SMI ADVISORY COMMITTEE

North Carolina Justice Academy
March 5, 2015 – 1:00 P.M.

MEETING MINUTES

(Proposals contained in these minutes are subject to approval by the North Carolina Criminal Justice Education and Training Standards Commission)

WELCOME

Chairman Dan Worley called the meeting to order at 1:00 PM. He welcomed the members to the North Carolina Justice Academy. Dan advised the Committee that this meeting marked the last meeting for Member Wes Eubank due to his retirement. Dan thanked Member Eubank for his service to the North Carolina Justice Academy, and the Criminal Justice Education Training and Standards Commission. Member Eubank spoke to the Committee and stated that he was proud of the many accomplishments of the SMI Committee during his tenure. Member Eubank expressed his appreciation for the dedication and support of the SMI Committee over the many years. Dan presented Member Eubank with a plaque displaying the North Carolina SMI Instructor seal as a retirement gift from the Committee.

ROLL CALL D. WORLEY

Members Present

Tim Pressley	Bob Stevens
Wes Eubank	Dan Worley
Billy Bradshaw	Ryan Weeks
Chris Gaddis	Fred McQueen
Dub Bridges	Anthony Locklear
	Charles Lee (by proxy for Stevie McMillan)

Members Absent

Steve Warren

Guests Present

Mr. Stacy Holloman, NCJA
Mr. Terry Miller, NCJA

APPROVAL OF MINUTES COMMITTEE

Dan presented the SMI Committee with the **December 9, 2014** meeting minutes. There were no revisions recommended by the Committee. The motion was made by Member Wes Eubank, and seconded by Member Anthony Locklear. The motion carried unanimously.

NC JUSTICE ACADEMY ITEMS – CURRICULUM/TRAINING

Curriculum Revision Recommendations COMMITTEE

Dan reminded the committee that former member Jeff Worley had recommended to the Committee that a revision occur to Appendix C of the Supplement for SMI Training manual. As part of the revision, former member Worley recommended that a Time-Distance Operator be allowed to take note of the measured distance upon completion of the distance calibration portion of "before" testing for time distance instruments. Therefore, if approved, the daily test for

accuracy for the Kustom Signals, Incorporated Tracker will be revised to reflect this revision. Dan presented the Committee with a draft copy of the revision. Member Ryan Weeks made a motion to accept the revision, and was seconded by Member Wes Eubank. The motion carried unanimously.

Member Bob Stevens recommended to the Committee that a revision should occur to the combined sign-offs procedure in RADAR Instructor and Instructor Re-certification training. Member Stevens recommended that the Decatur Electronics Incorporated Scout, GHD, and Genesis VP Directional be combined for sign-off purposes due to their similarities. Member Bob Stevens made a motion to accept this revision, and was seconded by Member Wes Eubank. The motion carried unanimously. This revision will take effect for the June 2015 Instructor Re-certification class.

Instrument Evaluations COMMITTEE

Dan requested all Members to submit the evaluation instruments that were loaned out to them to him after the meeting. He also advised the Committee they would take each instrument individually for review and vote.

Applied Concepts Inc. "Stalker Patrol"

Evaluations were submitted by various members on this instrument. All members found the instrument to meet the minimum expectations as established by Appendix A. Dan advised the Committee that he noted the audio level of 1 for this instrument is very low, nearly non-existent. But, the Doppler tone can be heard which meets our rule. He stated that the range on the instrument was very good, and that the new OLED display was nice. Other members concurred and stated the instrument seemed to be well constructed. A motion was made to accept the "Stalker Patrol" by Member Wes Eubank, and seconded by Member Dub Bridges. The motion carried unanimously.

MPH Industries Inc. "Speedgun Pro"

Evaluations were submitted by various members on this instrument. The instrument was found to be in violation of line item 1-D of the evaluation form which requires only one button/switch for conducting a manual test. The "Speedgun Pro" has a button on the faceplate, and another one in the menu itself. All other indicators, functions, and features meet the minimum requirements. Additionally, Member Fred McQueen stated during his evaluation he had problems with the instrument not reading targets, or tuning forks, very well. Dan advised the Committee that the evaluation instrument he field tested worked perfectly, outside of having two manual test buttons/switches. A motion was made to deny approval of the "Speedgun Pro" for failing 1-D on the evaluation form by Member Bob Stevens, and seconded by Member Fred McQueen. The motion carried unanimously.

