



North Carolina Department of Public Safety

Private Protective Services Board

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

Tamara Rabenold, Chair
Paul Sherwin, Director

Meeting Minutes
February 15, 2024, 9 a.m.
Hampton Inn and Suites – Raleigh/Crabtree Valley

Board Members Present

Ron Burris
Debra Duncan
Tamara Rabenold
Dave Stephens*
Stacy Buff
Sam Russell

Suzanne Creech
Richard Epley
Andy Renfrow
Steve Johnson
Jerry Pitman

Staff Present

Paul Sherwin
Ray Bullard
Kim Odom
Garcia Graham
Karen Battle
Jeff Gray

*virtual

Board Members Absent

Kim Heffney
Assata Buffaloe
Candace Ratliff

Call to Order

Chair Tamara Rabenold called the February 15, 2024, meeting of the North Carolina Private Protective Services Board to order at 9 a.m.

State Ethics Law

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 deliberation and voting in that matter."

Approval of the December 2023 Board Meeting Minutes

Motion: Debra Duncan motioned to accept the December 14, 2023, Board meeting minutes. Andy Renfrow seconded. The motion carried unanimously.

Committee Reports

Grievance Committee: Grievance Committee members Ron Burris, Tamara Rabenold, Suzanne Creech, Jerry Pitman, and Steve Johnson met on February 15, 2024, from 9 a.m. to 12 p.m. The Committee heard 20 cases. Committee Chair Ron Burris presented the Grievance Committee report.

Motion: Jerry Pitman motioned to accept all cases except 2023-PPS-122 (Freeman), 2024-PPS-014 (Freeman) and 2023-PPS-101 (Edmonds). Suzanne Creech seconded. The motion carried unanimously.

Motion: Stacy Buff motioned to accept 2023-PPS-122 (Freeman) and 2024-PPS-014 (Freeman). Jerry Pitman seconded. The motion carried unanimously. Andy Renfrow recused from the vote.

Motion: Steve Johnson motioned to accept 2023-PPS-101 (Edmonds). Sam Russell seconded. The motion carried unanimously. Tamara Rabenold and Suzanne Creech recused from the vote.

Ron Burris stated that the committee recommended a rule change, which was discussed in detail during the Laws and Rules Committee meeting, to no longer accept unanimous complaints, unless the Director determines that the alleged violation may pose a threat to the public health, safety or welfare.

The committee also discussed, but did not decide, whether to continue holding Grievance Committee meetings at the hotel or move them back to the PPS office to achieve greater efficiency and cost savings.

See the attachment for the full Grievance Committee report.

Screening Committee: Screening Committee members Sam Russell, Debra Duncan, Dave Stephens, Kim Heffney, Stacy Buff and Richard Epley met on February 14, 2024, from 9 a.m. to 10:45 a.m. to review 61 license applications, two QA for Two Companies applications, and one registration denial appeal. Committee Chair Debra Duncan presented the Screening Committee report.

Motion: Steve Johnson motioned to accept all the Committee's recommendations, except Joshua Freeman. Stacy Buff seconded. The motion carried unanimously.

Motion: Stacy Buff motioned to accept the Committee's recommendation for Joshua Freeman. Suzanne Creech seconded. The motion carried unanimously. Andy Renfrow recused from the vote.

See the attachment for the full Screening Committee report.

Laws and Rules Committee: Laws and Rules Committee members Steve Johnson, Jerry Pitman, Andy Renfrow, Sam Russell, Debra Duncan and Kim Heffney met on February 14,

2024, from 2:30 p.m. to 3:25 p.m. Committee Chair Steve Johnson delivered the Laws and Rules Committee report.

Steve Johnson explained the Committee received and discussed a petition for a rule change from an individual who proposed the Board amend 14B NCAC 16 .0807 to extend the period a new firearms qualification is valid for from 90 days to 180 days. The Committee recommended the Board deny the petition.

Steve Johnson explained the Committee recommended the Board amend rules 14B NCAC 16 .0301, .0302, .0401, .0402, .1101, .1102, .1103, .1104, and .1105 to remove redundant language and clarify select terminology, in response to feedback Attorney Jeff Gray received from the N.C. Rules Review Commission. Mr. Johnson said the Committee also recommended the Board amend 14B NCAC 16 .1501 to add the CPR, AED, and First Aid training requirement to the other experience requirements needed for a Close Personal Protection license. Mr. Johnson also recommended the Board approve new rule 14B NCAC 16 .1709, which allows digital forensics licensees to employ a potential trainee for 60 days as a probationary employee or as an intern or apprentice.

In addition, Mr. Johnson said Director Sherwin presented to the Committee five proposed rule changes, including: amend 14B NCAC 16 .0201(b) to remove the requirement that the Written Plan of Supervision form for license trainees be notarized; amend Rule .0203 to reduce from three years to two years the period for which an expired license may be reinstated, and clarify that continuing education is required to reinstate a license; amend Rule .0115 to state that anonymous complaints shall not be accepted unless the Director determines the alleged violation may pose a threat to public health, safety or welfare; and amend Rules .0707 and .0807 to add a requirement that unarmed guard trainers and firearms trainers give each student a certificate of training upon completion of course.

After much discussion, the Board decided to refer the proposed changes to Rules .0707 and 0807 to the Laws and Rules Committee for further discussion.

Further, the Board recently learned that its licensing software vendor, Permitium, plans to increase its per-transaction fee from \$4.00 to \$5.00, effective September 1, 2024. Director Sherwin reported this is the first time Permitium has increased its fees since 2017. As a result of the planned fee increase, the Committee recommended the Board vote to amend the following rules to remove the specific reference to the \$4.00 fee and replace it with more generic and adaptable language about a processing fee charged by the vendor: 14B NCAC 16 .0115, .0201, .0203, .0301, .0302, .0401, .0402, .0501, .0701, .0702, .0706, .0801, .0802, .0806, .0902, .0904, .0910, .1301, .1302, .1306, .1401, .1402, and .1406.

Motion: Sam Russell motioned to approve the proposed changes to Rules .0301, .0302, .0401, .0402, .1101, .1102, .1103, .1104, .1105, .0201, .0203, .0115, .0115, .0201, .0203, .0301, .0302, .0401, .0402, .0501, .0701, .0702, .0706, .0801, .0802, .0806, .0902, .0904, .0910, .1101-.1105, .1301, .1302, .1306, .1401, .1402, .1406, .1501. Ron Burris seconded. The motion carried unanimously.

Motion: Dave Stephens motioned to accept the Laws and Rules Committee report. Stacy Buff seconded. The motion carried unanimously.

Training and Education Committee: Training and Education Committee members Richard Epley, Stacy Buff, Andy Renfrow, Steve Johnson, Dave Stephens, and Sam Russell met on February 14, 2024, from 1 p.m. to 1:52 p.m. Committee Chair Dave Stephens presented the Training and Education Committee report, which included updates about completed and planned train-the-trainer courses, and the results of a recent compliance audit of one certified trainer by Board staff.

In addition, Mr. Stephens reported the Committee reviewed eleven applications for new continuing education courses and two applications for the renewal of existing continuing education courses. He stated the Committee recommended approving all the courses.

Finally, Mr. Stephens reported that the Committee had reviewed and discussed one grant application from Catherine Flowers with Cat's Eye Private Investigations LLC.

Motion: Susanne Creech motioned to approve Catherine Flowers' grant application and award the requested \$5,000. Richard Epley seconded. Andy Renfrow inquired whether Ms. Flowers would receive the grant prior to delivering the training. Mr. Johnson responded that the grant would be paid as reimbursement. The motion carried unanimously.

Motion: Suzanne Creech motioned to accept the Training and Education Committee report. Richard Epley seconded. The motion carried unanimously.

See the attachment for the full Training and Education Committee report.

Emerging Technology Committee: Emerging Technology Committee members Stacy Buff, Andy Renfrow, and Tamara Rabenold met on February 14, 2024, from 11:30 a.m. to 11:58 a.m. Stacy Buff reported that the Committee met briefly to discuss current technology developments and expressed interest in learning more about them. The Committee is interested in exploring various types of technology relevant to the private security industry and plans to bring in experts to discuss specific technologies at future meetings.

Motion: Steve Johnson motioned to accept the Emerging Technology Committee report. Andy Renfrow seconded. The motion carried unanimously.

Special Committee on Unlicensed Activity: Suzanne Creech reported that on Thursday February 8, 2024, the Committee met to discuss unlicensed activity and strategies to mitigate it. Ms. Creech reported the Committee explored the possibility of Private Protective Services having at least one sworn law enforcement investigator on staff, but research showed this proposal faces several challenges including the need for a statute change, increased Board funding, and the numerous training and certification compliance requirements needed. Instead, the Committee recommended that the Board seek active partnerships with the NC Conference of District Attorneys, the Sheriff's Association, and the N.C. Association of Chiefs of Police to educate key public safety partners about the dangers of unlicensed security providers. Ms.

Creech reported the Committee also suggested the Board ask the N.C. Criminal Justice Education and Training Standards Commission to add course about unlicensed private security to its 2026 law enforcement in-service training curriculum.

Motion: Sam Russell motioned to accept the Special Committee on Unlicensed Activity report. Andy Renfrow seconded. The motion carried unanimously.

Special Committee on Continuing Education: Sam Russell reported that Committee met on Thursday, February 1, 2024, to discuss the current state of continuing education training requirements for PPSB licensees. He stated the Committee is in the early stages of looking into requiring a specific set of continuing education training for all license holders, regardless of the type of license they currently possess, and exploring other ways to improve the continuing education program.

Motion: Stacy Buff motioned to accept the Special Committee on Continuing Education report. Ron Burris seconded. The motion carried unanimously.

Old Business

Debra Duncan reminded the Board members that the deadline for submitting their Statement of Economic Interest form is April 15, 2024.

Director Sherwin reported that Permittium had created a report that enables him to generate a list of licensees and their email addresses on-demand. This will allow PPS and the Board to communicate more effectively with licensees.

New Business

Jerry Pitman informed the Board that the South Carolina Association of Legal Investigators (SCALI) spring conference will be held in May 8-10, 2024, and asked the Board to send a representative to the conference.

Motion: Stacy Buff motioned to send Jerry Pitman to represent the Board at the May 2024 SCALI conference. Suzanne Creech seconded. The motion carried unanimously.

Chair Tamara Rabenold suggested changing the schedule for the PPS Board meetings. She proposed moving the meeting from the even-numbered months to the odd-numbered months in 2025 to align with the schedule of the Alarm Systems Licensing Board.

Motion: Suzanne Creech motioned to pilot a new Board meeting schedule in 2025 to hold the PPS Board meetings in odd-numbered months. Stacy Buff seconded. The motion carried unanimously.

Break 10:45 a.m.

Reconvened 10:57 a.m.

Director's Report

Director Sherwin presented his Director's Report. The report included information about Board staff changes, the status of the Board's active licensees and registrants, and an update on Board finances.

Motion: Steve Johnson motioned to accept the Director's Report. Richard Epley seconded. The motion carried unanimously.

See the attachment for the full Director's Report.

Attorney's Report

Attorney Gray presented his Attorney's Report, which included updates about the status of consent agreements, pending administrative rule changes, litigation, and legislative updates.

Motion: Suzanne Creech motioned to accept the Attorney's Report. Stacy Buff seconded. The motion carried unanimously.

See the attachment for the full Attorney's Report.

Good of the Order

Gary Pastor addressed the Board about unlicensed activity and proposed some ideas for how the Board could address this problem. He suggested that the Board could implement a rule change stating that if an individual is found to be providing private security services without a license, the person should not be eligible to apply for a license for a certain period of time.

Don Miller with the NCAPI provided an update on behalf of the Association, stating that the Association has scheduled its annual conference for November 19-20, 2024, in Carolina Beach, N.C.

Final Agency Decision(s)

Attorney Jeff Gray recused himself as the Board's attorney to present two Proposals for Decision from the Office of Administrative Hearings.

Jeff Gray presented the Proposal for Decision in the case of 23 DOJ 04665, Christopher Paul Plantier (Petitioner) v. NC Private Protective Services Board (Respondent). Mr. Plantier was not present.

The case was heard by Administrative Law Judge Michael Byrne on November 18, 2023. This case involved the summary suspension of Petitioner's armed security guard registration based on a lack of good moral character or demonstrated intemperate habits, pursuant to N.C.G.S. 74C-12(a)(25) by charges of felony murder in Wake County, N.C.

Motion: Stacy Buff motioned to accept the recommendation of the Administrative Law Judge and continue with the summary suspension of Mr. Plantier’s armed security guard registration. Andy Renfrow seconded. The motion carried unanimously.

Attorney Jeff Gray presented the Proposal for Decision in the case of 23 DOJ 03153, Kenneth Keith Plummer (Petitioner) v. NC Private Protective Services Board (Respondent). Mr. Plummer was not present.

The case was heard by Administrative Law Judge Melissa Owens Lassiter on September 26, 2023. This case involved the denial of Plummer’s application for a security guard & patrol license based on a lack of verifiable experience.

Motion: Stacy Buff motioned to accept the recommendation of the Administrative Law Judge and uphold the denial of Mr. Plummer’s security guard & patrol license application. Andy Renfrow seconded. The motion carried unanimously.

Motion: Stacy Buff motioned to adjourn the Board meeting. Suzanne Creech seconded. The motion carried unanimously.

Meeting Adjourned: 11:30 a.m.

Paul Sherwin, Director

Garcia Graham, Board Secretary

Board Meeting Guests

Brandon Hodges	William MacRae	Gary Pastor	Grant Hayden
Dave Dodge	David Roebuck	Shaun Marso	Ruth Cruz-Nichols
Don Miller	Joshua Freeman	Shontae Alexander	Jeff Mixon
Keith Whitfield	Denise Martin	Joseph Horn	Chris Mayhue
Billy Delaporte*	John Honeycutt*	Frank Alvilhiera*	Jason Cayea*
Tim Stewart*	Walter Hinson*	William Reynolds*	William Sconiers*
Sandra Epley*	Julie Turner*	Michael Easterday*	Preston Winters*
Jaymes Holden			

*V: Virtual

PPSB Grievance After Report for February 15, 2024 9:00 am

	Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
1.	2023-PPS-030	John Keith Brown Southern Protection Agency 912 W Hwy 78 Ste 200 Vila Rica, GA 301800000	14B NCAC 16 .0108(b)	Find a violation of NCGS 74C-11. Enter into a consent agreement with John Keith Brown and Southern Protection Agency in the amount of \$3,182.40 for 26 unarmed security guard registration violations. Staff is to conduct a follow up registration audit of Q3 & Q4 2024.	Accepted
2.	2023-PPS-076	Curtis Romano Watchmen Solutions, LLC 13534 Plaza Rd Extension Suite 122 CHARLOTTE, NC 28215	NCGS 74C-11 14B NCAC 16 .0707 14B NCAC 16 .0108(b)	Find a violation of NCGS 74C-11. Enter into a consent agreement with Curtis Romano and Watchmen Solutions, LLC, and in the amount of \$9,669.60 for 79 unarmed security guard registration violations. Staff is to conduct a follow up registration audit of Q3 & Q4 2024.	Accepted
3.	2023-PPS-077	Andrew Gordon Seward Tailormade Protective Services, LLC 205 Regency Executive Park Dr Ste 200 Charlotte, NC 28217	14B NCAC 16 .0108(b) NCGS 74C-13	Find a violation NCGS 74C-11. Enter into a consent agreement with Andrew Seward and Tailormade Protective Services, LLC in the amount of \$122.40 for one unarmed security guard registration violation.	Accepted
4.	2023-PPS-078	Jimmy Lamar Henley A Services Group, LLC 3037-C Boonetrail Ext Fayetteville, NC 28304	NCGS 74C-11 14B NCAC 16 .0108(b)	Defer to the April 2024 Grievance Committee meeting. Jimmy Henley and A Services Group, LLC are to provide all documents requested by the Board investigator to conduct a registration audit, no later than 5 p.m. on February 27, 2024. Should the company fail to provide the required documents, this case may be settled with a consent agreement for 75 armed security guard registration violations or Jimmy Henley's security guard and patrol license shall be suspended.	Accepted

	Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
5.	2023-PPS-083	Angel Estavan Rolon Star Bar 1108 Hendricks Hill Ln Apt. H Holly Springs, NC 27540	NCGS 74C-13(a)	Find a violation of NCGS 74C-13(a). Issue a non-disciplinary letter of warning to Angel Rolon for working as an armed security guard without a registration.	Accepted
6.	2023-PPS-084	John Michael Hixson StarBar 7750 Midtown Market Ave. Suite 104 Raleigh, NC 27616	NCGS 74C-13(a) NCGS 74C-2	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to John Hixson and StarBar, and issue a disciplinary Letter of Reprimand to John Hixson for working as an armed security guard without a registration. Refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
7.	2023-PPS-085	Omar Knight StarBar 1921 North Hills Drive Apartment E Raleigh, NC 27612	NCGS 74C-13(a) NCGS 74C-2	Find a violation of NCGS 74C-13(a). Issue a non-disciplinary letter of warning to Omar Knight for working as an armed security guard without a registration.	Accepted
8.	2023-PPS-086	Rasheed Teasley StarBar 1031 Stone Commons Way Apartment 206 Knightdale, NC 27545	NCGS 74C-13(a) NCGS 74C-2	Find a violation of NCGS 74C-13(a). Issue a non-disciplinary letter of warning to Rasheed Teasley for working as an armed security guard without a registration.	Accepted
9.	2023-PPS-087	Giovanni McDougald StarBar 1721 Trawick Road Raleigh, NC 27604	NCGS 74C-13(b) NCGS 74C-2	Find a violation of NCGS 74C-2 and NCGS 74C-13(b). Continue the cease and desist order previously issued to Giovanni McDougald and StarBar. Refer this matter to the Screening Committee should Giovanni McDougald apply for a license or proprietary designation.	Accepted

	Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
10.	2023-PPS-089	Kane Terrence Legrand Nine Star Peacekeepers 5960 Fairview Road Ste. 400 Charlotte, NC 28210	NCGS 74C-2 NCGS 74C-13(b)	Find a violation of NCGS 74C-2 and NCGS 74C-13(b). Continue the cease and desist order previously issued to Kane Legrand and Nine Star Peacekeepers. Mr. Legrand is to remove from the company's website all references to security guard & patrol and close personal protection services. Refer this matter to screening should he apply for license or registration.	Accepted
11.	2023-PPS-090	Michael Hilliard Nine Star Peacekeepers 204 Mutual Blvd Princeville, NC 27886	NCGS 74C-2 NCGS 74C-13(b)	Find a violation of NCGS 74C-2 and NCGS 74C-13(b). Continue the cease and desist order previously issued to Michael Hilliard and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
12.	2023-PPS-091	Elijah Michael Molder Nine Star Peacekeepers 9510 Shannon Green Drive Apt. J Charlotte, NC 28213	NCGS 74C-2 NCGS 74C-13(b)	Find a violation of NCGS 74C-2 and NCGS 74C-13(b). Continue the cease and desist order previously issued to Elijah Molder and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
13.	2023-PPS-092	Antonio Tamoyel Shockley North State Security 7990 North Point Blvd Suite 120 Winston-Salem, NC 27106	NCGS 74C-12(a)(9)	Find a violation of NCGS 74C-12(a)(9). Continue the cease and desist order previously issued to Antonio Shockley and refer this matter to the Screening Committee should he apply for a license or registration. Consolidated with 2023-PPS-093.	Accepted
14.	2023-PPS-093	Antonio Shockley North State Security 7990 North Point Blvd Suite 120 Winston-Salem, NC 27106	NCGS 74C-12(a)(9)	Find a violation of NCGS 74C-12(a)(9). Continue the cease and desist order previously issued to Antonio Shockley and refer this matter to the Screening Committee should he apply for a license or registration. Consolidated with 2023-PPS-092.	Accepted

	Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
15.	2023-PPS-099	Michael Layton Duke Carolina Surveillance & Investigations 7900 D-Stevens Mill Rd Ste 246 Matthews, NC 281040000	NCGS 74C-12(a)(20) 14B NCAC 16.0404	Find a violation of NCGS 74C-12(a)(20). Issue a disciplinary Letter of Reprimand to Michael Duke for failure to provide his client a report.	Accepted
16.	2023-PPS-101	Mark Anthony Edmonds NC Protection Group 740 SE Greenville Blvd Ste 400-105 Greenville, NC 27858	NCGS 74C-2	Find a violation of NCGS 74C-2. Continue the cease and desist order previously issued to Mark Edward for electronic countermeasures services. Issue a non-disciplinary Letter of Warning.	Accepted
17.	2023-PPS-115	Cordell Latrell Harley El Tucanazo 5121 Wallingford Drive Apt. E Raleigh, NC 27616	NCGS 74C-2 NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Cordell Harley and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
18.	2023-PPS-117	Joshua Ryan Morris 1201 South East Street Raleigh, NC 27601	NCGS 74C-2 NCGS 74C-13(a) 14B NCAC 16.0110(b)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Joshua Morris and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
19.	2023-PPS-122	Joshua Ryan Freeman Alliance Security and Investigations LLC 434 Fayetteville St suite 2140 Raleigh, NC 27601	NCGS 74C-2	Find no violation. Consolidated with 2024-PPS-014.	Accepted

	Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
20.	2024-PPS-014	Joshua Freeman Alliance Security and Investigations LLC 434 Fayetteville St suite 2140 Raleigh, NC 27601	NCGS 74C-2	Find no violation. Consolidated with 2023-PPS-122.	Accepted

Board Meeting Report

Board Date 02/15/2024

	Name Company Address	License	Committee Recommendation	Board Action
1.	Michelle Lee Abraham White Insight Services Group, Inc. 55 Ferncroft Rd Danvers, MA 19230	Private Investigator	Deny Lack of verifiable experience and falsification of application.	Accepted
2.	Jonathon Dale Acord Sheepdog Security 2962 S NC 127 Hwy Hickory, NC 28602	Security Guard And Patrol	Approve with Condition Applicant provide proof of a credit payment plan.	Accepted
3.	Frank Baptiste Alvilhiera JR Fortress Security Consulting L.L.C. 422 Chapel Hill, NC 27517	Security Guard And Patrol	Approve	Accepted
4.	James A Battle J A B of North Carolina LLC 12513 Oneal Rd. Wake Forest, NC 27587	Armored Car	Approve	Accepted
5.	James A Battle J A B of North Carolina LLC 12513 Oneal Rd. Wake Forest, NC 27587	Private Investigator	Approve	Accepted
6.	Phillip Dion Bradshaw Bradshaw's Private Investigation Services 203 W Kerr St Salisbury, NC 28144	Courier Service	Approve	Accepted
7.	Hope Brown North State Security Group LLC 7990 North Point Blvd Winston Salem, NC 27106	Security Guard And Patrol	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
8.	Hailey Buchanan EPIC Services & Consulting, LLC 117 East Sycamore Street Lincolnton, NC 28092	Private Investigator Associate	Approve Level 1 with 800 hours	Accepted
9.	Charles Calhoun DigiStream Carolinas, Inc 300 Fayetteville st raleigh, NC 27602	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
10.	Jerry Cagle Callicutt Walton Investigations 4004-K Spring Garden St. Greensboro, NC 27407	Security Guard And Patrol	Approve	Accepted
11.	Edward Joseph Collins Jr Carolina Investigations 73 Athol Ct Clayton, NC 27527	Private Investigator	Approve	Accepted
12.	Samuel F Craft Triple Three Solutions 1110 Churchwood Dr Apex, NC 27502	Private Investigator	Approve with Condition Surrender sworn LEO status	Accepted
13.	Joseph Francis Crowley III EFI Global 3101 Yorkmount Road suite 1800 Charlotte, NC 28208	Private Investigator	Approve	Accepted
14.	Jennifer Lynn DuGai DuGai Polygraph Services, LLC 2629 Gene Downs Road Charlotte, NC 28262	Polygraph	Approve	Accepted
15.	Timothy Michael Finn Banknote Corporation of America Inc 6109 Corporate Park Dr Browns Summit, NC 27214	Armored Car	Approve	Accepted
16.	Joshua Ryan Freeman Alliance Security and Investigations LLC 434 Fayetteville St suite 2140 Raleigh, NC 27601	Security Guard And Patrol	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
17.	Zariah Frieson AS Surveillance, LLC Company 360 Commercial Park Drive Thomasville, NC 27360	Private Investigator Associate	Approve Level 2 with 1,718 hours	Accepted
18.	Angela Marie Gennari Titan Global Enterprises Inc 1954 Airport Rd Atlanta, GA 30341	Security Guard And Patrol	Approve	Accepted
19.	Philip Carl Haines Jr Barefoot Professional Investigations 1011 E. Morehead Street Charlotte, NC 28204	Private Investigator	Approve	Accepted
20.	Cordell Harley Party Addicts 2400 Paula St Raleigh, NC 27608	Proprietary	Approve	Accepted
21.	Stuart Roger Harris Tier 1 Protection & Investigative Services 1423 Ladora Dr Charlotte, NC 28262	Security Guard And Patrol	Approve	Accepted
22.	Grant David Hayden Vintage Investigative Solutions 11030 Cayden Trail, Apt 2B Raleigh, NC 27614	Private Investigator	Approve	Accepted
23.	Walter Lee Hinson III Investigative Concepts, LLC 510 Maple Leaf Way Lumberton, NC 28358	Private Investigator	Approve	Accepted
24.	James Earl Hoke Jr Omega Protection Perspective, LLC PO Box 98894 Raleigh, NC 27615	Private Investigator	Approve	Accepted
25.	James Earl Hoke Jr Omega Protection Perspective, LLC PO Box 98894 Raleigh, NC 27615	Close Personal Protection	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
26.	Jaymes Allen Holden 360 Protection Group, Inc. 3712 Zebulon Williams Road Monroe, NC 28110	Security Guard And Patrol	Approve	Accepted
27.	Joseph Damien Horn Horn Defense Solutions LLC. PO BOX 752 Willow Springs, NC 27592	Close Personal Protection	Approve	Accepted
28.	Joseph Howell Aardwolf International 1135 Kildaire Farm Road Suite 200 Cary, NC 27511	Private Investigator Associate	Approve Level 1 with 400 hours	Accepted
29.	Chadley William Jones GRIZ GLOBAL SOLUTIONS LLC 135 W Illinois Ave 37 Southern Pines, NC 28387	Close Personal Protection	Approve	Accepted
30.	Paladin Eugene Jordan Sr Ryan LLC 13155 Noel Road Dallas, TX 75240	Private Investigator	Approve	Accepted
31.	Casey Knepp EPIC 117 E Sycamore St Lincolnton, NC 28092	Close Personal Protection	Approve	Accepted
32.	Susan Thomas McMinn Carolina Digital Forensics, LLC 2024 Waterscape Way #323 New Bern, NC 28562	Digital Forensics Examiner	Approve	Accepted
33.	Joshua Aaron Miller Miller Investigative Services, LLC P.O. Box 561 Morehead City, NC 28557	Close Personal Protection	Approve	Accepted
34.	Kelly Ann Mills Cochran Investment Company Inc 2512 CHAMBERS RD Tustin, CA 92780	Private Investigator	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
35.	CaiLee Ann Moon The North Carolina Protection Group 740 SE Greenville Blvd Greenville, NC 27858	Close Personal Protection	Approve	Accepted
36.	Charles Lee Newcomb EFI Global, Inc 3101 Yorkmont Rd. Charlotte, NC 28208	Private Investigator	Approve	Accepted
37.	Reginald Pickett Gunshoe Detective Services 8370 S Hwy 41 Wallace , NC 28466	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
38.	William Kenneth Pietrucha Epic Services and Consulting 117 E. Sycamore Street Lincolnton, NC 28092	Close Personal Protection	Approve	Accepted
39.	Dionne Porter Investigate NC 58 Alecia Court Clayton, NC 27527	Private Investigator	Approve	Accepted
40.	Cody Ray Command Investigations LLC 1540 International Parkway Lake Mary, FL 32746	Private Investigator Associate	Approve Level 1 with 400 hours	Accepted
41.	Lauren Rehm Marshall Investigative Group, Inc. 401 Devon Avenue Park Ridge, IL 60068	Private Investigator	Approve	Accepted
42.	William Edmund Reynolds Jr Reynolds Security and Investigations, LLC. 1317 Minos Meares Road Tabor City, NC 28463	Private Investigator	Approve	Accepted
43.	William Edmund Reynolds Jr Reynolds Security and Investigations, LLC. 1317 Minos Meares Road Tabor City, NC 28463	Security Guard And Patrol	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
44.	Shannon Raymond Rusch Jan Lee 217 Shepherds Bluff Dr Mooresville , NC 28115	Close Personal Protection	Approve with Condition Applicant provide proof of a credit payment plan.	Accepted
45.	John Gilmore Alojado Saraza Compass Protective Service 105 Dunster Dr Fuquay Varina , NC 27526	Close Personal Protection	Approve	Accepted
46.	John Gilmore Alojado Saraza Whitfield Investigations, LLC 132 S. Salisbury St Raleigh, NC 27601	Private Investigator Associate	Approve Level 1 with 400 hours	Accepted
47.	Carole-ann Shearer Marshall Investigative Group Inc 4819 Emperor Blvd. Durham, NC 27703	Private Investigator	Approve	Accepted
48.	JoAnna Rene Smith Aubor Group, LLC PO Box 6745 High Point, NC 27262	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
49.	GRANT DEAN SUTHERLAND Griz Global Solutions 135 W Illinois Ave 37 Southern Pines, NC 28387	Close Personal Protection	Approve	Accepted
50.	Clayton Craig Taylor Fortis Security Inc 1413 Moss Creek Drive Harrisburg, NC 28075	Close Personal Protection	Approve	Accepted
51.	Clayton Craig Taylor Fortis Security Inc 1413 Moss Creek Drive Harrisburg, NC 28075	Security Guard And Patrol	Approve	Accepted
52.	Clayton Craig Taylor Fortis Security Inc 1413 Moss Creek Drive Harrisburg, NC 28075	Courier Service	Approve	Accepted

	Name Company Address	License	Committee Recommendation	Board Action
53.	Clayton Craig Taylor Fortis Security Inc 1413 Moss Creek Drive Harrisburg, NC 28075	Armored Car	Approve	Accepted
54.	Dale Carl Todd Epic Services and Consulting, LLC 117 E. Sycamore St. Lincolnton, NC 28092	Close Personal Protection	Approve	Accepted
55.	Donna K. Umbro Umbro Investigations & Security Solutions, LLC 4787 US Hwy 70 E, Suite 101 Princeton, NC 27569	Private Investigator	Approve	Accepted
56.	Brent Allan Weidner Elite Security Services 614 Lena Way Fort Mill, SC 29708	Private Investigator	Approve	Accepted
57.	Brent Allan Weidner Elite Security Services 614 Lena Way Fort Mill, SC 29708	Close Personal Protection	Approve	Accepted
58.	BRANDON JOE WERTMAN Safety & Security Services, Inc. 416 NW 8th Street Oklahoma City, OK 73102	Security Guard And Patrol	Approve	Accepted
59.	Ken Wheatley Royal Security Group LLC P.O. Box 422 Fairview, NC 28730	Private Investigator	Approve	Accepted
60.	Brian Richardson Wiggins Chenega Naswik International LLC 14420 Albemarle Point Place Gainesville, VA 20151	Security Guard And Patrol	Approve	Accepted
61.	Khalif Isaac Yisrael BlackStone Security Group, LLC 5500 Executive Center Dr. Charlotte, NC 28212	Close Personal Protection	Approve	Accepted

PPSB Screening After Report for February 15, 2024

Addendum

Name Company Name Address	Credential	Committee Recommendation	Action
David Shaver Alpha Pack Security, LLC 1004 Bitting St. Greensboro NC, 27403	QA for Two Companies	Approve	Accepted
Donelle Farrar Axios Investigations Firm, LLC 555-200 Fayetteville St. Raleigh NC, 27601	QA for Two Companies	Approve	Accepted
Lamarc Langhorne WTSA Security, LLC 626 Margaret Drive Statesville, NC 28677	Unarmed Registration	Approve	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

February 14, 2024

The upcoming PPS Trainer courses are scheduled:

Course: Unarmed Guard Trainer and Workshop

Location: Wake Tech Public Safety Education Campus, Raleigh

- *May 6-10, 2024*
- *July 15-19, 2024*
- *September 9-13, 2024*
- *December 9-13, 2024*

Course: Firearms Trainer New/Recertification/Prequalification

Location: Samarcand Training Academy, Jackson Springs

- *March 26, 2024 (Recert for both HG and LG)*
- *May 8, 2024*
- *June 26, 2024*
- *September 16, 2024*
- *November 25, 2024 (Recert for both HG and LG)*

The following training has been completed.

Course: Unarmed Guard Trainer and Workshop

Location: Wake Tech Public Safety Education Campus, Raleigh

- *December 4-8, 2023*
- *February 5-9, 2024*

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Raleigh, NC 27609



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OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Fax: (919) 788-5365



North Carolina Department of Public Safety

Private Protective Services Board

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Paul Sherwin, Director

Course: Firearms Trainer New/Recertification/Prequalification

Location: Samarcand Training Academy, Jackson Springs

- *November 27, 2023 (Recert for both HG and LG)*

Course: New Firearms Trainer Course & Workshop

Location: North Carolina Justice Academy, Salemburg

- *December 12-15, 2023*

Trainer Audit

- Herbert Williams
Date: Monday, December 18, 2023
Location: Hickory, NC
No concerns noted.

Trainer Evaluation (Firearms/Classroom)

- Robert Rhodes
Date: Thursday, January 25, 2024
Location: Triangle Shooting Academy, Raleigh
No concerns noted.

Training Facility Tour

Training Officer Karen Battle conducted a tour of the Gryphon Group on Friday, January 25, 2024. The Gryphon Group is a training facility located in Maxton, NC that will conduct both unarmed and armed guard training.

Topics for Discussion

A T&E subcommittee held their first meeting on Thursday, February 1, 2024, to discuss the expansion of industry training for PPSB licensees.

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Weapon Discharges

No weapon discharges have been reported.

End of Report

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NCPPSB CE Course Approval New/Renewal 2.2024

<input checked="" type="checkbox"/>	REQUEST ED BY	COURSE NAME / COURSE TYPE TO OBTAIN A LICENSE	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		New Application(s):					
1.	Catherine Flowers	Managing Stress and Clients in High Stakes		Catherine Flowers	Classroom/Virtual/ Online	04/26/2023	4.0
2.	Thomas H. Humphreys	Searching Online Public Records Like a Pro		Thomas H. Humphreys & Marcy Phelps	Online	12/12/2023	1.0
3.	Thomas H. Humphreys	Mastering Online Public Records Business Registrations		Thomas H. Humphreys & Marcy Phelps	Online	12/12/2023	1.0
4.	J. Vincent Demps	Private Investigation 101		J. Vincent Demps	Classroom/Virtual/ Online	1/22/2024	12.0
5.	J. Vincent Demps	Important of Cybersecurity for Investigators		J. Vincent Demps	Classroom/Virtual/ Online	1/25/2024	12.0
6.	J. Vincent Demps	Courtroom Testimony for Investigators		J. Vincent Demps	Classroom/Virtual/ Online	1/25/2024	8.0
7.	J. Vincent Demps	In-Person Interviewing for Investigators		J. Vincent Demps	Classroom/Virtual/ Online	1/25/2024	12.0
8.	J. Vincent Demps	Surveillance Tips for Investigators		J. Vincent Demps	Classroom/Virtual/ Online	1/25/2024	8.0
9.	John Honeycutt	NC CPP/EP Training Course		Ryan Van Deusen & Todd Meade	Classroom	1/22/2024	12.0
10.	Rhonda Withrow	GPS Tracking		Rhonda Withrow	Classroom	12/4/2023	6.0
11.	Rhonda Withrow	Client Intake and Initial Consultation		Rhonda Withrow	Classroom	12/4/2023	6.0

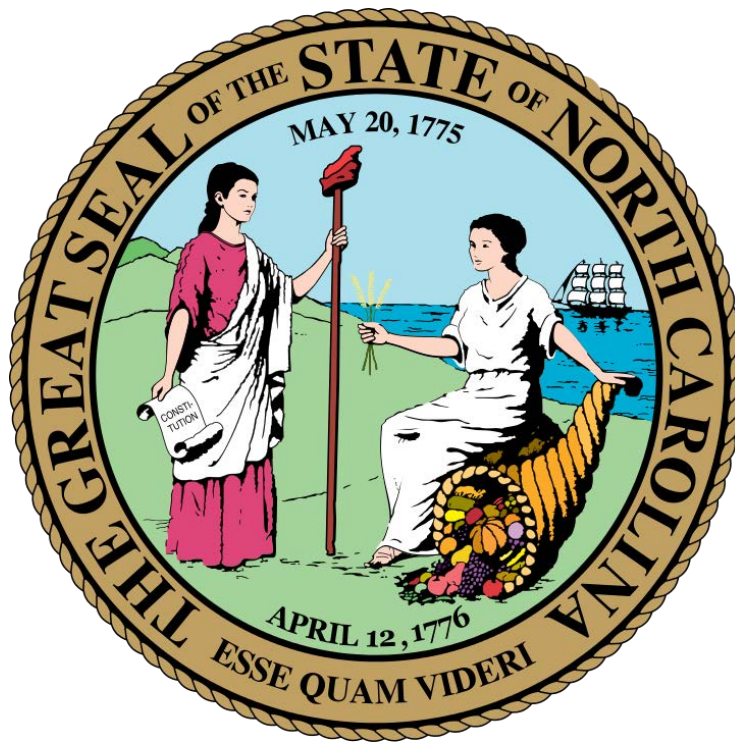
NCPPSB CE Course Approval New/Renewal 2.2024

☑	REQUEST ED BY	COURSE NAME / COURSE TYPE TO OBTAIN A LICENSE	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		Renewal Application(s):					
1.	Thomas H. Humphreys	Investigating Nursing Home Abuse	PPSB-16-105	Thomas Humphrey & Kelly Riddle	Online	1/16/2024	6.0
2.	Thomas H. Humphreys	Insurance Investigations From "A to Z" The Investigator's Guide to Uncovering Insurance Fraud	PPSB-16-106	Thomas Humphrey & Kelly Riddle	Online	1/16/2024	6.0

NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

February 15, 2024

DIRECTOR'S REPORT



Paul Sherwin, Director

DIRECTOR'S REPORT

- I. PPS information and updates, page 3**
- II. Licensing, registration and certification summary, page 5**
- III. Budget summary, page 6**
- IV. Budget graphics, page 7**

PPS INFORMATION AND UPDATES

PERSONNEL

Private Protective Services currently has three vacant positions:

- Registration Processor (x2)
- Receptionist

Kelli Baker, who had worked at Private Protective Services for 14 years as a registration processor and, later, as a receptionist, retired February 1, 2024, after working with the state for 27 years.

