



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie M. Buffaloe, Jr., Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

### MEETING MINUTES OF THE NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

DATE: October 20, 2022  
TIME: 9:00 A.M.  
PLACE: Hampton Inn & Suites  
3920 Arrow Drive  
Raleigh, North Carolina 27612

SUBMITTED BY: Paul Sherwin, Director

#### MEMBERS PRESENT

Stacy Buff	Bud Cesena
Ron Burris	Dave Stephens
Debra Duncan	Assata Buffaloe
Tamara Rabenold	Sam Russell
Kim Heffney	Suzanne Creech
Steve Johnson	
Nada Lawrimore	
Jerry Pitman	
Andy Renfrow	

#### STAFF PRESENT

Paul Sherwin  
Jeff Gray  
Kim Odom  
Ray Bullard  
Garcia Graham  
Mercedes Sierra  
Carolina Valand

#### VISITORS PRESENT

Arthur Scalzo*	Steven Dorsey*
Camilla Hovey*	Terry Walser*
John Cashin*	Stephen Brown*
John Honeycutt*	Sandra Epley*
Kevin Pakulniewicz*	Adam Trantum
Ronald Mann	Don Miller
Greg Hatten	Bill Wilke
Vicki Underwood	William McRae
Noah McKee	Cassandra Rowe
Ruth Cruz Nichols	

\*v: virtual

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Chairman Bud Cesena called the meeting of the North Carolina Private Protective Services Board to order at 9:00 A.M.

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Law, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance of conflict and refrain from the deliberation and vote in that matter."

### **CLOSED SESSION**

**DEBRA DUNCAN MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO G.S. 143-318.11(a)(3) TO CONSIDER AN OFFER OF SETTLEMENT IN THE PENDING OAH CASE REGARDING ANDY RENFROW/THE RENFROW GROUP. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED. MR. RENFROW RECUSED HIMSELF. ENTERED CLOSED SESSION AT 9:05 A.M.**

Mr. Renfrow excused himself from the room for the Closed Session.

**SAM RUSSELL MOTIONED TO RETURN BACK TO OPEN SESSION. SECONDED BY KIM HEFFNEY. MOTION CARRIED. NONE OPPOSED. RETURNED TO OPEN SESSION AT 9:42 A.M.**

### **FINAL AGENCY DECISIONS**

None.

### **AUGUST 2022 MEETING MINUTES**

**STEVE JOHNSON MADE A MOTION TO ACCEPT THE AUGUST 18, 2022, BOARD MEETING MINUTES. SECONDED BY DAVE STEPHENS. MOTION CARRIED. NONE OPPOSED.**

### **GRIEVANCE COMMITTEE REPORT**

Ron Burris presented the Grievance Committee report. Jerry Pitman, Suzanne Creech, Steve Johnson, Ron Burris, and Tamara Rabenold met in person on October 18, 2022, from 9:00 A.M. to 12:45 P.M. then 1:45 P.M. to 4:19 P.M. and heard a total of sixteen (16) cases.

**STACY BUFF MADE A MOTION TO ACCEPT THE GRIEVANCE COMMITTEE REPORT, EXCEPT CASES 2022-PPS-008, -022, -018, AND -139. DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**NADA LAWRIMORE MADE A MOTION TO ACCEPT GRIEVANCE CASES 2022-PPS-008 AND -022. JERRY PITMAN SECONDED THE MOTION. TAMARA RABENOLD RECUSED HERSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**DAVE STEPHENS MADE A MOTION TO ACCEPT GRIEVANCE CASE 2022-PPS-018. SAM RUSSELL SECONDED THE MOTION. ANDY RENFROW RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**STEVE JOHNSON MADE A MOTION TO ACCEPT GRIEVANCE CASE 2022-PPS-139. TAMARA RABENOLD SECONDED THE MOTION. SAM RUSSELL RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL GRIEVANCE COMMITTEE REPORT*

**SCREENING COMMITTEE REPORT**

Stacy Buff presented the Screening Committee report. Assata Buffaloe, Debra Duncan, Kim Heffney, Sam Russell, Dave Stephens, and Stacy Buff met on October 19, 2022, from 8:30 A.M. to 1:05 P.M. and heard a total of sixty-six (66) cases and one registration denial appeal.

**STACY BUFF MADE A MOTION TO ACCEPT THE COMMITTEE'S REPORT, EXCEPT JONATHAN COLLIER, DENNIS GORDON, SONJA ELIZABETH-LEITZBACH, JEFFREY MIXON, AND KENNETH WILLIAMS. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**STEVE JOHNSON MADE A MOTION TO APPROVE JONATHAN COLLIER'S LICENSE. DAVE STEPHENS SECONDED THE MOTION. ANDY RENFROW RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**TAMARA RABENOLD MADE A MOTION TO DENY DENNIS GORDON'S LICENSE. DAVE STEPHENS SECONDED THE MOTION. SAM RUSSELL RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**NADA LAWRIMORE MADE A MOTION TO APPROVE SONJA ELIZABETH-LEITZBACH AND JEFFREY MIXON'S LICENSES. ASSATA BUFFALOE SECONDED THE MOTION. ANDY RENFROW RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**SAM RUSSELL MADE A MOTION TO APPROVE KENNETH WILLIAM'S LICENSE. STEVE JOHNSON SECONDED THE MOTION. DAVE STEPHENS AND BUD CESENA RECUSED THEMSELVES FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL SCREENING COMMITTEE REPORT*

## **TRAINING AND EDUCATION COMMITTEE REPORT**

Gary Bullard presented the Training and Education report. On October 19, 2022, the Training and Education Committee met from 1:06 P.M. to 2:30 P.M. Steve Johnson, Stacy Buff, Tamara Rabenold, Assata Buffaloe, Sam Russell, and Bud Cesena were present. Training Investigator Ray Bullard presented the trainer courses delivered in 2022 and the course schedule for 2022-2023. Mr. Bullard will be the Instructor for the Firearm Training course in Salemburg, NC, offered on November 14, 2022. Lastly, the Committee reviewed and approved ten (10) new applications for continuing education courses.

**STEVE JOHNSON MADE A MOTION TO APPROVE ALL OF THE NEW CONTINUING EDUCATION COURSES. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**STEVE JOHNSON MADE A MOTION TO APPROVE ALL OF THE RENEWAL CONTINUING EDUCATION COURSES. STACY BUFF SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**STACY BUFF MADE A MOTION TO ACCEPT THE TRAINING AND EDUCATION COMMITTEE REPORT. ASSATA BUFFALOE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL TRAINING AND EDUCATION COMMITTEE REPORT*

## **LAWS AND RULES COMMITTEE REPORT**

Steve Johnson presented the Law and Rules Committee report. Steve Johnson, Debra Duncan, Kim Heffney, Jerry Pitman, and Tamara Rabenold met on October 19, 2022, from 2:30 P.M. to 3:00 P.M. The Committee discussed several items. First, the Committee recommended amending Administrative Rule 14B NCAC 16 .0807(h) to clarify that all classroom training must be completed prior to qualifying on the range. Second, the Committee considered a request to allow persons under the age of 21 who are serving in military to be allowed to obtain an armed security guard registration. The Committee recommended not making this change because most N.C. laws related to handgun possession and purchase require a person to be 21 years old.

**DEBRA DUNCAN MADE A MOTION TO ACCEPT THE PROPOSED CHANGE TO 14B NCAC 16 .0807(h). DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**DEBRA DUNCAN MADE A MOTION TO ACCEPT THE LAWS AND RULES COMMITTEE REPORT. STACY BUFF SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

## **OLD BUSINESS**

Bud Cesena named Board members Suzanne Creech and Jerry Pitman as the Board's representatives to attend the IPSB annual Close Protection Conference in Las Vegas, NV, December 7-9, 2022. The Board previously voted to approve sending representatives at its meeting in August 2022.

## **NEW BUSINESS**

Steven Johnson presented information about the Close Personal Protection License Subcommittee's meeting on September 20, 2022, and its work on developing administrative rules related to the new license. He explained the Committee was closely examining what the minimum training and experience requirements should be for the new license and what subject specific topics of instruction the Board would like to see in third-party courses approved by the Board. Additionally, the Subcommittee was planning to meet at least one more time prior to the Board's December 2022 meeting.

**SAM RUSSELL MADE A MOTION TO ACCEPT THE CLOSE PERSONAL PROTECTION SUBCOMMITTEE REPORT. DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Tamara Rabenold presented information about the Digital Forensics Examiner License Subcommittee's meeting on Monday, October 10, 2022, and its work on developing administrative rules related to the new license. She explained the Committee was closely examining what the minimum training and experience requirements should be for the new license and what subject specific topics of instruction the Board would like to see in third-party courses approved by the Board. Additionally, she stated the Subcommittee is evaluating the need for a trainee license. Finally, she mentioned that the Subcommittee was planning to meet at least one more time prior to the Board's December 2022 meeting.

**STEVE JOHNSON MADE A MOTION TO ACCEPT THE DIGITAL FORENSICS EXAMINER SUBCOMMITTEE REPORT. ASSATA BUFFALOE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Tamara Rabenold also briefed the Board on her attendance of the IASIR Conference October 12-14, 2022, in Huntsville, Alabama. She attended the Conference with Director Paul Sherwin, Attorney Jeff Gray, and ASLB Member Mack Donaldson. She explained that a lot of valuable information was presented at the Conference, and it is a unique opportunity for regulators from the United States, Canada, and South Africa to network and learn best practices from others, as well as establish relationships with security industry professionals who attend the Conference.

## **DIRECTOR'S REPORT**

Director Paul Sherwin presented the Director's Report. He also updated Board members about his plans to make the hotel room reservation process easier and more cost effective for Board

members and provided information about the status of the per diem payments owed to Board members. He said the per diem matter was still being worked on by DPS officials and he hoped it would be resolved soon.

