



SMI ADVISORY COMMITTEE

North Carolina Justice Academy
203 W. College Street, Salemburg N.C.
March 15, 2018 – 1:00 P.M.

MINUTES

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

WELCOME

Dan called the meeting to order at 1:00 PM, and welcomed everyone to the North Carolina Justice Academy. He thanked the Members for their service to the SMI program, and also welcomed the attending visitors to the meeting.

ROLL CALL

Members Present

Bob Stevens	Joe Carey
Dub Bridges	Ryan Weeks by proxy of Reginald Petty
Fred McQueen	Thad Condrey
Chris Gaddis	Ethan Brinn
Anthony Locklear	Jason McIntyre
Dan Worley	

Members Absent

Steve Warren

Guests Present

Terry Miller, North Carolina Justice Academy

F/Sgt. Bryan Smith, State Highway Patrol

APPROVAL OF MINUTES

Dan reminded the Committee that a draft copy of the December 2017 meeting minutes was sent by

e-mail and asked if there is any revision recommendations to the draft minutes. There was none. A motion was made by Member Ethan Brinn to accept the draft December 2017 meeting minutes without revision, and the motion was seconded by Member Joe Carey. The motion carried unanimously.

NC JUSTICE ACADEMY ITEMS – CURRICULUM/TRAINING

Instrument Evaluation Approval/Denial

Dan reminded the Committee that MPH Industries Inc. represents the sole manufacturer who submitted a new instrument for evaluation testing this year. Dan identified the instrument as the “SureShot” LIDAR device. Dan asked the members to report their findings. Member Ethan Brinn reported that when the initial evaluation instrument was submitted, he determined some settings or options within the menu as troubling, or simply ineffective. The options included that there was no selectable setting for the aiming reticle and was hard programmed at a single pixel dot in the heads up display. Member Brinn stated that this made acquiring the reticle in real world clocking scenarios extremely difficult during daytime operations, and needed to have options of reticle type or brightness included in the menu. Another option that created concern for Member Brinn was that the volume was not adjustable to reach a loud enough level for the audio tone. Member Brinn stated that when operating the instrument near traffic, it created circumstances where differentiating the pitch of the tone was indiscernible due to ambient sounds from traffic. A final concern was the feature titled as the “single shot” feature. Member Brinn stated that when active, this feature would permit the instrument to essentially clock a vehicle and when a good return was received the instrument, it would stop transmitting and lock the target speed in - effectively stopping the tracking history at the point the first speed had been measured. Member Brinn stated that Dan contacted MPH Industries after the September meeting to inquire on whether these issues could be adjusted, and MPH agreed to submit a revised second evaluation version containing the changes to only those issues. At the December meeting, the second evaluation unit was presented to Member Brinn, who found the changes satisfactory. Dan briefed the Committee at that meeting on the changes made, and then presented both evaluation model 1 and evaluation model 2 to Member Joe Carey. Member Joe Carey reported that he could accept version 1 of the evaluation instrument but only if the specific changes were made from version 2 that we requested. However, Member Carey reiterated that the committee does not have a complete final version of the instrument by which to base an approval on. Member McQueen stated that when he pulled his evaluation model from the box and powered the unit up, it appeared that the screen pixels were smeared and he could not tell what the screen was displaying for most of the evaluation session. Member McQueen further stated that it appeared the instrument would not detect any targets at distances less than 50 feet, however, he was not sure if this was a gate short setting issue because the screen was not discernable. Member McQueen stated the “SureShot” is an attractive unit, and that he has normally had good service with other MPH products, but stated he was extremely disappointed with the reliability of this particular device. Member Anthony Locklear reported that he evaluated model 1 and found the instrument unacceptable due to strong concerns he held with the same three options previously identified by Member Brinn. Several members openly expressed concern that out of four units submitted for evaluation, one of them was inoperable out of the box. This translates to a 25% unreliability rate. Furthermore, Member Bob Stevens expressed his concern that we do not have a final self-contained unit that has all the features we approve of, and does not have features that we do not approve of. Member Stevens stated it is extremely important for the Committee to issue an approval on a self-contained instrument with a serial number so we can issue an approval on an instrument and instruct the manufacturers that approval on the device is extended to all units that are designed and