OPERATIONS

Registration Unit

- Registration applications received in 2023: 27,699
 - 2022: 25,856
 - 2021: 24,728
 - 2020: 24,011
 - 2019: 26,289

Licensing Unit

- Licensing applications received in 2023: 1,150 (471 new)
 - 2022: 1,286 (366 new)
 - 2021: 934 (266 new)
 - 2020: 1,201 (305 new)
 - 2019: 949 (317 new)

Investigations Unit

- License applicant background investigations completed in 2023: 397
 - 2022: 278
 - 2021: 275
 - 2020: 283
 - 2019: 305
- Complaint investigations completed year-to-date: 100
 - 2022: 88
 - 2021: 71
 - 2020: 48
 - 2019: 69

Training Unit

- Trainer applications received in 2023: 411
 - 2022: 291
 - 2021: 390
 - 2020: 269
 - 2019: 261

OTHER

Director Sherwin on January 29, 2024, spoke at a meeting between the Raleigh Police Department and approximately 50 members of the Glenwood South Business Alliance about best practices in utilizing private security at one's business. Notably, Director Sherwin emphasized the importance of ensuring contracted security firms are licensed and their guards registered, and briefly explained requirements for proprietary security.

Director Sherwin attended and was a guest speaker at the National Association of Security Companies (NASCO) Contract Security Industry Leaders' Roundtable in Fort Lauderdale, Florida, February 5-7, 2024. Conference attendees included approximately 70 executives from numerous security guard and patrol companies, including Allied Universal Security Services, Securitas Security Services, Admiral Security Services, Weiser Security Services, and others. Director Sherwin was invited to speak about trends and developments in state regulation of the private security industry.

LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

Total active in Permitium: 30,577 (+4.6% from December 2023 meeting)

Registration		
	Armed	4393
	Armed Armored Car	430
	Armed Licensee	137
	Armed Licensee Associate	19
	Unarmed	21539
	Unarmed Armored Car	24
Registration Total		26542
License		
	Armored Car Profession	88
	Close Personal Protection	190
	Courier Service Profession	91
	Digital Forensics Examiner	8
	Digital Forensics Examiner Trainee	0
	Electronic Counter Measures Profession	58
	Electronic Counter Measures Trainee	9
	Guard Dog Service Profession	15
	Polygraph Examiner	28
	Polygraph Trainee Permit	3
	Private Investigator	1978
	Private Investigator Temp Permit	6
	Private Investigator Associate	338
	Private Investigator Associate Temp Permit	3
	Proprietary	103
	Psychological Stress Evaluator	11
	Security Guard and Patrol	578
	Special Limited Guard and Patrol	7
License Total		3514
Certification		
	Firearms Trainer	198
	Unarmed Guard Trainer Certification Total	323
Certification Total		521

**Private Protective Services Board Financial Report
Fiscal Year 2024
July 1, 2023 – December 31, 2023**

PPSB Operating Fund Revenue and Expenditures

FYTD24 revenue	\$	772,310.49
FYTD24 expenditures	\$	(787,140.03)
FYTD24 FUND BALANCE INCREASE/(DECREASE)		\$ (14,829.54)

PPSB Operating Fund Cash Flow

Beginning Cash Balance (July 1, 2023)	\$	1,688,986.73
FYTD24 revenue	\$	772,310.49
FYTD24 expenditures	\$	(787,140.03)
FYTD24 ENDING FUND BALANCE		\$ 1,674,157.19

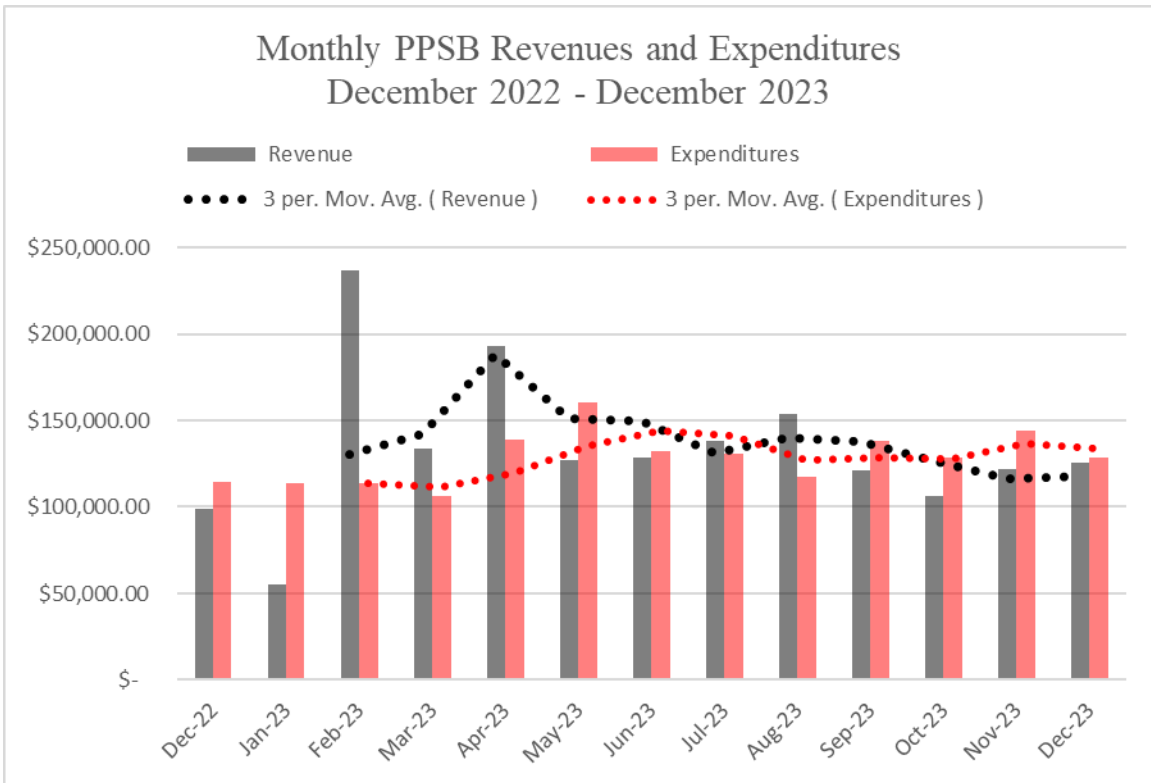
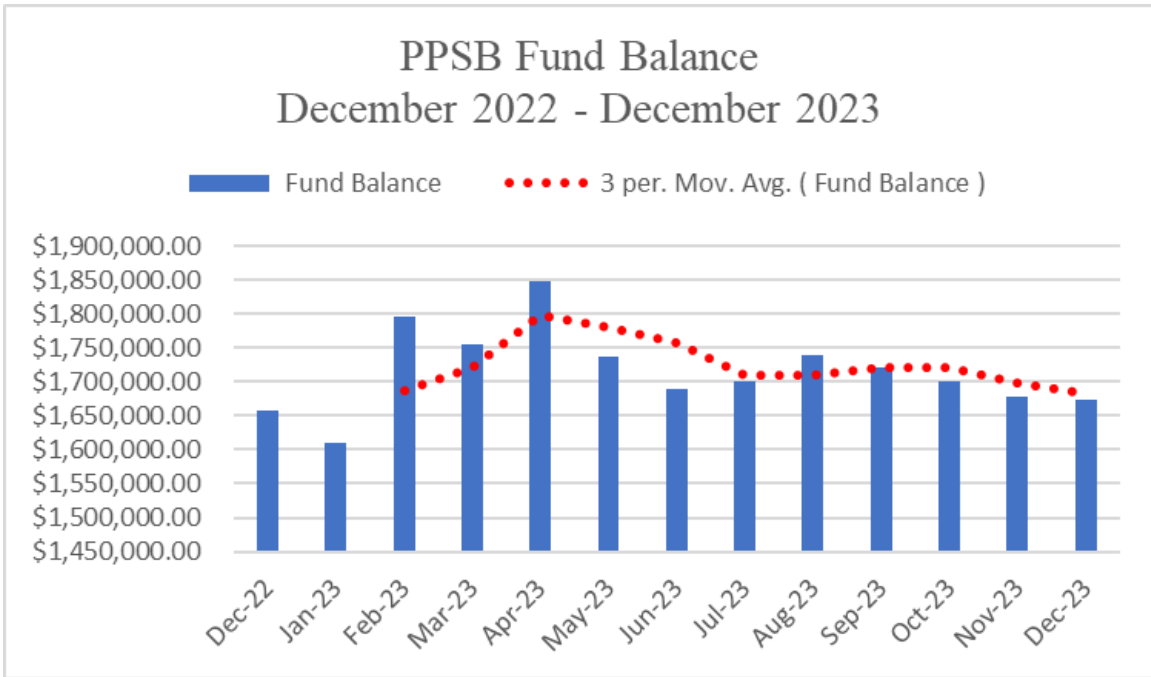
PPSB Education Fund Revenue and Expenditures

FYTD24 revenue	\$	6,400.00
FYTD24 expenditures	\$	(5,000.00)
FYTD24 EDUCATION FUND BALANCE INCREASE/(DECREASE)		\$ 1,400.00

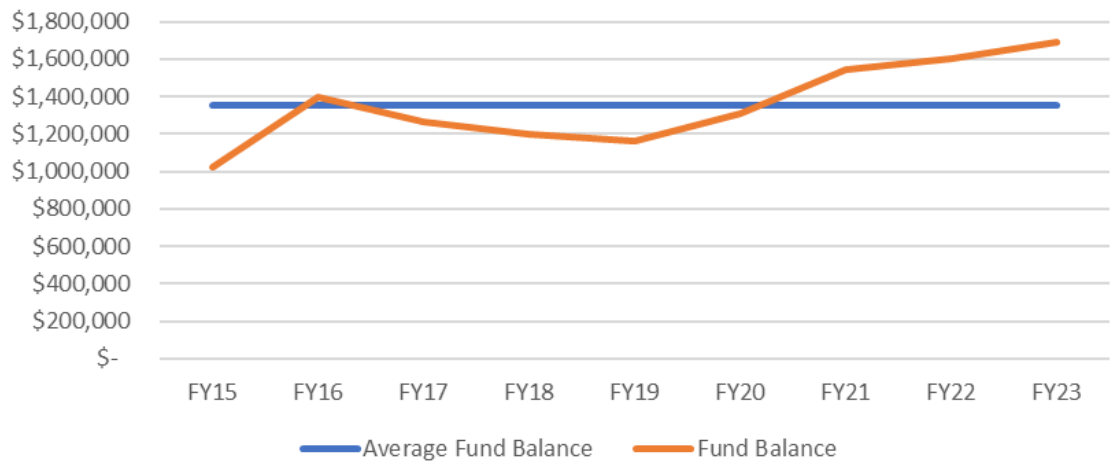
PPSB Education Fund Cash Flow

Beginning Cash Balance (July 1, 2023)	\$	133,093.38
FYTD24 revenue	\$	6,400.00
FYTD24 expenditures	\$	(5,000.00)
FY23 ENDING FUND BALANCE		\$ 134,493.38

BUDGET GRAPHICS



Historical PPSB Fund Balance Fiscal Years 2015-2023



PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

February 15, 2024

ATTORNEY'S REPORT



PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

February 15, 2024

I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES

1. On October 19, 2023, Tracy Lee Burke/ East Coast Protective Services entered into a Consent Agreement with the Board in the amount of \$6,976.80 for 42 unarmed security guard registration violations and 10 armed security guard registration violations. The temporary agreement was signed by Gerald Montgomery on July 18, 2023. Paid in Full.
2. On December 14, 2023, Shenita Danielle Moore/ Saker Aegis Systems, Inc., entered into a Consent Agreement with the Board in the amount of \$4,590.00 for 25 armed security guard registration violations. The temporary agreement was signed by David Kriwox on December 12, 2023. Payment has not been received.
3. On December 14, 2023, Jeffrey Lynn Tanksley/Carolina Protective Services, LLC entered into a Consent Agreement with the Board in the amount of \$183.60 for one armed security guard registration violation. The temporary agreement was signed by Michael Ramirez on December 11, 2023. Paid in Full.
4. On December 14, 2023, David Thomas Grimes/ Sentry Security Services, Inc., entered into a Consent Agreement with the Board in the amount of amount of \$2,754.00 for five armed and 15 unarmed security guard registration violations. The Consent agreement was signed by Wendy Sasser on (no date given.) Paid in full.
5. On December 14, 2023, Joseph Roy/ Securitas Security Services USA, Inc., entered into a Consent Agreement with the Board in the amount of \$1,713.60 for 14 unarmed security guard registration violations. The temporary agreement was signed by Joseph Roy on November 29, 2023. Payment has not been received.
6. On December 14, 2023, RoAnthony Terrace Pratt / Pratt Security Services, LLC entered into a Consent Agreement with the Board in the amount of \$734.40 for four-armed security guard registration violations. The Consent Agreement was signed by QA RoAnthony Pratt on December 27, 2023. Paid in full.
7. On December 14, 2023, Ephraim Davis/ Rhino Sports & Entertainment Services (Screening) entered into a Consent Agreement with the Board in the amount of \$170.00 two months of unlicensed activity. The temporary agreement was signed by Ephraim Davis on November 22, 2023. Paid in Full.

II. OFFICE OF ADMINISTRATIVE HEARINGS

See, Hearings List (Attachment 1).

III. ADMINISTRATIVE RULES

At its April 20, 2023, based upon staff recommendation, the Board voted to amend 14B NCAC 16 .0701(a)(3), which currently requires only 48 months, to make it consistent with all other new credentials such as a new armed guard registration, new firearm registration, new unarmed armored car registration, new armed armored car registration, and new and renewal licenses, all of which require 60 days.

Also based on staff recommendation .0902 was amended to reflect that the North Carolina Justice Academy is no longer the sole source of firearms trainer training, and .0904 (a)(2) was amended to make it consistent with the unarmed guard trainer certificate renewal so both require a 24 month background check. Further, .0708 was repealed since this information is uploaded as part of .0907 and .0912 was repealed since this information is now uploaded as part of the renewal process.

Finally the private investigator industry expressed to the Board an interest in being able to employ interns and participate in apprenticeship programs. New 14B NCAC 16 .1109 will now allow for "probationary employees."

The Notice of Text was filed on May 19, 2023. The Public Hearing was held on Tuesday, July 11, 2023 at 2:00 p.m. at the Board's office and the Public Comment Period expired on August 14, 2023. There were no comments, oral or written.

These rule amendments were approved at the Board's October 19, 2023 meeting.

The submission for Permanent Rule forms were submitted on November 3, 2023. I received a few innocuous Request for Technical Changes which I responded to by last week's deadline. These rule adoption amendments and repeals approved by the Rules Review Commission at its December 14, 2023 meeting.

A copy of these rules is attached as Attachment 2.

IV. LITIGATION

a. At its June 22, 2022, meeting the Board instructed me to file a Complaint for Injunctive Relief against Timothy McCardell, individually and d/b/a Life Communications, LLC, and Upper Class C.C., LLC for operating an unlicensed Security Guard and Patrol business in the Pitt County area.

The Complaint was filed on July 20, 2023. Defendants failed to Answer or otherwise plead. Entry of Default was entered on September 14, 2023 and I filed a Motion for Default Judgment on October 16th. I now must state whether the opposing party does or does not consent to entry of any order so wrote Mr. McCardell a letter. His wife (not he) responded by telephone stating that he had not received any of the various documents sent him, including the Complaint (which was served by the Sheriff!) I re-sent him all motions and orders with a deadline to respond; he failed to respond.

On January 4, 2024, a Superior Court Judge signed a Default Judgment Order which enjoins Mr. McCardell and Upper Class C.C., LLC from engaging in any activity defined as "private protective services," which has been served on both Defendants.

I also talked by telephone a second time with Akela Thigpen McCardell, Defendant McCardell's wife and the owner of Defendant Upper Class, and explained the above.

b. At its August 17, 2023, meeting the Board instructed me to file a Complaint for Injunctive Relief against Derek Lashawn Raynor, individually, Curtis Raynor,

individually, and Big Boot, LLC, d/b/a Big Boot Security for operating an unlicensed Security Guard and Patrol Company in the Pitt County area.

The Complaint was filed on September 19, 2023. Both Derek Raynor and Curtis Raynor's Answers were due October 23, 2023, and Big Boot, LLC's was due October 28th.

The Defendants retained an attorney. He and I had an "informal" agreement extending the time to answer. We then agreed on a Consent Order with the Board's standard terms.

I (finally) received the signed original from the Defendants' attorney, which was signed by a Superior Court Judge on January 30, 2024, and served on the Defendants' attorney on February 5th. and.

V. LEGISLATION

a. Part I of Senate Bill 41, S.L. 2023-8, "Protect Religious Meeting Places," amends N. C. Gen. Stat. § 14-269.2(2) to define "school operating hours," then amends N. C. Gen. Stat. § 14-269.2 by adding a new subsection, "(k1)," that first excludes property owned by a local board of education or county commission, educational property that is an institution of higher education or a nonpublic post secondary education institution, and property that is posted against carrying a concealed handgun, then allows persons with a concealed handgun permit to carry a handgun on property that is both a school and a building that is a place of religious worship outside of school operating hours.

This bill was vetoed by the Governor but the veto was overridden on March 29, 2023. Part I was effective December 1, 2023.

b. House Bill 47, "School Protection Act," amends N. C. Gen. Stat. § 14-269.2(g), entitled "Weapons on campus or other educational property," to allow armed security guards registered under Chapter 74C to discharge the guard's official duties on the grounds of private church schools and qualified nonpublic schools.

It also unnecessarily amends N. C. Gen. Stat. § 74C-3(a)(6) by creating a new subsection, "f.," to define these guards.

It has been referred to the House Committee on Education K-12.

A copy was attached to my February 16, 2023 Attorney's Report.

c. House Bill 49, "Protect Religious Meeting Places," amends N. C. Gen. Stat. § 14-269.2 by adding two new subsections, (a) (1c) and (k1), and amending N. C. Gen. Stat. § 14-415.27 (i.e. the Concealed Handgun Permit statute) to allow persons with a concealed handgun permit to carry on religious property that is also defined as educational property under certain conditions.

It passed the House on February 16th and has been referred to the Senate Rules Committee.

d. House Bill 101, "The Firearms Liberty Act," makes numerous changes to our State's firearms laws (one of which has already been enacted in a separate bill: repeal of the handgun purchase permit requirement) had a provision similar to HB 49, however it was stricken by Committee Substitute in the House Judiciary Committee. It was re-referred to the House Finance Committee.

e. Senate Bill 343, "Protect Children in Private Schools," amends N. C. Gen. Stat. § 14-269.2(a) to define "administrative director" and "board of trustees" to then allow the administrative director to authorize persons with a concealed handgun permit to carry a "firearm" or a stun gun on educational that is a private school under certain circumstances.

