



SMI ADVISORY COMMITTEE

**Wake-Tech Community College
Public Safety Campus
321 Chapanoke Road, Raleigh N.C.
September 06, 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 welcomed the Committee members and guests to the Wake Tech Community College Public safety campus for the September meeting of the SMI Advisory Committee. The meeting was called to order at 1:02 P.M.

ROLL CALL

Members Present

Steve Warren	Fred McQueen
Chris Gaddis	Joe Carey
Ryan Weeks	Thad Condrey
Ethan Brinn	Jason McIntyre
Bob Stevens	Anthony Locklear by Proxy

Members Absent

Radio Engineer Member (Vacancy)

Guests Present

Stacy Holloman, Deputy Director, NCJA
Steven Combs, Director, CJ Standards
Michelle Schilling, Deputy Director, CJ Standards

Terry Miller, Qualified Assistant, SMI Instructor Training, NCJA
Vicki Helms, Executive Assistant, NCJA
Dennis Crosby, School Director, Gaston CC
Robert Brewington, **Qualified Assistant**, Pitt CC
Jeff Worley, School Director, Asheville-Buncombe CC
Rodney Robles, Qualified Assistant, Guilford Tech CC
Chad Goss, Sergeant, Raleigh PD
Bryan Smith, First Sergeant, NC SHP

APPROVAL OF MINUTES

Dan reminded the Committee that a draft copy of the June 14, 2018 meeting minutes was sent by e-mail and asked if there are any revision recommendations to the draft minutes. There was none. A motion was made by Member Chris Gaddis to accept the draft June 14, 2018 meeting minutes without revision, and the motion was seconded by Member Joe Carey. The motion carried unanimously.

NC JUSTICE ACADEMY ITEMS – CURRICULUM/TRAINING

School Directors Conference Concerns

Dan advised the Committee that the 2018 School Directors Conference was held in Asheville this year, and that several attendees expressed concerns over the way the North Carolina SMI Program is being conducted. It was reported at the conference that they are having a difficult time running SMI schools because there are not enough SMI Instructors across the state. It appeared that all of the comments Dan was made privy to relate to this foundational concern. The following list contains comments, suggestions, or concerns that were submitted by approximately seven school directors and/or Instructors, and two DOJ staff members, that have spoken out about SMI during the School Directors conference, or afterwards.

- 1) The current standards are too difficult, or, are unrealistic. Two recommendations that were presented to address this included:
 - a) A standard being held during the delivery of the basic instructor school is a major hindrance for recruiting instructors to attend SMI Instructor School. The standard in question is the fact that the student's operator certification will be terminated if a motor-skills failure occurs during the delivery of the basic Instructor school. The author stated that if this standard was taken away so no loss of operator certification occurred, there would be more interested in attending SMI Instructor School and

the number of enrollees would increase. Dan stated in the Committee attachment that this was an interpretational suspension by Standards initially, but was later supported by the SMI Committee during a meeting where a thin majority vote elected to support the interpretation.

- b) Another author stated the SMI Instructor testing standards during the delivery of the SMI Instructor schools should be lowered, so the number of candidates who pass SMI Instructor School will increase. Recommendations received for lowering the standards are consolidated under number 3 below.
- 2) An author stated that a RADAR Instructor class started with 20 students and finished with only 2 people passing. The author suggested that this is a failure of the current program, and that it could only be attributed to:
- a) The training manuals/procedures are poorly written, or
 - b) The Academy and adjunct staff are not qualified, or
 - c) The examinations are incorrectly applied to the materials covered.
- 3) SMI Instructors are required to sign-off on all the instruments as they appear on the approved for use list. A few of the concerned feel this is both unnecessary and without merit. One author stated that firearms instructors are not required to qualify with every gun known to mankind, so why should RADAR Instructors be required to? Two former RADAR Instructors stood up and agreed that they didn't believe RADAR Instructors should have to sign off on all the instruments as well. Some additional comments on this include:
- a) Instructors stand outside the sign-off room with their notes, temporarily memorize information about that sign-off, and then quickly enter the room to regurgitate the information. Once the sign-off is complete, they completely forget about that unit and move on to the next. They opined as to if this is beneficial?
 - b) It was suggested that since there is no educational value in this process, instructors should be able to choose what instruments they sign-off on, or;
 - c) It was also suggested that instructors should sign-off once on all of the instruments when they initially attend SMI Instructor School, but then only sign-off on the new instruments as they attend recerts down the road. To clarify this proposal, once they test on the instruments initially,

they would never sign-off again on instruments unless new ones were added during the certification period.

- d) It has also been suggested that there should be no recertification process. For example, once an instructor attends the initial Instructor school, they would not be required to recertify as instructors again.
- 4) Five School Directors and/or instructors have reached out to recommend that the current standards for sign-off are adequate, necessary, and should remain intact for SMI Instructor and Operator training as it currently is. One commented that the standard should not be lowered for the sake of making the certification easier to obtain or instructor numbers rise.
- 5) An author suggested that many of the Committees, including SMI, are stacked by the Academy staff. In essence, the SMI Committee does only what the Chairman tells them to do. One of the authors added that for years, any necessary changes regarding SMI training have not been made because the SMI Committee is “cliquish and closed-minded.”

Dan reminded the Committee that this list was based upon e-mails, phone calls, personal conversations, and text messages he has received during and after the School Directors conference. Dan advised the Committee that some of the concerns expressed are obviously based upon not knowing the true basis of how the Committee works, and stated that the Committee has always kept the needs of our program statewide at the heart of their concerns. Dan advised everyone that it only requires an inspection of the previous minutes of their meetings to quickly determine that this Committee does not always agree, and that they even argue at times over the issues. But, Dan continued, the Committee always makes decisions based upon what is interpreted as the best fit for our program as a whole. Dan requested that the Committee take under advisement the list he has provided to them, as well as any comments that will be provided from the visitors in the audience, and be prepared to begin discussing these issues at the December meeting in Charlotte. Dan reminded the Committee that as their Chairman, it is his responsibility to remind them to always maintain the integrity and quality of the training program as the priority without making knee jerk decisions.

Dan then turned his attention to the guests in the audience. He thanked them for attending the meeting, and assured the visitors that their comments and concerns are important to him and the SMI Committee. Dan remarked that some of the bigger changes to the program over the last five to six years have originated from recommendations in the field from instructors and School Directors, not necessarily the SMI Committee. Therefore, he desired for them to understand how imperative

their input truly is. Dan continued by saying that it does not insinuate that every recommendation is determined by the Committee to be the best method for improving the delivery of quality training, and stated that there are many facets to maintaining a training program of this size and composition. With that being said, Dan invited anyone who would like to address the SMI Committee to step forward, identify themselves for the record, and have a seat at the table to talk with them.

Mr. Dennis Crosby, the Director of the Criminal Justice Academy BLET Program at Gaston College was the first to address the SMI Committee.

“I guess I’m the one that kind of stirred this at the School Director’s Conference because it was concerns and started actually talking about this in the break out sections with some things that have come up. My main concern was about the instructor losing their operator’s license. That has happened to one of our guys. We had three (3) guys been teaching for us SMI for (20+) year and one (35) years. They do a great job. We had (1) who worked part time, he was a School Resource Officer so he couldn’t teach a lot. But, we did fine, we got all the classes, kept them full and everything like that. We wanted to get some new blood in there and so we sent 1 of our instructors David Crow down to instructor training. What I was told, the 8th day he failed the sign off and he was sent packing. Now from what they told me, it started with twenty (20) people and when he told me there were only two (2) left when he left. So it started with twenty (20) and only two (2) were there when he left. That’s what I was told. That seems pretty harsh, but the thing about to us, was that, I’m not getting into to the, really about the sign off and things like that, because I think the program needs to be strict. I agree with that. If you want high standards, I agree with high standards. My only concern is about if we send somebody and they fail a sign off on the last day it affects his job. This was a guy that was a dedicated Traffic Officer which means he is running radar on a regular basis. It affects his status with his department so he loses his Radar Operator because he failed the sign-off, which he did. Now, at the School Director Conference we were told that didn’t happen, but it did happen. Now I think you can see the documentation and it did happen to him. I don’t know how many times this has happened or anyone body else but I understand it has happened to other people too, but it affects his job and more than that, was it has affected us getting Radar Operator Instructors. We tried to recruit people and we finally got another really good one that came along, but right after this happen, Steven Lynch and Keith Quinn’s both came up for renewal and they both give it up. They said they didn’t want to mess with it anymore. So, we lost all three (3) of our Radar Instructors at one (1) time. And we tried to recruit some other guys, who are, and we want people with the experience, recent relevant experience in traffic units and people like that. And we couldn’t recruit them basically, they were concerned that if they lost or went down and failed out of Radar Instructor School, they would lose their Operators Certification and that would get