**STACY BUFF MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT. STEVE JOHNSON SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL DIRECTOR'S REPORT*

**ATTORNEY'S REPORT**

Attorney Jeff Gray presented the Attorney's Report. Additionally, Ron Burris requested that any licensee who has a past-due consent agreement or civil penalty amount be brought to the December 2022 Grievance Committee.

*SEE ATTACHMENT FOR THE FULL ATTORNEY'S REPORT*

**STACY BUFF MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**STEVE JOHNSON MADE A MOTION TO ACCEPT CHANGES TO ADMINISTRATIVE RULES 14B NCAC 16 .0103 AND 14B NCAC 16 .0807, AS PRESENTED WITHIN THE ATTORNEY'S REPORT. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**PUBLIC COMMENT**

NCAPI President Bill Wilke informed Board meeting attendees that the NCAPI was holding its annual conference in Cherokee, N.C., December 15-16, 2022.

**TAMARA RABENOLD MADE A MOTION TO ADJOURN THE MEETING. DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Meeting Adjourned 10:57 a.m.

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Paul Sherwin  
Director

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Mercedes Sierra  
Reporter

PPSB Grievance After Report for October 20, 2022 9:00 am

<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
1. 2020-PPS-139	Dennis Gordon North Carolina Protective Service, Inc 1040 Dale Earnhardt Blvd, Suite#147 Kannapolis, NC 28083	NCGS 74C-12(a)(5) NCGS 74C-12(a)(31) 14B NCAC 16.0104	Find a violation of NCGS 74C-12(a)(5), NCGS 74C-12(a)(31), and 14B NCAC 16.0104. Issue a cease and desist order to Dennis Gordon and On North Carolina Protective Service, Inc. Refer this matter to the Screening Committee should he apply for a registration or license.	Accepted
2. 2021-PPS-085	Ronnie Dale Smith RDS Investigations, Inc 225 Green St Ste 201 Fayetteville, NC 283010000	NCGS 74C-2	No violation	Accepted
3. 2022-PPS-008	Brian Davis Newsome Security Solutions of America/Guard-One Protective Services 7506 E Independence Blvd. Suite #105 Charlotte, NC 28227	14B NCAC 16.0108(a)	Find a violation of 14B NCAC 16.0108(a). S&S Management Group LLC dba Security Solutions of America/Guard-One Protective Services enter into a consent agreement in the amount of \$1,664.64 for 17 unarmed registration violations. Staff is to conduct a follow up registration audit for Q2 & Q3 of 2022. Consolidated with 2022-PPS-022.	Accepted
4. 2022-PPS-018	Ronald Mann Derecho Investigations and Security Consulting P.O. Box 480680 Charlotte, NC 28269	NCGS 74C-11	Respondent's motion to withdraw consent from August 2022 and reopen hearing was granted. No violation.	Accepted

<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
5.	2022-PPS-022 Brian Newsome Security Solutions of America/Guard-One Protective Services 7506 E Independence Blvd. Suite #105 Charlotte, NC 28227	NCGS 74C-11	Find a violation of 14B NCAC 16 .0108(a). S&S Management Group LLC dba Security Solutions of America/Guard-One Protective Services enter into a consent agreement in the amount of \$1,664.64 for 17 unarmed registration violations. Staff is to conduct a follow up registration audit for Q2 & Q3 of 2022. Consolidated with 2022-PPS-008.	Accepted
6.	2022-PPS-030 Scott Siano Allied Universal Security Services 2211 W Meadow view Road Suite 102 Greensboro, NC 27407	NCGS 74C-13	Find a violation of NCGS 74C-13. Enter into a consent agreement with Scott Siano and Allied Universal Security Services in the amount of \$183.60 for 1 armed registration violation.	Accepted
7.	2022-PPS-031 Antwan Maurice Whiting PSG Solutions 540 Pressley Road Apartment 142 Charlotte, NC 28217	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously issued to Antwan Whiting and PSG Solutions.	Accepted
8.	2022-PPS-033 Jack Simons Blue Ridge Security Consultants PO Box 1716 Taylorsville, NC 28681	NCGS 74C-2	Find a violation of NCGS 74C-2. Continue the cease and desist order previously issued to Jack Simons and Blue Ridge Security Consultants. Refer this case to the Screening Committee should he apply for a registration or license.	Accepted
9.	2022-PPS-041 Tomasz Janusz Glazowski Conflict International Inc. 301 N Elm Street Suite 238 Greensboro, NC 27401	NCGS 74C-12(a)(7)	Find a violation NCGS 74C-12(a)(20). Issue a letter of warning to Tomasz Janusz Glazowski and Conflict International Inc.	Accepted



<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
10. 2022-PPS-046	Adam Trantum Derecho Investigations and Security Consulting P.O. Box 480680 Charlotte, NC 28269	NCGS 74C-12(d) 14B NCAC 16.0110(b)	No violation	Accepted
11. 2022-PPS-055	Sean Saunder Excelsior Security Agency PO Box 23278 Jacksonville, NC 32257	NCGS 74C-2	Find a violation of NCGS 74C-2. Continue the cease and desist order previously issued to Sean Saunders and Excelsior Security Agency. Refer this case to the Screening Committee should Mr. Saunders, Bobby Lingold, or another representative with Excelsior Security Agency apply for a license.	Accepted
12. 2022-PPS-056	Roderick Charles Payne Fast guard service, LLC 925 S 21st Ave Hollywood , FL 33020	NCGS 74C-2	Find a violation of NCGS 74C-2. Enter into a consent agreement with Roderick Payne and Fast Guard Service, LLC, in the amount \$170.00 for unlicensed activity. Continue the cease and desist order previously issued to Roderick Payne and Fast Guard Service, LLC, until Mr. Payne obtains a security guard and patrol license.	

# Board Meeting Report

Board Date 10/20/2022

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Brian Levon Adamson Matthew E.H., LLC 8620 Orchard Loop Road Leland, NC 28451	Private Investigator	Approve with Condition Private Investigator License with the condition that the applicant provide proof of a credit payment plan.	Accepted
2.	Thomas N Bates BRYCAR Speciality Services P.O. Box 3702 Cary, NC 27519	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
3.	Amanda Battle Faithful 2 Deliver Courier Service P.O Box 480827 Charlotte, NC 28269	Courier Service	Approve Courier Service	Accepted
4.	Robert Bazata EY LLP 300 First Stamford Place Stamford, CT 06902	Private Investigator	Approve Private Investigator	Accepted
5.	Tonya C Blanton Raven Rock Investigations 213 N Main St. Ste H China Grove , NC 28023	Private Investigator Associate	Approve Private Investigator Associate Level 1 with zero hours	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
6.	Jeffrey Anthony Bolettieri Colossus Intelligence Group LLC 4656 Sweet Hollow Place Lancaster, SC 29720	Private Investigator	Approve Private Investigator	Accepted
7.	Devon Bray Ardwolf Internation 1135 Kildaire Farm Road Cary, NC 27511	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,466 hours	Accepted
8.	Jason Champion EPIC Consulting and Services, LLC. 117 East Sycamore Street Lincolnton , NC 28092	Private Investigator Associate	Approve with Condition Private Investigator Associate Level 1 with zero hours; Condition: receipt of favorable fingerprint-based criminal record check	Accepted
9.	Christopher Clark K2 Solutions, Inc. 5375 US Highway 1 North Southern Pines, NC 27238	Guard Dog Service	Approve with Condition Guard Dog Service License with the condition that the applicant provide proof of a credit payment plan.	Accepted
10.	Jonathan Ray Collier Renfrow & Associates 2474 Walnut St Unit 280 Cary, NC 27518	Private Investigator	Approve Private Investigator	Accepted
11.	Jason Todd Collins Tried and True Investigative Services, LLC 6910 Garrett Store Road Liberty, NC 27298	Private Investigator	Approve Private Investigator	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
12.	Joseph Cosgrove III Charlotte Executive Protection Agency 4017 Harmattan Drive Denver, NC 28037	Private Investigator	Approve Private Investigator	Accepted
13.	Autumn Brittany Craig Blue Falcons Investigation 3406 Masters Dr Hope Mills, NC 28348	Private Investigator Associate	Approve Private Investigator Associate Level 1 with zero hours.	Accepted
14.	Anthony Robert DiGiovanni D&R Investigative Group, LLC PO Box 1115 Swansboro, NC 28584	Private Investigator	Approve Private Investigator	Accepted
15.	Andre Lee Edmonds Tactical Touch Training Academy & Courier Service LLC 6832 Ludell Lane Charlotte , NC 28215	Courier Service	Approve Courier Service	Accepted
16.	Olabanji Oladiran Folayan SECUREMEDY, INCORPORATED 8507 Oxon Hill Road Fort Washington, MD 20744	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
17.	David Forystek Premier Security Solutions Company Inc 615 South Saginaw Street Flint, MI 48502	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
18.	Zeev Fragachan Ben Dayan Dynamic Integrated Security Inc 13790 NW 4TH ST Sunrise, FL 33325	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
19.	Moshe N. Fromovitz IronRock Security LLC 235 River Avenue Lakewood, NJ 08701	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
20.	Marcus Goerd Barefoot Private Investigation 1011 E Morehead St Charlotte, NC 282042812	Electronic Countermeasures	Approve Electronic Countermeasures	Accepted
21.	Dennis Gordon ON POST SAFETY PROTECTION 1040 Dale Earnhardt Blvd Suite# 1046 Kannapolis, NC 28083	Security Guard And Patrol	Deny Security Guard & Patrol License for lack of verifiable experience, unfavorable work history, unfavorable criminal history, and falsification of application.	Accepted
22.	Michael James Grisanti Precision Protective and Security Services LLC 1581 Glenbar Ct. Fort Mill, SC 29715	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
23.	maurice Montreal harris Third eye security LLC 204 south main street louisburg , NC 27549	Security Guard And Patrol	Deny Security Guard and Patrol License for lack of verifiable experience	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
24.	Thomas J Hofferth Inspector enterprises 111 Spur Rd Boone , NC 28607	Private Investigator	Approve Private Investigator	Accepted
25.	Bryce Amiel Jacobs-Shannon MSA Security 9 Murray Street New York, NY 10007	Guard Dog Service	Approve Guard Dog Service	Accepted
26.	Jaquan Jones Marshall Investigative Group, Inc 401 Devon Ave Park Ridge, IL 60068	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,000 hours	Accepted
27.	Kontar Oba Joyner Sr Command Investigations 250 International Parkway Lake Mary, FL 32746	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,700 hours	Accepted
28.	Louis Dewayne Kilgo Top Shelf Ent 5300 Old Pineville rd Charlotte, NC 28217	Proprietary	Approve Proprietary	Accepted
29.	Robin George Leckey wtsa security 626 margaret drive statesville, NC 28677	Security Guard And Patrol	Approve with Condition Security Guard & Patrol license with the condition Robin Leckey provide proof of a credit payment plan and pay the \$250.00 civil penalty previously issued to WTSA Security.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
30.	Sonja Elizabeth - Leitzbach Command Investigations, LLC 250 International Parkway Lake Mary, FL 32746	Private Investigator Associate	Approve Private Investigator Associate Level 1 with zero hours	Accepted
31.	William Chester Loucks Jr Hope For Justice, Inc P.O. Box 5009 Beatties Ford Rd Charlotte, NC 28216	Private Investigator	Approve Private Investigator	Accepted
32.	Vicky Hamm Martin New England Fire Cause and Origin 89 Pickering Rd Rochester , NH 03839	Private Investigator	Approve Private Investigator	Accepted
33.	Craig Joseph McCray McCray Global Protection Corp. 801 N Orange Ave Orlando, FL 32801	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
34.	Charles Wayne McCurry Guard One Security 1165 Sanctuary Parkway suite 270 Alpharetta, GA 30009	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
35.	Matthew Lutz McPherson Teddy, Meekins & Talbert, P.L.L.C. 1219 Fallston Road Shelby, NC 28150	Private Investigator	Approve Private Investigator	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
36.	Catherine Megremis Barefoot Professional Investigations 1011 E. Morehead Street, #110 Charlotte, NC 28204	Private Investigator	Approve Private Investigator	Accepted
37.	Jeffrey Lloyd Mixon Akula Security Inc. 4104 HUCKLEBERRY DR. Raleigh, NC 27612-3620	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
38.	Wayne Harold Moran Wayne Moran Investigations 149 Laurel Heights Drive Mooresville, NC 28117	Private Investigator	Approve Private Investigator	Accepted
39.	William Anthony Murphy Security Alliance, LLC 8323 NW 12th Street Doral, FL 33126	Security Guard And Patrol	Approve Security Guard And Patrol	Accepted
40.	Douglas Allen Nance Tried and True Investigative Services, LLC 6910 Garrett Store Road Liberty, NC 27298	Private Investigator	Approve Private Investigator	Accepted
41.	Marco Allen Norman Occam Security 810 Tyvola Rd Charlotte, NC 28217	New Branch Office	Approve with Condition Branch Office license with the condition Marco Norman enter into and pay a consent agreement of \$102.00 for unlicensed branch office.	Accepted