It has been referred to the Senate Committee on Rules.

f. Section 9.(a) of the Senate Bill 492, "An Act to Modify Laws Concerning Adult Correction and Law Enforcement Agencies," amended successive Session Laws from 2020 through 2022 to extend the sunset date for use of private security guards at State prisons through June 1, 2025. It was effective on September 22, 2023.

g. I have also been monitoring numerous bills that effect boards and commissions, generally, as well as rulemaking.

VI. FINAL AGENCY DECISIONS

Kenneth Keith Plummer (*see*, Attachment 3.)

Christopher Paul Plantier (*see*, Attachment 4.)

**PPSB
MASTER HEARINGS LIST
as of February 6, 2024**

1.

OAH HEARING DATE	PETITIONER	TYPE OF APPLICATION	FAD STATUS OR HEARING DATE
January 18, 2023	Andy Renfrow; The Renfrow Group	Suspension of SG & P Business License and PI License	October 19, 2023. Settled w/Consent Agreement.
June 27, 2023	Daniel Scrimenti 23 DOJ 02494	Summary Suspension of Armed Guard Registration	Guard terminated; hearing withdrawn May 25, 2023.
August 22, 2023	Joseph A. Gibson 23 DOJ 03477	Denial of Unarmed Guard Registration	December 14, 2023.
September 26, 2023	Kenneth Keith Plummer 23 DOJ 03153	Denial of Security Guard & Patrol Business License	February 15, 2024.
November 14, 2023	Christopher Paul Plantier 23 DOJ 04665	Summary Suspension of Armed Guard Registration	February 15, 2024.
January 23, 2024	Sean Anderson Beech 23 DOJ 05060	Denial of Private Investigator License	Sponsorship terminated; hearing withdrawn February , 2024.

2.

SECTION .0700 - SECURITY GUARD REGISTRATION (UNARMED)

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each employee to the Board. This online submission shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with a four dollar (\$4.00) convenience fee and a separate credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (6) one original signed SBI release of information form that shall be uploaded online with the original mailed to the Board's administrative office;
- (7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Section; and
- (8) a completed affidavit form and public notice statement form.

(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.

(c) The applicant's copy of the application and completed affidavit form shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

(d) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

*History Note: Authority G.S. 74C-5; 74C-8.1; 74C-11;
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994;
February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. January 1, 2024; July 1, 2021.*

14B NCAC 16 .0902 APPLICATION FOR FIREARMS TRAINER CERTIFICATE

Each applicant for a firearms trainer certificate shall submit an online application to the Board. The application shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online submission and submitted by uploading online with the application submission;
- (3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and a separate credit card transaction fee;
- (6) evidence of the liability insurance required by G.S. 74C-10(e) if the applicant is not an employee of a licensee;
- (7) a certificate of successful completion of the training required by Rule .0901(a)(3) and (4) of this Section or acceptable certificate of other current certification as set forth in Rule .0901(c) and (d) of this Section; and
- (8) the actual cost charged to the Private Protective Services Board by the North Carolina Justice Academy or other entity to cover the cost of the firearms training course given by the N.C. Justice Academy or other entity and collected as part of the online application process by the Private Protective Services Board.

*History Note: Authority G.S. 74C-5; 74C-8.1(a); 74C-8(d); 74C-13;
Eff. June 1, 1984;
Amended Eff. August 1, 1998; December 1, 1995; July 1, 1987; December 1, 1985;
Temporary Amendment Eff. July 17, 2001;
Amended Eff. January 1, 2013; May 1, 2012; August 1, 2002;
Transferred and Recodified from 12 NCAC 07D .0902 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. January 1, 2024; July 1, 2021.*

14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE

(a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate and shall be accompanied by:

- (1) uploaded online a certificate of successful completion of a firearms trainer refresher course approved by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom and practical range training in safety and maintenance of the applicable firearm (i.e. handgun, shotgun, or rifle), range operations, control and safety procedures, and methods of firing. This training shall be completed within 180 days of the submission of the renewal application;
- (2) a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months; and
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and a separate credit card transaction fee.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. The applicant shall furnish the Board a copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue.

(d) Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue to instruct during the period between the failure to qualify and the expiration of his or her permit.

(e) The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal requalification.

(f) During a national or State declared state of emergency that restricts or prohibits a certified firearms trainer from requalifying, the Board shall, upon written request to the Director by the licensee, extend the deadline for requalification up to 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if requalification requirements have not been met.

*History Note: Authority G.S. 74C-5; 74C-8.1(a); 74C-9; 74C-13; 93B-15;
Eff. June 1, 1984;
Amended Eff. January 1, 2013; October 1, 2010; June 1, 2009; December 1, 1995; December 1, 1985;
Transferred and Recodified from 12 NCAC 07D .0904 Eff. July 1, 2015;
Amended Eff. November 1, 2017; February 1, 2016; October 1, 2015;
Readopted Eff. November 1, 2019;
Amended Eff. March 1, 2020;
Emergency Amendment Eff. May 6, 2020;
Temporary Amendment Eff. July 24, 2020;
Temporary Amendment Expired Eff. May 14, 2021;
Amended Eff. July 1, 2022; January 1, 2022;
Amended Eff. January 1, 2024; October 1, 2022.*

14B NCAC 16 .0910 APPLICATION FOR AN UNARMED TRAINER

Each applicant for an unarmed trainer certificate shall submit an online application to the Board. The application shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online submission and submitted by uploading online with the application submission;
- (3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G. S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and a separate credit card transaction fee;
- (6) a certificate of successful completion of the training required by Rule .0909(a)(3) or current certificate of other acceptable certification as set forth in Rule .0909(b) of this Section.
- (7) the actual cost charged to the Private Protective Services Board by Wake Technical Community College, or other entity, to cover the cost of the unarmed guard trainer course and collected as part of the online application process by the Private Protective Services Board.

*History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;
Eff. October 1, 2004;
Amended Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .0910 Eff. July 1, 2015;
Readopted Eff. March 1, 2020;
Amended Eff. January 1, 2024.*

14B NCAC 16 .1109 PROBATIONARY EMPLOYEES

- (a) A private investigator licensee may employ a potential trainee as a probationary employee for 60 consecutive calendar days. The Director, upon written request of the licensee, shall extend the probationary period by 30 additional days.
- (b) A private investigator licensee may supervise an intern as a probationary employee concurrent with the intern's educational institution's schedule.
- (c) A private investigator licensee may employ an apprentice participating in a North Carolina registered apprentice program as set forth in G.S. 93B-8.6 as a probationary employee for the period prescribed in the federal guidelines as set forth therein.
- (d) To qualify as an "intern" the potential probationary employee must be enrolled as a student in a high school, community college, college, or university, be in good standing with the educational institution, and the internship must be for credit towards a degree, diploma, or certificate issued by the educational institution.
- (e) Upon completion of the probationary period and the desire of the licensee to supervise the probationary employee as a private investigator trainee, the potential trainee shall apply pursuant to Section .0200 of this Chapter.
- (f) For hours gained during probationary employment, an internship, or apprenticeship to be considered for licensure the probationary employee shall comply with Rule .1102 of this Section.
- (g) Before a probationary employee engages in any activity defined as private investigation or has access to any confidential client information, the employee shall complete 40 hours of one-on-one supervision by the supervising licensee, and the licensee shall conduct a criminal record check on the employee.
- (h) Before engaging the probationary employee, intern, or apprentice the licensee shall submit to the Director in writing the name, address, last four digits of social security number, confirmation that the results of the criminal history record check contain no prohibitions as set forth in G.S. 74C-8(d)(2), and anticipated start date and ending date of employment of the probationary employee. The Director shall confirm receipt within three business days of receipt.
- (i) Probationary employment which does not comply with this Rule is a violation of Rule .0204(c)(2) of this Chapter.
- (j) Any probationary employee, intern, or apprentice shall be a minimum of 18 years of age.
- (k) The use of the terms "employee" and "employment" in this Rule does not require or mandate compensation for any probationary employment, internship, or apprenticeship.

*History Note: Authority G.S. 74C-5(2); 93B-8.6;
Eff. January 1, 2024.*

3.

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

Kenneth Keith Plummer Petitioner, v. NC Private Protective Services Board Respondent.	PROPOSAL FOR DECISION
---	------------------------------

On September 26, 2023, Administrative Law Judge Melissa Owens Lassiter called this case for hearing in Raleigh, North Carolina, pursuant to N.C. Gen. Stat. § 150B-40(e) and Respondent's request for designation of an Administrative Law Judge to hear this contested case. On November 2, 2016, Respondent filed a proposed Proposal for Decision with the Office of Administrative Hearings

APPEARANCES

Petitioner appeared *Pro se*.

Respondent was represented by attorney Jeffrey P. Gray, Bailey & Dixon, LLP, Raleigh, North Carolina.

ISSUE

Whether Respondent should deny Petitioner's application for a Security Guard and Patrol profession business license for lack of proof of verifiable experience?

APPLICABLE STATUTES AND RULES

The Undersigned takes Official notice of the following statutes and rules applicable to this case:

N.C.G.S. § 74C-3(a)(6)
N.C.G.S. §§ 74C-5(2) and (6)
14B NCAC 16 .0301

EXHIBITS ADMITTED INTO EVIDENCE

The parties stipulated to the authenticity and admission of each exhibit into evidence:

Petitioner:

Exhibit 1: U. S. Navy form describing Petitioner's duties as a Petty Officer (1987-1988)

Respondent:

- Exhibit 1: Petitioner's Application
- Exhibit 2: Investigator Raften's case notes.
- Exhibit 3: Application Presentation Form to Screening Committee
- Exhibit 4: April 27, 2023 letter notifying Petitioner of the denial of his application for lack of verifiable experience.
- Exhibit 5: May 22, 2023 letter from Petitioner requesting contested case hearing and offering additional experience.

FINDINGS OF FACT

Procedural Background

1. Respondent Board is established pursuant to N.C. Gen. Stat. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business.
2. Petitioner applied to Respondent Board for a Security Guard and Patrol profession license.
3. On April 27, 2023, Respondent denied Petitioner's application for a Security Guard and Patrol license for failing to establish three years or 3000 hours of verifiable experience required to obtain such license. (Resp Exh 4) The Undersigned notes that Respondent's Exhibit No. 4 incorrectly and mistakenly indicates the Board denied Petitioner's application for a Private Investigator Associate license. However, the testimony of all witnesses at hearing, including Petitioner, and all documentation admitted into evidence clearly showed that Petitioner applied for, and Respondent denied Petitioner's application for a Security Guard and Patrol license.
4. Petitioner requested a hearing on Respondent's denial of the application.
5. By Notice of Hearing dated July 6, 2023, and mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his Security Guard and Patrol profession license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on August 22, 2023. Petitioner appeared at the hearing.

Adjudicated Facts

6. Respondent Board received Petitioner's application for a Security Guard and Patrol professional license and assigned Investigator Bill Raften to investigate Petitioner's application per the Board's standard procedure.
7. Respondent Board's administrative rule, 14B NCAC 16 .0301, entitled "Experience Requirements/Security Guard and Patrol License" provides:
 - (a) In addition to the requirements of Section .0200 of this Chapter, applicants for a security guard and patrol license shall:
 - (1) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator with a contract security

- company or a proprietary security organization performing guard and patrol functions;
- (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or
 - (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U. S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.

8. The evidence in this case established that Petitioner was a Petty Officer of the Watch while serving in the U. S. Navy. In his application, Petitioner listed the duties he believed equated to the Board's experience requirements. Petitioner contends that his duties as a Petty Officer were the equivalent to a manager, supervisor or administrator performing guard and patrol services.

9. Investigator Raften interviewed Petitioner, Petitioner's supervisor at his current job, Tempur Sealy International, Petitioner's official military personnel file, and researched the job description for a U. S. Navy Petty Officer of the Watch. Raften described his investigative results in the Application Presentation Form he prepared and presented to the Board; specifically, describing the job duties for Petitioner's U.S. Navy Petty Officer of the Watch. (Resp Exhibit 3, specifically pages 4 through 6).

10. Petitioner's submissions with his application did not sufficiently establish that Petitioner had experience as a manager, supervisor, or administrator with a contract security company, proprietary security organization, or federal, state, county, or municipal law enforcement agency. While conducting Petitioner's background investigation Investigator Raften discussed this fact with him.

11. Even if Petitioner's duties in the U. S. Navy did equate to the Board's experience requirements, 14B NCAC 16 .0301(a)(3) requires "two years of experience within the past five years." Petitioner's military service ended in April 1990. (DD-214, Respondent's Exhibit 1, pages 14 through 22).

12. Pursuant to 14B NCAC 16 .0401(c)(2), Petitioner received 800 hours credit for a bachelor's degree but could not verify any hours towards the 3000 hours experience required by 14B NCAC 16 .0301(1) and (2).

13. On direct testimony, Petitioner testified he had volunteered as "director of security" at his church for 17 years.

14. During Paul Sheridan's time as Deputy Director for the Board and based on Director Sheridan's knowledge of the Board's past practices, the Respondent Board has never recognized time as a volunteer for purposes of the experience requirements for any license issued by the Board. On rebuttal, Director Sherwin explained that the Board does not recognize unpaid or volunteer service for purposes of the experience requirements.

15. After the hearing, the Undersigned allowed Petitioner to submit a verification of hours of his volunteer time as Director of Security for his church. Petitioner filed an Affidavit from Darryell Wayne Bass, Senior Pastor of Redeeming Love Word Ministries on October 9, 2023, describing Petitioner's duties as Director of Security of his church. The affiant declared that

Redeeming Love Ministries is a non-profit organization and a church. The affiant declared that all experience of Petitioner at Redeeming Love Ministries was as a volunteer, and that Petitioner was not an employee of said church.

16. A church is not one of the categories where experience is recognized in subsection (a) of 14B NCAC 16 .0301.

17. The definition of "proprietary security organization" for purposes of the Board's administrative rules, so therefore 14B NCAC 16 .0301, envisions the person being an "employee." 14B NCAC 16 .0103(13) states:

(13) "Proprietary Security Organization" means any person, firm, association, corporation, or department thereof:

- (a) that **employs** any of the following:
 - (i) watchmen;
 - (ii) security guards or officers;
 - (iii) patrol personnel;
 - (iv) armored car personnel; or
 - (v) couriers; and
- (b) that **employs** these persons regularly and exclusively as an employee in connection with the business affairs of such employer.

(Emphasis added.)

18. Webster's New Collegiate Dictionary defines "employ" as "the state of being employed esp. for wages or a salary."

19. While a church can be a "proprietary security organization" -- and numerous churches are licensed with the Board as a proprietary security organization* -- Redeeming Love Ministries in High Point, NC is not so licensed. Even if it were, Petitioner was not an "employee."

20. For the above reasons, Petitioner's volunteer experience, while extensive, cannot be considered for purpose of licensure.

CONCLUSIONS OF LAW

1. The parties are properly before the Office of Administrative Hearings.
2. Pursuant to N.C. Gen. Stat. §74C-5(2), the Respondent Board may determine the minimum qualifications and establish minimum education, experience, and training standards for applicants.
3. Pursuant to N.C. Gen. Stat. § 74C-5(6) the Respondent Board may deny any license to any applicant who fails to satisfy the requirements of Chapter 74C or the Board's administrative rules.
4. 14B NCAC 16 .0301 sets forth the experience requirements for a Security Guard and Patrol profession business license.

5. Respondent Board presented evidence that Petitioner had failed to establish the experience requirements of 14B NCAC 16 .0301.

6. While Petitioner has extensive experience in security as a volunteer in his church, Petitioner presented insufficient evidence to show he has the verifiable experience required under Respondent's statutes and rules to obtain a Security Guard and Patrol profession business license.

PROPOSAL FOR DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the Undersigned hereby recommends the Respondent Board DENY Petitioner's application.

NOTICE AND ORDER

The North Carolina Private Protective Services Board will make the Final Agency Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The Undersigned hereby Orders that agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

SO ORDERED, this the ____ day of December 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
kenplumer@yahoo.com
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 11th day of December, 2023.



Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1902

*State of North Carolina
Office of Administrative Hearings
Certification*

*I hereby certify the attached (1 zip drive) to be a true copy of the
Official Record as required by G.S. 150B-42 of the proceedings in the Office of
Administrative Hearings, in case (s):*

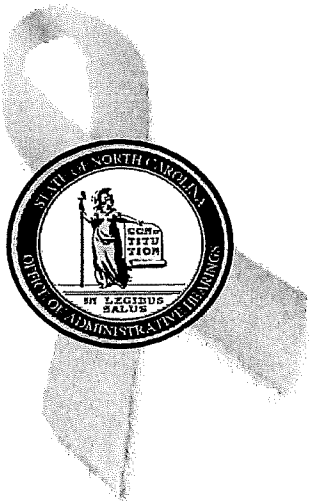
*"23 DOJ 03153", "Kenneth Keith Plummer, Petitioner, v. NC Private Protective
Services Board, Respondent."*

*the original of which is filed in this office in conformance with Chapter 150B of the
General Statutes of the State of North Carolina.*

*In witness whereof, I authorize this certification
and affix the official seal of the North Carolina
Office of Administrative Hearings at Raleigh
this the 5th day of January, 2024.*

*Donald Robert van der Vaart
Chief Administrative Law Judge, Director*

By:



STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

Kenneth Keith Plummer Petitioner, v. NC Private Protective Services Board Respondent.	OFFICIAL RECORD INDEX SHEET
---	------------------------------------

RECOMMENDED DECISION

DOCUMENTS

SECTION I

- Petition (Article 3 Agencies **only**)
- Request for Designation of ALJ (Article 3A Boards & Commissions **only**)
- Notice of Contested Case & Order of Assignment
- Order(s) of Reassignment
- Order for Prehearing Statements
- Scheduling Orders
- Notice(s) of Representation
- Document Constituting Agency Action
- Hearing Assistant/Court Reporter Request Form
- Motion & Order of Consolidation

SECTION II

- Prehearing Statements
- Notice of Prehearing Conference
- Motions/Responses/Briefs/Rulings
- Report of Mediator
- Report of Settlement Conference

SECTION III

- Notices of Hearings
- Return of Service on Subpoenas and Notices
- Motions and Orders of Continuance
- Prehearing Order

SECTION IV

- Parties' Proposed Decisions
- Other Post Hearing Submissions

SECTION V

- Exhibits
- Offers of Proof

SECTION VI

- Miscellaneous documents
- Request for transcript
- Transcript
- Hearing tapes (when necessary)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ _____

KENNETH KEITH PLUMMER,)
)
) Petitioner,)
)
) v.)
)
) N.C. PRIVATE PROTECTIVE)
) SERVICES BOARD,)
)
) Respondent.)
)
 _____)

NOTICE OF HEARING

FOR: Kenneth Keith Plummer
1206 Lakecrest Avenue
High Point, NC 27265

DATE: Tuesday, August 22, 2023

TIME: 2:00 p.m.

PLACE: Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609

RE: Denial of Security Guard and Patrol business license application. The denial was for the following reasons:

Lack of verifiable experience.