produced exactly like this make/model/serial number. Member Fred McQueen agreed with Member Stevens, stating that it is imperative to have a single version that we base the approval to, if for nothing else, so the manufacturers have a tangible example of exactly what we approve of to prevent misunderstandings. Dan asked if there was any further discussion on this instrument evaluation and there was none. A motion was made by Member Fred McQueen to deny approval of the MPH Industries Inc. "SureShot" because it failed to meet the standard of line item 1(A) of the evaluation form, to wit: the instrument failed to be constructed in a manner that is user friendly and rugged enough to meet the rigors of law enforcement demands by presenting a 25% unreliability rate of the instruments submitted for evaluation. The motion was seconded by Member Bob Stevens and the motion carried unanimously. Additionally, the SMI Committee formally identified that version 1 presented unfavorable options during evaluation where there was no selectable setting for the aiming reticle, and was hard programmed at a single pixel dot in the heads up display. This made acquiring the reticle in real world clocking scenarios extremely difficult during daytime operations, and needed to have options of reticle type or brightness included in the menu. Another option was that the volume was not adjustable to reach a loud enough level for the audio tone. It was determined that while operating the instrument near traffic, it created circumstances where differentiating the pitch of the tone was indiscernible due to ambient sounds from traffic. Finally, a concern was expressed that the "single shot" feature, when active, would permit the instrument to essentially clock a vehicle and when a good return was received the instrument would stop transmitting and lock the target speed in essentially stopping the tracking history at the point the first speed was measured eliminating a 5 or more second tracking history as recommended by North Carolina standards.

Dan then asked of the Committee if they wished for him to allow revisions to the instruments sent during each evaluation cycle. Essentially, Dan asked if it was considered permissible for a manufacturer to be allowed to make changes to an instrument, based upon our input, after the December meeting and before the March meeting. Dan advised the Committee he felt this was an excellent way to work with the manufacturers and promote a more user friendly business experience for the manufacturing companies. Member Bob Stevens advised that he was in agreement with Dan, but stated he would like to add a caveat to the expectation – that is, when Dan or Member Jason McIntyre contacts the manufacturers because we already know in December the instrument will not pass the evaluation cycle, the manufacturers should be cautioned that only those areas the Committee provides feedback should be corrected, and a final version of the evaluation instrument must be submitted so the Committee can issue an approval on an exact instrument. Member Stevens also went on to state that problems can occur if there is not a clear understanding that additional features or functions added beyond what the Committee has already reviewed, and that to do so, added a lot of confusion and the opportunity for misunderstandings which would translate into features and functions entering our field that are not approved. Member Thad Condrey agreed with Member Stevens also adding that maybe the Committee should consider establishing that the manufacturers be provided a cut-off date after the December meeting, but prior to the March meeting, so a "final" revised version of the evaluation instrument could be submitted for the March meeting and final consideration. Member Stevens stressed that if we set this precedent to accept version 2 (or more) of an evaluation instrument, the manufacturers must be cautioned that the Committee will only approve a finalized, self-contained unit that is found to meet the specifications as listed or interpreted from Appendix A of the Supplement for SMI Training. In other words, Member Stevens clarified, that just because we accept a revised version 2 of the evaluation instrument does not automatically extend the expectation of an approval.

Dan asked if the Committee was approving of this process as presented, including the follow-up conversation. Member Ethan Brinn stated that this process will work, assuming the manufacturers

