice  
Charminique Brunson, NC Criminal Justice Standards Division  
Monica Shabo, NC Department of Public Safety, Division of Juvenile Justice  
Felicia Banks, NC Department of Public Safety, Office of Staff Development and Training

#### Staff

Steven Combs, Director, NC Criminal Justice Standards Division  
Michelle Schilling, NC Criminal Justice Standards Division  
Jason McIntyre, NC Criminal Justice Standards Division  
Derek Smith, NC Criminal Justice Standards Division  
Trevor Allen, Director, NC Justice Academy  
Stacy Holloman, Deputy Director, NC Justice Academy  
Tony Losada, NC Justice Academy  
Laurie Austen, NC Justice Academy  
Bill DuBois, NC Justice Academy  
Jennifer Fisher, NC Justice Academy  
Terry Miller, NC Justice Academy  
Jessica Bullock, NC Justice Academy  
Vicki Helms, NC Justice Academy

\*Committee Members

## **WELCOME/ROLL CALL**

Chairperson Stephanie Freeman welcomed members and guests. The meeting was called to order, and the roll was called. A quorum was present.

## **MINUTES**

Commissioner David Rose requested one change to the August 15, 2018 minutes. On Page 2, line 5, change the word “*delivery*” in the sentence “*partner with community colleges to delivery their own BLET training*” to say “*deliver their own BLET training*”. With no other changes, Commissioner Chris Blue proposed a **motion** to accept the August 2018 minutes with the suggested change. Commissioner David Rose **seconded** the motion, **motion carried**.

## **ELECTION OF VICE-CHAIR**

Commissioner Stephanie Freeman opened the floor for Vice-Chair nominations. Commissioner Lee Farnsworth nominated Commissioner Steve Johnson. Commissioner Kenneth Mullen **seconded** the motion, with no other nominations the floor was closed. Commissioner Stephanie Freeman called for a vote. Commissioner Steve Johnson was elected as Vice-Chair of the Education and Training Standards Committee.

## **COMMISSION ACTION**

### **ADMINISTRATIVE CODE: PROPOSED 2020 IN-SERVICE TRAINING TOPICS**

On behalf of the Joint In-Service Committee, Bill DuBois, In-Service Training Coordinator for the NC Justice Academy appeared before the Committee and presented the proposed 2020 Law Enforcement In-Service Training Topics based upon the recommendations of the Joint In-Service Training Committee. The committee met on September 28, 2018, and submitted the following proposed topics for approval.

#### **Required Topics (18 credits):**

Firearms Training and Qualification.....(minimum of 4 credits)  
Legal Update .....(minimum of 4 credits)  
Long-Term Effects of Childhood Adversity .....(minimum of 2 credits)  
The Signs Within: Suicide Prevention Education and Awareness .....(minimum of 2 credits)  
Career Survival: Training and Standards Issues .....(minimum of 2 credits)  
Communication Strategies When Encountering Persons Who are Deaf or Hard of Hearing  
.....(minimum of 2 credits)  
Armed/Unarmed Security/Company Police: Understanding Their Roles and Authority.....  
.....(minimum of 2 credits)

#### **Topics of Choice (12 credits):**

Hazardous Materials .....(minimum of 2 credits)  
Bloodborne Pathogens.....(minimum of 2 credits)  
Situational Awareness/Subject Control .....(minimum of 4 credits)

Law Enforcement Threat Assessment..... (minimum of 4 credits)

The committee reviewed the proposed topics and hours and approved the recommendation as presented. Commissioner Steve Johnson proposed a **motion** that the Commission authorize the Planning and Standards Committee to conduct a rule-making hearing to amend rule **12 NCAC 09E .0102** to reflect the following required training topics and hours for the **2020 Law Enforcement In-Service Training**, with a **second** from Commissioner Nathan Mizell, **motion carried**.

On a different matter, Commissioner Stephanie Freeman thanked Mr. DuBois for the development and excellent quality of training on “Mindfulness for Law Enforcement training.” She shared this training will provide the citizens of North Carolina an opportunity to experience quality training first hand and encouraged everyone to consider the material.

Trevor Allen assured all the lesson plans and tests would be available for the In-Service Committee to review for the 2020 lesson plans by September 20, 2019.

### **ADMINISTRATIVE CODE: PROPOSED RULE REVISION – CCH INSTRUCTOR RESPONSIBILITIES**

On behalf of the CJ Standards Division, Deputy Director Michelle Schilling appeared and presented before the Committee the proposed rule change to the Concealed Carry Handgun Training 12 NCAC 09F .0105 - *Instructor Responsibilities*. The request would require a rule change for the following rule:

- 12 NCAC 09F .0105 – Instructor Responsibilities

A CCH Instructor requested the remaining certificates he purchased be transferred to another instructor before he retired. His certification will be surrendered, and all remaining certificates will be transferred to another certified CCH instructor with the Division’s approval.

Commissioner Steve Johnson proposed language added to section 9, (a) to say “the student fires a minimum of” 30 rounds of ammunition at a bull’s eye or silhouette target from three, five, and seven yards distances.” He also suggested language for (b) “at each yard distance the student shall fire a minimum of (ten) 10 rounds”, and language added to (c) change “21 of the 30 rounds fired” to say “70% of rounds fired by the student must hit the scoring area of the target”.