them out of the traffic unit, which is a kind of a plumb position and so that really did affect people out in the field and affected School Directors for us recruiting qualified people and that's the kind of people we want but they are in this select kind of elite status positions and they're afraid to sign up for this, afraid if they do that, they'll lose that and go back to patrol and then have to go back through two (2) weeks of operator's school. It is a problem and it's a problem for us, so that was my concern that I brought up at the School Director's Conference. The high standards and things like that, I'm all for that. I do think it needs to be looked at if only twenty (20) people go to the school and only two (2) pass, I'm not sure of all the facts, you guys know more about how all that goes on than I do. I started running radar, in fact Steve Lynch taught me how to run radar (44) or (45) years ago in the back parking lot of the police station. It took (30) minutes to show me how to hook it up and everything like that. Dan jokingly shared that he thought Steve Lynch was teaching Radar when you still had to wind it up to get it to work and asked Mr. Crosby to tell Steve that he had complimented him on that. Mr Crosby stated he would, and stated that he just saw Steve yesterday. Mr. Crosby stated that Steve is very good at it, and like I said we went through the process back before there ever was, back before there was Training and Standards and certifications. The good thing about it was, I wasn't ever challenged, but I wrote (100's) and (100's) of radar ticket. I wasn't challenged but only (1) time with a radar ticket and I did pretty well because when he was asked about training, I was a radar technique in the marine core, I spent (9) months in training. So, that covered me back then since there wasn't any dedicated training like you guys do now, but I have had some radar training in the past. Mr. Crosby stated that his concern is that it's a little harsh to lose the operators permit. He stated that if you fail out, it is fine, and that he thought you need to know the machines and that talking to the local guys they, who aren't instructors now, are good about that as well. Dan thanked Mr. Crosby for being there, and went on to stated that he had read the e-mail sent by Mr. Crosby that he has racked his brain and he could not think of a single circumstance where those particular numbers were applicable in the eleven (11) years he has served as the Director for SMI Instructor training. However, Dan continued, with that being said I will tell you quite a few that come to Radar Instructor School that do not leave graduated from the school. Dan asked the audience to please keep in mind that basic SMI Instructor training can be viewed as being divided up into (2) segments, there is a segment for the pre-entrance testing *before* you get into the school which you have to pass, and then you have the actual school that goes on for the remainder of the (2) weeks. Dan acknowledged that while he doesn't have the specific numbers, the overwhelming majority of failures occur at the pre-entrance testing segment. Dan asked Mr. Crosby, as well as the others in the audience, to have patience and allow the SMI Committee to work through all the input and determine what areas, if any, revision recommendations were necessary.

Mr. Robert Brewington, RADAR Instructor with Pitt Community College and retired from Greenville Police Department, was next to address the Committee.

A little bit about my background, in 2013 I retired from Greenville PD. I've been a radar instructor for 20 plus years I believe. I hadn't planned on speaking at all, but I didn't realize Dan were stepping down today. I appreciate your service in the SMI program. I know its number 1 around the nation. There is no doubt about that and I am conflicted about some of our requirements. Even to this day when I get into a car and teach radar class, I teach for 4 different community colleges, so those of you who have problems getting up with somebody call me. Even now when I get into a car even with a golden eagle that I have had forever, I always have my book in my lap with me and I always review that book for some of the radar instruments that we never ever see. I think that we have a good program, it is top notch. One of the issues, personally that I have is just going into the rooms and spitting out the information on the radar instruments and depending upon what area of the state that you work at, you deal with the same radars all the time, but then when you get some of the ones you never see, you know we learn it. Mr Brewington went on to state that instructors spends hours and hours studying those radar instruments and it's just that we're top notch. We're good. I did an in proper telephone poll before I came down of people that help me teach. There's (3) that said yes, they would like to see things changed and (2) that said no, leave it the way it is. So, I really don't lean one way or the other about how it should go. I just think that there are some things that can change. Dan confirmed with Mr. Brewington that his poll resulted in three (3) feeling like something needed to change, and two (2) felt like it should remain the way it is. Mr. Brewington confirmed the numbers as accurate, and then stated to leave it the way it is. He further stated that because we have a top notch program and that has been going on since Stacy was here. We know you want the best, which I understand. It is stress inducing to go through radar instructor school. Dan asked of the Committee to indicate, by a show of hands, how many Committee members love doing the sign-offs. There was no Committee member that indicated they loved doing the sign-offs.

Dan stated to Mr. Brewington, and the audience, that the Committee truly does try to maintain the integrity of the SMI Program while also balancing all of the different elements that comes into how they keep the program as elite as it is, while at the same time not have everybody running out of the building yelling, screaming and kicking. Dan stated that he thought the informal poll completed by Mr. Brewington speaks to that, because it's not always an easy task providing recommendations to the Commission. Dan stated that the process is not always pretty, as the Committee has fussed, fought, and argued at times over their different opinions as to the aspects of the recommendations they have ultimately presented to the Commission. But the one thing Dan emphasized was that every single one of us on this Committee

unanimously loves and cares about this program. Dan continued that he appreciated Mr. Brewington going through the steps of calling around and talking to his guys. Dan assured Mr. Brewington that the Committee will continue to proceed with open communication just like he has always done as well. Dan again thanked Mr. Brewington for attending and for his input. Mr. Brewington expressed his appreciation to Dan for Chairing the Committee and the program over the last decade as well.

Mr. Jeff Worley, School Director for SMI training, Asheville-Buncombe CC, was next to address the Committee.

Mr. Worley know the respect I have for this stuff and sitting in this horse shoe. Mr. Worley stated that he still remembers the arguments we had at the last meeting he was a part of over losing the operator's certification during basic instructor school. Mr. Worley stated that when you consider a student must score ninety (90) on the pretest and then go do his clocks and sign offs, he's already performed at a level above what he would have to do in an operator recertification. But then, if a failure occurs later on a sign-off we're saying he is not good enough to be an operator anymore. I just cannot see that, and I think that kills us a lot trying to get new recruits to come in. That's all I have on that topic, so the only other thing I was thinking was concerning the prequalification testing. I like the idea of doing pre-qualifications, but what if you start them several months prior so you are sure to have a full class that's pre-qualified? That way you don't end up with an example of going from twenty (20) students down to two (2) like was said earlier, although I also don't ever remember that being an actual case either Dan. Dan agreed with Mr. Worley that the vast majority of failures in basic instructor school occurs during the pre-entrance testing portion, not the actual delivery portion. Dan went on to state that failures during the actual school itself could be considered atypical, if not rare. Mr. Worley agreed, and said by running a series of prequalification sessions prior to the school beginning should help the attrition rate. Dan asked Mr. Worley that if pre-entrance testing was modified and the operator certification suspension interpretation was overturned, would his opinion be that the recruitment of new instructors would be become easier? Mr. Worley stated, absolutely! Member Chris Gaddis asked, for clarification, are you (Mr. Worley) recommending that they don't lose their operator certification for any motor skills failure in basic instructor school and instructor recertification? Mr. Worley stated, no - my recommendation is that the operator certification will not be lost during the basic instructor school only. Once they graduate basic instructor school, recertifications are whole different ballgame. Member Chris Gaddis stated he just wanted to make sure he was following Mr. Worley's suggestion. Mr. Worley then asked the Committee if they could look at some more instrument removals again. I know the war we went through with that, but I am saying with the patrol I truly did teach this stuff from Murphy to Manteo and

as a retired member I'm still teaching from Franklin to Fort Fisher and I bet you I've not seen ten (10) of the thirty (30) some instruments across the state anywhere. Dan advised Mr. Worley that he was hearing his recommendation loud and clear on the deletion. Member Bob Stevens added that Dan also hears about deletions at just about every SMI Committee meeting as well. Dan again agreed that he was hearing the recommendation from Mr. Worley, and Member Stevens as well, but reminded both of them as current or former Committee members the headache the Committee and the Commission went through on the last series of deletions and sometimes, we just can't hop when we want to hop. He reminded them that we have to proceed efficiently while adhering to many different elements such as the Federal Fair Marketing Act, Commission policies, agency hardships, etc. So, Dan reiterated that the Committee is hearing the concerns. Mr. Worley thanked Dan and the Committee for their time, and Dan expressed his appreciation for Mr. Worley attending the meeting and providing valuable input.