could submit a final self-contained version by the March meeting. Member Chris Gaddis stated that he was a big proponent of working more fluidly with our manufacturers, but cautioned the Committee on proceeding with this new method. Member Gaddis requested the Committee to consider that this process would not be a big issue during times like this evaluation cycle where only one or a couple of instruments are submitted. However, in a circumstance where multiple instruments are submitted, we would be required to continually exchange out multiple instruments, and it would undoubtedly cause both Dan and Member McIntyre to facilitate the exchanges of instruments, etc. Logistically, Member Gaddis advised, this process would be extremely difficult during evaluation cycles where multiple units are sent in. Dan agreed with Member Gaddis. Member Bob Stevens recollected an evaluation cycle year where eleven instruments were submitted, and Member Gaddis stated using that example, the hardship would be monumental on Dan and Member McIntyre to process exchanges for eleven evaluation instruments while trying to facilitate this level of business friendliness. Member Gaddis stated that in his opinion we can provide more detailed failure reports to the manufacturers, so they can more efficiently work on revising their instruments for the next evaluation cycle – but cautioned the Committee on changing our current policy to accept revised version throughout the evaluation cycle. Member Ethan Brinn stated that he felt we should provide them with extremely detailed reports on why we failed the instrument during this evaluation cycle, however, a caveat must be placed that an approval is not guaranteed even if they make the list of changes because if they add something we have not reviewed before a failure is still possible. Dan agreed. The Committee agreed to proceed as we always have, by not allowing mid-session version 2's of an instrument, but did order that a more-detailed report of the specific failure be issued to the manufacturers during the formal notification by Member McIntyre.

Curriculum Revision Discussion

Dan reminded the Committee that a review was made of our training materials based upon the extensive complaint received from a member of the public. Dan reminded the Committee that after an extensive review of our training curriculum, it was determined that the only aspect of the lengthy complaint filed by the civilian not already addressed at some point in our materials was a specific discussion on interference caused by RADAR based anti-collision systems.

Dan stated that while this was considered nothing more than radio frequency interference, which is already addressed in the training, he still wanted to perform a series of tests utilizing various models of RADAR based anti-collision systems in the area of speed measuring instrument RADAR to determine if any anomaly readings or events occurred that was not already anticipated. Dan stated that the study utilized Chrysler and GM vehicles with the anti-collision systems active in the area of Kustom Signals and Applied Concepts speed measuring RADARs. Dan advised the Committee that absolutely no interference was detected that affected the speed measurement during realistic stationary and moving clocks, as was expected. Dan advised that the GM model of RADAR based anti-collision systems did present low levels of radio frequency interference, but only when the two vehicles were both stationary, and only when facing head on with one another within 20 feet.

Furthermore, Dan advised the Committee that while conducting the materials review over the last several months pursuant to the complaint by the civilian, it occurred to him that this was an excellent opportunity to add language that was common knowledge to applications from the field, and thus, presented to the Committee for review and recommendation approval. Dan distributed a handout that contained all of the revised language within the basic principles section of RADAR to the Committee, and asked that they review the recommendations and provide input. Several of the members, including Members Ethan Brinn, Joe Carey, Bob Stevens, Chris Gaddis, Thad Condrey,

and Anthony Locklear independently requested Dan to make various grammatical changes to the proposed language, but otherwise agreed with the existing material as presented. Once Dan made the specific notes concerning the recommendation to revise Appendix C of the Supplement for SMI Training, Dan ascertained from the Committee if they had any additional revision recommendations to the language he provided to them. There was none.

Next, Dan asked if there was any additional revisions to be considered. Member Joe Carey recommended that the Appendix C daily tests for accuracy language be clarified. Member Carey stated that under stationary tuning fork testing within section 2 of the daily tests for accuracy, the language states that the operator shall use the same tuning fork as used earlier. Member Carey argued that this language is misleading, as it doesn't matter which tuning fork is used, and it doesn't necessarily have to be the same fork utilized earlier. Several members agreed with Member Carey that the language was misleading. The new proposed language provided by Member Carey is "Repeat Items f, g, h, i, j, k and l under No. 1 using 'an appropriate' tuning fork after each enforcement action." There was no dissent to revising this language.

Dan advised the Committee that he will accept a motion to accept the recommendations as presented on the revisions to the Basic Principles section of RADAR, as well as the revision recommendation made by Member Joe Carey for Appendix C of the Supplement for SMI Training. A motion was made by Member Ethan Brinn, and was seconded by Member Anthony Locklear. The motion carried unanimously.