DragonEye Technology Incorporated "Dragoneye Compact" LIDAR

Evaluations were submitted by various members on this instrument. Member Bob Stevens stated that the light test shows 888 for the mph, but shows 8888.8 for the distance. Member Stevens pointed out that our rules specify it must be either "8" or "8." as stated in line 1-B of the evaluation form. Therefore, to pass, the light test for the distance window must read either "88888" or "8.8.8.8.8.". Dan also advised the Committee he was concerned with the power off function of the instrument. He stated that if power is lost, such as the battery being removed, when you returned the battery to the instrument it powered back on automatically. It should, by rule, default to off and remain off if power is lost to the instrument as specified in 1 I-J on the evaluation form. Dan also agreed with Member Stevens concerning the light test. Additionally, Member Anthony Locklear questioned the mode titled ECCM on this instrument, and asked if this mode/feature should first be tested and demonstrated prior to approval being granted to its use. Both Dan and Member Bob Stevens agreed with Member Locklear identifying that this would fail line item 1 L-M on page 1 of the evaluation form. Dan noted that the manuals for both DragonEye Technologies Inc. instrument spoke of storing speeds and the use of angle encoders which are not approved for North Carolina, in addition to the ECCM mode/feature which has not been tested. He could not replicate these options, but stated these would need to be removed from the North Carolina manual before approval would be granted in addition to the other failures observed in this cycle. Member Wes Eubank made a motion to deny approval of the Dragon Eye Compact, which was seconded by Member Dub Bridges. The motion carried unanimously.

DragonEye Technology Incorporated "Dragoneye Speed" LIDAR

Evaluations were submitted by various members on this instrument. Member Bob Stevens stated that the light test shows 888 for the mph, but shows 8888.8 for the distance. Member Stevens pointed out that our rules specify it must be either "8" or "8." as stated in line 1-B of the evaluation form. Therefore, to pass, the light test for the distance

window must read either “88888” or “8.8.8.8.8.”. Dan noted that the DragonEye Speed LIDAR also had indications of the ECCM mode/feature that was previously discussed on the compact version. Dan noted that this would establish a failure for line item 1 L-M on the evaluation form. Dan noted that the manuals for both DragonEye Technologies Inc. instrument spoke of storing speeds, and the use of angle encoders which are not approved for North Carolina, in addition to the ECCM mode/feature which has not been tested. He could not replicate these options, but stated these would need to be removed from the North Carolina manual before approval would be granted in addition to the other failures observed in this cycle. Member Bob Stevens made a motion to deny approval of the Dragon Eye Compact, which was seconded by Member Anthony Locklear. The motion carried unanimously.

Laser Technologies Incorporated “TruSpeed S”

Evaluations were submitted by various members on this instrument. Member Billy Bradshaw stated that the evaluation instrument he tested performed correctly on the light test and internal circuitry test, but never measured distances correctly. In some cases, it was quite erroneous. Dan advised the Committee that the evaluation instrument he had measured distance and speed accurately. Member Anthony Locklear advised the Committee that the instrument he tested had two features that greatly concerned him. First, a feature programmed in the software causes the instrument to power down after 30 seconds of non-use. He stated this feature would be extremely troublesome in the field. Member Fred McQueen concurred with this feature on his evaluation instrument as well. Second, Member Locklear stated that the minimum distance permitted as a “gate short” was 50 feet. Member Locklear stated that there were times that this feature as well could be troublesome in the field, and should be user programmable. Member McQueen concurred with this discovery as well. Both of these issues would be considered a failure on line item 1A of the evaluation form for not being user friendly. Member Billy Bradshaw made a motion to deny the “TruSpeed S,” and was seconded by Member Bob Stevens. The motion carried unanimously.

Laser Technologies Incorporated “TruSpeed LR”

Evaluations were submitted by various members on this instrument. Dan was the only member to field test this particular instrument, and advised it met the minimum expectations in the field. However, Dan did request the members observe the manual testing sequence on the instrument to obtain their input on it. An evaluation instrument was passed around for all the members to view for themselves. Several members stated the sequence of the manual light/internal circuitry tests were troubling. For this instrument, the instrument conducted an automated light test followed by an internal circuitry test on power up correctly and as expected. For manual test, the operator presses a button on the instrument and it then does a light test but holds it on the screen. The display of the light test itself is correct. The operator then must press the test button again, where it conducts the internal circuitry test and holds it on the screen. The display of the ICT itself is correct. The operator then must press the test button again where it repeats another light test and holds it on the screen. Finally, the operator must press the test button again to put the instrument in the “tt” function for doing the sight alignment test. The Committee felt the additional steps of having to press the test button for each step, coupled with the fact that the instrument conducts an additional unnecessary light test, makes the instrument not user friendly and fails line item 1A of the evaluation form. Several members felt that if one press of the manual test button resulted in the instrument doing a correct light test for 3 seconds, automatically followed by a display of the internal circuitry test results for a few seconds, automatically followed by entering AND HOLDING at the “tt” test tone screen (without the additional light test) would’ve obtained an approval for this instrument. In its current programming, it makes signing off, testing, and operating the instrument more laborious, confusing, and includes unnecessary tests. A motion was made by Member Anthony Locklear to deny approval of the “TruSpeed LR” and was seconded by Member Ryan Weeks. The motion carried unanimously.