The Committee approved the recommendations as presented; Commissioner Lee Farnsworth proposed a **motion** that the Commission authorizes the Planning and Standards Committee to conduct a rule-making hearing to amend the rule, **12 NCAC 09F .0105 – Instructor Responsibilities** to read as follows:

- New Paragraph 5 shall read as follows:

“if a Concealed Carry Handgun Instructor relinquishes his or her certification and wants to transfer his or her assigned participants' certificates, to another concealed Carry Handgun instructor a written request shall be submitted to the Criminal Justice Standards Division Director for approval. The written request shall include the following:

- a. instructor name and identification number;
  - b. name of business;
  - c. phone number and email address;
  - d. recipient instructor name, identification number;
  - e. business name;
  - f. phone number, email address, and
  - g. list of the assigned certificate numbers for participants to be transferred.”
- Renumber current paragraphs “5-8” to reflect the numbers “6-9.”
  - New Paragraph 9 shall read as follows:

“administer a proficiency examination that demonstrates the student is competent in the firing and safe handling of a handgun. Such examination shall include the following:

- (a) The student fires a minimum of 30 rounds of ammunition at a bulls-eye or silhouette target from three, five and seven-yard distances;
- (b) At each yard distance, the student shall fire a minimum of ten rounds; and
- (c) 70% of the rounds fired by the student must hit the scoring area of the target.”

With a **second** from Commissioner Steve Johnson, **motion carried**.

#### **ADMINISTRATIVE CODE: PROPOSED RULE REVISION – CCH TOPICAL AREAS**

On behalf of the CJ Standards Division, Deputy Director Michelle Schilling presented the proposed rule change to the Concealed Carry Handgun Training *12 NCAC 09F .0102 -Topical Areas*. The request would require a rule change for the following rule:

- 12 NCAC 09F .0102 – Topical Areas

Michelle Schilling requested additional language changes to the rule to clarify seven of the nine requirements for topical areas. Commissioner Steve Johnson shared the clarification was needed due to language adopted in 1995 and then changed in 2004. The suggested language ensured and will require an instructor with the responsibility to demonstrate how to draw a weapon for a variety of holsters and how to load and unload revolvers and semi-automatics. An instructor will now show these requirements.

The committee approved the recommendation as presented. Commissioner Nathan Mizell proposed a **motion** that the Commission authorizes the Planning and Standards Committee to conduct a rule-making hearing to amend the rule **12 NCAC 09F .0102 – Topical Areas** to read as follows:

“The course entitled "Concealed Carry Handgun Training" shall consist of eight hours of instruction and shall include the following identified topical areas:

- (1) Legal Issues (two hours): The student shall be able to explain the following:
  - (a) the types of situations in which the use of deadly physical force would be justified;
  - (b) list the areas where the carrying of a concealed handgun is prohibited;
  - (c) the requirements for handgun storage under G.S. 14-315.1; and
  - (d) the laws governing the carrying of a concealed handgun. The instructor

- shall determine the student's level of understanding of the relevant legal issues by administering a written examination.
- (2) Handgun Nomenclature: The instructor shall identify to the students the primary parts of the revolver and semiautomatic handgun.
  - (3) Handgun Safety: The students shall be able to:
    - (a) list at least four rules of safe gun handling and demonstrate all of these procedures during range exercises;
    - (b) list four methods of safely storing a handgun and choose the method most appropriate for their personal use;
    - (c) describe safety issues relating to the safe carry of a handgun; and
    - (d) determine the proper storage of their handguns when there are minors in the home.
  - (4) Handgun Fundamentals: The instructor shall demonstrate to the students:
    - (a) how to load both a revolver and a semiautomatic handgun;
    - (b) how to unload both a revolver and a semiautomatic handgun; and
    - (c) the operational characteristics of the revolver and semiautomatic handgun.
  - (5) Marksmanship Fundamentals: The student shall be able to:
    - (a) demonstrate a proper handgun grip;
    - (b) demonstrate either the Weaver or Isosceles Stance;
    - (c) describe the elements of sight alignment and sight picture; and
    - (d) demonstrate trigger control in a dry fire exercise.
  - (6) Presentation Techniques: The instructor shall demonstrate to the student the draw or presentation of the revolver and semiautomatic handgun with a variety of holster types.
  - (7) Cleaning and Maintenance: The instructor shall demonstrate to the student:
    - (a) how to "field strip" the handgun if the handgun can be field stripped;
    - (b) how to perform a "Function Check" on the revolver and semiautomatic handgun; and
    - (c) based on the manufacturer's recommendations, list the lubrication points of their specific handguns.
  - (8) Ammunition: The students shall be able to list the four components of handgun ammunition.
  - (9) Proficiency Drills: The students shall be able to:
    - (a) demonstrate how to check a handgun in order to ensure that it is safe;
    - (b) during range exercises, demonstrate how to fire a handgun from a ready position;
    - (c) during range exercises, demonstrate the ability to fire a handgun from various distances; and
    - (d) during range exercises, achieve a passing score on a proficiency test administered by the instructor as prescribed in Rule .0105 of this Section."