STATUTES: N.C.G.S. § 74C-2; N.C.G.S. § 74C-8; 14B NCAC 16 .0204; 14B NCAC 16 .0301

ADMINISTRATIVE
LAW JUDGE: Honorable Melissa Owens Lassiter

An administrative hearing has been scheduled by the N.C. Private Protective Services Board to examine formally the allegations specified above. This hearing will be held before the Office of Administrative Hearings for the Private Protective Services Board and will be conducted in accordance with the Administrative Procedures Act, North Carolina General Statute 150B.

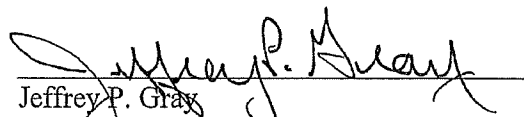
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

Attorney at Law, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602, (919) 828-0731.

Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609.

This the 6th day of July, 2023.

Private Protective Services Board
Paul Sherwin, Director



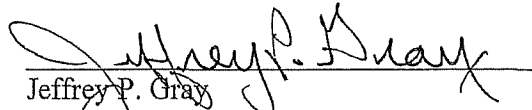
Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

CERTIFICATE OF SERVICE

I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

Kenneth Keith Plummer
1206 Lakecrest Avenue
High Point, NC 27265

This the 6th day of July, 2023.



Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Paul Sherwin, Director
NC Private Protective Services Board

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

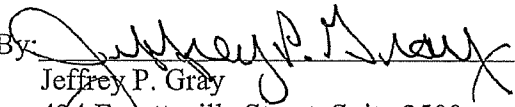
KENNETH KEITH PLUMMER,)
)
Petitioner,)
v.)
)
N.C. PRIVATE PROTECTIVE)
SERVICES BOARD,)
)
Respondent.)
_____)

**RESPONDENT'S
MOTION TO CONTINUE**

NOW COMES the North Carolina Private Protective Services Board (“Respondent” or “Board”) , through undersigned counsel, and respectfully moves for a continuance of the hearing scheduled for August 22, 2023. The Respondent requests that this be placed on the Board’s September 26, 2023 hearing day for hearing. In support of this Motion, Respondent submits the following:

The Board Investigator, a witness at the hearing, is unavailable on August 22nd to testify. Respectfully submitted, this the 28th day of July, 2023.

BAILEY & DIXON, LLP

By: 
Jeffrey P. Gray
434 Fayetteville Street, Suite 2500
Post Office Box 1351 (27602)
Raleigh, NC 27601
jgray@bdixon.com
(919) 828-0731 (Telephone)
(919) 828-6592 (Fax)

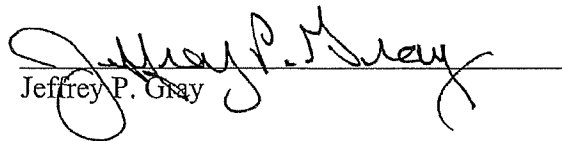
CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing RESPONDENT'S MOTION TO CONTINUE upon the Petitioner by depositing a copy of the same in the United States mail, postage prepaid, and addressed as follows:

Kenneth Keith Plummer
1206 Lakecrest Avenue
High Point, NC 27265

This the 28th day of July, 2023.

BAILEY & DIXON, LLP


Jeffrey P. Gray

cc: Paul Sherwin, Director
William Raften, Investigator

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

<p>Kenneth Keith Plummer Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p>REQUEST FOR RESPONSE TO MOTION</p>
--	--

The Respondent filed a Motion to Continue on July 28, 2023. The Petitioner shall have 10 days from the date of this Request to file a written response setting forth the objections to the Motion.

All motions will be decided without oral argument unless a hearing on the motion is requested at the time of the filing of the motion or the response and is deemed by the judge to be necessary to the development of a full and complete record for decision. In the discretion of the judge or upon motion by a party, the hearing on the motion may be accomplished by a telephone conference.

It is therefore **ORDERED** that the Petitioner shall respond to the above-referenced motion **on or before August 11, 2023** if the Petitioner desires objections to be considered before a ruling is made.

This the 31st day of July, 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
1206 Lakecrest Ave
High Point NC 27265
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 31st day of July, 2023.



Julie B. Eddins
Julie B. Eddins
Paralegal
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1850

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

<p>Kenneth Keith Plummer Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p>ORDER CONTINUING AND NOTICE OF RESCHEDULED HEARING</p>
--	--

Upon Motion by Respondent, without response from Petitioner, and for good cause shown, the hearing in this matter scheduled for August 22, 2023 is continued as follows:

DATE: **September 26, 2023**

TIME: **2:00 PM** (or as soon thereafter as may be heard)

PLACE: **NC Office of Administrative Hearings
Courtroom B
1711 New Hope Church Rd
Raleigh, North Carolina 27609**

SO ORDERED the 14th day of August, 2023.



Melissa Owens Lassiter
Administrative Law Judge

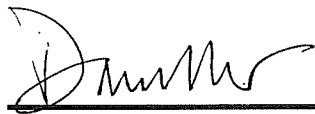
CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
1206 Lakecrest Ave
High Point NC 27265
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 14th day of August, 2023.



Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1850

6/27/23, 12:37 PM

Permittum

Order Number
DBIW3GH2Q Q

Product
License Application (new) Security Guard And Patrol

Type
securityGuardAndPatrol

Order Received
12/15/2022

Status
Order Denied ⚙

Processor
mercedes.sierra

Board
PPSB

Payment History
\$ 197.87



Background
View Report (/attachedFiles/DBIW3GH2Q/1671125635186)

Background
complete

SSN
[REDACTED]

CRC Token
e4338bb80fd587c3a8b4

Investigator: William Raften
Investigation Due Date: Monday, April 10th 2023

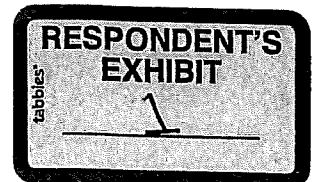
Applicant will be charged \$50 Education fee:

Application Review for Board Meeting Date: 04/20/2023

Director Result
Deny
Note
Lack of verifiable experience

Committee Result
Deny
Note
Lack of verifiable experience

Board Result
Accepted
Note



Edit

*** Type of License(s), Permits(s), Associate or Certification for which application is being made**

Select all that apply

- Armored Car Profession
- Polygraph Trainee Permit
- Electronic Countermeasures
- Private Investigator
- Electronic Countermeasures Trainee
- Private Investigator Associate
- Close Personal Protection
- Psychological Stress Evaluator Profession
- Courier Service Profession
- Security Guard and Patrol Profession
- Digital Forensics Examiner
- Special Limited Guard and Patrol License
- Digital Forensics Examiner Trainee
- Private Investigator Temporary Permit
- Guard Dog Service Profession
- Private Investigator Associate Temporary Permit
- Polygraph Examiner License

Required Uploads for selected types above

*** Upload one (1) recent color head and shoulders photo. Must have been taken in the last five (5) years.**

Browse PPS Photo.jpg

*** Upload the signed and notarized PPSB Release of Records Form.**

Browse PPS Release Form.jpg

*** Upload the signed NCSBI Authority for Release of Information (fingerprints) form.**

Browse PPS Release Form.jpg

Licensee Name

*** First Name**

Kenneth

Middle Name

Keith

*** Last Name**

Plummer

Suffix

Demographics

★ Gender

Male

★ Race

Black

★ Military Veteran or Current Servicemember

Yes No

★ Spouse of Active Duty Servicemember

Yes No

Birth Info

★ Birth County

[Redacted]

★ Country

[Redacted]

★ Birth State

[Redacted]

★ Birth Date

[Redacted]

Citizenship Info

★ Citizenship

U.S. Citizen Resident Alien Other?

Drivers License

★ Do you possess a valid motor vehicle operator's license?

Yes No

★ Drivers License #

[Redacted]

★ State Issued

[Redacted]

Residential Address Must Provide Street or Road Name and/or Number.

Current Address

★ Address Line 1

[Redacted]

Address Line 2

[Redacted]

★ City

[Redacted]

★ State

[Redacted]

★ Zip

[Redacted]

★ Country

[Redacted]

★ County

[Redacted]

Mailing is same address as home.

Period of residence at this address, to the present

★ From Year

2011

★ From Month

February

Previous Addresses A 60 month history is required

Address	From	To	Edit	Delete
---------	------	----	------	--------

Add Previous Address

Phone Numbers

★ Primary Number

[Redacted]

Secondary (Cell,Home,etc.) Number

Enter Phone Number

Office Number

Enter Phone Number

Fax Number

Enter Phone Number

Email

★ Email Address

[Redacted]

Out Of State Licenses

Type	State	Expiration Date	Edit	Delete
------	-------	-----------------	------	--------

Add Out-Of-State License

Experience

★ List all experience you believe you have for the type(s) of license for which you are applying in accordance with G.S. 74C and 14B NCAC 16. Note: A Board investigator will contact you to obtain the relevant documentation. Examples of documentation to substantiate your experience will include evaluations, job descriptions, investigative logs and reports.

Navy Gunners Mate for 5 years, responsible for ship board security patrols.
 Standing 12 hour watches onboard USN Ships while protecting against enemies both foreign and domestic
 Key security team member at local church for the last 15+ years

Education

★ Education History

School	Course	Edit	Delete
<input type="button" value="Add Previous Education"/>			

Military Status

★ Select Military Status

Active Retired Discharged Reserve N/A

★ Armed Services Number

★ Your DD214 or Discharge must be attached.

DD 214 Plumer Kenneth Keith_DD214.pdf

Previous Application

★ Have you ever applied for a license or registration with either the NC Private Protective Services Board or the NC Alarm Systems Licensing Board?

Yes No

★ Employment History

Company	Supervisor	Work Dates	Edit	Delete
Name: Tempur Sealy International Address: 239 Sealy Drive Trinity, NC 27370 Randleman County Phone: (336) 861-3500	Name: Frank Edwards Title: Director of Manufacturing Phone: <input type="text" value=""/>	Start: 12/03/2003 End:	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>

At least 10 years history is required.

★ Background Questions

Yes No Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?

Yes No Have you every been charged, arrested, convicted, pled guilty or granted a Prayer for Judgement to a criminal offense other than a minor traffic violation?

Yes No Have you ever been convicted of, or pled guilty to, a violation of the UCMJ at a special or general court martial?

- Yes No Have you ever been denied an occupational license or had an occupational license suspended or revoked?
- Yes No Are you currently a sworn court official, a sworn law enforcement officer, or a commissioned company police officer?
- Yes No Have you ever been judged incompetent by a court or committed to a mental health facility for treatment of a mental illness?

Office Setup

★ Type of office associated with this application?

Establishing a main office for a company not yet registered with the board.

Company Name

★ Name of Company

Issachar Security Management Team

DBA

[Empty text box for DBA]

Company Address

★ Address Line 1

1206 LAKECREST AVE

Address Line 2

[Empty text box for Address Line 2]

★ City

High Point

★ State

North Carolina

★ Zip

27265

★ Country

United States

★ County

North Carolina

Mailing is same address as physical.

Company Phone Numbers

★ Company Phone Number

(336) 289-6013

Company Fax Number

Enter Phone Number

Position At The Company

★ Will your position be managerial?

Yes No

★ Will you exercise direct control and supervision over the registered employees?

Yes No

Company Licensing

★ Select Business Type

Sole Proprietorship

Company Principals

Title	Full Name	Email	Edit	Delete
Chief Executive Officer	Kenneth Keith Plummer		Edit	Delete

Add Company Principal

Qualifying Agent

★ Are you applying to be the company's qualifying agent? Note: Administrative Rule 14B NCAC 16 .0103(6) requires the qualifying agent to be a resident of North Carolina, if the company maintains a physical office in North Carolina.

Yes No

Qualifying Agent's Full Name

★ First Name

Kenneth

Middle Name

Keith

★ Last Name

Plummer

Suffix

Nickname (optional)

Qualifying Agent's Address

★ Address Line 1

[Redacted]

Address Line 2

★ City

[Redacted]

★ State

[Redacted]

★ Zip

[Redacted]

★ Country

[Redacted]

★ County

[Redacted]

I hereby certify that all answers and statements in this application are true and accurate to the best of my knowledge. I am aware that should an investigation disclose any misrepresentation or falsification, my application may be denied.

★ Sign with your initials

KKP

Background Check:

Process	Status	Initials	Date
CRC CHECK	Pass	mercedes.sierra	12/21/2022
FP SENT	Pass	mercedes.sierra	12/30/2022
FP RESULTS	Pass	mercedes.sierra	1/27/2023

Comments:

PHOTO	Pass	mercedes.sierra	12/21/2022
AUTHORIZED RELEASE	Pass	mercedes.sierra	12/30/2022
UA TRAINING			
FA TRAINING			
CWC			
Date Received			
TERMINATION DATE			
Investigator's Recommendation			

Comments:

Discussion regarding lack of verifiable experience.

Dep Dir			
---------	--	--	--

Process	Status	Initials	Date
---------	--------	----------	------

Comments:

Investigator Notes
 (/InterviewQuestions/ccwInterview/DBIW3GH2Q)

Work Comments:

+ 11 Attached Documents

+ Add files...

File Name
 Description
 Attached By
 Attached

BackgroundReport.pdf (/attachedFiles/DBIW3GH2Q/1671125635186)

CRC Background Report

system

12/15/22 12:33



PPS Photo.jpg (/attachedFiles/DBIW3GH2Q/1671125635372)

photo

12/15/22 12:33



PPS Release Form.jpg (/attachedFiles/DBIW3GH2Q/1671125635596)

releaseOfRecords

12/15/22 12:33



Transcript_KENNETHPLUMER.pdf (/attachedFiles/DBIW3GH2Q/1671125635812)

proofOfGraduation

12/15/22 12:33



DD 214 Plumer Kenneth Keith_DD214.pdf (/attachedFiles/DBIW3GH2Q/1671125636051)

otherMilitaryDoc

12/15/22 12:33



PPS Release Form.jpg (/attachedFiles/DBIW3GH2Q/1671125636450)

releaseOfInfo

12/15/22 12:33

6/27/23, 12:37 PM

Permitium



plummer release of info.pdf (/attachedFiles/DBIW3GH2Q/1672407571821)

mercedes.sierra
12/30/22 08:39



Personal Review Form Plummer.pdf (/attachedFiles/DBIW3GH2Q/1679916481471)

william.raften
03/27/23 07:28



Plummer-certified mail receipt-denial.pdf (/attachedFiles/DBIW3GH2Q/1683030044281)

mercedes.sierra
05/02/23 08:20



Plummer-Denial Ltr signed Certified receipt.pdf (/attachedFiles/DBIW3GH2Q/1684263913928)

mercedes.sierra
05/16/23 15:05



Kenneth Plummer SGP Appeal Letter.pdf (/attachedFiles/DBIW3GH2Q/1687883750980)

paul.sherwin
06/27/23 12:35



Action Date:

Action User:

Action Type:

Description / Notes:

12/15/22 12:33 PM

StartPayment

Starting payment processing.

12/15/22 12:33 PM

StartPayment

Starting payment processing.

12/21/22 9:46 AM

mercedes.sierra

SaveProgress

The application data was updated.

12/30/22 8:35 AM

mercedes.sierra

SaveProgress

The application data was updated.

12/30/22 8:39 AM

mercedes.sierra

SaveProgress

The application data was updated.

12/30/22 8:39 AM

mercedes.sierra

OwnerChange

The application was moved to user 'kim.odom'.

1/6/23 3:01 PM

kim.odom

OwnerChange

The application was moved to user 'william.raften'.

1/6/23 3:01 PM

kim.odom

StatusChange

The order status was updated to 'Investigator Assigned'.

1/27/23 12:29 PM

mercedes.sierra

SaveProgress

The application data was updated.

1/27/23 12:30 PM

mercedes.sierra

SaveProgress

The application data was updated.

3/30/23 8:04 AM

william.raften

InterviewUpdated

6/27/23, 12:37 PM

Permitium

Interview Information Updated
3/30/23 8:04 AM
william.raffen
InterviewUpdated
Interview Information Updated
3/30/23 8:04 AM
william.raffen
OwnerChange
The application was moved to user 'kim.odom'.
4/2/23 8:08 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/2/23 8:14 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/2/23 8:20 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/2/23 8:20 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/2/23 8:20 PM
kim.odom
OwnerChange
The application was moved to user 'william.raffen'.
4/3/23 8:00 AM
william.raffen
InterviewUpdated
Interview Information Updated
4/3/23 8:00 AM
william.raffen
InterviewUpdated
Interview Information Updated
4/3/23 10:24 AM
william.raffen
OwnerChange
The application was moved to user 'kim.odom'.
4/4/23 7:48 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/4/23 7:48 PM
kim.odom
InterviewUpdated
Interview Information Updated
4/4/23 7:48 PM
kim.odom
SaveProgress
The application data was updated.
4/4/23 7:48 PM
kim.odom
OwnerChange
The application was moved to user 'gary.bullard'.
4/5/23 7:21 AM
william.raffen
InterviewUpdated
Interview Information Updated
4/5/23 7:21 AM
william.raffen
InterviewUpdated
Interview Information Updated
4/6/23 12:28 PM
gary.bullard

OwnerChange
The application was moved to user 'paul.sherwin'.
 4/12/23 9:42 AM
 paul.sherwin
 InterviewUpdated
Interview Information Updated
 4/12/23 9:42 AM
 paul.sherwin
 SaveProgress
The application data was updated.
 4/12/23 9:42 AM
 paul.sherwin
 SaveProgress
The application data was updated.
 4/12/23 9:42 AM
 paul.sherwin
 OwnerChange
The application was moved to user 'mercedes.sierra'.
 4/12/23 3:41 PM
 william.raffen
 InterviewUpdated
Interview Information Updated
 4/12/23 3:49 PM
 william.raffen
 InterviewUpdated
Interview Information Updated
 4/12/23 3:49 PM
 william.raffen
 InterviewUpdated
Interview Information Updated
 4/19/23 7:19 PM
 mercedes.sierra
 SaveProgress
The application data was updated.
 4/21/23 10:02 AM
 mercedes.sierra
 SaveProgress
The application data was updated.
 4/27/23 10:53 AM
 mercedes.sierra
 DenyOrder
The application was denied. The application was denied. This is an automated message. Denied Security Guard & Patrol License for Lack of verifiable experience. The original denial letter will be sent to you by certified mail.
 4/27/23 10:53 AM
 mercedes.sierra
 EmailSent
A deny email has been sent.
 5/2/23 8:20 AM
 mercedes.sierra
 SaveProgress
The application data was updated.
 5/16/23 3:05 PM
 mercedes.sierra
 SaveProgress
The application data was updated.
 6/27/23 12:35 PM
 paul.sherwin
 SaveProgress
The application data was updated.

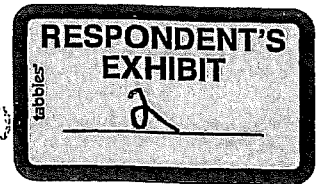
Move Order
Assign Inv
Order Pending
Defer Order
Request Documentation
Add Invoice (dynamicapp/invoice/new?associatedOrderId=DBIW3GH2Q)

Approve Order
Withdraw Order
Deny Order
Assess Fine

Background Check

CRC CHECK	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP SENT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP RESULTS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
PHOTO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
AUTHORIZED RELEASE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
UA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CWC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date Received	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TERMINATION DATE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Investigator's Recommendation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dep Dir	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Save Progress
Print
Search Archive



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JUN 21 2023

PPS/ASL

Case Report

Name: Kenneth Plummer

2/6, 2/7, 2/8, 2/21

1. Initial Contact

I had initial contact via email on 2/3/23 where I introduced myself as the investigator handling his application. I discussed the process for obtaining a Security Guard and Patrol Profession license, the minimum credit hour requirements as well as requesting documentation to verify credit hours. I also included in the email links to the North Carolina General Statutes Chapter 74C, Private Protective Services and the North Carolina Administrative Code, Chapter 16 - Private Protective Services Board. I also advised him to please let me know if he has any questions that may arise during this process.