Mr. Rodney Robles, Qualified Assistant for SMI Training, Guilford Technical CC was next to address the Committee.

Good afternoon SMI Committee, first of all I want to thank Dan for your contribution to the SMI program for the last (11) years. You have always been good to me. If you know me by now, when I tell you something, I mean it. I will introduce myself, but it's not that remarkable. I retired from the Highway Patrol with thirty (30) years of service, was a SMI Instructor for about twenty-seven (27) years until a few months ago when I failed to meet the minimum requirements during recertification. Now, I am a Qualified Assistant for SMI at Guilford Technical Community College. We employ eighteen (18) SMI Instructors on my staff. My polls are a little different from Mr. Brewington's poll he had earlier, but we will get into that later. We service a one hundred (100) mile radius, we train one thousand (1,000) students over thirty (30) classes per year. We got a SMI machine, and I am very proud of our program, as you [SMI Committee] are, [of the SMI program,] as you should be.

Mr. Robles continued on. As the person in charge of my program, I'm an advocate of teaching the students the proper way to run the instruments, they (staff) go by policy, they go by procedures, they have to go by code. But, I expect them to be gentlemen, have a good positive attitude, and make the environment conducive to learning - not to put stress on them [students], undue stress and undue hardship. I polled (17) of my instructors because, one (1) I couldn't poll because he was on the SMI Committee and I didn't want to put him in a position to be a conflict of interest. I polled seventeen (17) [of my staff], out of seventeen (17), I had one (1) that wanted to leave it as it is, and I already mentioned his name earlier. He is a different animal. I've got twelve (12) pages of recommendations and they will be brief from my guys in terms of some changes. I am the messenger, so don't shoot me. I love each and every one

of you, just like I did when I walked in and when I walk out you'll see my backside and I'm still going to love you. This is just the way I am and I've always said you don't have wear grey for me to love you, that's one of my quotes and I mean that. That's why on my staff I have a cross section of police officers, deputies, and troopers to represent the SMI program statewide. I could stack it all with grey shirts if I wanted to, but that's not the way I do business. They have to meet certain criteria. They have to be approachable, they have to be nice, and they have to make it conducive to a learning environment. I don't put stress on it, any stress they [students] experience is self-induced and my guys will tell you that. I don't want my instructors putting any pressure upon someone. They're going to have pressure on themselves anyways, regardless. With that being said, I am no longer a SMI Instructor, like I said I did not meet the qualifications and minimum standards and when that occurred I accepted it with dignity. There were some people present when that happened, you were [Dan] that did not quite see it like I did. They thought it was unfair. If you remember, I corrected them and said it is a fair process by today's standards to the point I had to pull a couple of instructors aside and straighten them out. I said look it's not their fault, it's mine. So, I don't have a dog in this fight. As SMI Instructor and dedicating almost thirty (30) years of my life to the SMI program, long before you [Dan] came aboard, the Earl Hardy days. I was in a one man Time-Distance class for two (2) weeks with him with those thick glasses bearing down on me. You talking about PTSD - I have it. My wife has terminal cancer. I've had some distractions and I've attempted to work through that and my grandson has Leukemia, but regardless of that, cancer is not my friend right now. It was hard to leave her today to come here, and she encouraged me to discuss these issues with this Committee. It's not for me, I don't need notoriety, I definitely don't need the money, and I don't need the prestige. My records speaks for itself, but I drove today on my own, on my own to get here to voice some concerns for my seventeen (17) instructors that feel like they do not have a voice, because they are afraid to come to this meeting for whatever reasons. You can say whatever, they are afraid of retaliation when they come back. They are, and my poll shows that. They're afraid of that, they got to sign off, and they don't want to upset anybody because someone complaining on them [Committee] may be the one across the table. I said you don't have to bear that burden, I am here to carry that for you, I am your spokesman, I am your leader. I offered for them to come today, but they chose not to. But anyways, this is what we come up with and I will be brief because this is long, and I will give you a copy of this to review. In terms of, where was I, I don't want to get into an area we have not discussed yet. I want to harp on some other things. Here, I heard of Assistant Chief Gaddis. What do I call him now, I always call him Chris? We were talking about the losing of the Operator certification and the honorable gentleman from Gaston Community College brought that up which started all that stuff. I would be in my motor coach on the way to Key West right now if he hadn't brought it up, but that's a joke.

Mr. Robles continued. In reference to losing his Radar Operator Certification in a Radar Instructor course, that's the concern. We know on the first day you have to score 90% on what we call the pre-entrance exam, we have no problem with that. You talked about the pre-qual, my guys we got together around a table meeting, probably twice, and we said how about a pre-qual where they can take a pre-qualification test, take the exam and get a group of (20) to start the class with, so we don't have to worry about the attrition (10) of them leaving the first day. It goes on to say they must complete and successfully pass the Radar Instrument signoff and Instrument road test. This is a requirement. At this juncture if he fails this process he does not lose his Radar Operator Certification, we know that. He is not allowed to enroll in the Basic Radar Instructor Course, we know that, because he had failed to meet those requirements. The Basic Radar Instructor Course on the second day, if the student failed any portion of the (2) week Radar Instructor course, the student loses his Basic Radar Operator's Certification, we know that. That's been proven, according to the gentleman from Gaston. During this period the student was held to a higher standard in attempt to become a Radar Instructor. At this time if the Radar Instructor student fails any part of this class he loses his Radar Operator Certification and the Radar Instructor student is required to attend a Basic Radar Operators Course in its entirety, that's where we are. And that's what I've heard a couple of these gentleman say. This is where the problem exists according to me and my staff. The SOLUTION: this needs to be changed obviously. The student performed on day one the motor skills, demonstrated and showed proficiency necessary to be a Basic Radar Operator. He should not lose his Radar Operator certification just because he failed to reach the high standard of being a Radar Instructor. He should be denied certification as a Radar Instructor, obviously, because he didn't meet the standard, but not lose his Radar Operator certification. He should not be penalized. He has shown that he has passed the skills performed at the operator level. This may be, I put a note here, may be an Administrative Code issue and may need to be changed through the Administrative Code process. I am not that familiar with the Administrative Code in that respect, but that is something that I wish the committee as a group would look into. That is not only my concern but the (2) gentleman before me had that same concern as what I'm hearing. Dan asked Mr. Robles if he would be providing a copy of the recommendations from his staff, and Mr. Robles replied that he would provide a copy.

Mr. Robles continued. So that's where we get that, I think that's exactly how to describe what these other instructors, past instructors and committee members are concerned about. Getting back to why we don't have many applicants for Radar Instructor School, I want to discuss that. In my opinion, we don't have many applicants for the Radar School for several reasons. It was voiced earlier and I'm not going to beat a dead horse. They are afraid of losing all of their stuff. That's a

legitimate concern, especially on these specialized motor units or enforcement units like a lot of these larger agencies have. We service a (100) miles radius at Guilford Tech (Community College) and we see guys from city police, county, everywhere, we do all the trooper training in about a one hundred (100) miles radius and that is a concern. When I am actively recruiting a student that comes through our classes, if your active in teaching you see students that comes to that stands out, say hey I would like to have that guy or girl on my team. Why don't you go to instructor school, well I am going to firearms school, that's easier, or I want to go to driving school, that's easier. You can't get them. I think even Brent at one time, I might have recruited him at a young age, hell he is still young. I am getting old, he is getting young and you just have to, if you give a crap about your program you should recruit qualified confident people to carry on the legacy, it's called a succession plan, it's not science. The ones who know me, know I am not that smart of a guy, but I do understand certain things in life. You got to prepare and leave it better than you found it, so we have that problem of they don't want to go, it's too difficult. Is it a higher standard? Yes. How do we measure standards? Is it by a failure rate? If I've got (28) students in my class right now today, that's where I was at before I come here. I got a competent staff that is running it and they know how to run it properly. Officers from every agency in the piedmont area... the point is, run the program like it should be run and follow all the procedures. So getting back to the difficulty of recruiting students, we should all be in the recruiting process or mode of getting qualified good SMI instructors in your program. I know Sgt. Condrey has probably approached some of his troopers, I know you at Charlotte Meck has, and anybody that's worth their weight in salt would do that because they want the people in place that will carry on the legacy. I hear all the time that we are ranked #1 in the nation in SMI. I'm sitting here right now and can tell you I am the prettiest man in the room, but how is that validated? I will have to convict you of that, and it would need to be with a survey. I don't know what the SMI program is in Arizona, Alaska, Nebraska and I doubt anybody on this committee knows that either. So that coin phrase that we have the best program in the nation, I question that because I have nothing to compare it to, it's all relative. Excuse me, it's hard for me to say that, I would like to know we have the best program in the nation, because I am a part of it, but I cannot validate that. Just like you have to validate a gang member or a sex offender. I don't want to put it in that context, but it has to have a validation process. So I have a problem with that. Once you start questioning the SMI Instructor Program, that's the first thing that hits you aside the head with. You know we have the toughest program, its top notch. I know its top notch when I go, and its top notch when I teach, but is it above Arizona, is it above Nebraska. I don't know that, so I cannot with qualification say that, that's just something small. We talked about a Pre-Qual course, I am going to throw a bunch at you, a Pre-Qual course similar to a Pre-Qual test and procedure offered in Firearms Instructor Program, we talked about that. Do it until you have (25) qualified candidates to start a Basic Radar School. In theory, out of the (25) prequalified

