

Burgos, Alexander N

Subject: FW: [External] Sheriffs' Standards rules for next week

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Tuesday, November 8, 2022 3:37 PM
To: Jones, Sirena C <scjones@ncdoj.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

Hi Sirena,

Yes, the deadline is Thursday, 5:00 PM. As I said earlier, I'm happy to sit down with you guys, but really, it makes more sense for you to submit responses before we do, because if the responses are good, then there's really no need for a meeting.

Thanks,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Jones, Sirena <Scjones@ncdoj.gov>
Sent: Tuesday, November 8, 2022 1:28 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good afternoon.

We left off with scheduling a meeting before our submission. I would still like to have a meeting before they are submitted.

Is my deadline this Thursday 11/10 for these to go before the Commission on the 17th?

Sirena

Burgos, Alexander N

Subject: FW: [External] Sheriffs' Standards rules for next week

From: Jones, Sirena <Scjones@ncdoj.gov>

Sent: Tuesday, October 18, 2022 10:24 AM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>; Dismukes, Leslie <ldismukes@ncdoj.gov>

Cc: Pickett, Robert <RPickett@NCDOJ.GOV>; Zellinger, Benjamin O <bzellinger@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good morning.

Thanks for your consideration regarding an extension. I will continue working on the responses.

Sirena

Burgos, Alexander N

From: Liebman, Brian R
Sent: Tuesday, October 18, 2022 9:56 AM
To: Dismukes, Leslie
Cc: Jones, Sirena C; Pickett, Robert; Zellinger, Benjamin O; Burgos, Alexander N
Subject: RE: [External] Sheriffs' Standards rules for next week

Follow Up Flag: Follow up
Flag Status: Flagged

Let's see what the responses look like, and if there's anything we do need to really iron out, I'm more than happy to sit down with y'all.

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Sent: Tuesday, October 18, 2022 9:52 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Jones, Sirena C <scjones@ncdoj.gov>; Pickett, Robert <RPickett@NCDOJ.GOV>; Zellinger, Benjamin O <bzellinger@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Thanks, Brian – we appreciate you working through this with us. I also think we are making a couple of technical changes to ensure that the two sets of rules comport. Perhaps we can meet early in November, once everyone has had a chance to review, to make sure we iron out any additional issues?

Best,
Leslie

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Tuesday, October 18, 2022 9:49 AM
To: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Cc: Jones, Sirena <Scjones@ncdoj.gov>; Pickett, Robert <RPickett@ncdoj.gov>; Zellinger, Benjamin <Bzellinger@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

Good morning Leslie,

Sorry for the late response, I only got back into my outlook account late last night.

To be clear, there are no objections to the Sheriff's rules at this time. Moreover, although I looked at a few of the CJETS rules, the bulk were reviewed by my colleague, Mr. Duke, so this is my first time reviewing some of this language. Ms. Jones has very helpfully sent me a chart equating each Sheriff's rule with the corresponding CJETS rule, and I think that will aid my review.

We received Ms. Jones' request for an extension, and I will recommend that the Commission grant it. Given some time to work on these, I'm sure we can work out any issues remaining with these Rules.

Thanks,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Sent: Friday, October 14, 2022 9:48 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Jones, Sirena C <scjones@ncdoj.gov>; Pickett, Robert <RPickett@NCDOJ.GOV>; Zellinger, Benjamin O <bzellinger@ncdoj.gov>
Subject: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good morning Brian,

I am a little confused about the objections to the Sheriffs' Standards rules. We amended them to look exactly like the CJ rules (per SB300) that were passed last month. If the Sheriffs' rules have been amended to look just like the approved CJ rules I am unclear why there are objections.

The two sets of rules have to be identical per SB300 and so as soon as our CJ rules were passed by the RRC we sent them to Sheriffs. I have not done a page by page comparison but DD Jones indicates that she incorporated CJ's changes to the Sheriffs' rules before submission.

Given that, I am not sure why there are additional objections if the rules are identical and the CJ rules passed the RRC last month?

If you could shed some light on that for me, that would be great. I am happy to hop on a call if needed.

Many thanks,
Leslie



Leslie Cooley Dismukes

Criminal Bureau Chief

North Carolina Department of Justice

Office: (919) 716-6560

Cell: (704) 577-6968

ldismukes@ncdoj.gov

114 W. Edenton St., Raleigh, NC 27603

ncdoj.gov

Please note messages to or from this address may be public records.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: [External] RE: 12 NCAC 10B SETSC Rules - October 2022 RRC Request for Changes
Attachments: Form 400 12NCAC 10B.pdf

From: Jones, Sirena <Scjones@ncdoj.gov>
Sent: Friday, October 14, 2022 1:05 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 12 NCAC 10B SETSC Rules - October 2022 RRC Request for Changes


CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good afternoon.
Attached are the corrected 400 forms.