2. Interview Meeting Notes

On 3/24/23, I met with Ken Plummer for our in-person interview. We discussed his work history, education, criminal history and credit history which are detailed below. In addition, we reviewed the North Carolina General Statutes Chapter 74C, Private Protective Services and the North Carolina Administrative Code, Chapter 16 - Private Protective Services Board, after which we reviewed and signed the personal review form. I also advised the applicant that he can contact me at any time in the future if there are any questions about any Private Protective Services regulations or procedures.

Mr. Plummer stated that "Pertaining to the matter of watch scheduling hours. {as described below} The package I submitted is completely truthful and accurate, and regardless of the outcome of this investigation, I would like for it to stay that way. Having said that, the number of hours I used scheduling watches is simply too difficult to calculate for a service man."

He went on to say that "I would like to give you a definitive 3000+ hours but I just do not have an exact number of hours. Some watches I scheduled were in a watch schedule log, while others were word of mouth "Hey you got the next Roving Patrol watch" (that's military life). Since the military operates on a 24-hour clock, I could very well have met the conditions of that requirement."

Mr. Plummer added "I do have the experience, and the ability to create a functional watch schedule because I've done it for years. My military Occupational Form, and my military evaluations speak to my capability to professionally, and effectively live up to the statues of the Private Protective Services profession."

3. Education

Mr. Plummer provided a copy of an Associate of Science degree transcript from City University in Seattle. It displays his name and indicates a graduation date of 03/23/1990.

4. Work History

Mr. Plummer has not provided documentation of three years/3000 hours of verifiable experience. He has verifiable 800 hours; 400 hours of experience through his education and 400 hours from his honorable discharge. Mr. Plummer believes his time as a Petty Officer of the Watch while in the Navy qualifies him for the SGP license. State law and codes for the license require that you have verifiable proof of at 3,000 hours as a manager, supervisor, or administrator in the U.S. Armed Forces with a military occupational specialty or at a security company performing guard and patrol functions.

Tempur Sealy International, Maintenance Supervisor, 12/03/2003 to Present

Mr. Plummer is the Maintenance Supervisor at Tempur Sealy International (manufacturer of mattresses and bedding products) which is located at 239 Sealy Drive, Trinity, NC 27370. He manages the Maintenance Department personnel, maintains all manufacturing equipment, and negotiates contracts with contractors. He is responsible for quarterly appraisals and development plans to ensure growth for each maintenance employee. Additionally, Mr. Plummer works

closely with senior management on the needs of production, new equipment installations, and development plan(s) for personnel.

On 3/3/23 I talked with Mr. Plummer's supervisor Frank Edwards, Director of Manufacturing. He confirmed his duties and employment dates. He stated that "I have nothing but the best to say about Ken" and "I would hate to lose him". He also told me that Mr. Plummer's integrity and professionalism are "excellent" and he is so good of a manager that he has been teaching his peers in 'How to be a manager' classes, based on his own experiences. Mr. Edwards said that Mr. Plummer is loyal, dedicated and a hard worker. Injuries are not uncommon in the maintenance department, but under Mr. Plummer's leadership, there has not been an injury in his maintenance department in 17 years.

US Navy, Maintenance, Weapon Handling System, 1985-1990

Mr. Plummer was a US Navy Gunner's Mate Petty Officer 2nd Class when he left the Navy. He earned the rank of Petty Officer 2nd Class on June 16, 1988. His specialty was an Anti-Submarine Rocket weapons handling systems a "maintenance-man". He was also responsible for shipboard security patrols and watches.

Federalpay.org defines a Petty Officer Second Class's duties and responsibilities as:

"E-5s are the mid-grade Petty Officers. 2nd Class Petty Officers are self-sufficient leaders and know what work needs to be done without being told. They are qualified {to conduct} most of their watch stations and can conduct maintenance and repairs of all equipment under their division's cognizance. They mentor junior Seamen and Petty Officers and are in charge of day-to-day business in the absence of their seniors. They take on progressively greater leadership roles and may have several important Collateral Duties. They should have attended advanced schools (such as "C-School") and begun supervisory qualifications. Every day, they continue learning more about their jobs so they can progress to the next rank and assume more responsibilities. They are in training to become leaders of their divisions and collectively have a significant impact in the overall performance of their unit."

Mr. Plummer makes note that he was Petty Officer of the Watch. Before I discuss the details of his experience, below is an explanation of a Petty Officer of the Watch, which has elements of safety and security.

Per US Navy Policy, Chapter 8 "Military Responsibilities and Duties":

The Petty Officer of The Watch is the primary enlisted assistant to the officer of the deck (OOD) when the ship is in port. The POOW is the primary enlisted assistant to the officer of the deck (OOD) when the ship is in port. The POOW assists the OOD in carrying out the ship's daily routine and in ensuring the security and safety of the ship. These duties include:

- Compose correspondence
 - o Signing or initialing of all service record such as weekly schedule, the automated work request (AWR), and requests for repair parts
- Assist the OOD and the junior officer of the watch (JOOW) and supervise and instruct sentries and messengers.
- Wear the prescribed uniform and ensure orderliness of watch-standing equipment during each morning watch.
- Carry out the daily routine and orders as the OOD may direct.
- Notify the OOD and the JOOW of any changes in the weather or changes in barometric pressure readings of 0.04 inch or more in any one hour.
- The quartermaster of the watch, when assigned, will assume this responsibility.
- In all classes of submarines, hourly observe and log draft readings. Ensure draft readings are reviewed periodically by the in-port duty officer.
- Make entries in the deck log for all events of interest as directed by the OOD. Erasures should not be made in the deck log. The quartermaster of the watch, when assigned, will assume this responsibility.
- Ensure the messenger makes the calls listed in the call book kept on the quarterdeck. The quartermaster of the watch, when assigned, will assume this responsibility.
- Return salutes and carry out the watch routine for the OOD or the JOOW when neither is at the gangway.
- Call away boats in sufficient time to make sure that they are ready to leave the ship at the time prescribed in the boat schedule.

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- Keep a list of personnel (such as boat crews) expected to be absent on duty from the ship during meal hours. Notify the ship's duty cook of the approximate number of personnel that will be absent and the time they will return for the meal.
- Assemble liberty parties in ample time for inspection by the OOD before departure of scheduled liberty boats.
- Perform other duties as directed by the OOD or JOOW
- Have a working knowledge of the mass communication (MC) systems—sound-powered telephones, voice tubes, pneumatic tubes, and ship's service telephones.
- Environmental Protection
- To maintain various logs, records, and reports. If your ship is in port, you may have to maintain a weather log. And the ship's deck log, security clearance log, pass down log (information to pass along), weapons custody log, vehicle log and visitor log,
 - Sounding and security log. This is a report of the readings taken by the sounding and security patrol. The log is filled out on an irregular time basis. The security patrol never makes a patrol at the same time of the hour.
 - The ship's deck log is a complete daily record, by watches, of every circumstance and occurrence of importance or interest about the crew and the operation and safety of the ship. A ship's deck log has both historical importance and legal standing. It may be used at times in naval, admiralty, and civil courts. In an incident involving the ship, the log may be the only available evidence upon which to base a legal decision. At sea, the quartermaster of the watch keeps the ship's deck log. In port, chronological entries are made, but these entries are made by the POOW

For Security it states:

- When you stand duty as the POOW, you play an important part in the security of your ship or unit. A list of personnel who are authorized to work in the various departments is kept in the quarterdeck area. These people may be shipyard personnel, civilian vendors, or even personnel attached to a repair facility.
- There are some areas of your ship that you cannot watch; watching these areas is the job of the security patrol or roving patrol. These patrols watch for fires, out-of-the-ordinary happenings, and unauthorized personnel. If an unauthorized person is found who cannot account for being in a space or tries to leave the area, an alarm should be sounded, and appropriate action taken to apprehend the person. This action is a function of the Security Alert Team (SAT) aboard your ship.

○
SHORE PATROL MISSION AND DUTIES During your career, you will normally have the opportunity of being assigned to shore patrol (SP) duties. SP may be for a tour of duty, or it may be for 24 hours or less. Your primary mission will be to preserve order among members of the armed forces who are on leave or in a liberty status.

Mr. Plummer's Official Military Personnel File (OMPF) stated that he:

"Stands 25 mm chain gun watch and 50 cal machine watch at sea. Stands Petty Officer of the Watch in port. Roving security patrols." Another section of his OMPF states "Stands Petty Officer of the Watch (POOW) in port and Anti-Submarine Rocket rover in port/underway. The ship participated in the Indian Ocean and North Arabian Sea deployment and 1988 Team Spirit.

Completed the following PQS: Non-Nuclear Ordnance Handling (301, 304, 307, 338 watch stations), NAVEDTRA 43387-4A nuclear weapons Afloat Handling and Stowage (4301, 4305, 4306, 4307-4309, 4310, 4311 watch stations)."

It also states that he has the following training:

Shipboard Security Force Training: 25 hours (Unknown date)

Shipboard Security Force Training: 15 hours (Unknown date)

His OMPF further states his "leadership and managerial skills are a significant factor in "Team Oly" maintaining an exceptionally high level of ASW readiness, critical for a seventh Fleet ship." Mr. Plummer told me that every ship in the United States Navy has a "nickname" this particular ship is named "Team Oly", the actual name of the ship was USS Oldendorf DD972. He went on to say that "From this sea going command, I was responsible for setting up schedules for training, and watch rotation as the work center supervisor for the Combat Systems work center (CSA3)."

Mr. Plummer noted that "ASW readiness" refers to Anti-Submarine Warfare and denotes the rigorous inspections and watch scheduling/standing for the protection of "Special Weapons", and preparedness of said ordinance.)

He went on to explain "The military operates on a 24-hour clock, the watches can range from 4 to 12 hours (or longer) depending on the threat level (some watch assignments I am not authorized to mention). Either you are standing a watch or working on weapon delivery system(s), or training for any potential threat." And that "calculating 3000 hours is not as simple as looking at hours on a civilian employees Time Card. As a Gunners Mate on board a Naval Destroyer a primary job requirement is standing watch."

Mr. Plummer said that he was assigned Shore Patrol duty a total of 3 times in Hong Kong, China on three separate tours of duty, and several Shore Patrol watches in Yokosuka, Japan which was his duty station while Forward Deployed. Also, during a particular deployment he stood what is known as SONAR watch, which is the monitoring of a sonar screen looking for hostile submarines.

Mr. Plummer went on to say that "I have been responsible for the overall security and maintenance of multi-million-dollar Weapon Delivery Systems, as well as provided security for Off-load and On Loading of Non-Nuclear as well as Nuclear armaments."

Mr. Plummer stated that he did a variety of watches that he felt should be counted towards his credit hours. He wrote:

"They include:

Standing Watch is the assignment of sailors to specific roles on a ship to operate that ship continuously. These assignments are constantly active on-board a ship at sea or in port, as they are considered essential to the safe operation of the vessel and, also allow the ship to respond to emergencies and other, situations quickly.

These watches are divided into work periods to ensure that the roles are always occupied, at all times. I will explain the following watches I was trained for, and stood while in the Military While on Active Duty I was trained and stood the following Watches:

- **Explosive Mine Watch** - using Night Vision Goggles when necessary armed with a .50 Caliber Machine Gun, I would watch for High Explosive Mines designed to sink or severely cripple ships in the Battle Group
- **Enemy Aircraft Watch** - How to spot enemy aircraft while at sea
- **Sonar Watch** - Knowing what to look for on a Sonar Screen (Friend or Foe) and how to determine the type of submarine based on the sound signature (Ping).
- **Roving Patrol Watch** - This is an armed watch usually with a sidearm or both a sidearm and rifle. The entire ship is to be patrolled every hour. Specifically assigned spaces onboard the ship are to be checked every hour on the hour and a report given to the Officer of the Deck (Senior Officer on Duty) to continually maintain safety on-board the
 - ship
- **Quarter Deck Watch** - Performed in living quarters such as Barracks, military schools' buildings, Military Office buildings... On this watch strict military protocol is adhered to, and Naval Standards are on full display. This is also an armed watch. Proper military decorum in honor of military standards and customs is extremely important.
- **Shore Patrol** - Navy Service members assigned to provide aid in the way of security for the United States Navy while on shore. We were trained for this assignment with a level of law enforcement training (military law according to the Military Code of Justice), when and how to approach an individual whose actions are illegal or even questionable, proper use of a baton, fill out reports related to watch standing occurrences...
- **Petty Officer of the Watch** - The POOW is the primary enlisted assistant to the Officer of the Deck (OOD) when the ship is in port. The POOW assists the OOD in carrying out the ship's daily routine and in ensuring the security and safety of the ship.
- **Small Boat Attack Watch** - Terrorist attempt to attack the ship via small boats loaded with explosives or small arms fire.

- **Swimmer Attack Watch** - Terrorist attack via a swimmer(s) trying to board the ship and take command.
- **Plane Guard Watch** - While at sea the Naval Destroyer vessel trails behind the Aircraft Carrier encase a plane landing or taking off from the Aircraft Carrier happens to crash into the sea. This watch would include all personal working on the Bridge and Pilot House of the ship (Bridge and Pilot house are where the ship is navigated from).
- **Swimmer Watch** - While out at sea, during time(s) of recreation at we were afforded the opportunity to go swimming where sharks were the biggest threat. Armed with a M14, the assignment was to ward-off any shark attack.
- **Shipboard Security Force Guard** - Fast action response team to any Security Threat.

He stated that:

Transitioning from Basic Training (Boot Camp) to Gunnery "A" School, and from "A" school to "C" school the training intensifies even as watch standing continues. The duration of these schools lasted exactly 1 Year (365 days). We continued to operate with 3 Duty Sections (Every third day of watch standing) = **486.66 Hours of Watch Standing**

The watches required were Quarter Deck Watch or Shore Patrol was part of the Order of the Day. The Quarter Deck Watch consisted of a Petty Officer of the Watch and an Assistant Petty Officer of the Watch. The Petty Officer of the Watch was responsible for all record keeping which was hour by hour documentation in an official Military Log. Announcing over the Shipboard Address System, the arrival of all dignitaries and display of all proper honors and protocol(s). These Watches were 4 hours/per watch.

Naval Gun School "C" School offers advanced training in a more specific course of study. As a Gunners Mate Missiles, his training was in Anti-Submarine Warfare requiring a Secret Clearance because of the sensitivity of information, and munitions. The watches included Quarter Deck Watch at the Barracks, Shore Patrol, and Quarter Deck Watch at Gun School. Trained and armed with a "Night Stick" The reason for these watches were to observe, report, and defend life and property. Again, making patrols, and hourly reports.

Mr. Plummer was stationed on the following ships:

USS Oldendorf (Destroyer vessel), stationed in Yokosuka, Japan from August 18, 1986, to August 8, 1988. He earned the rank of Petty Officer 2nd Class on June 16, 1988. Stationed on-board the USS Oldendorf for exactly 2 years where he was required to stand the following Watches including watch schedule preparation:

- Petty Officer of the Watch
- Roving Patrol
- Explosive Mine Watch
- Small Boat Attack Watch
- Shore Patrol (While In Port)
- Plane Guard Watch
- Enemy Aircraft
- Shipboard Security-Force Guard While on Board the USS Oldendorf:

6 months (180 days or 4,320 hours) Watch standing 12 Hours each day = **2,160 Hours** of the Military Watch
 17 months (510 days) Watch rotation with a 3-section duty schedule at 4 hours per watch = **680 Hours**
Total of 2840 Hours of Watch While On-Board the USS Oldendorf DD972

USS John Young DD 973 (Destroyer vessel) Stationed in San Diego, Ca from August 8, 1988, to November 12, 1989.

Mr. Plummer said that he stood the following Watches:

- Explosive Mine Watch
- Enemy Aircraft Watch
- Sonar Watch
- Roving Patrol
- Quarter Deck Watch
- Petty Officer of the Watch

- Small Boat Attack

8 Months of Duty on-board the USS John Young

240 Days of Watch standing. 60 Days of the 120 days on board the USS John Young were 12-hour watches (called 12 on 12 off) = 720 Hours of standing Watch.

The Remaining 180 days on Board the USS John operated on a 3-Section Duty Schedule of which means he stood watch every 3rd Day. These watches were 4 hours long for 180 days = 240 Hours

Total Watch standing hours while on-board the USS John Young was 960 hours

USS Cushing DD985 (Destroyer vessel) Stationed in San Diego, Ca from November 13, 1989 to April 23, 1990

He said that he was stationed on-board the USS Cushing for 7 months (210 day) and stood the following Watches:

- Petty Officer of the Watch

- Roving Patrol

This command also operated on a 3-section Duty rotation and the watch duration was 4 hours per watch.

70 days x 4 hours/watch = 280 Hours of Watch Standing

Summation of Hours of Watch Standing:

76 Hours of Watch - Basic Training (Boot Camp)

486.66 Hours of Watch - Military Training Schools

2,840 Hours of Watch - USS Oldendorf DD-972

960 Hours of Watch - USS John Young DD-973

280 Hours of Watch - USS Cushing DD-985

4,642.66 Hours of Military Watch under rigorous, stressful, and challenging conditions."

If we accept that he was a supervisor on watch and patrol duties after he became a Petty Officer 2nd Class, he documented that he has a total of 1,594 hours. That along with his education hours would give him a total of 2,394 hours

This all being said, I asked Mr. Plummer to show, justify or give evidence that he was a manager, supervisor, or administrator performing guard and patrol functions. His Official Military Personnel File does not mention that Mr. Plummer supervised the watches or patrols. As a Gunner's Mate Petty Officer 2nd Class, he could have supervised the watch, but Mr. Plummer has not proved any statements or evidence to show that he was a manager, supervisor, or administrator performing guard and patrol functions.

5. Out of State Licenses

No known out of state licenses exist for Mr. Plummer.

6. Operating without a license

A check in Permittium shows no complaints.

7. Credit History

Per a consumer report from Equifax run on 1/30/23, Mr. Plummer has five accounts. Four accounts show a balance, one shows "Not more than two payments past due" and the remaining accounts show that he "Pays account as agreed". In addition, there are no bankruptcies, charge off accounts or collection accounts on the report.

8. Criminal History

I inspected Mr. Plummer's Criminal Record Check (CRC). His North Carolina statewide search is "Clear." Mr. Plummer has the following convictions in his criminal history:

****FINGERPRINTS PASS****

9. Personal References

All of Mr. Plummer's references spoke very well of him, and he was referred to as someone who is honest, has high moral character and that he is very professional.

10. Additional information

Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the Private Protective Services Licensing Board or one of its committees. It should understand that once presented to the board or a committee, the staff's position may be adopted, amended or reversed.

Mr. Plummer 's personal review form was signed and uploaded into Permitium.

My recommendation is for a Security Guard and Patrol License; Discussion based on hours earned.