Applied Concepts Incorporated “Stalker LIDAR XS”

Evaluations were submitted by various members on this instrument. Member Wes Eubank reported on behalf of LIDAR Instructor Charley Brown that his evaluation was overall positive. Instructor Brown did report that accessing and operating the menu and modes function button was somewhat complicated. Dan noted that the “XS” evaluation instruments appeared to be the “safe” version option that the Committee had suggested to Mr. Steve Hocker (of Applied Concepts Inc.) at the June 2014 meeting in Morganton North Carolina. The main concern at that time was the use of Jammer Reject Mode, Obstruction Mode, and Windshield Mode. The SMI Committee proposed that Applied Concepts Inc. submit two different versions of each instrument, one with these modes and one without the modes. Dan advised the Committee it appears that Applied Concepts Inc. chose to submit the “XS” without the modes, and the “XLR” (which is discussed next) with the modes. Member Wes Eubank made a motion to approve the “Stalker LIDAR XS,” but stressed that the approval is contingent upon that the instruments sold in North Carolina be exactly as set-up in this evaluation instrument, WITHOUT the Jammer Reject Mode, Obstruction Mode, and Windshield Mode, and with the simplified menu as provided. Additionally, all operators’ manuals published by Applied Concepts for the “XS” must

omit any discussion of these modes as well. Before seconded, Member Bob Stevens expressed concern with extending approval to the "XS" even though it does not have the modes for which the Committee is highly concerned with. Member Stevens stated that the Committee is acutely aware of the troubles Applied Concepts Incorporated manufacturing has had for several years with permitting non-approved features to reach the field. Dan agreed with Member Stevens, stating that Applied Concepts Inc. has proven an inability to police their own products in the field on several occasions, but the Committee and the Commission must take sanctions against Applied Concepts Inc. for the occurrences as they occur. As for now, we would need to evaluate this instrument as provided, but can elect to take sanctions against them should they fail to meet our requirements later. The Committee, unanimously, agreed that sanctions will be considered from this point forward should Applied Concepts Incorporated , or any other manufacturer, fail to abide by our requirements for any instruments that are approved – they must remain exactly as approved. A second was established to approving the Stalker LIDAR XS by Member Dub Bridges. The motion carried with a vote of 6 members for the approval, and 2 members against the approval. Dan advised the Committee that it is being documented on each event where a manufacturer is found to have released products from their respective facilities, or approved subsidiaries, where features or modes not approved for use are permitted to reach the field in the event future sanctions is sought against a manufacturer, including suspension of approvals for any or all instruments on the approved list.

Applied Concepts Incorporated "Stalker LIDAR XLR"

Dan advised the Committee that the instrument power-up and manual test sequence met expectations, and that the generic use of the instrument met expectations as well. Member Ryan Weeks concurred that no errors were found in this as well. However, the submitted "XLR" instrument had Jammer Reject Mode, Obstruction Mode, and Windshield Mode active on the instrument. Discussion was had concerning the legitimacy of these modes. Member Bob Stevens stated that all three of these modes concerned him, and that the windshield mode actually objects to the recommendations of the Committee (the current training manual recommends that operators not utilize the LIDAR through the windshield or glass). Member Wes Eubank stated that he doesn't remember the Jammer Reject Mode ever being discussed, but did remember the windshield and obstruction mode discussions. Dan agreed with Member Eubank, stating that he did not remember the discussion of this feature either. After discussion of the technology behind the modes, and the actual or perceived problems with the technology, these modes are not permitted to be included on an instrument. (Applied Concepts Incorporated is permitted to address the Committee at a future meeting and further demonstrate/explain the technology, and reconsideration of this denial will be made at that time on these modes.) Due to the XLR possessing these modes, a motion was made by Member Bob Stevens to deny approval of the XLR, and was seconded by Member Wes Eubank. The motion to deny was carried unanimously.

March Meeting Location COMMITTEE

Dan reminded the Committee that with the stepping down of former member Scott Johnson, it left the March meeting location open. Dan advised the Committee he elected to hold the meeting in Salemburg simply due to time restraints and the fact they would be returning so many evaluation instruments. The Members agreed that the March meeting should remain in Salemburg so handling the instruments would be less cumbersome. Therefore, the decision was made to leave the March meeting at Salemburg.