	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
42.	Edward OCallaghan same 4202 West Silover Sands Court Nags Head, NC 27959	Private Investigator	Approve Private Investigator	Accepted
43.	Garrett Clark Parthum PEI Group 4010 Mackenzie Dr Haw River, NC 27258	Private Investigator	Deny Private Investigator for lack of verifiable experience	Accepted
44.	RODERICK CHARLES PAYNE JR FAST GUARD SERVICE 925 S 21 AVE HOLLYWOOD, FL 33020	Security Guard And Patrol	Approve with Condition Security Guard & Patrol license with the condition Roderick Payne Jr. enter into and pay a consent agreement of \$170.00 for unlicensed activity	Accepted
45.	Roanthy Terrace Pratt PRATT SECURITY SERVICES LLC 3305 Burberry Drive Fayetteville, NC 28306	Private Investigator	Approve with Condition Private Investigator License with the condition that the applicant provide proof of a credit payment plan.	Accepted
46.	Roanthy Terrace Pratt PRATT SECURITY SERVICES LLC 3305 Burberry Drive Fayetteville, NC 28306	Security Guard And Patrol	Approve with Condition Security Guard & Patrol License with the condition that the applicant provide proof of a credit payment plan.	Accepted
47.	Joseph Timothy Pulliam Bianco Investigations P.O. Box 26 Cary, NC 27512-0026	Private Investigator Associate	Approve Private Investigator Associate Level 1 with zero hours	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
48.	Terri Blackwell Ranghel HeartAct 161 Tammy Dr. Mooresville, NC 28115	Private Investigator	Approve Private Investigator	Accepted
49.	DEREK RAYNOR BIGBOOT SECURITY 1530 EVANS ST SUITE 106 GREENVILLE, NC 27834	Security Guard And Patrol	Deny Security Guard and Patrol license for lack of verifiable experience.	Accepted
50.	Joshua Redden Legacy National Security LLC 10130 mallard creek Rd,suite 335 e Charlotte, NC 28262	Security Guard And Patrol	Approve with Condition Security Guard & Patrol License with the condition that the applicant provide proof of a credit payment plan and evidence of the wrongful termination finding from the Virginia Employment Commission.	Accepted
51.	Matthew Paul Rehl James F. Valentine & Associates Inc. 300 Thomas Ave Bldg 401 Williamstown , NJ 08094	Private Investigator	Approve Private Investigator	Accepted
52.	William Christopher Roper Principle Investigations LLC P.O. Box 365 Denver , NC 28037	Private Investigator	Approve Private Investigator	Accepted
53.	Terrell Anthony Tadeo Terry Tadeo 301 Livingston dr Charlotte , NC 28211	Private Investigator	Approve Private Investigator	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
54.	Thomas William Tarker Veracity Polygraphs and Backgrounds 108 Merri Acres Ln Hendersonville, NC 28739	Polygraph Examiner	Approve Polygraph Examiner	Accepted
55.	Jamaria Realitee-Danae Thorpe Digistream Investigations 417 Mace Blvd. Davis, CA 95618	Private Investigator	Deny Private Investigator for failure to complete application process	Accepted
56.	Steven Wayne Tollie Greensboro Independent School Corp. 5401 Lawndale Drive Greensboro, NC 27455	Proprietary	Approve Proprietary	Accepted
57.	Angela Lewis Webster Safe-Labs 5901 Elwin Buchanan Drive Sanford , NC 27330	Private Investigator	Approve with Condition Private Investigator with the condition Webster surrender sworn LEO status	Accepted
58.	Cassandra Marie Wenz McMillen Keene Investigative Services Inc. 2013 Olde Regent Way #150246 Leland, NC 28451	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,100 hours	Accepted
59.	Kenneth Dale Williams US ISS Agency LLC 13801 Reese Blvd West Huntersville, NC 28078	Private Investigator	Approve Private Investigator	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
60.	Kennedy ALEXANDER WILSON Maximum Level Security Services 2042 Craver Meadows Drive Winston-Salem, NC 27127	Security Guard And Patrol	Approve with Condition Security Guard & Patrol with the condition Kennedy Wilson enter into and pay a consent agreement of \$8,075.00 for 95 months of unlicensed activity. The consent agreement may be paid in three consecutive monthly installments.	Accepted
61.	Jason Andrew Yow Yow Investigations 819 Larkwood Drive Greensboro, NC 27410	Private Investigator	Approve Private Investigator	Accepted



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

### North Carolina Private Protective Services Board Training and Education Committee Agenda October 19, 2022

#### **The following PPS Trainer courses are scheduled:**

#### **Unarmed Guard Trainer Course and Workshop at Wake Tech. Community College**

- December 5-9, 2022
- January 23-27, 2023
- May 8-12, 2023
- September 11-15, 2023
- December 4-8, 2023

#### **Firearms Trainer Recertification/Prequalification, Salemburg**

- November 14, 2022
- March 1, 2023
- May 10, 2023
- June 21, 2023
- July 10, 2023
- August 30, 2023
- November 13, 2023

#### **Firearms Trainer Course at N.C. Justice Academy, Salemburg**

- April 3-6, 2023
- September 11-14, 2023

#### **Long Gun Instructor Course and Recertification**

- March 21-23, 2023

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# North Carolina Department of Public Safety

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### Completed Training

- August 29, 2022-Firearms Recertification/Prequalification Course
- September 26-30, 2022- Unarmed Guard Trainer Course
- October 3-6, 2022 Basic Firearms Instructor Course

### Trainer Audits

- On October 12, 2022 I audited Melanie Allmond and Michael Ward, both of Novant Health, on the range conducting a qualification for four new guards. Everything was done professionally and correctly.

### Topics for Discussion

- IALEFI-Master Instructor Development Course (2022 and 2023)
- November 14, 2022 Firearms Recertification Course

### Weapon Discharges:

- On August 17, 2022 P&G Security notified Investigator Bullard of a negligent weapon discharge. The incident occurred on August 16, 2022 at approximately 5:45 a.m. at Central Prison located in Raleigh, North Carolina. According to the report Security Guard Cody Johnson, preparing to begin his shift, approached the clearing barrel located at Tower 1. The off going guard had placed the Smith & Wesson M&P, 9mm handgun into the clearing barrel. Johnson cycled the slide one time ejecting one round, placed the barrel of the weapon back into the clearing barrel and pulled the trigger causing the weapon to fire one round into the clearing barrel. Johnson had failed to remove the magazine prior to cycling the weapon. No injuries or damages were reported. The Department of Public Safety was notified.

Investigator Bullard queried PPSM (Permitium) and discovered that Johnson was a properly registered armed guard and was qualified to carry the Smith & Wesson, M&P 9mm. A copy of the email and report are included in this file.