6/27/23, 12:43 PM

ppsapplication.permitium.com/interviewQuestions/ccw/interview/DBIW3GH2Q

APPLICATION PRESENTATION FORM

Applicant Name: Kenneth Keith Plummer

License for Which Applying: Security Guard And Patrol

Investigator: William Raften

Board Date: 04/20/2023

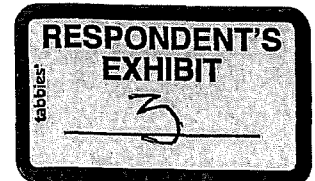
Employing Agency: Issachar Security Management Team

Physical Address: 1206 LAKECREST AVE
High Point, NC 27265

Mailing Address: 1206 LAKECREST AVE
High Point, NC 27265

Initial Contact

I had initial contact via email on 2/3/23 where I introduced myself as the investigator handling his application. I discussed the process for obtaining a Security Guard and Patrol Profession license, the minimum credit hour requirements as well as requesting documentation to verify credit hours. I also included in the email links to the North Carolina General Statutes Chapter 74C, Private Protective Services and the North Carolina Administrative Code, Chapter 16 - Private Protective Services Board. I also advised him to please let me know if he has any questions that may arise during this process.



The following procedures were used in order to conduct a special review of these allegations:

Interview Meeting Notes

On 3/24/23, I met with Ken Plummer for our in-person interview. We discussed his work history, education, criminal history and credit history which are detailed below. In addition, we reviewed the North Carolina General Statutes Chapter 74C, Private Protective Services and the North Carolina Administrative Code, Chapter 16 - Private Protective Services Board, after which we reviewed and signed the personal review form. I also advised the applicant that he can contact me at any time in the future if there are any questions about any Private Protective Services regulations or procedures.

Mr. Plummer stated that "Pertaining to the matter of watch scheduling hours, {as described below} The package I submitted is completely truthful and accurate, and regardless of the outcome of this investigation, I would like for it to stay that way. Having said that, the number of hours I used scheduling watches is simply too difficult to calculate for a service man."

He went on to say that "I would like to give you a definitive 3000+ hours but I just do not have an exact number of hours. Some watches I scheduled were in a watch schedule log, while others were word of mouth 'Hey you got the next Roving Patrol watch' (that's military life). Since the military operates on a 24-hour clock, I could very well have met the conditions of that requirement."

Mr. Plummer added "I do have the experience, and the ability to create a functional watch schedule because I've done it for years. My military Occupational Form, and my military evaluations speak to my capability to professionally, and effectively live up to the statues of the Private Protective Services profession."

Education

Mr. Plummer provided a copy of an Associate of Science degree transcript from City University in Seattle. It displays his name and indicates a graduation date of 03/23/1990.

Work History

Mr. Plummer has not provided documentation of three years/3000 hours of verifiable experience. He has verifiable 800 hours; 400 hours of experience through his education and 400 hours from his honorable discharge. Mr. Plummer believes his time as a Petty Officer of the Watch while in the Navy qualifies him for the SGP license. State law and codes for the license require that you have verifiable proof of at least 3,000 hours as a manager, supervisor, or administrator in the U.S. Armed Forces with a military occupational specialty or at a security company performing guard and patrol functions.

Tempur Sealy International, Maintenance Supervisor, 12/03/2003 to Present

Mr. Plummer is the Maintenance Supervisor at Tempur Sealy International (manufacturer of mattresses and bedding products) which is located at 239 Sealy Drive, Trinity, NC 27370. He manages the maintenance department personnel, maintains all manufacturing equipment, and negotiates contracts with contractors. He is responsible for quarterly appraisals and development plans to ensure growth for each maintenance employee. Additionally, Mr. Plummer works closely with senior management on the needs of production, new equipment installations, and development plan(s) for personnel.

On 3/3/23 I talked with Mr. Plummer's supervisor Frank Edwards, Director of Manufacturing. He confirmed his duties and employment dates. He stated that "I have nothing but the best to say about Ken" and "I would hate to lose him". He also told me that Mr. Plummer's integrity and professionalism are "excellent" and he is so good of a manager that he has been teaching his peers in "how to be a manager" classes, based on his own experiences. Mr. Edwards said that Mr. Plummer is loyal, dedicated and a hard worker. Injuries are not uncommon in the maintenance department, but under Mr. Plummer's leadership, there has not been an injury in his maintenance department in 17 years.

US Navy, Maintenance, Weapon Handling System, 1985-1990

Mr. Plummer was a US Navy Gunner's Mate Petty Officer 2nd Class when he left the Navy. He earned the rank of Petty Officer 2nd Class on June 16, 1988. His specialty was an Anti-Submarine Rocket weapons handling systems-- a "maintenance-man". He was also responsible for shipboard security patrols and watches.

Federalpay.org defines a Petty Officer Second Class's duties and responsibilities as:

"E-5s are the mid-grade Petty Officers. 2nd Class Petty Officers are self-sufficient leaders and know what work needs to be done without being told. They are qualified {to conduct} most of their watch stations and can conduct maintenance and repairs of all equipment under their division's cognizance. They mentor junior Seamen and Petty Officers and are in charge of day-to-day business in the absence of their seniors. They take on progressively greater leadership roles and may have several important Collateral Duties. They should have attended advanced schools (such as "C-School") and begun supervisory qualifications. Every day, they continue learning more about their jobs so they can progress to the next rank and assume more responsibilities. They are in training to become leaders of their divisions and collectively have a significant impact in the overall performance of their unit."

Mr. Plummer makes note that he was Petty Officer of the Watch. Before I discuss the details of his experience, below is an explanation of a Petty Officer of the Watch, which has elements of safety and security.

Per US Navy Policy, Chapter 8 "Military Responsibilities and Duties":

The Petty Officer of The Watch is the primary enlisted assistant to the officer of the deck (OOD) when the ship is in port. The POOW is the primary enlisted assistant to the officer of the deck (OOD) when the ship is in port. The POOW assists the OOD in carrying out the ship's daily routine and in ensuring the security

and safety of the ship. These duties include:

- Compose correspondence
 - o Signing or initialing of all service record such as weekly schedule, the automated work request (AWR), and requests for repair parts
- Assist the OOD and the junior officer of the watch (JOOW) and supervise and instruct sentries and messengers.
- Wear the prescribed uniform and ensure orderliness of watch-standing equipment during each morning watch.
- Carry out the daily routine and orders as the OOD may direct.
- Notify the OOD and the JOOW of any changes in the weather or changes in barometric pressure readings of 0.04 inch or more in any one hour.
- The quartermaster of the watch, when assigned, will assume this responsibility.
- In all classes of submarines, hourly observe and log draft readings. Ensure draft readings are reviewed periodically by the in-port duty officer.
- Make entries in the deck log for all events of interest as directed by the OOD. Erasures should not be made in the deck log. The quartermaster of the watch, when assigned, will assume this responsibility.
- Ensure the messenger makes the calls listed in the call book kept on the quarterdeck. The quartermaster of the watch, when assigned, will assume this responsibility.
- Return salutes and carry out the watch routine for the OOD or the JOOW when neither is at the gangway.
- Call away boats in sufficient time to make sure that they are ready to leave the ship at the time prescribed in the boat schedule.
- Keep a list of personnel (such as boat crews) expected to be absent on duty from the ship during meal hours. Notify the ship's duty cook of the approximate number of personnel that will be absent and the time they will return for the meal.
- Assemble liberty parties in ample time for inspection by the OOD before departure of scheduled liberty boats.
- Perform other duties as directed by the OOD or JOOW
- Have a working knowledge of the mass communication (MC) systems—sound-powered telephones, voice tubes, pneumatic tubes, and ship's service telephones.
- Environmental Protection
- To maintain various logs, records, and reports. If your ship is in port, you may have to maintain a weather log. And the ship's deck log, security clearance log, pass down log (information to pass along), weapons custody log, vehicle log and visitor log,
 - o Sounding and security log. This is a report of the readings taken by the sounding and security patrol. The log is filled out on an irregular time basis. The security patrol never makes a patrol at the same time of the hour.
 - o The ship's deck log is a complete daily record, by watches, of every circumstance and occurrence of importance or interest about the crew and the operation and safety of the ship. A ship's deck log has both historical importance and legal standing. It may be used at times in naval, admiralty, and civil courts. In an incident involving the ship,

the log may be the only available evidence upon which to base a legal decision. At sea, the quartermaster of the watch keeps the ship's deck log. In port, chronological entries are made, but these entries are made by the POOW

For Security it states:

- o When you stand duty as the POOW, you play an important part in the security of your ship or unit. A list of personnel who are authorized to work in the various departments is kept in the quarterdeck area. These people may be shipyard personnel, civilian vendors, or even personnel attached to a repair facility.
- o There are some areas of your ship that you cannot watch; watching these areas is the job of the security patrol or roving patrol. These patrols watch for fires, out-of-the-ordinary happenings, and unauthorized personnel. If an unauthorized person is found who cannot account for being in a space or tries to leave the area, an alarm should be sounded, and appropriate action taken to apprehend the person. This action is a function of the Security Alert Team (SAT) aboard your ship.

SHORE PATROL MISSION AND DUTIES During your career, you will normally have the opportunity of being assigned to shore patrol (SP) duties. SP may be for a tour of duty, or it may be for 24 hours or less. Your primary mission will be to preserve order among members of the armed forces who are on leave or in a liberty status.

Mr. Plummer's Official Military Personnel File (OMPF) stated that he:

"Stands 25 mm chain gun watch and 50 cal machine watch at sea. Stands Petty Officer of the Watch in port. Roving security patrols." Another section of his OMPF states "Stands Petty Officer of the Watch (POOW) in port and Anti-Submarine Rocket rover in port/underway. The ship participated in the Indian Ocean and North Arabian Sea deployment and 1988 Team Spirit.

Completed the following PQS: Non-Nuclear Ordnance Handling (301, 304, 307, 338 watch stations), NAVEDTRA 43387-4A nuclear weapons Afloat Handling and Stowage (4301, 4305, 4306, 4307-4309, 4310, 4311 watch stations)."

It also states that he has the following training:

Shipboard Security Force Training: 25 hours (Unknown date)

Shipboard Security Force Training: 15 hours (Unknown date)

His OMPF further states that his "leadership and managerial skills are a significant factor in "Team Oly" maintaining an exceptionally high level of ASW readiness, critical for a seventh Fleet ship." Mr. Plummer told me that every ship in the United States Navy has a "nickname" this particular ship is named "Team Oly", the actual name of the ship was USS Oldendorf DD972. He went on to say that "From this seagoing command, I was responsible for setting up schedules for training, and watch rotation as the work center supervisor for the Combat Systems work center (CSA3)."

(Mr. Plummer noted that "ASW readiness" refers to Anti-Submarine Warfare and denotes the rigorous inspections and watch scheduling/standing for the protection of "Special Weapons", and preparedness of said ordnance.)

He went on to explain "The military operates on a 24-hour clock, the watches can range from 4 to 12 hours (or longer) depending on the threat level (some watch assignments I am not authorized to mention). Either you are standing a watch or working on weapon delivery system(s), or training for any potential threat." And that "calculating 3000 hours is not as simple as looking at hours on a civilian employees Time Card. As a Gunners Mate on board a Naval Destroyer a primary job requirement is standing watch."

Mr. Plummer said that he was assigned shore patrol duty a total of 3 times in Hong Kong, China on three separate tours of duty, and several shore patrol watches in Yokosuka, Japan which was his duty station while forward deployed. Also, during a particular deployment he stood what is known as SONAR watch,

which is the monitoring of a sonar screen looking for hostile submarines.

Mr. Plummer went on to say that "I have been responsible for the overall security and maintenance of multi-million-dollar Weapon Delivery Systems, as well as provided security for Off-load and On Loading of Non-Nuclear as well as Nuclear armaments."

Mr. Plummer stated that he did a variety of watches that he felt should be counted towards his credit hours. He wrote:

"They include;

Standing Watch is the assignment of sailors to specific roles on a ship to operate that ship continuously. These assignments are constantly active on-board a ship at sea or in port, as they are considered essential to the safe operation of the vessel and, also allow the ship to respond to emergencies and other, situations quickly.

These watches are divided into work periods to ensure that the roles are always occupied, at all times.

I will explain the following watches I was trained for, and stood while in the Military While on Active Duty I was trained and stood the following Watches:

- Explosive Mine Watch - using Night Vision Goggles when necessary armed with a .50 Caliber Machine Gun, I would watch for High Explosive Mines designed to sink or severely cripple ships in the Battle Group
- Enemy Aircraft Watch - How to spot enemy aircraft while at sea
- Sonar Watch - Knowing what to look for on a Sonar Screen (Friend or Foe) and how to determine the type of submarine based on the sound signature (Ping).
- Roving Patrol Watch - This is an armed watch usually with a sidearm or both a sidearm and rifle. The entire ship is to be patrolled every hour. Specifically assigned spaces onboard the ship are to be checked every hour on the hour and a report given to the Officer of the Deck (Senior Officer on Duty) to continually maintain safety on-board the ship
- Quarter Deck Watch - Performed in living quarters such as Barracks, military schools' buildings, Military Office buildings... On this watch strict military protocol is adhered to, and Naval Standards are on full display. This is also an armed watch. Proper military decorum in honor of military standards and customs is extremely important.
- Shore Patrol - Navy Service members assigned to provide aid in the way of security for the United States Navy while on shore. We were trained for this assignment with a level of law enforcement training (military law according to the Military Code of Justice), when and how to approach an individual whose actions are illegal or even questionable, proper use of a baton, fill outreports related to watch standing occurrences...
- Petty Officer of the Watch - The POOW is the primary enlisted assistant to the Officer of the Deck (OOO) when the ship is in port. The POOW assists the OOO in carrying out the ship's daily routine and in ensuring the security and safety of the ship.
- Small Boat Attack Watch - Terrorist attempt to attack the ship via small boats loaded with explosives or small arms fire.
- Swimmer Attack Watch - Terrorist attack via a swimmer(s) trying to board the ship and take command.
- Plane Guard Watch - While at sea the Naval Destroyer vessel trails behind the Aircraft Carrier encase a plane landing or taking off from the Aircraft Carrier happens to crash into the sea. This watch would include all personal working on the Bridge and Pilot House of the ship (Bridge and Pilot house are where the ship is navigated from).
- Swimmer Watch - While out at sea, during time(s) of recreation at we were afforded the opportunity to go swimming where sharks were the biggest threat. Armed with a M14, the assignment was to ward-off any shark attack.

•Shipboard Security Force Guard - Fast action response team to any Security Threat."

He stated that:

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- Enemy Aircraft Watch

- Sonar Watch
- Roving Patrol
- Quarter Deck Watch
- Petty Officer of the Watch
- Small Boat Attack

8 Months of Duty on-board the USS John Young, 240 Days of Watch standing. 60 Days of the 120 days on board the USS John Young were 12-hour watches (called 12 on 12 off) = 720 Hours of standing Watch.

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70 days x 4 hours/watch = 280 Hours of Watch Standing

Summation of Hours of Watch Standing:

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2,840 Hours of Watch - USS Oldendorf DD-972

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Personal References

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Additional information

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Mr. Plummer 's personal review form was signed and uploaded into Permitium.

My recommendation is for a Security Guard and Patrol License: Discussion regarding lack of verifiable experience.

NATIONAL PERSONNEL RECORDS CENTER

1 ARCHIVES DRIVE ST LOUIS, MO 63138-1002

www.archives.gov



December 8, 2022

KENNETH PLUMER



RE: **Veteran's Name: PLUMER, Kenneth Keith**

Request Number: [REDACTED]

Dear Recipient:

Thank you for contacting the National Personnel Records Center. We are responding to your request for separation/discharge papers by attaching one of the following documents: Undeleted separation document (DD Form 214, *Report of Separation*, was not used until January 1, 1950) or NA Form 13038, *Certification of Military Service*, (in cases where there was no separation document in file). Information shown on the NA Form 13038 has been extracted from records on file at the Center. A seal has been affixed to the enclosed documents to attest to their authenticity. The documents provided may be used to apply for benefits. The enclosed DD Form 215, *Correction to DD Form 214, Certificate of Release or Discharge From Active Duty*, shows correction(s) to the report of separation and should be filed with that document. Also, we have enclosed copies of the reserve discharge order.

If you have questions or comments regarding this response, you may contact us at 314-801-0800 or by mail at the address shown in the letterhead above. If you contact us, please reference the Request Number listed above. If you are a veteran, or a deceased veteran's next of kin, please consider submitting your future requests online by visiting us at <http://vetrecs.archives.gov>

Sincerely,

ADRIANNA RODGERS
Archives Technician (AFN-MC5A)



We Value Our
Veterans' Privacy

Let us know if we have
failed to protect it.

Enclosure(s)

Please complete our on-line survey. We really want to know how we did answering your request. Go to www.archives.gov/veterans/survey and enter your request number 2-27399857975. The survey should only take a few minutes and is used to help improve service to our customers.

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD. SAFEGUARD IT.

ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY 00012

1. NAME (Last, First, Middle) PRIMER, KENNETH KENNETH 2. DEPARTMENT, COMPONENT AND BRANCH NAVY - USN 3. SOCIAL SECURITY NO.

4. GRADE, RATE OR RANK GMZ 4.B. PAY GRADE "E5" 5. DATE OF BIRTH (YYMMDD) 6. RESERVE OBLIG TERM DATE Year 93 Month 4 Day 07

7.A. PLACE OF ENTRY INTO ACTIVE DUTY PHILADELPHIA, PA 7.B. HOME OF RECORD AT TIME OF ENTRY (City, State, Zip) complete address, if known

8.A. LAST DUTY ASSIGNMENT AND MAJOR COMMAND USS CUSHING (DD-985) 8.B. STATION WHERE SEPARATED USS CUSHING (DD-985) AT SAN DIEGO CA

9. COMMAND TO WHICH TRANSFERRED COMMANDING OFFICER, NAVAL RESERVE PERSONNEL CENTER, NEW ORLEANS, LA 70149-7800 10. SGLI COVERAGE None Amount: \$50,000

11. PRIMARY SPECIALTY (List number, title and years and months in specialty) 12. RECORD OF SERVICE Table with columns: Year(s), Month(s), Day(s). Rows: a. Date Entered AD This Period, b. Separation Date This Period, c. Net Active Service This Period, d. Total Prior Active Service, e. Total Prior Inactive Service, f. Foreign Service, g. Sea Service, h. Effective Date of Pay Grade.

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) SEA SERVICE DEPLOYMENT RIBBON (1 AWARD), FIRST GOOD CONDUCT AWARD FOR PERIOD ENDING 05 AUGUST 1989.

14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) BASIC ELECTRICITY AND ELECTRONICS CLASS "B" SCOL 12WKS NOV85, GUNNERS MATE CLASS "A" SCOL PHASE II 8WKS DEC85, GUNNERS MATE CLASS "C" SCOL MK-16 13WKS APR86, GUNNERS MATE CLASS "C" SCOL 8WKS JUN86.