students a larger number of Radar Instructor Students will be produced out of that pool of applicants or enrollees. It does not have anything to do with watering down the program. A lot of times when you start offering suggestions it's interpreted as we want to water the program down. My granddaddy raised my father and was an influence in my life. He told me one thing, he said young man, sometimes you have to look a man in the eye and tell him his baby is ugly and have enough back bone to tell him that. So I am here today, Lord rest my grandfather, to tell you that certain parts of this program is ugly. It needs to be addressed in my opinion. The whole family is not, but there are babies that are ugly, and we are going to get into that.

Mr. Robles continued. This is a sensitive matter for me as well. The review process of how the SMI committees are selected, its members. I'm looking around, Steven Warren, he probably been on, I do not know since from inception. A lot of you, Bob Stevens, he's been on a long time. It needs some fresh meat, it needs some fresh ideas, because we have guys now in academia and instructors that have fresh thoughts and are open minded. I'm not saying these guys aren't, but I would agree we need to have a cross section of the people that we are serving. How's it, I don't know, how the committee is selected or appointed, it's my understanding, I could be wrong, but the current process is that the Chief is a representative of the Justice Academy, one from the highway patrol, one from local police, one from the sheriff's office, one radio technician, and one community college representative. I don't know if that is wrote down, but that is the conclusion I come to. I may be wrong when I look at the breakdown of the committee, which I had a terrible time, a difficult time, of finding a list and I would like to be provided with that, a list of the current SMI Committee members. We have not received the SMI committee meeting minutes since September, no since March of 2016, (2 ½) years ago. I challenge my staff too look on there and see if you can find the SMI committee meetings and present them to me. These guys are not dummies, they looked and looked and that's the only ones that we can find. Not even, well I am not going to say that, I don't want to get anybody in trouble. But anyways, I looked for the minutes and was unable to locate them and I feel like as a SMI Q&A, SMI Instructor we need to have privy to what you guys are discussing here in this room, in this forum and share it with the people in the field. That is just good business in my opinion and we have not been privy to that information and if I am wrong I am sorry and I apologize. Have you have been on board for fifteen to twenty (15-20) years? Is it like the Supreme Court? Is it a permanent assignment, or appointment? I don't think so, it shouldn't be. There is a reason a president gets re-elected or attempt election every (4) years. I feel like we need new people on the committee to avoid being stale, and set in our ways with the majority. I am not saying that is happening, but that is some concerns of my instructors. Has there been many changes in the last (20) years in the field of Speed Measuring Instruments? This SMI committee needs to be re-evaluated and some members put in place to replace the old ones that offer little or no input into the

program. Some have not stayed abreast of changes in the world of speed measurements while other members have. SOLUTION: The ideal candidate I feel like, and my guys, we discussed this; for the SMI Committee would be a person who is not easily influenced by pressure of ranking senior board members with their personal opinions, ideas and agendas. He need to be knowledgeable, intelligent, well versed in the world of SMI, willingness and courage to make independent decisions based on facts and common sense. Not be satisfied with the clay of, "it's the way it's always been and it's not going to change", a quote I heard in Asheville from one of your staff members. In my world of supervision, that is not an acceptable response. I use to wear a size (2) shoe, I am at a (14) shoe now; things change. When I was (3) I couldn't wear this size. So that was offensive, not only to me, but to the whole program. The SMI Committee needs to be re-evaluated. SOLUTION We talked about that, I am not offering you any problems or concerns without offering you a solution as well. I tell all my guys, don't crowd me up with problems in the process without giving me a solution. I learned that a long time ago in the FBI academy, supervision. If you got a problem, give me a solution with it, because I'm not going to present it if you don't. So, the ideal candidate, the Justice Academy Representative should, will send out an e-mail ballot to all SMI School Directors/QA's, Radar Instructors and include Radar Operators. They need to be included in this process in our opinion. Ask them to vote on all the positions on the SMI committee except the State Highway Patrol slot because they have such large representation, the Justice Academy slot, and obviously the Technical positions. This will ensure a good cross section of the people the SMI committee represents and serves. The SMI committee don't always, not only serve the SMI instructors, they serve the operators as well. A well rounded committee needs to be composed of impartial, unbiased, independent thinking men and women with the knowledge to support the goal and objectives of the SMI Community. To go on, while I am on the SMI Committee topic, correct me if I am wrong, the SMI Committee lacks diversity. I am the darkest thing in here. It lacks females and minorities. There is zero diversity in SMI Committee. Historically, the SMI Committee since inception had always been composed of white males. To my knowledge no females have ever served on the SMI Committee and there are many in this state, school directors, operators that would meet the criteria to be qualified for this committee. This is a major issue and concern in today's diverse work place. The only non-white person to my recollection that has ever been on the SMI Committee was Sgt. Stevie McMillian with the Highway Patrol. He was on it only because it was a mandated slot for the Highway Patrol and he is of African American decent. The SOLUTION: Actively recruit qualified females and minorities for selection to the SMI Committee without lowering the standards. I am not saying put them on there because of their gender or race, if they meet the qualifications, we need some diversity, that's true in a work place. I have diversity on my staff, but they have to meet a certain criteria. This is not 1963, we are in 2018 gentlemen. Also, I am not aware of any term limits. There needs to be a three or four (3 or 4) year term

limit on the SMI Committee. If there are limits in place that I am not aware of, I apologize. Is it like an appointment, I don't think so, it shouldn't be, but it seems to be that way. Somebody comes up for appointment, who do you recommend, send in four (4) names. Ok, the two (2) that just got off, they are voted right back on? What kind of diplomatic process is that? I question the validity of that process. A fair diplomatic selection process should be implemented. Any committee I ever served on, which I've served on many, there are many qualified men and women in the SMI Program and in the Community College System that would qualify as it should be. It should be opened up for everyone and not a select group of white males. Another concern I have... we have... it would be interesting to know the number of certified SMI Instructors in the state presently as of today's date and you can provide that data, and compare to the number of SMI Instructors (10) years ago. I know for a fact the Highway Patrol, that's my origin, I have contact with them, have been reduce to (55) SMI Instructors down to possibly (35). That's significant. Especially in an agency that their primary duty is speed enforcement. I'm going to wrap this up guys.

Mr. Robles continued. The attrition rate of SMI Instructors is not keeping up with the demands, and the need for SMI Instructors... we talked about that. Many Community College School Directors, sitting behind me, and my boss, personally have been forced to shut down their SMI courses, or limit them, due to the inability to find SMI Instructors in their areas of the state. That has helped my business at Guilford Tech, because I hired all of them in that area, they have to come to me; it's called a monopoly. I wish that all these college could share in the love and have their own instructor. Steve Warren, I doubt he's got a program at Western Piedmont, but if he does, it's not much of one. Because I know he don't run many. He can tell you, but I... we... run (30) a year. I'm sure, Wake in Raleigh does their fair share as well too.

Mr. Robles continued. Another concern we had from my pool of instructors is the review process in which members are selected where by quick SMI Committee rule changes. This occurred when a former member retired, Jim Poor, and was not allowed to come back on the Committee. Miraculously, the rule was changed shortly thereafter when Bob Stevens retired so he could come back on the committee and serve again. That is not, that smells, that has an odor to it and to us. I am convinced that the SMI Committee was encouraged to select this retired member with influence of the SMI Committee. It is the good ole boy system in action. This selection process is unethical and not conducive to the non-disparity committee selection processes and procedures. SUGGESTIONS: It comes out that the SMI committee, you guys, when you sign off instead of having a person on the SMI committee to sign you off on your instruments, have a non-SMI Committee Affiliate, or Non-Justice Academy staff member, to sign you off. Not your buddy, but someone else that will hold you to the

same standard. This will ensure the integrity and consistency of the testing procedures.