CJ STANDARDS DIVISION ITEMS – STANDARDS

C.J. Standards Update

Dan formally introduced Member Jason McIntyre to the Committee, and welcomed him to his first meeting. Member McIntyre greeted the other members and asked for everyone's patience as he learned the procedures and processes for SMI related issues. Member McIntyre stated that he plans to continue to promote the mission objective established by Director Combs to make the Criminal Justice Standards Division a more user friendly agency.

Member McIntyre relayed to the Committee that he is still attempting to learn the process of reviewing the motor skills test forms for accuracy, and requested that the members have patience with him as he settled into this new realm. Member McIntyre exemplified how the Supervised Field Practice log (SMI-15) is proving to be laborious and challenging. Dan asked if it would benefit the program to redesign the SMI-15 form and remove the need to log actual time, and instead, just establish a check block where a certified operator or instructor could simply check and sign that the recruit operator has successfully completed the 16 hours of supervised field practice. Several of the members immediately relayed that, while laborious, it is necessary to log the hours and minutes to establish the 16 hour requirement. Member Ethan Brinn stated that requiring such established accountability, and to remove that aspect, would delineate the accountability. Member Bob Stevens agreed, stating that there are already operators who attempt to short the hours that are required knowing that the log must be completed. Member Thad Condrey stated that the State Highway Patrol is required to have a CAD printout that correlates the claims of field practice time only to establish validation that the requirement was met. There was not a member favorable to the proposal to redesign the SMI-15 form. There was additional conversation about considerations of how to improve the process, but no formal decision was made.

Member McIntyre also informed the Committee that with regional testing a complication has been

determined due to over booking of the available seats. Member McIntyre stated that when School Directors request seats at the time they submit their Pre-Delivery Reports, it could be 6 months in advance and they may request 25 seats to find out when the course is actually delivered that only 10 or so attends the training and needs testing. Member McIntyre stated that the prime scenario would be immediate notification by the schools to Criminal Justice Standards so the updated amount of students could be expected, and therefore, release seating for others to test if necessary. There was some input from the Committee on this, but no formal vote taken for recommendation.

OTHER BUSINESS

Term Renewals

Dan advised the Committee that Members Bridges, Locklear, McQueen, and Warren were all approved for renewal. They will each serve another three year term.

Next Meeting Date

Dan advised the Committee that the next scheduled meeting of the SMI Advisory Committee will be June 14, 2018 at 1:00 P.M. Dan advised the members that a location has not been determined at this point. Dan reminded the Committee that in years past, we have utilized the June meeting as a retreat for the members where we hold the meeting in or around the Edneyville campus to enjoy the area attractions. However, this has never really been taken advantage of by the members. Dan advised the Committee he would place the June meeting location this year up for recommendation and vote by the members. Member Ethan Brinn advised that he has a facility available to house the committee, and would love to invite everyone to Raleigh PD if the Committee would entertain it. Member Chris Gaddis advised that Burlington PD, his home agency, has hosted the SMI Committee previously and proposed that location as a centralized meeting location for the membership. Member Thad Condrey asked who was the farthest west, and Dan advised the members that Member Steve Warren was farthest west, stationed in Morganton. Dan advised the Committee that if he were present, he would certainly want to place Southwestern Community College in Morganton on the list to be considered as well. Dan asked if there was any other members who wished to propose their location, and there was none. Dan advised the Committee he would put the two June meeting locations to vote by the Committee. Pursuant to the vote, Raleigh PD headquarters received 6 votes. Burlington PD received four votes. Dan advised the Committee that the June meeting will be held at Raleigh PD headquarters, located at 6716 Six Forks Road, Raleigh. The host will be Member Ethan Brinn.

Other Business to Address

There was no other business addressed.

Evaluation Instrument Return

Dan reminded the members that any evaluation instruments not returned by the time of this meeting should be accomplished today.

ADJOURNMENT

With no further business to address, a motion was made by Member Chris Gaddis and seconded by Member Dub Bridges. The motion carried unanimously, and the meeting was adjourned.