

BLET REVISION COMMITTEE MEETING
DOC OSDT
Apex, NC
July 29, 2011

Jennifer Fisher called the meeting to order at 10:01 a.m. The meeting was held at the Department of Correction, Office of Staff Development and Training, Apex, NC. Jennifer asked the members to introduce themselves and recognized the guests, asking them to also introduce themselves, stating their agency. Janet Dunn called the roll.

Members Present:

Kathryn Bryan
Alfred Ellis
Jason Godwin
Wrenn Johnson (arrived at 10:15 a.m.)
Wayne Lamm
Steve Warren
Sammy Turner (arrived at 10:30 a.m.)

Ex-Officio Members Present:

Mark Dearry, Criminal Justice Standards Division
Autumn Hanna, Sheriffs' Standards Division
Pam Pope, Criminal Justice Standards Division
David Shick, NC Department of Justice

Staff Present:

Jennifer Fisher, NC Justice Academy
Chris Anderson, NC Justice Academy
Janet Dunn, NC Justice Academy

Visitors Present:

Dan Worley, NC Justice Academy
John Combs, NC Justice Academy
Tim Fuss, NC Justice Academy
Stacy Holloman, NC Justice Academy
Lawrence Capps, Knightdale Public Safety
Nathan Mizell, Nash Community College
Joseph Whitley, Knightdale Public Safety
Mark Batey, Knightdale Public Safety
Michael Macario, Raleigh Police Department
Deby Dihoff, NAMI, NC

Jennifer asked for approval or correction of the 15 April, 2011 meeting minutes. Jason Godwin made the motion to approve the minutes. Kathryn Bryan seconded. **The motion was approved.**

OLD BUSINESS

Driver Training Revision (Dan Worley)

Jennifer stated members had been mailed the proposed changes and advised that additional revisions had been made. Dan Worley provided handouts to the members, presenting the additional changes, and provided an update from the advisory committee. Revisions were made to the legal section of the Driver Instructor lesson plan, taking them from the BLET Legal section lesson plan. DOJ legal assigned Deputy Haskins, John Aldridge and Tamara Hill to assist in writing, reviewing, and revising the lesson plan. Language highlighted in yellow within the handout is the only revised language from the version previously distributed.

Updated committee on the discussion held at Morganton, several questioned the proposed language to make the completion of the Model Pursuit policy worksheet optional and not mandatory. After discussion with DOJ Legal, they asked that the language remain the same, to continue to be mandated in BLET. This is what is being proposed and the way it is reflected in the content that you have already received.

Jennifer recapped, advising that the members were provided a complete revision with the additional revised two pages that will be used to replace the current ones.

Kathryn Bryan made a motion to accept the revisions as proposed. Steve Warren seconded. **The motion was approved.**

POPAT Re-Validation Project Update (John Combs)

John Combs provided an update to the POPAT project and will show a video that was produced during the pilot test that was done in Charlotte in May. The video is a sample of what the test would look like. A new task analysis was done in 2008 and identified several changes to the POPAT course. To have a suitable test, it was felt that a complete re-validation process was necessary from start to finish. Glen Jones, who agreed to spear-head the project, is the physical fitness coordinator for the Charlotte-Mecklenburg Police/Fire Department and has done several re-validations projects for job task testing. Mr. Combs explained the various steps and considerations that went into the development of the POPAT course. Current POPAT course and the new update version have similarities, but also contain significant changes. Due to the number of changes, the committee decided that they would like to have a POPAT that was portable; one that could be set-up anywhere you had a large enough area, that could address the liability issue—taking the weather element out of it as well, if possible. Considerations include taking the subjectivity out as much as possible; that some tasks overlap or are repetitious. Job task tests separated into scenarios: **chase and apprehend** (sprint – obstacles, jump, low crawl, running back, bag roll, push-ups, and stair-step test – 30 reps/8”), and **rescue drill** (running down/back, step drill, and dummy drag with a soft dummy – 175 lb. recommendation). Both parts have to be passed; these are two separate tests. Both tests completed in the same training day with a minimum 10 minutes rest between them; allows room for modification in scheduling. Pilot test revealed some tweaks needed to be made. Since May pilot testing, all material—videos, summaries of research, task analysis, test design meeting, and all recommendations of the committee have been forwarded to DOJ Legal for review. Committee

recommends same duty gear as worn for current version of POPAT, ballistic vest, a roll dummy (100 lb. bag), and 175 lb. soft dummy. Committee recommends that if a student fails one test, it is still a failure of the POPAT course; further discussion needed regarding remediation.

John Combs showed the “chase and apprehend” video and provided narration. Discussion held about the various aspects of the test; time, measurement for the roll, type of fence design/material is undetermined—height recommended at 4 feet, low crawl set-up/configuration undetermined—height recommended at 2 feet.