Mr. Robles continued. I already talked about the required... having the meeting minutes. If ya'll would, I think I qualify as a SMI QA to get back on your e-mail list. I think I have been removed for whatever reason. I am not on your mailing list anymore, or e-mail list. I think this may be the appropriate time to have me reinstated on there. I think I qualify as, a qualified assistant in the SMI program, if you don't agree and maybe we will address that later. I made a suggestion a couple of weeks ago to be put on that website, or that notification and to this day I am not on it. For whatever reasons, I do not know I can only suspect. I'm not even sure who is on the SMI Committee, I told you that.

Mr. Robles continued. I know I am talking about different, a lot of different stuff, presently required a Radar Instructor has to sign off on every unit that is on the approved instrument list. We know that. It's my understanding that it's, that this is not by administrative code but by the objectives listed in the lesson plan, this can be easily changed, maybe, correct me if I'm wrong. PROPOSED SOLUTION TO THIS: One of my guys came up with this suggestion. Have two types of classifications for Radar Instructor Certifications, have a Class A and a Class B. If you have a Class A certification, you can sign off on everything. You are a full grown bear. You can do any instrument that is put before you. You're going to be teaching in a community college system, you're liable to run up on that Speed Gun Pro. If you work for Raleigh PD and don't have any interest in teaching in the Community College System and you're a School Director or something or you want to do your own people, sign off in the Class B program. Then, you can only sign off on the instruments that you are certified on and vice versa. Like in Winston PD, their School Directors, they have three (3) different Radar instruments, He wants to come in and sign off on three (3) units, then he could have a Class B certification because he don't have any interest in teaching in the Community College System. Let him do it because he don't need those other (25) Radar certifications. That makes sense to me. I am just a good ole county, Robinson County, country boy... that makes sense to me. Will it be a pain; yes. Will it take some structure and organization; will it require some rule changes; yes.

Mr. Robles continued. I have been told the reason the North Carolina Justice Academy only runs one class per year is because of budgetary restraints.

SOLUTION: If the Justice Academy is having difficulty running one (1) Radar class a year, maybe an option would be to allow the Community College system in that process where more funds are available to host and provide SMI Instructor Training at the community college level. At our college, we run over thirty (30) a year. Make this option available for the college to have all the instruments in inventory, which we

do. We have 75% of all the approved instruments in my office, and we can easily get the other 25%. We could, within a month, be up and running with a Radar Instructor Program with no budgetary restraints and it will be more than (1) per year. We have the resources and the financial means... I have been assured of that. Let me back up, we don't have 75%, we got 70% of them, I stand corrected. This will relieve some of the pressure on the North Carolina Justice Academy. Does it matter what zip code this is happening in? Does it matter if it's a Greensboro zip code or Salemburg zip code, in terms of setting up training? You have the same instructors that've been through the same training and you should have enough confidence in them to conduct a Radar Instructor course. If you don't, then they should not be a Radar Instructor. Would that step on some toes, I'm sure it would, but it would relieve the pressure and back log of the North Carolina Justice Academy. Many School Directors and law enforcement agencies are in dire need of Radar Instructors. I tell them all the time, call me, from Durham to Chapel Hill. I'll tell them, come to me. We, we can work it out. I tell them, come to me until you get an instructor that can pass. Like I said, at the School Director's meeting, if I had a class of thirty (30), I will repeat myself, in case the ones who were not, who did not hear it, and I had eight (8) to pass that class, I would not have a job long. We have some people that are mentally challenged in law enforcement, but we don't have that many in one room. So I think that's another problem.

Mr. Robles continued. I'm about done; make it mandatory for SMI students to provide evidence and proof of prior certifications at all SMI Re-certifications and Basic Lidar. We're doing that already when they come in, I have my instructor go by and say we had a problem. We had two (2) problems in our lesson in two (2) years, that ain't bad. We have my instructor go around and show them on their phone or whatever method is possible that they have a current radar certification before they proceed on with the Recert or a Basic Lidar because I don't want to cause that man right there the difficulty of calling me on the phone and saying Robo what's the problem. I take ownership in my program. My contention is, I'm prepared as a Firearms Instructor, you don't have to certify on every make and model firearms used in carrying in the state. You just show proficiency in the use of the handgun, rifle or shot gun. It doesn't matter if it's a Beretta, Sig, Smith & Wesson, it don't matter. Why should a Radar Instructor be held to a higher standard having to sign off on every radar unit in the state? It does not make logical common sense. I don't understand this concept. It may be above my learning, but I do not understand it. Same way with Driving Instructor, I'm not going to read all that. You don't have to drive every Ford, Chevrolet, Dodge to be an instructor in that as well. You have to show proficiency operations of a police pursuit vehicle and you don't have to come back here every three (3) years and do it either. I request, and I got in my notes as well, to see what the Justice Academy failure rate is in the SMI Program versus the Firearms program verses the SCAT Instructor program, versus the PT program, and

let's go ahead and add driving in there as well. I'm sure it would be disproportionately higher in the SMI program. We are servicing the same cross section of guys in the law enforcement community. Our guys aren't that stupid.

Mr. Robles continued. It was also brought up at the School Director's meeting by a member of your staff about why is the reason you don't have to testify in court. It's because we have the greatest program in the nation... was his argument. I disagree. The reason why you don't have testify in court is because they're taking plea bargains. These guys are trained by instructors at our level to teach and run the thing properly, not because we have to sign off on (28) units, they don't know what we are ranked in the nation, and neither do we. I'm going to wrap this up soon. In criminal justice and academies, our responsibilities as instructors, I teach General Instructor classes as well, regardless of the course topic to educate and train our students to the best of their ability. Not to stress them out. I have learned over (27) years of teaching law enforcement officers. They learn better and respond more positively in a relaxed and friendly atmosphere. I believe one doesn't measure the success of a program by the failures, but by the accomplishments. Some folks don't grasp that concept and understand that process, but I do, thanks to my grandfather.

Mr. Robles continued. There is one more thing I skipped over. Revise all the Radar SMI forms. I have one member on my staff that his sole job has been to design a SMI form and submit it to the SMI Committee. That will be forth coming in your next meeting in Charlotte. We're not going to say change the form and leave it up to ya'll to hash it out. We're going to give you one, and it can probably be easily tweaked. These guys are intelligent. From SMI 1 all the way to the 2E, and the Radar Instructors know what forms those are. Condense it down from (2) pages front and back to (1) page front similar to the SMI 13 form. Ya'll know what I am talking about. Where blocks indicate if it's stationary, moving, same direction, just check the blocks. Single antenna, two antennas, etc. – just check the block. One standard form to eliminate all the above forms which would make it more fluid, instead of having a whole brief, a whole file cabinet of different forms. We became pretty good with that because we learned the process.

Mr. Robles continued. Another thing, I looked at the meeting, March 10th, 2016 meeting. What about the current requirements of checking a radar instrument for accuracy before tour of duty and after each enforcement action. It needs to be revisited. On that date members Bradshaw, Weeks, Gaddis, McQueen, Stevens and Warren voted against that change and elected to leave it as-is. Members McMillian, Carey, I appreciate it, and one more unknown member voted for that change. It needs to be revisited. Member McQueen's argument made no sense and was impractical, even to my instructors. If need to, I will, I will read in the minutes what member McQueen suggested and it came down to the matter of convenience. It's convenient to hit a tuning fork after each clock... who cares? If it was working properly before

you made the clock, but it's working properly after, the work, the clock, when you did the clock, it should be deemed working properly during the clock. Just like a Lidar Instrument and a Time-Distance Instrument – Radar should be consistent with all (3) methods of speed instrument devices that we have. Presently it is not consistent. Why is it this way; I don't know. All they're doing is setting the students up for failure. I don't care if you write a (100) tickets that day and after. The suggestion was made by Member McQueen that he wrote seventy (70) tickets in a day. I want to see proof where you wrote seventy (70) tickets in a day. I wrote (4,000) the last year I was a trooper, a Sergeant in Winston Salem, and there was not a single day I wrote (70). I would question those numbers. Now, modern technology is more sound than the older technology. Making requirements of before and after; ya'll revisit that, and I would request in this open forum, and for the record, they be revisited and given to us as Q&A's and Radar Instructors and Operators. Give us a legitimate reason why this would not be an accepted method for testing for accuracy a radar instrument.