With a **second** from Commissioner Lee Farnsworth, **motion carried.**

### **ADMINISTRATIVE CODE: PROPOSED RULE REVISION – GENERAL INSTRUCTOR CERTIFICATON**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling presented the proposed rule change to the General Instructor Training *12 NCAC 09B .0303* -

*Terms and Conditions of General Instructor Certification.* The request would require a rule change for the following rule:

- 12 NCAC 09B .0303 – Terms and Conditions of General Instructor Certification

The request was made to allow probationary instructors the same privilege as done for specialized instructors: to allow the Director to grant a one (1) time waiver up to twelve (12) months for the completion of the eight (8) hours of minimum instructional time for probationary general instructors with certain medical situations. General instructors will not need a change since their one (1) hour renewal course is completed online.

Commissioner Steve Johnson requested that the Training and Standards Division ensure their policy and guidelines determine the parameters for such an extension and are defensible and clear if additional requests are later made.

The Committee approved the recommendation as presented. Commissioner Kenneth Mullen proposed a **motion** that the Commission authorizes the Planning and Standards Committee to conduct a rule-making hearing to amend the rule **12 NCAC 09B .0303 – Terms and Conditions of General Instructor Certification** to read as follows:

- New Paragraph “c” shall read as follows:

“Probationary Instructors for just cause, may be granted an extension of the one year to teach the 8-hour minimum requirement. The Director may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from fulfilling the teaching requirement.”

- Change the current paragraph lettering “c-g” to reflect the letters “d-h.”

With a **second** from Commissioner Chris Blue, **motion carried.**

### **ADMINISTRATIVE CODE: PROPOSED RULE REVISION – GENERAL INSTRUCTOR CERTIFICATION (OUT-OF-STATE)**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling presented the proposed rule change regarding General Instructor Training for out of state instructors *12 NCAC 09B .0302 - General Instructor Certification*. The request would require a rule change for the following rule:

- 12 NCAC 09B .0302 – General Instructor Certification

A retired law enforcement instructor from the Federal Law Enforcement Training Center in Glynco, Georgia requested to continue his General Instructor certification in NC. He has been a Law Enforcement Instructor since 2002, and he is prepared to retire and move to NC. Michelle Schilling advised a review was made to the model that FLETC uses to train their instructors, and their ISD model meets North Carolina’s code requirements. The out of state instructor lacks the 60-day requirement and would have had to apply to North Carolina in 2002 for his certification. He would still be required to take NC’s state exam and apply as a general instructor.

Committee members discussed detailed issues covering out of state general instructors certification and the 60-day rule. Michelle Schilling assured if the instructor presented the proper documentation and certification, passed the state test and exam, and had completed an equivalent ISD curriculum, the removed language on the 30-60 day window would not cause future problems. She requested the removal of the 60-day language and submitted proposed language added to the rule.

The Committee approved the recommendation as presented. Commissioner David Rose proposed a **motion** that Commission authorizes the Planning and Standards Committee to conduct a rule-making hearing to amend the rule, **12 NCAC 09B .0302 – General Instructor Certification** to read as follows:

- Language in paragraph “b” shall be modified to read as follows:

“Applications for General Instructor Certification shall be submitted to the Standards Division within 60 days of the date the applicant passed the state comprehensive examination administered at the conclusion of the Commission-accredited instructor training program.”

- Language in current paragraphs “c” and “d” shall be deleted.

- New Paragraph “c” shall read as follows:

“Persons having completed a Commission-accredited training course and not having made application within 60 days of completion of the course shall complete a subsequent Commission-accredited instructor training course in its entirety.”

- New paragraph “d” shall read as follows:

“Persons having completed an equivalent instructor training course using the Instructional Systems Design model, or an international model with applications in education, military training, and private enterprise, and are current instructors in good standing, are eligible to apply for General Instructor certification upon achieving a passing score on the comprehensive written examination administered by the Commission, as required by Rule .0413(d) of this Subchapter.”

With a **second** from Commissioner Kenneth Mullen, **motion carried**.

## **COMMITTEE ACTION**

### **NC ASSOCIATION OF CHIEFS OF POLICE**

On behalf of the NC Association of Chiefs of Police and Commission Chairman Bill Hollingsed, Director Trevor Allen, North Carolina Justice Academy, appeared before the Committee and requested pilot authority to the Association to allow credit for the topic “Dangerous Crossroads.” This course would be presented at the 2019 NCACP Winter Conference in January by Scott MacLathcie, a Professional Lecturer in Law and certified by the Commission. Once pilot authority is granted, any officer who completed the 2 hours of training at the conference and passes the corresponding written exam would receive two (2) hours of ‘topic of choice’ credit toward the 2019 Mandated In-Service Training requirement pursuant to *12 NCAC 09E .0105*.

Commissioner David Rose proposed a **motion**; Commissioner Chris Blue **seconded** the motion, **motion carried**.