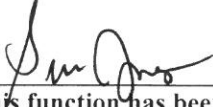
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0205 Period of Suspension, Revocation, or Denial	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138 SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriff's Education and Training Commission and the Criminal Justice Education and Training Standards Commission. Rule 12 NCAC 10B .0205 is affected by the amendment to Rule 12 NCAC 10B .0301 which details these uniform minimum standards for officers.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0301 Minimum Standards for Justice Officers	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriffs' Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

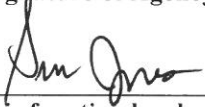
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0302 Documentation of Educational Requirement	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriff's Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

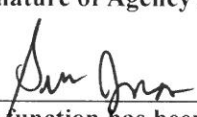
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0303 Fingerprint Criminal History Records Check	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriffs' Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

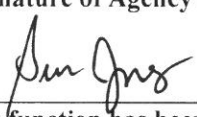
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0304 Medical Examination	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriff's Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

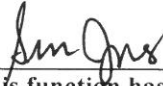
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0305 Background Investigation	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriffs' Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr style="width: 80%; margin-left: 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

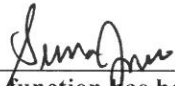
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0306 Employment Interview	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriffs' Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0307 Criminal History Record	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriff's Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0408 Verification of Records to the Division	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: Added details to Rule 12 NCAC 10B .0408 based on the modification of Rule 12 NCAC 10B .0305 which was required to be changed by Senate Bill 300.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Sheriffs' Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 10B .0410 Agency Reporting of Drug Screening Results	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 07/01/2022 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/sheriffs/all-certification-forms-publications/proposed-rule-amendments/ Hearing on: 07/26/2022 Adoption by Agency on: 09/16/2022 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: SL 2021-138, SB 300 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: Senate Bill 300 requires uniform minimum standards for officers certified by the Sheriffs' Education and Training Commission and the Criminal Justice Education and Training Standards Commission.	
10. Rulemaking Coordinator: Sirena Jones Phone: 919-779-8213 E-Mail: scjones@ncdoj.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;"></div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sirena Jones Title:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Burgos, Alexander N

From: Liebman, Brian R
Sent: Tuesday, October 18, 2022 9:56 AM
To: Dismukes, Leslie
Cc: Jones, Sirena C; Pickett, Robert; Zellinger, Benjamin O; Burgos, Alexander N
Subject: RE: [External] Sheriffs' Standards rules for next week

Follow Up Flag: Follow up
Flag Status: Flagged

Let's see what the responses look like, and if there's anything we do need to really iron out, I'm more than happy to sit down with y'all.

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Sent: Tuesday, October 18, 2022 9:52 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Jones, Sirena C <scjones@ncdoj.gov>; Pickett, Robert <RPickett@NCDOJ.GOV>; Zellinger, Benjamin O <bzellinger@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Thanks, Brian – we appreciate you working through this with us. I also think we are making a couple of technical changes to ensure that the two sets of rules comport. Perhaps we can meet early in November, once everyone has had a chance to review, to make sure we iron out any additional issues?

Best,
Leslie

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Tuesday, October 18, 2022 9:49 AM
To: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Cc: Jones, Sirena <Scjones@ncdoj.gov>; Pickett, Robert <RPickett@ncdoj.gov>; Zellinger, Benjamin <Bzellinger@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Sheriffs' Standards rules for next week

Good morning Leslie,

Sorry for the late response, I only got back into my outlook account late last night.

To be clear, there are no objections to the Sheriff's rules at this time. Moreover, although I looked at a few of the CJETS rules, the bulk were reviewed by my colleague, Mr. Duke, so this is my first time reviewing some of this language. Ms. Jones has very helpfully sent me a chart equating each Sheriff's rule with the corresponding CJETS rule, and I think that will aid my review.

We received Ms. Jones' request for an extension, and I will recommend that the Commission grant it. Given some time to work on these, I'm sure we can work out any issues remaining with these Rules.

Thanks,
Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Sent: Friday, October 14, 2022 9:48 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Jones, Sirena C <scjones@ncdoj.gov>; Pickett, Robert <RPickett@NCDOJ.GOV>; Zellinger, Benjamin O <bzellinger@ncdoj.gov>
Subject: [External] Sheriffs' Standards rules for next week

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good morning Brian,

I am a little confused about the objections to the Sheriffs' Standards rules. We amended them to look exactly like the CJ rules (per SB300) that were passed last month. If the Sheriffs' rules have been amended to look just like the approved CJ rules I am unclear why there are objections.

The two sets of rules have to be identical per SB300 and so as soon as our CJ rules were passed by the RRC we sent them to Sheriffs. I have not done a page by page comparison but DD Jones indicates that she incorporated CJ's changes to the Sheriffs' rules before submission.

Given that, I am not sure why there are additional objections if the rules are identical and the CJ rules passed the RRC last month?

If you could shed some light on that for me, that would be great. I am happy to hop on a call if needed.

Many thanks,
Leslie



Leslie Cooley Dismukes

Criminal Bureau Chief

North Carolina Department of Justice

Office: (919) 716-6560

Cell: (704) 577-6968

ldismukes@ncdoj.gov

114 W. Edenton St., Raleigh, NC 27603

ncdoj.gov

Please note messages to or from this address may be public records.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

From: Liebman, Brian R
Sent: Friday, September 30, 2022 11:57 AM
To: Jones, Sirena C
Cc: Burgos, Alexander N
Subject: 12 NCAC 10B SETSC Rules - October 2022 RRC Request for Changes
Attachments: 10.2022 - 12 NCAC 10B Request for Changes.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good morning,

I'm the attorney who reviewed the Rules submitted by the Sheriff's Education and Training Standards Commission for the October 2022 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, October 20, 2022, at 9:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an invite should be sent to you as we get closer to the meeting. If there are any other representatives from your agency who will want to attend virtually, let me know prior to the meeting, and we will get invites out to them as well.

Please submit the revised Rules and forms to me via email, no later than 5 p.m. on Friday, October 14, 2022.

In the meantime, please do not hesitate to reach out via email with any questions or concerns.

Thanks,

Brian

Brian Liebman
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984)236-1948
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.