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- On September 15, 2022 P&G Security notified Investigator Bullard of a negligent weapon discharge. The incident occurred on September 14, 2022 at approximately 6:05 a.m. at the Bertie Correctional Institute located in Windsor, North Carolina. According to the report, Security Guard Tashmar Francis was beginning his shift at the prison. Francis went to the clearing barrel outside of the gatehouse, retrieved the Smith & Wesson, M&P 9mm handgun, loaded and charged the handgun. Francis then turned to walk away from the clearing barrel while simultaneously holstering the handgun. The handgun, partially in the holster, discharged one round into the concrete floor beside the clearing barrel. No injuries were reported. The Department of Public Safety was notified.

Investigator Bullard queried PPSM(Permitium) and discovered that Tashmar Francis was a properly registered armed guard and qualified to carry the Smith & Wesson, M&P 9mm handgun. A copy of the report and photographs are included in this file.

- On September 19, 2022 Michael Matthews, Qualifying Agent for Capitol Special Patrol, emailed Investigator Bullard to advise of a weapon discharge that occurred on September 17, 2022. According to the email at approximately 4:30 p.m. security guard William Henry was working an armed post at the Carriage Square shopping center located at 6400 Old Pineville Road, Charlotte, North Carolina. Henry heard a disturbance at the Taco Bar. Upon arriving in the vicinity Henry observed four (4) males exit the Taco Bar. Two (2) began walking toward the “Mini-Mart” and two (2) got into a white Nissan Rouge. The Nissan Rouge began traveling toward the “Mini-Mart”. An employee of the Taco Bar approached Henry and informed him that the four (4) males were causing a disturbance inside and that they had firearms. Henry began walking toward the Nissan Rouge to obtain the license plate number to report the incident. Henry overheard the passengers of the Nissan Rouge yelling to the two (2) individuals that were on foot “hurry up and get in the car”. Henry then heard gun fire coming from the Nissan Rouge. Henry drew his handgun and fired between three and five rounds at the Nissan Rouge, which was still stationary in the parking lot. The Nissan Rouge then fled the area. Henry called 911 and reported the incident. At approximately 6:55 p.m. Charlotte Mecklenburg Police Department located and stopped the white Nissan Rouge. The occupants were in possession of at least one stolen firearm. Several spent shell casings were also located inside of the vehicle. At the time of this report no charges have been filed against Henry. This case is still under investigation by CMPD.

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Investigator Bullard queried PPSM (Permitium) and discovered that Henry was a properly registered Armed Guard for Capitol Special Patrol. A copy of the email is included in this file.

**End of Report**

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<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		<b>New Application(s):</b>					
1.	Catherine D. Flowers	Managing Stress and Difficult Clients <b>APPROVED</b>	PPSB-22-082	Catherine D. Flowers and Michael Flowers	Online/Classroom/Virtual	08/15/2022	<b>2</b>
2.	Catherine D. Flowers	How Drones Aid Accident Reconstruction <b>APPROVED</b>	PPSB-22-083	Catherine D. Flowers and Michael Flowers	Online/Classroom/Virtual	08/08/2022	<b>2</b>
3.	Catherine D. Flowers	Workers' Compensation Investigation <b>APPROVED</b>	PPSB-22-084	Catherine D. Flowers and Michael Flowers	Online/Classroom/Virtual	09/08/2022	<b>6</b>
4.	Adrienne Lasaponara	The Private Investigators Guide to Background Investigations <b>APPROVED</b>	PPSB-22-085	Anthony C. Roman	Virtual	08/02/2022	<b>4</b>
5.	Adrienne Lasaponara	Investigators Guide to MVA Investigations <b>APPROVED</b>	PPSB-22-086	Anthony C. Roman	Virtual	08/02/2022	<b>4</b>
6.	Adrienne Lasaponara	The Private Investigator's Guide To Premises Liability <b>APPROVED</b>	PPSB-22-087	Anthony C. Roman	Virtual	08/02/2022	<b>4</b>
7.	Adrienne Lasaponara	Investigators Guide To Surveillance Investigations <b>APPROVED</b>	PPSB-22-088	Anthony C. Roman	Virtual	08/02/2022	<b>4</b>
8.	Brian Danisevich	Insurance and the Policy <b>APPROVED</b>	PPSB-22-089	Brian Danisevich/Delbert Gregg	Classroom	09/26/2022	<b>3</b>

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
9.	Brian Danisevich	Insurance Types and Claims <b>APPROVED</b>	PPSB-22-090	Brian Danisevich/Delbert Gregg	Classroom	09/26/2022	3
10.	Brian Danisevich	Conducting Claim Interviews <b>APPROVED</b>	PPSB-22-091	Brian Danisevich/Delbert Gregg	Classroom	09/26/2022	3

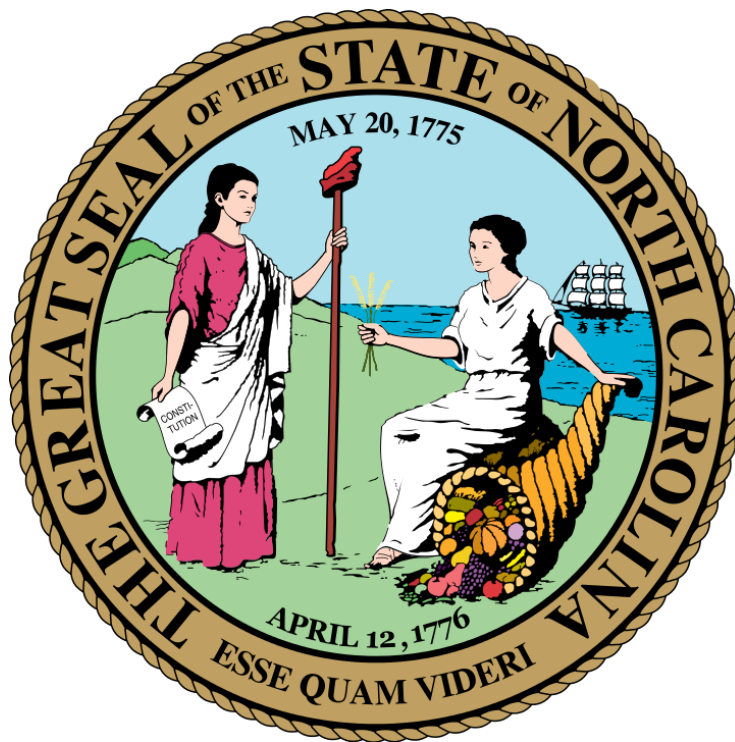
<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		<b>Renewal Application(s):</b>					
1.	Frank J. Bianco	Transition from Law Enforcement to Private Investigations <b>APPROVED</b>	PPSB-14-927	Frank J. Bianco	Classroom	10/3/2022	6
2.	Frank J. Bianco	Investigative Documentation <b>APPROVED</b>	PPSB-14-957	Frank J. Bianco	Classroom	10/03/2022	6
3.	Jerry P. Cooper	The People Principal <b>APPROVED</b>	PPSB-14-926	Jerry P. Cooper	Classroom	08/30/2022	12
4.	Sandra Von Eschenbach	Improvised Explosive Device Training for investigators <b>APPROVED</b>	PPSB-18-509	Steve Cassell	Online	09/16/22	6

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
5.	Sandra Von Eschenbach	Field Notes Training for Investigators <b>APPROVED</b>	PPSB-18-512	Steve Cassell	Online	09/16/2022	4
6.	Sandra Von Eschenbach	Effective Communication Training for Investigators <b>APPROVED</b>	PPSB-18-511	Steve Cassell	Online	09/16/2022	4
7.	Sandra Von Eschenbach	Crowd Control Training for Investigators <b>APPROVED</b>	PPS-18-508	Steve Cassell	Online	09/16/2022	6
8.	Sandra Von Eschenbach	Bomb Threat Awareness Training for Investigators <b>APPROVED</b>	PPSB-18-510	Steve Cassell	Online	09/16/2022	4
9.	Jason P. Livingston	Field Note Taking and Report Writing <b>APPROVED</b>	PPSB-12-701	Jason P. Livingston	Classroom	09/19/2022	12
10.	David Kaiser	Active Shooter Preparedness <b>APPROVED</b>	PPSB-18-507	David C. Kaiser	Classroom	09/21/2022	12

# NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

October 20, 2022

## DIRECTOR'S REPORT



Paul Sherwin, Director

## **DIRECTOR'S REPORT**

- I. PPS information and updates, page 3**
- II. Licensing, registration and certification summary, page 4**
- III. Budget summary, page 5**
- IV. Budget graphics, page 6**

# **PPS INFORMATION AND UPDATES**

## **PERSONNEL**

Private Protective Services currently has four vacant positions:

- Deputy Director – Recruitment in progress
- Administrative Assistant – Vacant
- Registration Processor (2) – Recruitment in progress for one position

## **OPERATIONS**

### **Registration Unit**

- Registration applications received year-to-date: 19,151  
(Same period in 2021: 18,152)

### **Licensing Unit**

- License applications received year-to-date: 1,036  
(Same period in 2021: 717)

### **Investigations Unit**

- License applicant background investigations completed year-to-date: 234  
(Same period in 2021: 229)
- Complaint investigations completed year-to-date: 71  
(Same period in 2021: 48)

### **Training Unit**

- Trainer applications received year-to-date: 325  
(Same period in 2021: 466)