*(Commissioner Stephanie Freeman suggested BLET and DPS present the major and minor changes curriculum together for an easier presentation.)*

### **BLET REVISION COMMITTEE**

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, appeared before the Committee and presented the major revisions made to the BLET curriculum as approved by the BLET Revision Committee with a request to make this effective January 1, 2019. She requested approval for major revisions made to the following lesson plans:

- Civil Process (BLET: 33W) – Major revisions to lesson plan, training objective, content, and reformatting. Handouts updated and legal review conducted.
- Traffic Crash Investigation (BLET: 25J) – Major revision to lesson plan and a new video produced.

The BLET Revision Committee met on October 12<sup>th</sup> and requested major revisions and review to the Civil Process and Traffic Crash Investigation Curriculum. Terry Miller and Dan Worley were thanked for overseeing the revisions with assistance from committee members Sergeant Eric Schaberg and First Sergeant Bryan Smith with the State Highway Patrol. At the previous E&T meeting four (4) additional hours were requested to be added to the block of instructions that will be implemented for January. Jennifer Fisher stated the changes are effective January 1, 2019, and will be distributed to school directors and community colleges by December 1<sup>st</sup>.

Commissioner Nathan Mizell proposed a **motion**; Commissioner Kenneth Mullen **seconded** the motion, **motion carried**.

Charminique Brunson verified the requested hour change is currently in the rule revision process.

### **BLET Revision Committee – (Informational Item)**

Jennifer Fisher briefed the committee on minor revisions to the BLET curriculum as approved by the BLET Revision Committee. Minor revisions were made to the following blocks of instructions:

- \* Communication Skills for Law Enforcement Officers (BLET: 06H) – optional practical exercise
- \* Controlled Substance (BLET: 22V) – SBI's contact information updated
- \* Crime Prevention Techniques (BLET: 19G) - legal review conducted
- \* Domestic Violence Response (BLET: 21U) – updated practical exercise form, hours increase 12 to 16
- \* Elements of Criminal Law (BLET: 05R) - minor revisions
- \* Ethics (BLET: 03F) – removed video



- \* Explosives and Hazardous Materials Emergencies (BLET: 26T) - minor revisions to escorting hazardous material and improvised explosives devices.
- \* Field Note-Taking and Report Writing (BLET: 08K) - revised content on shorthand notes.
- \* Firearms (BLET: 14S) - revised instructor notes regarding clearing a malfunction demonstration and deleted single hand handout.
- \* First Responders (BLET: 20R) - revised triage methods.
- \* Individuals with Mental Illness and Developmental Disabilities (BLET: 27M) - revised practical exercise form to use for multiple scenarios.
- \* Motor Vehicle Laws (BLET: 17AC) - minor revisions, added content to ignition interlock system and updated handouts.
- \* Anti-Terrorism (BLET:34M) - removed anti-fascist content and added to the left wing terrorist section.
- \* Preparing for Court and Testifying in Court (BLET: 29I) - updated civil cases requirement in superior court.
- \* Sheriff's Responsibilities: Court Duties (BLET: 32K) - revised destroying unauthorized firearms/weapons in court.
- \* Techniques of Traffic Law Enforcement (BLET: 23U) - revised punishment level to be an infraction of notification for carrying a CCH permit and armed.

### **SCHOOL ACCREDITATION SUBCOMMITTEE**

On behalf of the School Accreditation Subcommittee, Deputy Director Michelle Schilling, Criminal Justice Standards Division, requested the accreditation of the following institutions for a period of (five) 5 years in accordance with *12 NCAC 09B .0200* and *12 NCAC 09C .0401* for the delivery of the Commission-accredited courses:

#### Accreditation:

- Beaufort Community College – (GI)
- Durham Police Department – (GI, BLET, and SMI)

#### Re-Accreditation:

- Catawba Valley Community College – (BLET and SMI)
- Isothermal Community College – (BLET)
- Greensboro Police Department – (BLET)
- Southeastern Community College – ( BLET and SMI)

Beaufort Community College requested accreditation in a General Instructor program in addition to their BLET program, and Durham Police Department requested accreditation in BLET, GI and SMI programs.

Greensboro Police Department, Catawba Valley Community College, Isothermal Community College and Southeastern Community College all requested re-accreditation for their commissioner accredited courses.

Commissioner Lee Farnsworth proposed a **motion**. Commissioner Chris Blue **seconded** the motion, **motion carried**.

## **Informational Item**

### **Raleigh Police Department SMI Update - Request to Remove from Probation**

Michelle Schilling provided an update on Raleigh Police Department's SMI Program. A year ago a supervising officer in their SMI program was not currently certified. An investigation was conducted, and Standards requested the program be placed on probation until no further issues remained and all SMI certification requirements were met. Raleigh PD has since corrected all existing issues, and their officers obtained the remaining hours needed for certification and supervision.

It is requested that Raleigh PD be removed from oversight and continue with their SMI program as an accredited program. Sgt. Chad Goss, a member with the Raleigh PD, was present and available for questions. Training and Standards shared that after spot audits were completed, Raleigh PD exceeded all requirements.

Commissioner Nathan Mizell proposed a **motion** for Raleigh PD's SMI program be removed from probationary status; Commissioner Chris Blue **seconded** the motion, **motion carried**.