Mr. Robles continued. Currently, we have sixteen (16) hours of supervised field practice, ya'll visited that before. It is required for a Basic Radar Operator to become certified after the completion of a Basic Radar Operator Course. Our suggestion is to lower it to twelve (12) hours of supervised field practice. What is the difference between (16) and (4)? Sixteen hours is going to maybe influence somebody to not do their full sixteen hours. I don't ride with these guys when they do their sixteen (16) hours, and I would question if they take sixteen (16) hours and do all of it as required. Twelve (12) hours would. Four (4) hours stationary, four (4) hours moving opposite, and four (4) hours same direction. I made it in mathematics. 3×4 is 12. I can add. Why is it sixteen (16)? Who came up with that number? I use to wear a size two (2) shoe; I am in a (14) now. It needs to be changed.

Mr. Robles continued. Also, you have difficulty, we don't have any smaller department representatives, yeah we do, well, we did... it creates difficulty with someone that needs sixteen (16) hours. If they are in Chadbourn, they might have to ride over to Carrboro, well, let's go away from Chadbourn, I don't know that geographical area. If you're in Kernersville and your department don't have these instruments, you're going to be forced to go to Winston to get your hours in if you don't have somebody already certified. A lot of these departments are not willing for you to drive their car and get your hours in, therefore, a lot of time these ninety (90) days is being passed because they have no body to ride with. So, make it (12) hours to help them out. It creates a hardship on a Radar student, supervisor, and scheduling. The ones of you in management... you know what I am talking about. You have to take the man off the road because he's doing that (16) hours. Member Ethan Brinn asked Mr. Robles if he was recommending twelve (12) hours no matter what? For example, if the student is certifying as a stationary only operator they still

do (12) hours, or, would they only need to do four (4) hours in the stationary mode only. Mr. Robles replied to Member Brinn that he recommended the minimum number of hours be set at twelve (12) hours, but further opined that the Committee can revisit the issue and determine what is best. Mr. Robles further exclaimed to Mr. Brinn that it's too many hours now. Member Brinn agreed and thanked Mr. Robles for his opinion. Mr. Robles continued that twelve (12) hours are plenty time of learn and familiar yourself with operational of radar instrument, and suggested that any more is over kill. If you teach a class in Basic Radar and it takes (16) hours for that person to learn to run Radar, then, you probably haven't taught them right. (12) hours should be enough, and divided into (3) configurations... I am not going to go into that again.

Mr. Robles continued. During SMI Instructor sign-offs, while in the staging area... everybody's a Radar Instructor, we have all been in that pit before, right? Allow the student to review his electronic notebook, laptop computer, or cell phone to prepare for sign-off for many of these complicated instruments. Right now, as it was twenty seven (27) years ago, we are prohibited from having any kind of electronic device in this non-testing area. You have to rely on index cards, printouts, and handwritten notes. We are in 2018... these students in today's academia respond to technology. They can watch a video, go in the room, regurgitate it, and they learned it. Not by how I did it twenty seven (27) years ago, from that stack of index cards. What if I can't read my own writing? I rush out, then by the time I come out I have forgotten the stuff I just learned. So I would suggest that. These methods and training aids are primitive by today's standards due to the ever evolving advance in technology. The use of these technologies should be allowed. I don't understand why? Since this is not an actual testing room, why this is looked at that way. Is it a, Justice Academy rule, is it a Stacy rule, is it a Dan rule? I don't know, but, maybe they may be told to support that? If there is a reason I could not find it. Hand written notes are primitive to learning. It is an outdated method, that's clear.

Mr. Robles continued. I want to ask the committee... is there a term, just for my own personal knowledge, is there a term limit on the SMI Committee membership. Dan clarified if Mr. Robles was asking about how long someone could serve on the Committee? Mr. Robles confirmed that as the question. Dan replied that there is a term limit that each member is asked to serve, and at the end of that term, the Committee provides a recommendation as to whether that person is nominated to remain, as well as provide at least one additional name for review by the Director of the Justice Academy. Mr. Robles asked Dan where the recommendation ended over the SMI Committee. Dan advised Mr. Robles that ultimately the decision lies with the Director of the Justice Academy. Mr. Robles asked why it couldn't be opened up to the whole Radar Instructor Community. Dan advised Mr. Robles that he was not saying it couldn't, but policies in place currently did not allow for that. Mr. Robles

asked to confirm that it could not at this time, and Dan confirmed it could not be done at this moment, and further inquired from Mr. Robles if that was one of the recommendations in his list. Mr. Robles confirmed that it was a recommendation in his list, and Dan advised Mr. Robles that his recommendations, just like all the others, will certainly be reviewed by the Committee. Mr. Robles asked what time frame he could expect to receive some kind of reply or ruling on these recommendations in anticipation of going before Training and Standards. Dan Worley You know my, my plan leaving here, keep in mind this is literally my last meeting, so my plan leaving here is, I am going to ask the committee, of course, the sooner we can get a copy of that. Rodney Robles It will be in a few minutes. Dan replied to Mr. Robles, and the SMI Committee collectively, that he was providing them with a full list of everything that has been said, and would e-mail to them a finalized tally as to everything that has been said. Then, at the December meeting, I want you to guys to take everything that has been said and start chomping away at all the various items and concerns. Dan specifically addressed Mr. Robles by saying that to provide him an estimate of time as to when all of this can be reviewed and considered would be inappropriate. Dan reminded Mr. Robles that there are many different elements involved with managing a program of this complexity and size, including lesson plan reviews, Administrative Code revisions, State and Federal law applications, etc. Mr. Robles requested that as these things are adopted or changed, that a periodical update be released to inform the SMI instructors, QA's, and School Directors of the progress. Dan replied to Mr. Robles; yes. Mr. Robles continued that he don't want to be left opened ended and never see results from our efforts here today. Therefore, Mr. Robles clarified that he was not asking for a period of time, just a time frame. Six months? A year? He went on to say that if Dan can't give an estimate, that's ok. Dan advised Mr. Robles that he was not going to back the SMI Committee into a corner of time tables, and Mr. Robles stated that he understood. Dan went on to further advise Mr. Robles that what he did promise him [Mr. Robles] is that every single item that has been discussed, including those in his list, that these gentleman [SMI Committee] are going to take every single one of them and evaluate the validity of making changes with the integrity of the program at heart. Dan further advised Mr. Robles that he has asked directly for a list of committee membership and a list of the meeting minutes, and that if the meeting minutes have not been updated that he accepts responsibility for not ensuring they had been posted. Dan advised Mr. Robles that he would go back to 2016 and provide him a copy of the missing minutes, and further stated to Mr. Robles that he has nothing to hide about what the SMI Committee does. Mr Robles stated that he wanted to confirm that he was not insinuating anything about that, and that he just want to know progress of the SMI program. Dan advised Mr. Robles that they will most certainly keep him informed through the SMI update database, just like he always does. Dan went on to advise Mr. Robles that although he reported that he was not on the update database, his recollection was that he had not been removed for any reason. However, Dan agreed that he did not want to go on record without first

viewing the list to make absolute for sure that he had not been removed somehow. Mr. Robles stated that he did want to be on that list, but not on another list – then opined that he was just joking. Dan asked Mr. Robles to give him time on sending him the minutes and the membership list as they will take time to convert to pdf format. Mr. Robles stated there was no hurry.

Mr. Robles continued. Thank you for listening, and I know I got a little long winded, but we had a lot to discuss. I want to stress again, this is not my personal agenda. I don't have a dog in the fight. I just want to leave it better than I found it and I by no means want to water down the program. I want it to be a fair system, not only in the selection of these SMI Committee members, but also in the way we run and do business. That's the only thing I request. Dan thanked Mr. Robles for his time.

Dan asked the audience if anyone else wanted to speak. Mr. Chad Goss raised his hand. Dan asked Mr. Goss if he would agree to a 10 minute recess, and did. Dan then placed the meeting into recess for 10 minutes at 1:17 PM.

Sergeant Chad Goss, SMI Instructor, Raleigh PD, was next to address the SMI Committee.