## **OTHER**

None

## LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

**Total active in Permittium: 26,942 (+4.5% from August 2022 meeting)**

Registration		
	Armed	3742
	Armed Armored Car	501
	Armed Private Investigator	96
	Armed Private Investigator Associate	14
	Unarmed	18996
	Unarmed Armored Car	20
<b>Registration Total</b>		<b>23369</b>
License		
	Armored Car Profession	76
	Courier Service Profession	74
	Electronic Counter Measures Profession	51
	Electronic Counter Measures Trainee	8
	Guard Dog Service Profession	16
	Polygraph Examiner	29
	Polygraph Trainee Permit	1
	Private Investigator	1864
	Private Investigator Temp Permit	4
	Private Investigator Associate	314
	Private Investigator Associate Temp Permit	2
	Proprietary	89
	Psychological Stress Evaluator	11
	Security guard and Patrol	525
	Special Limited Guard and Patrol	6
<b>License Total</b>		<b>3070</b>
Certification		
	Firearms Trainer	185
	Unarmed Guard Trainer Certification Total	318
<b>Certification Total</b>		<b>503</b>



**Private Protective Services Board Financial Report**  
**Fiscal Year 2022-2023**  
**(July 1, 2022 – September 30, 2022)**

**PPSB Operating Fund Revenue and Expenditures**

FY23 revenue	\$	417,203.67
FY23 expenditures	\$	(396,675.75)
<b>FYTD FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ 20,527.92</b>

**PPSB Operating Fund Cash Flow**

Beginning Cash Balance (July 1, 2022)	\$	1,600,025.98
FY23 revenue	\$	417,203.67
FY23 expenditures	\$	(396,675.75)
<b>FYTD ENDING FUND BALANCE</b>		<b>\$ 1,620,553.90</b>

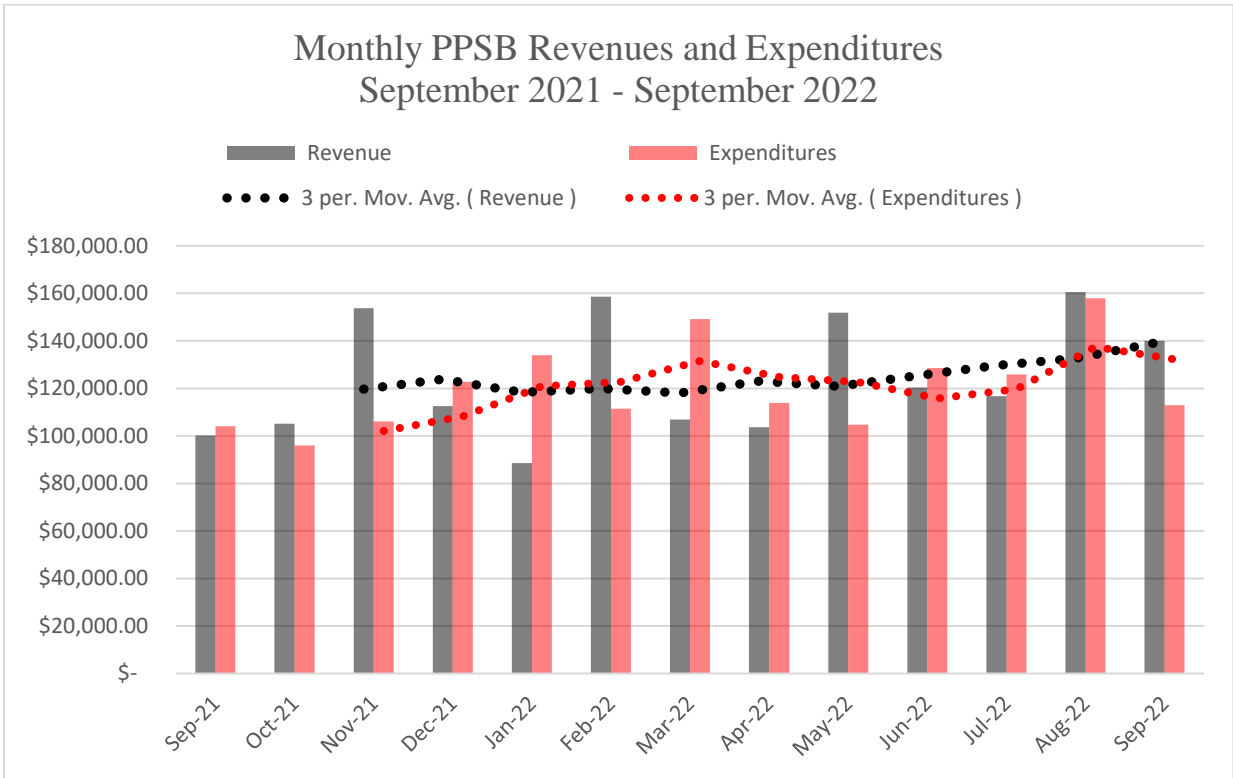
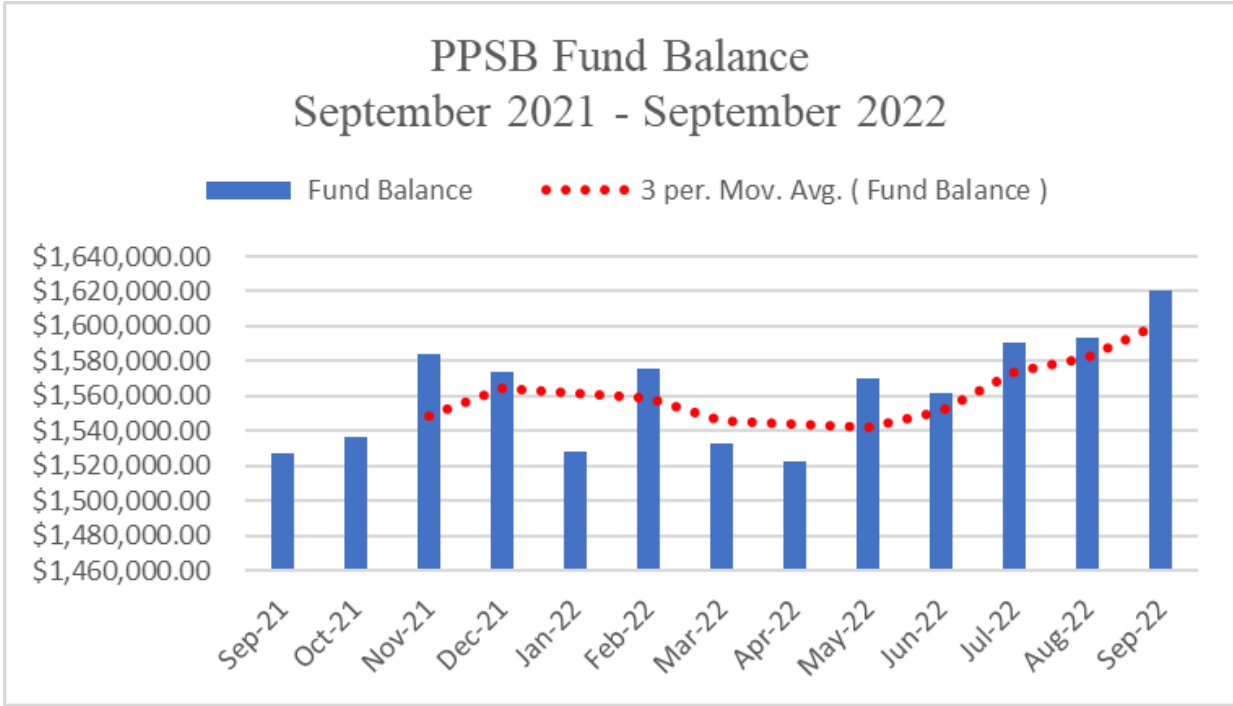
**PPSB Education Fund Revenue and Expenditures**

FY23 revenue	\$	3,399.48
FY23 expenditures	\$	-
<b>FYTD EDUCATION FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ 3,399.48</b>

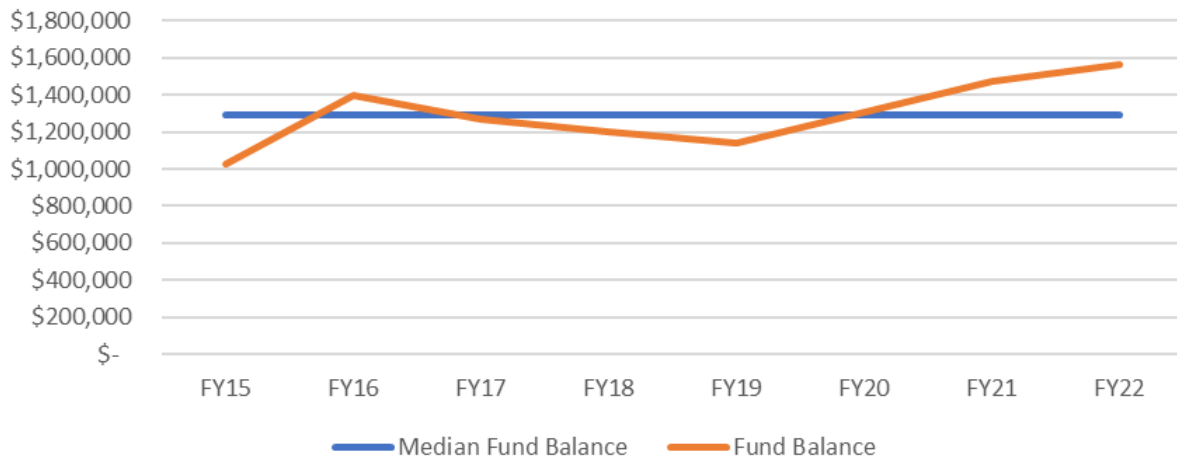
**PPSB Education Fund Cash Flow**

Beginning Cash Balance (July 1, 2022)	\$	129,663.17
FY23 revenue	\$	3,399.48
FY23 expenditures	\$	-
<b>FYTD ENDING FUND BALANCE</b>		<b>\$ 133,062.65</b>