### **NC DEPARTMENT OF PUBLIC SAFETY - OSDT**

On behalf of the North Carolina Department of Public Safety - Office of Staff Development and Training and the Division of Juvenile Justice, Felicia Banks appeared before the Committee and requested major revisions to the Juvenile Court Counselors and Juvenile Justice Officer Basic Training Curriculum and the Juvenile Justice Common Core for January 2019. The major revisions include three revised lesson plans and changes made to the American Heart Association lesson plan for Basic Life Support CPR and First Aid. The lessons were replaced with plans from the American Health and Safety Institute due to the rising cost in cards. The CPR lesson plan has 13 objectives, and the First Aid lesson plan has 27 objectives. One objective was corrected in the Mental Health block of instruction.

- 12 NCAC 09B .0235 and .0236 - Juvenile Court Counselors and Juvenile Justice Officers
- 12 NCAC 09B .0235 & .0236 - Basic Training – Juvenile Justice Common Core
  - \* (b)(1)(L) – Mental Health (JJ112)
  - \* (b)(1)(M) – Basic Life Support: CPR (JJ135-1)
  - \* (b)(1)(N) – Basic Life Support: First Aid (JJ135-2)

Commissioner Chris Blue proposed a **motion** to approve the Juvenile Justice Curriculum changes; Commissioner Steve Johnson **seconded** the motion, **motion carried**.

### **NC Department of Public Safety – OSDT - (Informational Item)**

Ms. Felicia Banks briefed the committee on minor revisions to the Juvenile Court Counselor and Juvenile Justice Officer Basic Training as well as the combined Juvenile Justice Common Core. The minor revisions included grammatical and content changes to the body, attachment or handout sections to correct errors, enhance delivery and improve comprehension.

- Juvenile Justice Common Core Curriculum
  - \* (b)(1)(A) Basic Individual Counseling Skills (JJ109-I)
  - \* (b) (1) (B) Interpersonal Communication Skills (JJ109-II)

- \* (b)(1) (D) Characteristics of Delinquents (JJ110)
- \* (b)(1) (E) Unlawful Work Place Harassment (JJ113)
- \* (b)(1) (F) Career Survival: Integrity and Ethics in the NCDPS Workplace (JJ138)
- \* (b)(1) (G) Staff and Juvenile Relationships (JJ139)
- \* (b)(1) (H) Gang Awareness (JJ140)
- \* (b)(1) (I) Situational Awareness/Risk Assessments (JJ108)
- \* (b)(1) (J) Restraints, Controls and Defensive Techniques (JJ133)
- \* (b)(1) (K) Mechanical Restraints (JJ136)
- \* (b)(1) (L) Mental Health (JJ112)
- \* (b)(1) (O) Employee Fitness and Wellness (JJ134)
- \* (b)(1) (P) Trauma and Delinquents (JJ144)
- \* (b)(1) (Q) Driver Safety and Secure Transport (JJ143)
- \* (b)(1) (R) Disproportionate Minority Contact (JJ142)

### **NC DEPARTMENT OF PUBLIC SAFETY - OSDT**

On behalf of the North Carolina Department of Public Safety - Office of Staff Development and Training and the Division of Community Corrections, Felicia Banks appeared and requested major revisions to Probation and Parole Officer Basic Training Curriculum. The major changes included the Juvenile Justice request to replace the American Heart Association lessons on CPR and First Aid with the American Health and Safety Institute lesson plans. Additional changes included a lesson plan on Report Writing, eight (8) revised lesson plans and one (1) lesson plan removed to PPO 132.

- 12 NCAC 09G .0412 – Basic Training - Probation and Parole Officer Training
  - \* Basic Life Support: CPR (PPO 135-1) - 4 hours
  - \* Basic Life Support: First Aid (PPO 135-2) - 4 hours
  - \* Report Writing (PPO-119) - 6 hours
  - \* Law and Policy Considerations for Probation/Parole Officers (PPO 100-1A) - hours increased 2 to 8, lesson purpose change, 9 objectives removed and 18 objectives added.
  - \* Handgun Safety (PPO 100-IB) - revised lesson purpose.
  - \* Familiarization and Qualification (PPO 100-II) - objective change.
  - \* Situational Decision Making (PPO 100-III) - hours increased 12 to 19, and 4 objectives added.
  - \* Handgun Care and Maintenance (PPO 100-V) - hours increased 2 to 3.
  - \* Role of the Probation/Parole Witness (PPO 132) - hours increased 2 to 6, and an objective change.
  - \* CRDT (Advanced) (PPO 133-II) - hours increased 14 to 22.
  - \* Employee Fitness and Wellness (PPO 137) - hours increased 6 to 7 and revised objective.
  - \* Moot Court (PPO 114) – Deleted lesson plan, added to PPO 132 as an objective.

Commissioner Lee Farnsworth proposed a **motion** to approve the major changes to the Probation and Parole Curriculum; Commissioner Kenneth Mullen **seconded** the motion, **motion carried**.

## **NC Department of Public Safety – OSDT - (Informational Item)**

Ms. Felicia Banks briefed the committee on minor revisions to the Probation and Parole Officer Basic Training Curriculum. The minor revisions include revised attachments, language revisions, lesson plan content changes to enhance delivery, increased comprehension and grammatical errors, as well as equipment changes to the Advanced CRDT curriculum.