Mr. Goss opened by saying thank you [to the Committee] for your time and thank you for the opportunity to speak. This is the first time I actually sat in the audience at a committee meeting, but after the School Director's conference, there were concerns in my mind that I wanted to address with the Committee. I have a real fear because my Radar certification is something I respect as much as anything, just about as much as my badge, as far as that goes. It is something that I work tremendously hard for. It is something I have learned over the years and worked tremendously hard to keep. It is something that I respect and I cannot, I cannot, express that enough. I, just like the show of hands a while ago, despise going back to Salemburg every (3) years. It does cause stress. It does cause headaches. It does cause all of those things, but the reason that I am willing to go back and do it is because I respect it so much. I had never thought about whether or not we could verify that we're the #1 SMI program in the nation. Never had thought about it that way. I just always assumed that we were because of how much work that I put into it to make it that way. I don't see how lessening the standards for the Instructors of a program will help you maintain a standard. Whether you can verify it or not. The level that you want to call yourself, and I cannot understand how gumming something down from the top to get more people into it, will help you maintain that status that you think you may, or may not, have. Like I said, I can't verify that, I had never thought about that until I sat in here today. I automatically assumed that we did, and that was just a feeling in my heart, but I would encourage the Committee to strongly think about the trickledown effect that it could have if you lessen the standards at the top. What are you saying to the

people at the bottom who are just coming in as an operator? Does it lessen the standard there also? I don't know if we should lessen the standard, or anyone across the board as far as that goes. Is this school hard? Absolutely it is, and it's one of the things that makes me respect it as much as I do. But it's hard for everybody. It was a choice that I made. I made the choice to agree to go to Salemburg. I went the first time, and ya'll made the choice to send me back to the house. Because I respected it enough, I went back the second time and I did pass it that time. I went back, and I still go back every three (3) years to do it again.

Sergeant Goss continued. As far as the units go I honestly, and probably one of the rare and maybe even one of the stupid people, think we should check off on all of them. The reason for that is not for Chad. It's the honest to God truth, we have three (3) units in my office. I can check off on three (3) units and that's all that's ever going to affect me. But I don't teach outside of Raleigh. I have the option to if I chose to do so, just haven't chose to do that yet. But I am not looking at this from a standpoint of Chad. You have to look at it from a standpoint of a bigger organization that I consider myself a part of. If we start taking units and checking off on certain ones and not other ones, I am afraid it could open a Pandora box of possible mistakes, honest mistakes, made by people. I can't remember if I checked off on that or not, but now I am sitting in a car with somebody at the community college level and I just don't see how that is a good thing. Sergeant Goss continued; I can't remember and I don't have my certificate with me, but I think I did and then I checked off on something different and now I have a mess on my hands. So, that's not about Chad, that's just about the integrity of the program in general. I'm kind of to the point where I say leave it alone, but one thing that came up today I had never really put a whole a lot of thought into was the Pre-Qual. My question about a Pre-Qual is: when you get into a road test, let's says you don't show proficiency on a road test during the Pre-Qual. If you're going to say that doesn't count, why would you send somebody back to write tickets? That's what scares me. This is all, it's not about any of us, and it's not about law enforcement when you think about it. Some of the biggest complaints, some of the biggest arguments, and even a couple of times, some of the biggest fights I've been in on the side of the road were because of a Radar ticket. You're stopping somebody who really and truly thinks they have done absolutely nothing wrong, just because they weren't paying attention to how fast they were going. If you go fight with a drug dealer, as far as I am concerned, it's an OSHA concern, that's an occupational hazard, and he knew that going into it. But, when you go stop somebody on a Sunday morning because they were rolling a little bit faster than they thought trying to get to the beach a couple more hours on their week vacation, you're going to get into a fight on the side of the road. That's the reason I think we should continue to keep the standard where they're at; as high as they are and certainly don't start taking this thing and lowering from the top. That's my honest opinion, it's my personal opinion, but that's all I wanted to say. Thank

you for your time. Dan thanked Sergeant Goss for his time. Dan asked if there was anyone else that would like to speak.

First Sergeant Bryan Smith, SMI Instructor, State Highway Patrol, was the next to address the Committee.

First Sergeant Smith began by stating he will be brief, and that he has been in the Radar program for fourteen (14) years. Some valid points were made here today, but I just wanted to say in today's world within law enforcement - we have a shortage. I look at my wife's field. She is an Administrator in Education. They have a shortage as well. I don't think anybody wants to lower their standards to get them employed and I don't think Radar Instructors should be any different. You say why don't we have a lot of Radar Instructors? I supervise Thad now, and we are working together to try to recruit people. I think it has a stigma really. The school is hard. I got to go next week, so if you are going to make anything easier, do it today! But trying to recruit people, it's really not as hard as you make it. It's something you want to do. I told somebody, I think Jason last week, or maybe Michelle, the reason why I'm not a Driving Instructor or the reason why I'm not a Firearms Instructor it's not that I can't do it. I can't go out there right now and shoot ninety (90) two out of three times because I'm too lazy to go practice so I can do it. That's why I'm not a driving or firearms Instructor. It's not that I can't do it, I just don't want to put forth the effort to do it, and I don't think we should lower the standard just so we can increase the numbers.

First Sergeant Smith continued. As far as checking off on them, I don't like it, but I think if we go to where we only check off on the units we're going to teach, then all we're going to have is a glorified operator with an instructor status. I mean that's what you're going to have. First Sergeant Smith thanked the Committee for listening to his input, and Dan thanked him for his time. Dan asked the audience if there was any one else that wanted to address the Committee. There was none.

Dan thanked the audience for their input, and stated that the SMI Committee going forward will take every one of the comments that has been provided into consideration. Dan reminded the audience that the Committee has historically kept the heart of the program in their decisions, and he didn't anticipate that methodology changing. With that being said, Dan stated that the Committee definitely needed to take a step back and consider the concerns that have been received from the field, and listen to what has been shared. In some cases, Dan continued, he thought there may have been better communication, and that the Committee can always work on that. Dan continued by saying that every single one of the Committee and instructors loves the program that we're sitting here talking about today. He stated that there will be differences of opinion and we will work together and hopefully everybody will

support the SMI Committee and the Commission once the final decisions are made.

Dan closed out this portion of the meeting by stating that they had a lot of work to do, and that he could not give time limits as to when everything would happen, but did ask everyone to be patient and work with the Committee and the Commission toward common ground so that it does improve the program while maintaining the integrity of the standards that we have.

CJ STANDARDS DIVISION ITEMS – STANDARDS

C.J. Standards Update

Member McIntyre reported that for the month of August, the CJ Standards Division received and processed nineteen (19) post deliveries (SMI-10B) packets. Member McIntyre stated that Standards staff see the busy times being had by School Directors because they are also busy checking the paperwork, adding up all the numbers, hours, etc. Member McIntyre also reported that the Standards Division, more specifically, Ms. Witherspoon, e-mailed out the issuance of nearly two hundred (200) SMI certifications for the month. He stated that is about average for every month. Member McIntyre went on to state that there is a lot of good work that's being done out there and we'll try to expedite things to get our internal procedures done on our end so we can turn them around and get the operator certifications issued. Member McIntyre reported that they are seeing an increase in the number of emailed certifications that are being trapped by an operators departmental spam filters. The result is that the operators are not receiving their certifications as soon as they are issued.

Member McIntyre continued that Standards Division is conducting SMI audits of each agency and further explained the process. He stated that he selects (five) 5 agencies from the five (5) field rep zones across the state. Member McIntyre reaches out to those agencies to request that they supply a list of the names for all their SMI operators within their agency, and then Standards compares that list to the database they have at Standards to make sure they correspond. For this month, it was Davidson, Elizabethtown, Appalachian State, Clayton, and Hillsboro PDs. Out of those five (5) agencies, we were 100% compliant for this month. Sergeant Chad Goss with Raleigh PD asked when an agency has somebody that is currently expired and they are still within the one (1) year realm of going back through a recertification, how might that affect the list? Member McIntyre replied that if they're within the twelve (12) month window and are NOT going back to recertify, notify the Standards Division and they will remove them from the list. However, if their intentions are to go back, they will just keep them on the list and show them as expired. Mr. Goss thanked Member McIntyre for his reply.

Member McIntyre continued that the Standards Division is also asking that if an agency has an officer leaving or they're transferring within the agency like to Investigations or something where they're not going to be using their SMI, to also let the Standards Division know so they can take them off the list. Member McIntyre advised the Committee that it is a living document, and they know that every agency won't be 100% correct for 100% of the time, however, they will try to keep it up to date.

Member McIntyre reminded the Committee that September is the beginning of our evaluation month. He reported to the Committee that we have received three (3) units submitted to us. Member McIntyre identified for the audience that each manufacturer was required, by policy, to submit four (4) units of each. Of those four (4), two (2) are provided to the State Highway Patrol, The Committee Chairman receives one (1), and the Committee the final unit. Member McIntyre reminded the Committee members to obtain an evaluation unit prior to leaving today, and to ensure he has it logged. The Committee held some minor clarification discussions on the submitted instruments among themselves. Member McIntyre stated that is all the information he had for the meeting unless someone had a follow up question. There was none. Dan thanked Member McIntyre.