# BUDGET GRAPHICS



### Historical PPSB Fund Balance Fiscal Years 2015-2022

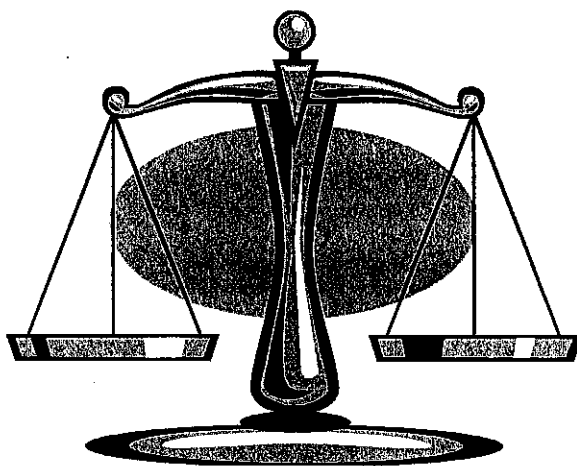


# PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

October 20, 2022

## ATTORNEY'S REPORT



## PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

October 20, 2022

### I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES

1. On April 21, 2022, Charles Reedy/C&M Defense Group, entered into a Consent Agreement with the Board in the amount of \$1,224.00 for registration violations. The temporary agreement was signed by QA Charles Reedy on March 3, 2022. Payment has not been received.
2. On April 21, 2022, William Giles/WTSA Security, LLC was assessed a civil penalty in the amount of \$250.00 for violating N.C.G.S 74C-12 (d) & N.C.G.S 74C-12 (a)(30). Payment has not been received.
3. On June 16, 2022, Austin Taylor/Oak City Protection LLC entered into a Consent Agreement with the Board in the amount of \$4,406.40 for registration violations. The temporary agreement was signed by QA (?) on (date). To be paid in three monthly installments. Payment has not been received.
4. On June 16, 2022, Austin Taylor/ Oak City Protection, LLC was assessed a civil penalty in the amount of \$1,000.00 for Failure to report weapon discharge. The (green card) was signed by (cannot read signature) on (no date given). Payment has not been received.
5. On August 18, 2022, Uri Gal/Professional Security Consultants entered into a Consent Agreement with the Board in the amount of \$9,914.40 for registration violations. The Consent Agreement was signed by QA Uri Gal on September 28, 2022. Paid in full
6. On August 18, 2022, Ronald Mann/Derecho Investigations and Security entered into a Consent Agreement with the Board in the amount of \$489.60 for registration violations. The temporary agreement was signed by QA Ronald Mann on August 3, 2022. Payment has not been received
7. On August 18, 2022, Lucien Guy Morin II/Watchone Security Services entered into a Consent Agreement with the Board in the amount of \$2,252.16 for registration violations. The temporary agreement was signed by QA Lucien Morin II on July 22, 2022. Payment has not been received
8. On August 18, 2022, Verlean Robinson/Imperial Guard and Detective Service, Inc. entered into a Consent Agreement with the Board in the amount of \$122.40 for registration violations. The temporary agreement was signed by QA Verlean Robinson on August 5, 2022. Paid in full

9. On August 18, 2022, Ian Schrader/Solid Armored entered into a Consent Agreement with the Board in the amount of \$877.20 for registration violations. The temporary agreement was signed by QA Ian Schrader on July 26, 2022. Paid in full
10. On August 18, 2022, Gabriel McCuller/Sua Sponte Security LLC, (Screening) entered into a Consent Agreement with the Board in the amount of \$510.00 for registration violations. The temporary agreement was signed by QA Gabriel MCCuller on August 17, 2022. Paid in full

## II. OFFICE OF ADMINISTRATIVE HEARINGS

*See, Hearings List (Attachment 1).*

## III. ADMINISTRATIVE RULES

a. At its December 2021 meeting, and based on a recommendation of the Law and Rules Committee, the Board voted to amend 14B NCAC 16 .0201 to establish a new procedure to allow character letters to be submitted electronically, to amend .0404 to require a Private Investigator to have proof that a requested written report was provided to a client, to repeal an antiquated provision (.0904(a)(4)) requiring payment of a fee for a criminal history record check for renewal of a firearms trainer certificate, and amend all of the Board's "renewal rules" (i.e. .0203, .0706, .0806, .0904, .0911, .1306 and .1406) to allow Board's staff to hold a renewal application if there is a deniable criminal charge pending.

The Notice of Text was filed January 10, 2022. The Public Hearing was held Tuesday, February 22, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expired April 4, 2022. There were no comments, oral or written. The Board voted to approve these rule amendments at its April 21, 2022 meeting. The Submission for Permanent Rule forms were filed May 11, 2022. The Rules Review Commission's Staff Attorney who reviewed these rules had questions, but no Requests for Technical Changes. They were considered by the Commission at its June 16<sup>th</sup> meeting and approved. A copy was attached to my August 18, 2022 Attorney's Report.

b. At its February 2022 meeting, and based on a recommendation of the Training and Education Committee, the Board voted to amend 14B NCAC 16 .0806, .0904 and .0911 to extend by 30 days (i.e. from 60 to 90 days) the renewal deadlines for firearm registration permits and firearm trainer certificates during the time of a declared state of emergency. This extension (i.e. 60 days) was first adopted as emergency, then temporary and finally permanent rule amendments and were effective January 1, 2022. These rule amendments will now afford the same extension (90 days) for an unarmed trainer certificate in new .0911(d).

The Notice of Text was filed February 25, 2022. The Public Hearing was Tuesday, April 26, 2022 at 2:00 p.m. at the Board's office and the Public Comment Period expired May 31, 2022. There were no comments oral or written.

The Board voted to approve the amendments to 14B NCAC 16 .0806 and .0904 at its June 16<sup>th</sup> meeting. The Submission for Permanent Rule forms were filed August 10, 2022.

c. At its April 21, 2022 meeting the Board voted to clarify that the 90 day restriction in 14B NCAC 16 .0807(e) for training prior to registration only applies to the initial training. Also, the words "private detective" are being removed from the definition of "Armed Security Guard" in 14B NCAC 16 .0103.

The Notice of Text was filed June 1, 2022. The Public Hearing was held Tuesday, July 19, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expired August 30, 2022. There were no comments, written or oral. A copy of these rule amendments is attached as Attachment 2.

A vote to approve these rule amendments is in order for today's meeting.

#### IV. LITIGATION

a. At its February 18, 2021 meeting the Board instructed me to file a Motion to Show Cause as to William John Haglar, an unlicensed private investigator who entered into a Consent Order in Wake County Superior Court in 2014 that he would not engage in any activity defined by Chapter 74C of the General Statutes as a "private protective service" in the State of North Carolina. Mr. Haglar has been caught performing private investigator services as recent as December 2020.

After confirming with the attorney who had filed an Affidavit of Service in a domestic case stating Mr. Haglar was a "private investigator," that Mr. Haglar was not the attorney's agent or employee, I filed the Motion on March 30, 2021. Mr. Haglar was served at an addresses in Florida and acknowledged receipt of the Motion by letter.

I noticed a hearing on the Motion for August 2, 2021. Mr. Haglar did not appear, however the presiding Judge granted the Motion and Mr. Haglar was ordered to appear and show cause as to why he should not be held in civil or criminal contempt on August 30, 2021. Having been unsuccessful in serving him by certified mail, I hired a private process server in the State of Florida who was unsuccessful in serving Mr. Haglar. I had to obtain a new court date, which was Monday, October 11, 2021. This time I successfully had him served by the Sheriff of Palm Beach County, Florida.

At his hearing on October 11<sup>th</sup> Mr. Haglar did not personally appear; he retained an attorney the previous Friday to appear on his behalf. I objected to a continuance, but since a person must be personally present for a judge to hold him or her in indirect contempt, the presiding Judge continued the hearing but entered an order that Mr. Haglar personally appear on November 15, 2021 or an order for arrest would be issued.

Mr. Haglar did not appear on the November 15<sup>th</sup> hearing date, but his attorney appeared on his behalf stating he was in the Mayo Clinic in Phoenix, Arizona having had emergency surgery and had suffered a heart attack. The presiding Judge, at my request, required proof. Later in the day Mr. Haglar's attorney provided a letter signed by a physician, an Affidavit, and a photograph of Mr. Haglar lying in a hospital bed. The Judge did not issue the warrant for arrest, and continued the hearing.

The hearing was recalendared for January 31, 2022. Mr. Haglar and his attorney appeared, however the hearing was continued to allow time for a hearing on objections to the subpoena I issued to the attorney who filed the Affidavit of Service in the domestic case stating Mr. Haglar was a "Private Investigator." That hearing was calendared for March 7<sup>th</sup>, virtually, but was continued due to "technical issues." It was re-calendared for April 25, 2022, at which time the Judge entered an Order compelling the attorney's testimony.

Mr. Haglar's attorney advised me he was going to move to withdraw from representation of him. However when he did not do so after a reasonable time I noticed the hearing for August 8, 2022. Mr. Haglar's attorney appeared at the hearing (as did the attorney who signed the Affidavit of Service as ordered), but Mr. Haglar was not present. His attorney presented a letter from a doctor stating Mr. Haglar had health issues and could not travel; he moved to continue the hearing. Following argument from counsel on the motion, and in light of the letter being from a dermatologist (!), the Judge denied the continuance and issued an Order for Arrest.

b. At its April 21, 2022 meeting the Board instructed me to file a Complaint for Injunctive Relief against Raymond Burroughs, d/b/a Ultimate Protection and Staffing, and also "Ultimate Protection, LLC" (neither of which is a legal entity in N.C.), for operating an unlicensed Security Guard and Patrol business in the Durham area.

The Complaint was filed on May 8, 2022 and served by the Durham County Sheriff's Office on July 7, 2022. Mr. Burroughs failed to answer or otherwise plead. I obtained Entry of Default on July 2<sup>nd</sup> and filed and served a Motion for Default Judgment on August 5, 2022. Mr. Burroughs did not answer within 30 days therefore I was allowed to obtain judgment (i.e. an injunction) without a hearing before a Judge. A Default Judgment Order imposing the injunction was signed September 14, 2022.



c. In July 2016, Steven M. Andiloro and Professional Security Solutions, LLC entered into a Consent Order whereby Mr. Andiloro agreed he would cease engaging in the Security Guard and Patrol business without a license. He also agreed to dissolve his limited liability company. It was discovered this Spring he had done neither. At the Board's April 2022 meeting I was instructed to seek an Order to Show Cause as to why he should not be held in contempt for violating the provisions of the Consent Order.