- Probation and Parole Officer Basic Training
  - \* Advanced CRDT (PPO133-II)
  - \* Familiarization and Qualifications (PPO 100-II)
  - \* Firearms: Situational Decision Making (PPO 100-III)
  - \* Introduction to Low/Limited Light (PPO 100-IV)
  - \* Probation Law: Violations, Sanctions, Hearing (PPO 104-I)
  - \* Probation Law: Arrest, Search, Seizure (PPO 104-II)
  - \* Targeting Offender Needs (PPO 107)
  - \* Case Management (PPO 111)
  - \* Post Release, Parole Violations, and Revocations (PPO 118)
  - \* Processing Probation Cases (PPO 127-I)
  - \* Arrest Procedures (PPO 128)
  - \* Gang Awareness (PPO 140)
  - \* Probation and Parole Office Basic Training Examination (now 3 hours)
  - \* PPO Basic Training Curriculum (now 245 hours)
  - \* Added a pass in review (Daily inspection of standard dress to include assigned safety equipment) 2.5 hours.

## **NC DEPARTMENT OF PUBLIC SAFETY - OSDT**

On behalf of the North Carolina Department of Public Safety - Office of Staff Development and Training and the Division of Prisons, Felicia Banks appeared and requested major revisions to the Basic Training Correctional Officer Training Curriculum. The major changes include new and revised lesson plans.

- 12 NCAC 09G .0411 – Basic Training - Correctional Officer Training
  - \* Crisis Intervention in the Workplace (BCO 124) – 4 hours, 8 objectives
  - \* Title: Conflict Resolution (BCO 125) – 4 hours, 12 objectives
  - \* Understanding & Managing Stress in Public Safety Settings (BCO 126) -2 hours, 6 objectives
  - \* Basic Life Support: CPR (BCO 135-1) – 4 hours, 13 objectives
  - \* Basic Life Support: First Aid (BCO 135-2) – 4 hours, 27 objectives
  - \* Team Building (BCO 136) – 4 hours, 5 objectives
  - \* Prison Subculture (BCO 146) – 4 hours, 14 objectives
  - \* Offender Classification Process and Programs (BCO 151) – 3 hours, 14 objectives
  - \* Cross Gender Supervision (BCO 152) – 4 hours, 9 objectives
  - \* Introduction to Mental Health (BCO 153) – 4 hours, 19 objectives
  - \* Introduction to Victim Services (BCO 154) – 2 hours, 9 objectives
  - \* Drug Identification (BCO 155) – 4 hours, 6 objectives

- \* Firearm Safety (BCO 100) – lesson purpose change and revised objective.
- \* Handgun Familiarization/Proficiency (BCO 101) –hour change 14.5 to 22.5 and revised objective.
- \* Shotgun Familiarization/Proficiency (BCO 102) – hour change 6.5 to 8 and a new objective.
- \* North Carolina Prisons Employee (BCO 110) – new objective and revised objective.
- \* Report Writing (BCO 111) – hour change 2 to 3.
- \* Unlawful Workplace Harassment (BCO 113) – revised objective.
- \* Staff and Inmate Relationship (BCO 114) – title changed, removed the term “inmate”, replaced with “offender.”
- \* Prison Security Function & Procedure (BCO 120) – revised objective.
- \* Prison Emergencies: Prevention & Response (BCO 122) – hour change 4 to 6, new and revised objectives.
- \* Situational Awareness (BCO 123) – hour change 2 to 4, new objectives.
- \* Basic Expandable Baton (BCO 130) – hour change 6 to 8.
- \* Mechanical Restraints: Handcuffing (BCO 131) – hour change 3 to 4.
- \* Tactical Handcuffing (BCO 132) – hour change 3 to 4.
- \* Controls, Restraints and Defensive Techniques (133-1) – hour change 22 to 34 and a new objective.
- \* CRDT – Edged Weapon Defense (BCO 133-2) – hour change 3 to 4.
- \* CRDT – Weapon Retention (BCO 133-3) – hour change 3 to 4.
- \* Employee Fitness and Wellness (BCO 134) – hour change 6 to 8.
- \* Management and Supervision of Inmates (BCO 140) title changed – removed the term “inmate,” replaced with “offender,” added and removed objectives.
- \* Understanding Inmate Behavior (BCO 141) – hour change 10 to 4, revised objective, removed objective, title change, removed the term “inmate,” replaced with “offender.”
- \* Contraband and Techniques of Search (BCO 150) – hour change 10 to 12
- \* Transporting Inmate (BCO 156) – hour change 6 to 8, removed objective, title change and removed the term “inmate.”

In response to the tragic loss of lives in 2017, major changes were implemented from the positive feedback shared. The Division of Prisons policy had been revised, which resulted in the requested changes to the lesson plan terminology. The removal of the term “inmate” to replace with “offender” affected nearly every objective in the lesson plans. A request was also made for additional time to work on techniques, more repetitions, scenarios, and stationary drills. Basic training will go from a (four) 4-week training to a (six) 6-week training due to the response of the 2017 events that occurred. An increase was also made to hands-on-training.