OTHER BUSINESS

Term Renewals

Dan advised the Committee that there was no term renewals effective for this meeting.

Next Meeting

Dan reminded the Committee that the next meeting date will be December 13, 2018 at 1:00 P.M. It will be located at the Charlotte-Mecklenburg PD Training Academy in Charlotte N.C. Member Joe Carey will be the host member for that meeting.

Other Business to Address?

Dan opened the floor for Member Steve Warren to address the Committee.

Member Warren stated that he had told Dan about six (6) weeks prior to the meeting that he was thinking about getting off the committee. I went to the 2nd Radar Instructor class in the State of North Carolina at the Charlotte Training Academy, and I was one of the only instructors in the western part of North Carolina for several

years. I taught Radar classes from fifteen (15) miles from the Georgia line, to twenty (20) miles from the Tennessee line. I have seen the time that I would be training by myself and I have been road testing from 8:00am to 8:30pm at night in the summer. There were no more radar instructors, and I lived, thought about, and dreamed Radar all of the time. I have a personal radar collection of about a dozen radars and I can show you what automatic speed locks were like because I have that radar. I purchased them from military surplus store in Ashville, and I have some of them in my classroom. But, it's just that I really love radar. But my problem is that I am a Physical Fitness Instructor, I am a Firearms Instructor, I am a SCAT Instructor, and I am on about three or four (3 or 4) state committees. I am just really, really getting thin, and so I told Dan about six (6) weeks ago that I needed to step down and step back a little bit.

Member Warren continued. I can enlighten you on something Rodney. He's been up to my place and you've come up to help me run radar schools. We don't run as many radar schools, but at one point, we had Cherokee officers coming down to the Radar schools at Western Piedmont because there's a lot of Instructors that have retired, even from my department in Morganton. I was at Morganton Academy and took my current job and that they went out to neighboring counties and got them to run the radar schools, so we only do about (1) operator school a year and we may do (2) recerts.

Member Warren continued. I was tasked about ten or eleven (10 or 11) years ago, and Bob I think at the point you were on the committee. You got off, and a year later you come back - remember we revised unit 4? You offered your considerations, and then I was tasked by the Chairman with the job of polling other police agencies and other states to see what their radar program contained. I surveyed twenty two (22) agencies from across the United States. I was shocked to find out that PA did not use a moving radar at that time. It was all stationary radar and that's all they used. I remember talking to an administrator at the Dept. Of Public Safety in Texas, which is their Texas Highway Patrol. They did tuning fork test at the beginning of their tour of duty and then at the end of that tour of duty. I asked if they had run into any problems, and they said yes. Remember? They reported that they may have a trooper up there who wrote ten or eleven (10 or 11) tickets that day, and if he did the test at the end [with a failed result], they had to recall and void all the tickets. And so, by polling these twenty two (22) different states with the requirements that they had, North Carolina was literally blowing them out of the water with the requirements we had. Member Warren stated he remembered that some of the ranking senior officials of these out of state agencies saying they had heard about our program in North Carolina and how strict it was, but how excellent the reputation was so I do know for a personal fact that out of the twenty two (22) states that I did poll, we blew

them all out of the water as far as our qualifications, what we did, and our standards we set forth.

Member Warren continued that he just had too many irons in the fire and really needed to step down, but that he would like to make a recommendation for somebody to fill his term on the Committee: I would like to nominate Chad back there from Raleigh. Dan advised Member Warren that the Committee could not accept that nomination for a few reasons, including that the Committee already had Member Brinn who represents Raleigh PD on the Committee. Member Warren understood and had no further recommendations. Dan went on to further elaborate that Member Warren's position on the Committee is a representative of the Community College system as a School Director for SMI. Member Warren stated that he didn't always agree with every proposal, but we were always willing to work together to come to a common goal and so I've enjoyed being on the Committee. Dan advised Member Warren that he certainly appreciated the many years that you have faithfully served this committee. Dan reminded the Committee that Member Warren is always front and center at almost all the meetings, and has been an excellent representative of the program as well as the community college system and, we're very appreciate for what you have done.

Mr. Rodney Robles interrupted the discussion to confirm that Member Steve Warrens position on the Committee represents the community college system. Dan replied that he does. Mr. Robles then asked if it should be opened up for anyone in the community college system. Dan responded to Mr. Robles that the position will be opened up to School Directors who hold a reputable background in the realm of SMI, and that the Committee would continue to follow policy as to filling the position now being vacated by Member Warren stepping down. Mr. Robles responded by saying that this would a perfect time in exercising diversity and remarked that there is evidence at a lack of diversity because just then he [Member Warren] chose another white male to take his place. That was a part of my argument on my agenda. So I want it to be on the record that we are all stressing diversity and there was attempt by him [Member Warren] to try to get another white male on this committee which I think is inappropriate. Dan thanked Mr. Robles for his input.

Member Warren then told Mr. Robles that he disagreed with him because he has a black friend that he went to Cancun Mexico and to Las Vegas together, him and his wife and Member Warren and his wife. Member Warren firmly addressed that he does not have a prejudice bone in his body. Mr. Robles stated that he wasn't insinuating that.

Dan stopped the discussion between the two and proceeded to issue a plaque of appreciation to Member Steve Warren on behalf of the North Carolina Justice

Academy and the SMI Advisory Committee for his service to the SMI program over the many years. Member Warren thanked Dan and the Committee. An ovation was presented to Member Warren by the Committee.

Adjournment

Dan closed the meeting by stating that he really appreciated everything that the Committee had been through over the last eleven (11) years that he served as their Chairman. Although emotional and having to pause many times throughout, he continued on that the fact remains that no matter what has been said, no matter what accusations that's been thrown about; he loves the SMI Program. He also stated that he loves this group of professionals that he has worked with for the past eleven (11) years. He continued that as this serves as his last meeting as Chairman, he was instructing the Committee to work through the comments but hold the integrity of the program at the heart of every decision no matter what. Dan then asked for a motion to adjourn.

Deputy Director Stacy Holloman then approached the Committee from the audience and asked to make some comments before adjournment. Deputy Director Holloman stated that on behalf of the Director and the Justice Academy, we wanted to announce formally that Dan has recently been promoted. He is our Senior Developer, so we are very excited at the academy to have him in that position and we look forward to great things with him in that position. Deputy Director Holloman continued that Dan has done an exceptional job with our SMI program and how he loves the program, and has cared so deeply for it. He continued that Dan was just the right fit for it because he's got that technical expertise and the personality, and has done a fabulous job over the last eleven (11) years. Deputy Director Holloman remarked that it was kind of interesting because he was over the program for eleven (11) years before he was promoted and of course, not by any design, Dan has now continued on with the same event. Deputy Director Holloman addressed Dan by saying he did a fabulous job, and that the Academy is very proud of him for what he has done, and we're excited to have you as our new Senior Developer and we're looking forward to continue great things. Deputy Director Holloman continued by thanking all of the Committee members, reminding them that they are an integral part of what we do at the Academy because it takes more than just our staff to make the decisions. He addressed the audience and reminded them that the Committees routinely seeks input from the field and this is just one small example of that. He expressed that the Academy has a number of Committees and it takes all of us working together as a team to make things happen and that the Committee realizes the importance of that. He stated that he knew the Committee has other things to do with their full time jobs, and that serving on these Committees is a major commitment. He closed by saying that the Academy and the field really appreciate everything each member does on

behalf of the training program. Dan thanked Deputy Director Holloman for his comments, and asked again for a motion to adjourn.

Member Ryan Weeks stopped the adjournment proceeding to advise Dan from the committee standpoint how much they appreciated his service to the program over the years. Member Weeks said that with everything going on and now the promotion of Dan out of the program, it has all come about very quick. He advised Dan that his commitment to the SMI program was very much appreciated, and reminded him that he had some huge shoes to fill a long time ago and Dan did an outstanding job filling them. Member Weeks continued, on behalf of the Committee, we thank you.

Sergeant Chad Goss then added from the audience that on behalf of the Instructors from the field, Dan never turned down a phone call when we called asking questions for clarification or whatever from the field. We appreciated that, and we thank you as well. Dan emotionally thanked everyone for their support over the years and kind comments. He then asked for a motion to adjourn.

Member Bob Stevens made a motion to adjourn the meeting. The motion was seconded by Member Ryan Weeks and carried unanimously. Dan proclaimed the meeting was adjourned at 3:21 PM.