“Rescue drill” video was shown and narrated by John. Six males/3 females ran through the test with good results. Discussion was held about the process concerning the approval of the tests, what may transpire should something be deducted from or an element added to the current proposal. Once final version has been approved, goes to the field to obtain times.

Questions and discussions were held about the feasibility of running the distance on the old course and using the current steps. Committee was adamant about creating a whole new course and making a smaller portable course; making it possible for you to do it inside/outside—in an attempt to remove the weather element—leaving it up to the individual schools, realizing that it is not going to be feasible for every school. Members expressed pros and cons of having a portable course. Question and discussion held about certifying a portable course versus the current certified course. Felt the responsibility would be no different than the driving track, where it goes back to the integrity of the instructor and school director. John felt that this area would need to be addressed by the commissions, how are they going to ensure that it is being done correctly to prevent jeopardizing the validity of the test.

Individuals with Mental Illness or Mental Retardation Revision

Jennifer introduced Deby Dihoff who is coming to present about the revision project with the Individuals with Mental Illness or Mental Retardation block of instruction.

Deby acknowledge the Committee and advised that their committee was hoping to be able to present a completed project, but as seen in the material that Jennifer has already forwarded to you, there is a lot of technical work still left to do. She recognized Michael Macario, Raleigh PD, and Dr. Bob Kirtz from the Division of Mental Health, with a special thank you to Jennifer Fisher, Pam Pope, and Julia Lohman for their support.

Deby began to provide some background and some history about what they are trying to do with Chapter 27 on Mental Illness and Mental Retardation, in an attempt to get some input and direction. Project was started when Sheriff Paige from Rockingham Co. contacted Ms. Dihoff. Sheriff Paige mentioned having a Crisis Intervention Team (CIT) training and expressed an interest in having CIT present within a portion of the 8 hours that have to do with mental illness and mental retardation. Committee has determined the title and may recommend that a CIT instructor teach the course. Another change the committee may recommend would be to have a guest speaker who is a content expert in terms of being a clinician. She gave a summary about their approach and how it has changed, citing that the current “one” focuses a lot of time on diagnostic conditions; what difference does it make if law enforcement knows if its schizoeffective or schizophrenia, or borderline? National Alliance for Mental Illness (NAMI) committee

members feel it is important that law enforcement understand characteristics and warning signs and really emphasize the reaction of law enforcement to people that they encounter who may have mental illness or mental retardation or substance abuse disorder—another issue that’s not reflected in the title right now. The committee understands that there is a parallel process to initiate to get that changed. Ms. Dihoff explained the de-escalation model, which stands for “Engaging the Person, Listening, Empathizing, Agreeing, and Partnering;” a “how-to” toolkit that teaches law enforcement a different strategy. They want law enforcement to understand all of their options before people get caught up in the web of the ER.

Ms. Dihoff asked for input concerning two dilemmas that have presented for their committee. She made reference to the rough draft copy of their lesson plan, page 21 – Crisis Intervention Teams. She advised that there was a video that’s approximately 12 minutes long. Dilemma is that CIT teams are not located in every area of the state and that those who would be teaching this, if BLET permits, is not present everywhere. How can this be addressed?

BLET revision committee members expressed many concerns ranging from the volume of—although viewed as very valuable—material included and the ability to test, requirement of a CIT-trained instructor – especially with CIT not in every area of the state, to safety issues. According to Administrative Code, it has to be a general instructor teaching unless you come up with a specialized field and there doesn’t need to be a specialized field for this block. Many committee members agreed that it is very valuable information and suggested the possibility of including this as an in-service option. Other suggestions for avenues in handling this information include:

- Providing some of the information in a handout form
- Considering the goal of this block of instruction, provide law enforcement with some techniques of how to deal with it other than with a Taser or OC spray, to help the officer understand what the person is going through and the ability to relate, minimizing the use of force, and then educating the officer on all the alternatives that are there versus a cell or emergency room. Then provide the other information in in-service.

Ms. Dihoff commented that they would like to do it in in-service, but understands that it only rolls out one time a year, so felt it was important for BLET, because it is a systemic problem throughout North Carolina—ERs and mental health system—and did feel like the training can emphasize alternatives that are more appropriate in de-escalation. Ms. Dihoff referenced page 24 as another area that her committee is struggling with states, “Describe law enforcement responses when they encounter a person with a disorder.” Ms. Dihoff mentioned avenues an officer may use in handling an individual with mental illness; deploy CIT if available, handle with BLET and on-the-job training using de-escalation skills, or contacting behavioral health threat crisis line. Another suggestion is for each local management entity (public mental health group) would have to get a protocol to all law enforcement within their jurisdiction, within the counties that they cover, that presents what people should do, what numbers to call for help. So, when dealing with someone with mental illness, you call to get information. The dilemma is that officers don’t have cell phones to call in. Ms. Dihoff advised that the committee is learning toward language that officers should call dispatch and hopefully, dispatch would be able to call behavioral health and maybe do a one-line patch, and asked for comments from the Revision Committee.