A Motion for Order to Show Cause was filed and served on May 17, 2022, and after some false starts with his original attorney, a Superior Court Judge signed and entered an Order for Show Cause. Mr. Andiloro retained a (new) attorney and the hearing has twice been continued for medical emergencies in Mr. Andiloro's family. It was set for hearing for August 22, 2022, but prior to the hearing, and upon proof he had dissolved Professional Security Solutions, LLC and shut down his website ([securitysolutionsforyou.com](http://securitysolutionsforyou.com)), Mr. Andiloro entered into a second Consent Order wherein he agreed to 30 days confinement in the Wake County Detention Center, suspended on the condition he serve 24 hours active confinement in the Iredell County jail facility (if agreed to by the Sheriff of Iredell County) and he be placed on five (5) years supervised probation. Any future violation of the Board's law and rules will result in the revocation of the probation and activation of the remaining 29 days.

As an interesting note, it was discovered after the April Grievance Committee meeting that Mr. Andiloro, in the name of Professional Security Solutions, LLC, applied for and obtained a PPE loan, on May 6, 2020 in the amount of \$1,729,166.00.

d. At its June 16, 2022 meeting the Board instructed me to file a Complaint for Injunctive Relief against Franco Khristian Webb d/b/a Global Security, Webb Security Global and/or Webb Security (none of which are legal entities in N.C.) for engaging in the Security Guard and Patrol business and performing Private Investigator activities without a license.

The Complaint was filed on June 27, 2022 and was returned by the Cumberland County Sheriff's Office unserved ("unable to locate") on July 15<sup>th</sup>. I obtained an Alias & Pluries Summons and was successful with service through FedEx on August 10, 2022. Mr. Webb failed to answer or otherwise plead. I obtained Entry of Default on September 14<sup>th</sup> and filed and served a Motion for Default Judgment on September 20, 2022. If Mr. Webb does not answer within 30 days (i.e. today, October 20<sup>th</sup>) I can obtain judgment (i.e. an injunction) without a hearing before a Judge.

e. At its October 2020 meeting the Board entered its Final Agency Decision in the matter of Nickolas Scott Chatham denying his application for a Private Investigator Associate license. Director Sherwin and I, both, received indications Mr. Chatham intended to petition for judicial review. Such a petition, by statute,

must be filed in the county of the petitioner's residence. Mr. Chatham had a High Point, NC address on his application. Not having received anything from him I checked the Guilford County Clerk of Court filings in early 2021 and discovered nothing.

On July 20, 2022 the Board office received a Trial Calendar from Alamance County for a "status report" for a complaint (not a petition) filed by Mr. Chatham in January 2021. Evidently it has been on previous calendars for a status report, but since there was no address for Mr. Chatham or the Board included with his complaint we never received notice.

I have filed a Motion to Dismiss but the Trial Court Coordinator advised me that I had to first appear at the August 15, 2022 status report hearing before I could calendar the Motion to Dismiss, which I did. The Board's Motion to Dismiss was heard and granted on September 26, 2022. Although sent a Notice of Hearing by me, and a Motions Calendar by the Court, Mr. Chatham did not appear.

## V. LEGISLATION

Senate Bill 424, "Private Protective Services Licensing Modifications" passed the General Assembly on July 1, 2022 and was signed by the Governor on July 8, 2022.

The Law & Rules Committee has begun the process of formulating recommendations to the full Board for administrative rule amendments and adoptions, including creating two subcommittees, one for the new Close Personal Protection license and a second on for the new Digital Forensics Examiner license. Each of these subcommittees has had an initial meeting.

## VI. FINAL AGENCY DECISIONS

None.

**PPSB  
MASTER HEARINGS LIST  
as of September 28, 2022**

1.

OAH HEARING DATE	PETITIONER	TYPE OF APPLICATION	FAD STATUS OR HEARING DATE
January 27, 2022	David Bradford Russell 21 DOJ 04652	Denial of Proprietary Security Organization application	August 18, 2022.
January 27, 2022	Michael Abram Craddock 21 DOJ 05086	Summary Suspension of Armed Guard Registration.	FAD served May 2, 2022.
January 27, 2022	William Christopher Giles 21 DOJ 05206	Summary Suspension of Security Guard and Patrol license and Armed Guard Registration	FAD served May 2, 2022.
February 22, 2022	Jameere Dashun Samuel Ollison 21 DOJ 05506	Summary Suspension of Armed and Unarmed Guard Registration	Registrations expired December 31, 2021; no renewal; hearing withdrawn March 9, 2022.
February 22, 2022	Roderick Duane Daniels 21 DOJ 05507	Summary Suspension of Armed Guard Registration and Armed Armored Car Guard Registration	Heard at February 15, 2022 Grievance Committee meeting and February 17, 2022 Board meeting; summary suspension upheld; hearing withdrawn February 22, 2022.
March 29, 2022	Sharron Monique Patillo 22 DOJ 00417	Summary Suspension of Armed Guard Registration	Terminated by employer; hearing withdrawn April 8, 2022.
March 29, 2022	Terry Wayne Sutherland 22 DOJ 00070	Denial of Private Investigator License	August 18, 2022.
April 26, 2022	Donquavius Averon Boyd 21 DOJ 05505	Summary Suspension of Armed Armored Car Service Registration	Terminated by employer; hearing withdrawn April 8, 2022.
April 26, 2022	Adam Robert Trantum 22 DOJ 00805	12 month Revocation of (2 licenses, 3 certifications & 2 registrations.)	August 18, 2022.
May 24, 2022	Phillip David Holiday 22 DOJ 00908	Summary Suspension of Armed Proprietary Guard Registration	Charges dismissed; summary suspension rescinded June 14, 2022; hearing withdrawn June 16, 2022.
May 24, 2022	Franklin Jones, Jr. 22 DOJ 00909	Summary Suspension of Armed Proprietary Guard Registration	Charges dismissed; summary suspension rescinded June 14, 2022; hearing withdrawn June 16, 2022.

**PPSB  
MASTER HEARINGS LIST  
as of September 28, 2022**

June 28, 2022	Michael Andrew McCall 22 DOJ 01699	Summary Suspension of Unarmed Guard Registration	Charges dismissed; summary suspension rescinded June 2, 2022; hearing withdrawn June 2, 2022.
June 28, 2022	Micah Xavier Riley 22 DOJ 01700	Summary Suspension of Armed Guard Registration	Terminated by employer; hearing withdrawn June 7, 2022.
July 26, 2022	Kamaljeet Singh Johar 22 DOJ 02390	Summary Suspension of Armed Guard Registration	Charges dismissed; summary suspension rescinded July 13, 2022; hearing withdrawn July 14, 2022.
October 25, 2022	John Thomas Doss 22 DOJ 03644	Summary Suspension of Unarmed Guard Registration	
October 25, 2022	Rakeem Noel Michel 22 DOJ 03701	Denial of Unarmed Security Guard Registration	

PROPOSED RULES

permanently revoked or permanently suspended. The notifications required under this Paragraph shall be in writing and shall specify the nature of the offense, the court in which the case was handled, the date of the arrest or criminal charge, the date of issuance of the Domestic Violence Order (G.S. 50B) or Civil No Contact Order (G.S. 50C), and the final disposition and the date thereof. The notifications required under this Paragraph shall be received by the School Director within 30 days of the date the case was disposed of in court. The requirements of this Paragraph shall apply at all times during which the trainee is enrolled in a Basic Law Enforcement Training Course. The requirements of this Paragraph shall be in addition to the notifications required under 12 NCAC 10B .0301 and 12 NCAC 09B .0101(8).

Authority G.S. 17C-4; 17E-7.

SECTION .0800 - ACCREDITATION OF JUSTICE OFFICER SCHOOLS AND TRAINING COURSES

12 NCAC 10B .0803 REPORTS/DETENTION OFFICER CERT COURSE PRESENTATION/COMPLETION

Each presentation of the Detention Officer Certification Course shall be reported to the Commission as follows:

- (1) After acquiring accreditation for the course and before commencing each delivery of the course, the school director shall, no less than 30 days prior to the scheduled delivery, notify the Division of the school's intent to offer the training course by submitting a Pre-Delivery Report of Training Course Presentation (Form F-7A); and
(2) Upon completing delivery of the accredited course, and not more than ten days after receiving from the Commission's representative the Report of Examination Scores, the school director shall notify the Division regarding the progress and achievement of each enrolled trainee by submitting a Post-Delivery Report of Training Course Presentation (Form F-7B). This report shall also include each trainee's reading grade level as determined by testing required in 12 NCAC 10B .0601(e).

Authority G.S. 17E-4; 17E-7.

TITLE 14B - DEPARTMENT OF PUBLIC SAFETY

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to amend the rules cited as 14B NCAC 16 .0103 and .0807.

Link to agency website pursuant to G.S. 150B-19.1(c): https://www.ncdps.gov/dps-services/permits-licenses/private-protective-services-board

Proposed Effective Date: November 1, 2022

Public Hearing:

Date: July 19, 2022

Time: 2:00 p.m.

Location: 3101 Industrial Dr., Suite 104, Raleigh, NC 27609

2.

Reason for Proposed Action: The definition of "Armed Security Guard" is being amended to remove "private detective" and the rule governing training requirements for Armed Security Guard is being amended to clarify that the 90 day restriction for training prior to registration only applies to the initial training. (For re-qualification it is 180 days.)