CJ STANDARDS DIVISION ITEMS – STANDARDS

C.J. Standards Presentation T. PRESSLEY

Member Tim Pressley notified the Committee that revisions were recently enacted by the Commission concerning the removal of the Commission written examination from the course requirements, thereby reducing the minimum time for each SMI course by two hours. There was an extensive question and answer exchange between Member Pressley and Member Ryan Weeks, Proxy Charles Lee, and Member Billy Bradshaw. No votes were necessary for Member Pressley's presentation.

INFORMATIONAL ITEMS

Evaluation Instrument Redistribution D. WORLEY

Dan reminded the Committee that we have ended the evaluation cycle for 2014-2015. Dan asked the members to return their evaluation instruments to him today.

OTHER BUSINESS D. WORLEY

Dan advised the Committee that a recent recommendation was presented to the Commission at the February meeting. As part of the presentation, Member Dub Bridges was asked to attend as well and serve as their subject matter expert on the topic of requiring training instruments to also be within an annual test for accuracy certification. The SMI Committee had voted unanimously to not require it. The Commission, after some discussion, agreed with the recommendation of the SMI Committee. Therefore, it remains a fact that an instrument used solely for the purposes of training is not required to be within an annual test for accuracy for the purposes of training. Dan thanked Member Bridges for his time and assistance at the meeting.

Evaluation Instrument Return D. WORLEY

Dan reminded the members to return all evaluation instruments at the conclusion of this meeting.

Instructor School Update D.WORLEY

Dan advised the members that January and February of each year marks the time of basic SMI Instructor schools. Due to the weather and low enrollment, time distance instructor was cancelled and LIDAR Instructor has been rescheduled for April. RADAR instructor was conducted and graduated

Term Expirations: D. WORLEY

Dan stated that two members terms are about to expire. The members are 1) Fred McQueen; expiration of 03/15/2015, and 2) Steve Warren; expiration of 03/15/2015. Dan also reminded the Committee that with Member Eubank stepping down due to retirement, his term will need to be fulfilled as well. Dan asked Member Eubank if he had a recommendation for fulfilling the remainder of his term. Member Eubank told the Committee that he recommended Lieutenant Joe Carey of the Charlotte-Mecklenburg Police Department to fulfill his term. Member Eubank stated that Lt. Carey was extremely knowledgeable in the SMI field, and noted that Lt. Carey has attended a few meetings as a visitor as well. Dan acknowledged that Lt. Carey was indeed a very sharp instructor for the SMI program, and thanked Member Eubank for his recommendation. Dan asked that the Committee also provide nominations for the expiring terms of Members McQueen and Warren. Nominations included; Fred McQueen, Steve Warren, Steven Brewington, and Ray Evans. These nominations were accepted, and will be taken into consideration.

Next Meeting D. WORLEY

Dan advised the members that the next scheduled meeting date is Thursday, June 4, 2015. It will be held at the Morganton Department of Public Safety in Morganton North Carolina. The host for the meeting will be Member Billy Bradshaw.

Additional Business to Address? D. WORLEY

Dan acknowledged that new Member Chris Gaddis was present for the Committee meeting. Dan reminded the members that Member Gaddis was serving out the term previously held by former member Scott Johnson. Dan welcomed Member Gaddis to the Committee, and expressed his appreciation for all he does within the SMI Instructor and Driver Instructor programs. Additionally, Dan advised the Committee that Member Stevie McMillan was not able to be present, and that Proxy Charles Lee with the State Highway Patrol was serving in his place for this meeting. Dan advised the Committee he was looking forward to working with Member McMillan, and thanked Proxy Lee for attending today's meeting.

Member Bob Stevens addressed the Committee with appreciation for all the attention and concern expressed by the Committee during the unexpected loss of his wife recently. Member Stevens stated he just wanted everyone to know that their thoughts and prayers were well received and appreciated.

Proxy Charles Lee inquired on behalf of Member Stevie McMillan about the possibility of changing the standard dates by which the SMI Committee met. Proxy Lee stated that the current standard for the meetings is the first Thursday of March, June, September, and December. With the regional testing being in Wake County on that same week, it greatly hampered the ability for the SHP representative to make the meetings because he was also running a SMI Operator training course on those weeks. Dan asked the Committee what was the best week that didn't interfere with their area courses. It appeared the first, third, and fourth weeks would interfere with various members. Generally, the second week was fairly open for everyone. Dan asked the members to take this under advisement, consider moving all SMI Committee meetings to the second Thursday of each meeting month (March, June, September, and December) and

report back. Proxy Lee thanked the Committee for their understanding.

ADJOURNMENT COMMITTEE

With no further business to address, a motion was made to adjourn the meeting by Member Wes Eubank. The motion was seconded by Member Bob Stevens. The meeting was adjourned at 3:25 PM.