Commissioner Stephanie Freeman shared OSDT responded to the requested language change to Prisons policy by revising the curriculum terminology from “inmate” to “offender.” She is not aware of any other issues to affect the lesson plan and policy. Since the Commission has no authority over the Prisons policy those changes have been made.

Commissioner Steve Johnson objected to the change in language from “inmate” to “offender.”

Commissioner Steve Johnson proposed a **motion** to accept all the changes as presented to the programs except for language change in the word “inmate” to “offender.” Commissioner Kenneth Mullen **seconded** the motion. **Motion carried.**

### **NC Department of Public Safety – OSDT - (Informational Item)**

Ms. Felicia Banks briefed the committee on minor revisions to the Basic Correctional Officer Training Curriculum. The minor revisions included added attachments, revisions, the word “inmate” removed and replaced with “offender,” a practical exercise was removed, date changes and statistics were updated.

- Basic Correctional Officer Training
  - \* Low/Limited Light (BCO 103)
  - \* You and the Law (BCO 112)
  - \* Career Survival: Integrity and Ethics in the NCDPS (115)
  - \* Hostage (BCO 121)
  - \* Cultural Awareness (BCO 142)
  - \* Understanding Security Risk Groups (BCO 143)
  - \* Multi-Generational Workforce (BCO 144)
  - \* Understanding Workplace Differences (BCO 145)

### **INFORMATIONAL ITEMS**

#### **2018 General Instructor Certification Update**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided an update on the number on General Instructor completions for the required one-hour online renewal training for the 2018 training year.

General Instructors are required to complete their 1-hour online renewal course by December 31, 2018. There are currently 7,322 active instructors for 2018 who were notified and reminded by email to renew their certifications online. As of November 25, 2018, 1,061 instructors have not taken the renewal course. Michelle Schilling shared that school directors have ensured their instructors renew and have established renewed contracts with valid certifications. Julie Parrish with the Department of Adult Corrections assisted to ensure their instructors completed the required training and Jeff Zimmerman provided weekly updates from the Justice Academy on instructors who completed the online training. A current list on all General Instructors is available online and indicates those who have renewed and names highlighted for those who have not. The list is located under the instructor box under In-Service and is updated weekly. Commissioner Nathan Mizell shared the list is also located under forms.

Michelle Schilling emphasized if the renewal course is not completed by December 31<sup>st</sup>, an instructor’s certification will expire.

Commissioner Tracy McPherson will remind their school directors the training portal is open 24/27 and if an instructor fails to renew by December 31, 2018, they will not be compliant to teach the next year.

#### **Topical Tests and Performance Skills Deficiencies**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided a brief overview and sought clarification on rule 12 NCAC 09B .0405 – Completion of Basic Law Enforcement Training Course, specifically as it is related to topical tests and performance skills deficiencies.

Michelle Schilling discussed the confusion among school director's interpretation to rule 12 NCAC 09B .0405. They have handled deficiencies differently based on their interpretation. She requested the Committee's guidance to the interpretation, whether performance skills should be included as a topical area or kept separate and if language should be added to clarify the rule to reduce the confusion. She shared after speaking with CJSD staff, their interpretation of the rule were these are separate areas.

According to rule 12 NCAC 09B .405 B, "the trainee shall demonstrate proficiency in the school's cognitive topical area test by achieving a minimum score of 70 percent", that was the block unit tests that the community colleges administer, "and shall demonstrate proficiency in the motor skills and performance subjects."

*The item was held for further discussion once materials were copied and shared.*

### **Virtual Training**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided a brief overview and sought clarification on rule 12 NCAC 09B .0405 – Completion of Basic Law Enforcement Training Course, specifically as it is related to student attendance via virtual training as an option to prevent an absence.

A school director requested the ability for virtual instruction to allow a student under medical care to continue class attendance. Michelle Schilling shared the request before the School Director's Advisory Committee and the BLET Revision Committee and had in-depth discussions. It was shared the rule state "the student shall attend all sessions," it does not say they have to be physically present for the class. Both rules .0404 and .0405 state under section A, "each trainee shall attend and satisfactorily complete." She asked for the Committee's guidance whether rule-making authority was necessary to add the word "physical" to the language or to consider virtual training.

Committee members shared several concerns regarding the burden placed on the school director's to decide the requirements and what medical excuses allowed if virtual training was considered. There were many challenges acknowledge to determine a comprehensive list of allowable excuses and concern whether a student would be attentive in class if they had the flu. Additional concerns were discussed on virtual training and its impact on the academic process, a student's social skills and the need and importance of basic skills training.

Commissioner Lee Farnsworth suggested the issue tabled until further investigation and research was conducted. He requested recommendations made from the BLET Revision Committee, the School Director's Advisory Committee and other's involved for substantial input before a decision was made by the Committee.

Commissioner Stephanie Freeman reminded that Committee that Planning and Standards request specific language for rule reviews. She agreed that further research should be

conducted on virtual training and suggested research on virtual training uses, the type of technology used, colleges' and law enforcement agencies' access to technology.

Commissioner Kenneth Mullen shared the issues he has experienced with technology and suggested specific guidelines can be established for a late class drop.

Commissioner Tracey McPherson shared in some cases remediation can be administered.