Comments may be submitted to: Paul Sherwin, 3101 Industrial Dr., Suite 104, Raleigh, NC 27609; phone (919) 788-5320; fax (919) 715-0370; email paul.sherwin@ncdps.gov

Comment period ends: August 30, 2022

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
Local funds affected
Substantial economic impact (>= \$1,000,000)
Approved by OSBM
No fiscal note required

CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD

SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

14B NCAC 16 .0103 DEFINITIONS

In addition to the definitions set forth in G.S. 74C, the following definitions shall apply throughout this Subchapter:

- (1) "Agency Head" means the Chairman of the Board.
(2) "Applicant" means any person, firm, or corporation applying to the Board for a license, trainee permit, registration, or firearms trainer certificate.

PROPOSED RULES

- (3) "Armed Private Security Guard" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:
  - (a) who at any time wears, carries, or possesses a firearm in the performance of his or her duties; and
  - (b) whose principal duty is that of:
    - (i) an armed security guard, officer, patrol, or watchman;
    - (ii) an armed armored car service guard; guard; or
    - (iii) a private detective; or
    - (iv)(iii) an armed courier service guard.
- (4) "Board" means the Private Protective Services Board established by G.S. 74C.
- (5) "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
- (6) "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out-of-state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
- (7) "Chairman" means the Chairman of the Private Protective Services Board.
- (8) "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 that provides the services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- (9) "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on a frequent and reasonable basis based upon the trainee's level of experience.
- (10) "Investigative Capacity" means any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals.
- (11) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
- (12) "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.

- (13) "Proprietary Security Organization" means any person, firm, association, corporation, or department that employs watchmen, security guards or "officers," patrol personnel, or couriers in connection with the business affairs of the employer.
- (14) "Qualifying Agent" means the individual licensee who is responsible for the private protective services business. If the licensee maintains an office in North Carolina, the Qualifying Agent must be a resident of North Carolina.
- (15) "Registered agent" means the individual resident of North Carolina designated by the business entity in lieu of the Qualifying Agent as allowed by G.S. 74C-8(c)(1) who may be, but is not required to be, the registered agent required by G.S. 55D-30.
- (16) "Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.
- (17) "Temporary unarmed security guard" means an individual who is hired for a period of 30 days or less within a calendar year and who is designated by his or her employer as a temporary security guard at the start of employment.

Authority G.S. 74C-3; 74C-5; 74C-8.

SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

14B NCAC 16 .0807 TRAINING REQUIREMENTS FOR ARMED SECURITY GUARDS

- (a) Applicants for an armed security guard firearm registration permit shall first complete the basic unarmed security guard training course set forth in Rule .0707 of this Chapter.
- (b) Private investigator licensees applying for an armed security guard firearm registration permit shall first complete a five-hour training course consisting of the courses set forth in Rule .0707(a)(1) and (2) of this Chapter and all additional training requirements set forth in that Rule.
- (c) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed security guards which consists of at least 20 hours of classroom instruction including:
  - (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard, including familiarity with rules and regulations relating to armed security guards (minimum of four hours);
  - (2) handgun safety, including range firing procedures (minimum of one hour);
  - (3) handgun operation and maintenance (minimum of three hours);
  - (4) handgun fundamentals (minimum of eight hours); and
  - (5) night firing (minimum of four hours).

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**PROPOSED RULES**

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Subparagraph (c)(2), "operation" under Subparagraph (c)(3), and Subparagraph (c)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(d) Applicants for an armed security guard firearm registration permit shall attain a score of at least 80 percent accuracy on a firearms range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office, once in three consecutive attempts. Should a student fail to attain a score of 80 percent accuracy, the student may be given a second opportunity to qualify once in three consecutive attempts on the course of fire the student did not pass. Failure to qualify after the second series of attempts shall require the student to repeat the entire basic training course for armed security guards. All attempts must take place within 20 days of the completion of the initial 20 hour course. For rifle qualification all shots shall be located on the target.

(e) All initial armed security guard training required by this Chapter shall be administered by a certified trainer and shall be completed no more than 90 days prior to the date of issuance of the armed security guard firearm registration permit.

(f) All applicants for an armed security guard firearm registration permit shall obtain training under the provisions of this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

(g) No more than six new or renewal armed security guard applicants per one instructor shall be placed on the firing line at any one time during firearms range training for armed security guards.

(h) Applicants for re-certification of an armed security guard firearm registration permit shall complete a basic recertification training course for armed security guards that consists of at least four hours of classroom instruction and is a review of the requirements set forth in Subparagraphs (c)(1) through (c)(5) of this Rule. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed security guard firearm registration permit shall also complete the requirements of Paragraph (d) of this Rule.

(i) An armed guard registered with one company may be registered with a second company. The registration shall be considered "dual." The registration with the second company shall expire at the same time that the registration expires with the first company. An updated application shall be required to be submitted by the applicant, along with the digital photograph, updated criminal records checks, and a forty dollar (\$40.00) registration fee. If the guard will be carrying a firearm of the same make, model, and caliber, then no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course.

(j) To be authorized to carry a standard 12 gauge shotgun in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of

Paragraphs (a), (c), and (d) of this Rule, six hours of classroom training that shall include the following:

- (1) legal limitations on the use of shotgun (minimum of one hour);
- (2) shotgun safety, including range firing procedures (minimum of one hour);
- (3) shotgun operation and maintenance (minimum of one hour);
- (4) shotgun fundamentals (minimum of two hours); and
- (5) night firing (minimum of one hour).

Subparagraph (j)(2), "operation" under Subparagraph (j)(3), and Subparagraph (j)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(k) An applicant may take the additional shotgun training at a time after the initial training in this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraph (j) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a shotgun range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(l) Applicants for shotgun recertification shall complete one hour of classroom training covering the topics set forth in Paragraph (j) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

(m) To be authorized to carry a rifle in the performance of his or her duties as an armed security guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, 16 hours of classroom training which shall include the following:

- (1) legal limitations on the use of rifles (minimum of one hour);
- (2) rifle safety, including range firing procedures (minimum of one hour);
- (3) rifle operation and maintenance (minimum of two hours);
- (4) rifle fundamentals (minimum of ten hours); and
- (5) night firing (minimum two hours).

Subparagraph (m)(2), "operation" under Subparagraph (m)(3), and Subparagraph (m)(4) of this Rule shall be completed prior to the applicant's participation in range firing.

(n) The applicant shall pass a skills course that tests each basic rifle skill and the test of each skill shall be completed within three attempts.

(o) An applicant may take the additional rifle training at a time after the initial training in this Rule. If the rifle training is completed at a later time, the rifle certification shall run concurrent with the armed registration permit. In addition to the requirements set forth in Paragraphs (m) and (n) of this Rule, applicants shall attain a score of at least 80 percent accuracy on a rifle range qualification course adopted by the Board and the Secretary of Public Safety, a copy of which is on file in the Director's office.

(p) Applicants for rifle recertification shall complete an additional one hour of classroom training covering the topics set forth in Paragraph (m) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

PROPOSED RULES

(q) Upon written request, an applicant for an armed security guard firearm registration permit who possesses a current firearms trainer certificate shall be given a firearms registration permit that will run concurrent with the trainer certificate upon completion of an annual qualification with the applicant's duty firearms as set forth in Paragraph (d) of this Rule.

(r) An armed security guard is required to qualify annually both for day and night firing with his or her duty handgun, shotgun, and rifle, if applicable. If the security guard fails to qualify on any course of fire, the security guard shall not carry the firearm until such time as he or she meets the qualification requirements. Upon failure to qualify, the firearm instructor shall notify the security guard that he or she is no longer authorized to carry the firearm and the firearm instructor shall notify the employer and the Private Protective Services Board staff on the next business day.

(s) A firearm training certificate of an armed security guard remains valid even if the guard leaves the employment of one company for the employment of another. The range qualifications shall remain valid if the guard will be carrying a firearm of the same make, model, and caliber and no additional firearms training shall be required. The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both the day and night qualification course. The qualification score is valid for 180 days after completion of the course. However, nothing herein shall extend the period of time the qualification is valid.

Authority G.S. 74C-5; 74C-9; 74C-13.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 32 - MEDICAL BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Medical Board intends to adopt the rule cited as 21 NCAC 32A .0115.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncmedboard.org/about\_the\_board/rule\_changes

Proposed Effective Date: December 1, 2022

Public Hearing:

Date: August 30, 2022

Time: 10:00 a.m.

Location: The public hearing will be held remotely via teleconference 1-919-518-9840; Conference ID: 957 499 419#

Reason for Proposed Action: To establish a rule for petitioning the NC Medical Board for rule making.

Comments may be submitted to: Wanda Long, P.O. Box 20007, Raleigh, NC 27619-0007; phone (919) 326-1109; email rules@ncmedboard.org

Comment period ends: August 30, 2022

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
Local funds affected
Substantial economic impact (>= \$1,000,000)
Approved by OSBM
No fiscal note required

SUBCHAPTER 32A - ORGANIZATION

21 NCAC 32A .0115 PETITION FOR RULE-MAKING

(a) Any person submitting a petition to adopt, amend, or repeal a rule by the Board shall address a petition to the Board's Rule Making Coordinator at the office address in 21 NCAC 32A .0101.

- (1) The petition shall contain the following:
(A) for petitions to adopt or amend a rule, a draft of the proposed rule or amendment;
(B) a statement of the effect of the requested rule change; and
(C) the name and address of the petitioner.
(2) The petition may contain the following:
(A) the reason for the proposal;
(B) the effect of the new rule on existing rules; or
(C) any data supporting the rule proposal.

(b) Within 120 days of submission of the petition, the Board shall render a final decision. If the decision is to grant the petition, the Board shall initiate a rule-making proceeding by issuing a notice as provided for in G.S. 150B-20(c). If the decision is to deny the petition, the Board shall send the petitioner written notice of the decision. The notice shall state the reasons for denying the petition and refer to the appeal rights set forth in G.S. 150B-20(d).

Authority G.S. 150B-20.