Revision committee members expressed concerns over officers contacting the dispatcher to contact behavioral health—not a good idea—and if contact was made, the officer is doing so under the

presumption that the person is already in the system and has a counselor. This responsibility is beyond the duty of a law enforcement officer—especially, given that the individual is an adult and can do whatever they please as long as they are not a danger to themselves or others or have committed a crime. You are training them to do something that they aren't capable of, and they don't have the rapport to do and is not within their resources to do.

Ms. Dihoff feels that the large number of encounters that law enforcement has does involve people with disabilities, so she requests that the Revision committee consider the 8-hours, given there is so much material, so much to cover. Tim Fuss suggested that instead of the CIT paragraph being added as an instructor note, to develop a handout of a contact list of those who have CIT so maybe you can have an officer who graduates from BLET and goes to Johnston County and encounters something, who do I call, then, maybe there is someone close by. That would give a basic officer a starting place and not feel so overwhelmed. Ms. Dihoff advised that it may be a possibility, to develop a link since the information changes frequently.

Revision commission members were advised that it is a work in progress. Many expressed that it is great information, but time is an issue. Some of the information could be used in other areas so the volume of content is not lost, utilizing the complimentary blocks of instruction to minimize this particular outline to what is critical for officers, which is thought to be de-escalation and understanding processes; educating family members and victims on where they can go and their options versus just carrying them to jail or the emergency room.

Jennifer Fisher requested that the members to review the document thoroughly, providing feedback, prioritizing what you see is the most important for an 8 hour block of instruction.

NEW BUSINESS

Report Writing Video: Surviving Report Writing

Jennifer announced that the video (15 minutes) for Report Writing is no longer available through the producer so, we need to make a motion as to deleting it. Sammy Turner made a motion to remove this video from the block of instruction. Jason Godwin seconded. **The motion was approved.**

End of Block Testing Review/Remediation

Kathryn Bryan presented information concerning the end of block testing review/remediation, based upon phone calls that she had been fielding from various community college students. Since there is no requirement for school directors to go over the answers for an end of block test, if a student passes with a score of 70, the student doesn't know what was right or wrong. If a student misses a question, they can go back and look and know, based upon their own study habits, why they got it incorrect. With regards to the liability standpoint, can we be held liable for deliberate indifference? One student reported that the reasoning behind not reviewing the end of block test was because it gave an unfair advantage on the retest, because they were using the same test to do a retest. Discussion was held that some instructors are not given the test because they will then teach the test and risk losing test integrity. Suggestion to review the test after it is graded and passed back, and when asked about the answer to a particular question,

reference the page number where the answer can be found. Conducting a test analysis will help identify if a test question is a bad question, is the answer wrong, did the material change, did the instructor not cover it? Jennifer suggested that the committee members ponder the topic and table it for the next meeting.

Online Training Subcommittee Update

Jennifer advised that the Subcommittee is working toward mandatory testing mainly for in-service, both traditional delivery as well as online delivery. For each hour of testing, 5 test questions will be applied. For example, a two-hour block of instruction would require 10 test questions; four-hour would require 20 test questions, with a certain percentage of those to be written as scenario-based questions. There will be a standard to the testing mechanism of 70% to be consistent with BLET as well as the retest policy. As with the retest, if there is a failure after the second attempt, you will be required to enroll in the traditional course delivery. It was recommended to have a testing pool as far as randomizing questions. Discussed proposal to change hours versus credits for online and traditional classroom training; may require a rule change.

Criminal Justice Standards Division Report

Mark Dearry reported that the School Directors conference is scheduled for August.

Sheriffs' Standards Division Report

Autumn Hanna new DOCC curriculum and block testing is launching August 1st.

Legal Council Report

Dave Shick stated that there was no report.

OTHER BUSINESS

Jennifer Fisher asked that members review and prioritize the mental illness content. She added that the NAMI committee had been working 6 months already on the lesson plan presented at today's meeting.

Information will be forthcoming for the October 14th meeting. Be ready to discuss in more detail the end of block testing at the October meeting.

Next Meeting

The next BLET Revision Committee meeting is scheduled for October 14, 2011 at Morehead City Police Department at 10:00 a.m.

Jason Godwin made a motion that the meeting be adjourned. Sammy Turner seconded. Motion carried.

The meeting adjourned at 12:15 p.m.