Major Shane Manuel shared the 5% can be adjusted to meet the needs of sick students who cannot attend class.

Michelle Schilling shared that several school directors advised they are not equipped for virtual technology. The request was withdrawn, and further research will be conducted to determine a way to accomplish this task to meet the request of the commission, law enforcement, and community. She will return with additional information, consideration for the 5%, and further research on virtual training.

The Committee agreed to hold this item and for the Training and Standards Division to further research and return to the February 2019 meeting with a recommendation.

*Topical Tests and Performance Skills Deficiencies discussion was continued.*

Further discussion included reasons for the school director's interpretation and the practical implications for a deficiency.

Commissioner Stephanie Freeman read from the course management guide the portion dealing with deficiencies. "A trainee is allowed to accumulate up to one (1) but not more than two (2) deficiencies, academy rules may be more restrictive during a course delivery. A deficiency is established after the failure of the initial test remediation and subsequent failure of a retest on the same topic. Trainees must be advised when they have an existing deficiencies under commission rules. When a trainee accumulates a third topical area deficiency, he or she must be immediately dismissed from the course and must be required to complete a subsequent delivery of BLET in its entirety. If a student has one but not more than two (2) existing deficiencies at the conclusion of the course he or she cannot take the comprehensive examination and must make up the identified deficiency in a subsequent course offering." An example was shared from the course management guide. Student John Doe does not pass the law enforcement driver training topic test, after remediation he fails the retest, he now has one (1) deficiency. John Doe does not successfully qualify with his firearm after remediation and retest; he now has two (2) deficiencies. John Doe does not pass the crime prevention topic test and fails the retest after remediation, he now has three (3) deficiencies and must be dismissed from the course and cannot enroll as a limited enrollee in a subsequent delivery. John Doe must start BLET over in its entirety. He has two (2) psychomotor skills based deficiencies and one cognitive deficiency, and that makes it three (3).

Commissioner Steve Johnson suggested the language be clarified in lesson plans stating the requirement to pass the motor skills and written comprehensive test was written for firearms, driving and defensive tactics training. Further discussion was made on what constitutes a deficiency based upon the contents in the blocks of instruction.



Michelle Schilling advised she will return with a draft rule in February with specific language to clarify the rule. Trevor Allen requested Jennifer Fisher's assistance be included to ensure language consistency.

The Training and Standards would further research the issue and return to the February 2019 meeting with a recommended course of action.

### **2018-2019 School Director's Conference Update**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided a brief overview of the recent School Directors' Conference held at the Crowne Plaza Resort in Asheville on August 20-22, 2018. She also provided a status report on the planning process for the 2019 School Directors' Conference scheduled for August 27-29, 2019 in Greensboro.

The 2019 School Director's Conference will be held at the Embassy Suites in Greensboro (located off I-40) on August 27-29, 2019. This location will fit the increasing size of the growing conference and provide space for several breakout sessions requested by the School Director Advisory Committee. The decision was made for next year's conference to include additional break-out sessions for corrections and the community college, as well as more to be announced later. Next year's conference dates will not affect BLET, and a draft agenda will be distributed to the School Director's Advisory Committee for consideration before being distributed to individuals.

### **ADDITIONAL BUSINESS**

#### **Specialized Instructor Certification Expiration Date**

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided a brief overview and requested guidance referring to rules *12 NCAC 09B .0305 - Terms and Conditions of Specialized Instructor Certification and 12 NCAC 09B .0202 - Responsibilities of the School Director*. She shared the process Training and Standards used for issuance of specialized instructor certifications and the solution chosen.

Considerable discussion was addressed at the School Director's Conference in August regarding instructors having multiple specialized certifications with different expiration dates. Instructors with specialized certifications can instruct up to 36 months within each area of specialty. Concern was shared for the potential management issues school directors will have to manage multiple expiration dates on instructors.

The current rule requires an instructor to complete 12 hours of instruction within 36 months of obtaining a specialized instructor certification. The majority of instructors complete their 12 hours of instruction within (six) 6 months of obtaining their certification. After careful review of the general instructor files for 2018, Michelle Schilling determined from the 7,320 general instructors, only 3,531 were specialized, and only 39 instructors had multiple expiration dates. She shared a plan will be in place that will not create additional work on the school directors and was received well by instructors.

School Director, Thomas Forest thanked Michelle Schilling for finding a solution within the rule. She thanked Mr. Forest for his shared thoughts and concern.

Commissioner Stephanie Freeman thanked Michelle Schilling for her diligence for finding a solution to the concern shared by Thomas Forest, Nathan Mizell, and the Training Officer's Association. At this time no rule change was needed.

### **OTHER BUSINESS**

Mr. Bill DuBois with the NC Justice Academy asked the committee to allow developers to receive in-service credit for their developed lesson plans. He shared the names of developers appear on the academic checklist, therefore auditors know who wrote the material.

Commissioner Stephanie Freeman asked Director Steven Combs if staff could return to the February 2019 meeting to further present additional information on this request.

With no further business, Commissioner Chris Blue motioned to adjourn; Commissioner Steve Johnson seconded the motion.

The meeting adjourned at 3:13 pm.