15.A. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM 15.B. HIGH SCHOOL GRADUATE OR EQUIVALENT 16. DAYS ACCRUED LEAVE PAID 06-0

17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION

18. REMARKS PHYSICAL EXAMINATION COMPLETED ON 26 MARCH 1990. Grid of X marks indicating medical status.

19.A. MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 106 WINDEMERE AVE OXFORD, NC 27510 19.B. NEAREST RELATIVE (Name and address - include Zip Code) PAUL BRADON 106 WINDEMERE AVE OXFORD, NC 27510

20. MEMBER REQUESTS COPY BE SENT TO: DIR. OF VET AFFAIRS 21. SIGNATURE OF MEMBER BEING SEPARATED 22. OFFICIAL AUTHORIZED TO SIGN (typed name, grade, title and signature) M. HATHORN LCDR USN EXECUTIVE OFFICER

SPECIAL ADDITIONAL INFORMATION (for use by authorized agencies only)

23. TYPE OF SEPARATION RELEASED FROM ACTIVE DUTY AND TRANSFERRED TO NAVAL RESERVE 24. CHARACTER OF SERVICE (include upgrades) HONORABLE

25. SEPARATION AUTHORITY MTLPERMAN 3650150 1C 26. SEPARATION CODE LBK 27. REENTRY CODE RE-1

28. NARRATIVE REASON FOR SEPARATION USN RELEASE FROM ACTIVE DUTY AND TRANSFERRED TO NAVAL RESERVE

29. DATES OF TIME LOST DURING THIS PERIOD TL: 85 JUL 22 85 JUL 24 30. MEMBER REQUESTS COPY Initial

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD. SAFEGUARD IT.

ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY 00012

1. NAME (Last, First, Middle) PELIMER, KENNETH KEITH		2. DEPARTMENT, COMPONENT AND BRANCH NAVY - USN		3. SOCIAL SECURITY NO.			
4. a. GRADE, RATE OR RANK GMM2	4. b. PAY GRADE "E5"	5. DATE OF BIRTH (YYMMDD)	6. RESERVE OBLIG TERM DATE Year 93, Month 4, Day 07				
7. a. PLACE OF ENTRY INTO ACTIVE DUTY PHILADELPHIA, PA		7. b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)					
8. a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND USS CUSHING (DD-985)		8. b. STATION WHERE SEPARATED USS CUSHING (DD-985) AT SAN DIEGO CA					
9. COMMAND TO WHICH TRANSFERRED PERSONNEL CENTER, NEW ORLEANS, LA 70149-7800			COMMANDING OFFICER, NAVAL RESERVE		10. SGLI COVERAGE Amount: \$50,000 None		
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) GMM-0891/0893 ASROC LAUNCHING GROUP MK 16 MAINTENANCE MAN/ASROC WEAPONS HANDLING SYSTEM MAINTENANCE MAN. 3YRS 01 MONTH. X X X X X X		12. RECORD OF SERVICE			Year(s) Month(s) Day(s)		
		a. Date Entered AD This Period			85	04	22
		b. Separation Date This Period			90	04	23
		c. Net Active Service This Period			05	00	02
		d. Total Prior Active Service			00	00	00
		e. Total Prior Inactive Service			00	00	14
		f. Foreign Service			00	00	24
		g. Sea Service			03	08	08
		h. Effective Date of Pay Grade			88	06	16
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) SEA SERVICE DEPLOYMENT RIBBON (1 AWARD), FIRST GOOD CONDUCT AWARD FOR PERIOD ENDING 85 AUGUST 1989. X X X X X X							
14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) BASIC ELECTRICITY AND ELECTRONICS CLASS "P" SCOL 12WKS NOV85, GUNNERS MATE CLASS "A" SCOL PHASE II 8WKS DEC85, GUNNERS MATE CLASS "C" SCOL MK-16 13WKS APR86, GUNNERS MATE CLASS "G" SCOL 8WKS JUN86. X X X							
15. a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM Yes: No: X		15. b. HIGH SCHOOL GRADUATE OR EQUIVALENT Yes: No: X		16. DAYS ACCRUED LEAVE PAID 06-0			
17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION X Yes No							
18. REMARKS PHYSICAL EXAMINATION COMPLETED ON 26 MARCH 1990. X							
19. a. MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 106 WINDEMERE AVE OXFORD, NC 27510			19. b. NEAREST RELATIVE (Name and address include Zip Code) PAUL BRADON 106 WINDEMERE AVE OXFORD, NC 27510				
20. MEMBER REQUESTS COPY 5 BE SENT TO (Type in office symbol) DIR OF VET AFFAIRS X Yes No		22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) P. M. HATHON LCDR USN EXECUTIVE OFFICER					
21. SIGNATURE OF MEMBER BEING SEPARATED <i>[Signature]</i>		23. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) P. M. HATHON LCDR USN EXECUTIVE OFFICER					

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION RELEASED FROM ACTIVE DUTY AND TRANSFERRED TO NAVAL RESERVE	24. CHARACTER OF SERVICE (Include upgrades) HONORABLE	
25. SEPARATION AUTHORITY MILBERSMAN 3650150 1C	26. SEPARATION CODE LBK	27. REENTRY CODE RE-1
28. NARRATIVE REASON FOR SEPARATION USN RELEASE FROM ACTIVE DUTY AND TRANSFERRED TO NAVAL RESERVE		
29. DATES OF TIME LOST DURING THIS PERIOD TL: 85 JUL 22 - 85 JUL 24		30. MEMBER REQUESTS COPY 4 X X X Initial

ANY ALTERATIONS IN SHADED AREAS
RENDER FORM VOID

2. DEPARTMENT, COMPONENT AND BRANCH
NAVY-USN

3. SOCIAL SECURITY NO. (Also
Service Number if applicable)

ORD, NC 27510

INDICATED BELOW

CORRECTED TO READ

90 04 23

FORM 214 BEING CORRECTED:

ENTRIES

OF THE COMMANDER, NAVAL MILITARY PERSONNEL COMMAND:

NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN
BENTON [Signature] MILITARY CORRESPONDENCE RESPONSE BRANCH
MILITARY CORRESPONDENCE DIVISION

PREVIOUS EDITIONS
OF THIS FORM ARE
OBSOLETE

CORRECTION TO DD FORM 214, CERTIFICATE OF RELEASE OR
DISCHARGE FROM ACTIVE DUTY

SERVICE - 2

ANY ALTERATIONS IN SHADED AREAS
RENDER FORM VOID

2. DEPARTMENT, COMPONENT AND BRANCH
NAVY-USN

3. SOCIAL SECURITY NO. (Also
Service Number if applicable)



ORD. NO. 27510

INDICATED BELOW

CORRECTED TO READ

90 04 23

DD FORM 214 BEING CORRECTED

REMARKS:

OF THE COMMANDER, NAVAL MILITARY PERSONNEL COMMAND:

NAME, GRADE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN
ANTON [Signature] MILITARY CORRESPONDENCE RESPONSE BRANCH
MILITARY CORRESPONDENCE DIVISION

PREVIOUS EDITIONS
OF THIS FORM ARE
OBSOLETE.

CORRECTION TO DD FORM 214, CERTIFICATE OF RELEASE OR
DISCHARGE FROM ACTIVE DUTY

SERVICE - 2

CAUTION, NOT TO BE USED FOR IDENTIFICATION PURPOSES

1. NAME (Last, first, middle) PLUMER, KENNETH KEITH		2. DEPARTMENT, COMPONENT AND BRANCH NAVY-USN	
4. MAILING ADDRESS (Include ZIP Code) 106 WINDEMERE AVE OXFORD, NC 27510			
5. ORIGINAL DD FORM 214 IS CORRECTED AS INDICATED BELOW			
ITEM NO.		CORRECTED TO READ	
		SEPARATION DATE ON DD FORM 214 BEING CORRECTED: 90 04 23	
6.	93 04 04		
12a.	00 00 18		
15a.	YES		
29.	NONE		
NO FURTHER ENTRIES			
BY DIRECTION OF THE COMMANDER, NAVAL MILITARY PERSONNEL			
6. DATE SER 0361E04/31 11 FEB 91		7. OFFICER NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN BA RENTON MILITARY CORRESPONDENCE DIVISION	

DD FORM 215
1 JUL 79
S/N-0102-1F-000-2150

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

CORRECTION TO DD FORM 214
DISCHARGE FROM ACTIVE DUTY

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

1. NAME (Last, first, middle) PLUMER, KENNETH KEITH		2. DEPARTMENT, COMPONENT AND BRANCH NAVY-USN	
3. MAILING ADDRESS (Include ZIP Code) 106 WINDEMERE AVE OXFORD, NC 27510			
4. ORIGINAL DD FORM 214 IS CORRECTED AS INDICATED BELOW			
5. ITEM NO.	CORRECTED TO READ:		
	SEPARATION DATE ON DD FORM 214 BEING CORRECTED: 90 04 23		
6.	93 04 04		
12e.	00 00 18		
15a.	YES		
29.	NONE		
	NO FURTHER ENTRIES		
BY DIRECTION OF THE COMMANDER, NAVAL MILITARY PERSONNEL			
6. DATE SER 0361E04/31 11 FEB 91		7. TYPE, NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN B. BENTON (Signature) MILITARY CORRESPONDENCE DIVISION	

DD FORM 215
1 JUL 79
S/N 0102 LP-000-2150

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE

CORRECTION TO DD FORM 21 DISCHARGE FROM ACTIVE DU

19 APR 1993 12 1241

RECORD OF DISCHARGE FROM THE U.S. NAVAL RESERVE (INACTIVE)

ACTIVITY TITLE

NAVAL RESERVE PERSONNEL CENTER NEW ORLEANS, LOUISIANA

33

HOME ADDRESS AT TIME OF DISCHARGE

KENNETH KEITH PLUMER

GMN2 04/04/93

[REDACTED]

[REDACTED]

0780000

TYPE OF DISCHARGE AND AUTHORITY

HONORABLE
BUPERSMAN 3850300.2a or b as applicable

CERTIFICATE ISSUED

HONORABLE DISCHARGE CERTIFICATE, DD FORM 256N

REMARKS

RECOMMENDED FOR REENLISTMENT

D.K. Skillman

D.K. SKILLMAN
CAPTAIN, USNR

DISCHARGE EMBLEM FURNISHED

DISCHARGE DATE

04 APR 1993

IMMEDIATELY REENLISTED

YES

NO

NAME (LAST, FIRST, MIDDLE)

PLUMER KENNETH KEITH

RATE

GMN2

SOCIAL SECURITY NUMBER

[REDACTED]

BRANCH AND CLASS

USNR-R

RECORD OF DISCHARGE FROM THE U.S. NAVY RESERVE, NAVPERS 1070/615 (INACTIVE) (REV. 03-87)
PART 2 - RETAIN IN SERVICE RECORD

14

1 2 1 6 9 3 1 5 1 2 1 2 4 1

RECORD OF DISCHARGE FROM THE U.S. NAVAL RESERVE (INACTIVE)

ACTIVITY TITLE

NAVAL RESERVE PERSONNEL CENTER NEW ORLEANS, LOUISIANA *33*

HOME ADDRESS AT TIME OF DISCHARGE

KENNETH KEITH FLUMER

GMH2 04/04/93

0780000

TYPE OF DISCHARGE AND AUTHORITY

HONORABLE
- BUPERSMAN 3850300.2a or b as applicable

CERTIFICATE ISSUED

HONORABLE DISCHARGE CERTIFICATE, DD FORM 256N

REMARKS

RECOMMENDED FOR REENLISTMENT



D.K. SKILLMAN
CAPTAIN, USNR

DISCHARGE EMBLEM FURNISHED

DISCHARGE DATE 04 APR 1993	IMMEDIATELY REENLISTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
NAME (LAST, FIRST, MIDDLE) FLUMER KENNETH KEITH	RATE GMH2	SOCIAL SECURITY NUMBER [REDACTED]	BRANCH AND CLASS USNR-R



North Carolina Department of Public Safety
Private Protective Services Board

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

Vincent "Bud" Cesena, Chair
Paul Sherwin, Director

April 27, 2023

Kenneth Keith Plummer
Issachar Security Management Team
1206 Lakecrest Ave
High Point, NC 27265

Dear Mr. Plummer:

Your application for a Private Investigator Associate license was denied by the Private Protective Services Board on April 20, 2023, for the following reason(s):

Lack of Verifiable experience

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena
Chairperson

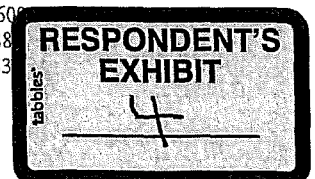
Paul Sherwin
Director

MAILING ADDRESS:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609



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An Equal Opportunity employer

OFFICE LOCATION:
3101 Industrial Drive, Suite 104
Raleigh, NC 27609
Telephone: (919) 788-5320
Fax: (919) 788-5320



Kenneth K. Plummer- [REDACTED]

5/22/2023

Mr. Vincent P. Cesena - Chairperson & Mr. Paul Sherwin - Director
3101 Industrial Drive, Suite 104
Raleigh, NC 27609

Gentlemen:

Allow me to first thank you for the opportunity to appeal the findings of the Private Protective Services Board regarding my application for a Security Guard and Patrol License

My case was heard on April 19, 2023, at the Hampton Inn and Suites, Raleigh/Crabtree Valley Hotel. The Investigator for my case was Mr. William Raften.

As I understand it, the reason for denial of the Security Guard and Patrol License was due to a lack of verifiable hours as it relates to a supervisor/manager or administrator performing guard and patrol functions.

The minimum standard is 3000 hours for the Security Guard and Patrol License, of which I was credited with 2,394 hours, a difference of 606 hours.

My appeal is based on clarifying my Military Service as it relates to the 3000-hour requirement and validation of at least 3000 hours and introduce additional information I believe to be relevant towards license approval.

While stationed on-board the United States Navy Vessel DD-972 USS Oldendorf my Enlisted Performance Evaluation Report from June 30, 1987, to March 31, 1988

Section 56 of the Enlisted Performance Evaluation Report.

Documented by Lieutenant Commander Smart, WA. Executive Officer of the USS Oldendorf at that time Notes that I was the "Captain of the .50 Caliber Machine Gun mount for the ship's small arms self-defense force and anti-mine force during deployment to the North Arabian Sea.

The duties of Captain of the Machine Gun watch were to organize watch schedules and allocation of resources to the Sailor standing the watch



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JUN 21 2023

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I would like to also submit, as it relates Security Guard and Patrol License that I have been placed in charge of a Security Team for a 501c3 organization for the last 16 years totaling 6,764 hours (and counting) managing a security team where we observe and report all actions relevant to personal safety. I formulate watch schedules and directly oversee personnel as it relates to professionalism and attention to detail.

I trust these hours coupled with the 2394 previously accepted hours (Totaling 9,158 hours of experience) will be acceptable for an appeal

My Sincere Regards

KENNEDY K. PLUMMEL

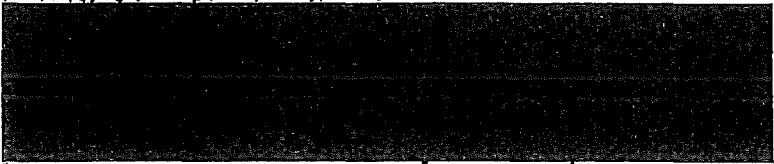
A handwritten signature in black ink, appearing to read "Kennedy K. Plummel", written in a cursive style.

RECEIVED

JUN 21 2023

PPS/ASL

KENNETH K. PLUMMER



MR. VINCENT P. CEsENA - CHAIRPERSON
MR. PAUL SHERWIN - DIRECTOR
3101 INDUSTRIAL DR., SUITE 104
RALEIGH, NC 27609

GENTLEMEN;

ALLOW ME TO FIRST THANK YOU FOR THE OPPORTUNITY TO
APPEAL THE FINDINGS OF THE PRIVATE PROTECTIVE SERVICES
BOARD REGARDING MY APPLICATION FOR SECURITY GUARD &
PATROL LICENSE.

MY CASE WAS HEARD APRIL 19, 2023 AT THE HAMPTON INN
SUITES, RALEIGH/CRABTREE VALLEY HOTEL. THE INVESTIGATOR
FOR MY CASE WAS MR. WILLIAM RAFTEN.

AS I UNDERSTAND IT, THE REASON FOR DENIAL OF THE
SECURITY GUARD AND PATROL LICENSE WAS DUE TO A LACK OF
VERIFIABLE HOURS AS IT RELATES TO A SUPERVISOR OR
ADMINISTRATOR PERFORMING GUARD & PATROL FUNCTIONS.

AS I UNDERSTAND THE MINIMUM STANDARD IS 3000 HOURS,
FOR THE SECURITY GUARD AND PATROL LICENSE, OF WHICH
I WAS CREDITED WITH 2,394 HOURS, A DIFFERENCE OF
606 HRS.

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(2)

MY APPEAL IS BASED ON CLARIFYING MY MILITARY SERVICE AS IT RELATES TO THE 3000-HOUR REQUIREMENT AND VALIDATION OF AT LEAST 3000 HOURS AND INTRODUCE ADDITIONAL INFORMATION I BELIEVE TO BE RELEVANT TOWARDS LICENSE APPROVAL.

WHILE STATION ON-BOARD THE USN VESSEL DD972 USS OLDENDORF MY ENLISTED PERFORMANCE EVALUATION REPORT FROM JUNE 30, 1987 TO MARCH 31, 1988 SECTION 56 OF THE ENLISTED PERFORMANCE EVALUATION REPORT.

DOCUMENTED BY LIEUTENANT COMMANDER SMART, WA. EXECUTIVE OFFICER OF THE USS OLDENDORF AT THAT TIME NOTES THAT I WAS THE CAPTAIN OF THE .50 CALIBER MACHINE GUN MOUNT FOR THE SHIP'S SMALL ARMS SELF-DEFENSE FORCE AND ANTI-MINE FORCE DURING DEPLOYMENT TO THE NORTH ARABIAN SEA.

THE DUTIES OF CAPTAIN OF THE GUN WATCH WERE TO ORGANIZE WATCH SCHEDULES AND ALLOCATION OF RESOURCES TO THE SAILORS STANDING THE WATCH

I WOULD LIKE TO ALSO SUBMIT, AS IT RELATES TO SECURITY GUARD AND PATROL LICENSE THAT AT PRESENT I HAVE BEEN PLACED IN CHARGE OF A SECURITY TEAM FOR A 501(c)(3) ORGANIZATION (NON PROFIT) FOR THE LAST 16 YEARS TOTALING 61,764 HOURS (AND COUNTING) MANAGING A SECURITY TEAM WHERE WE OBSERVE AND REPORT ALL ACTIONS + ACTIVITIES RELEVANT TO PERSONAL SAFETY.

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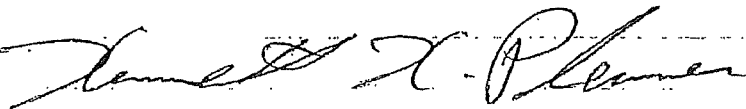
3

I FORMULATE WATCH SCHEDULES AND DIRECTLY OVERSEE PERSONNEL AS IT RELATES TO PROFESSIONALISM AND ATTENTION TO DETAIL.

I TRUST THESE HOURS COUPLED WITH THE 2,394 PREVIOUSLY ACCEPTED HOURS (TOTALING 9,158 HRS OF EXPERIENCE) WILL BE ACCEPTABLE FOR AN APPEAL.

MY SINCERE REGARDS

KENNETH K. PLUMMER



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In any large community like the Navy, law enforcement and security are essential. Whether executing crime prevention programs or carrying out anti-terrorism measures, the Sailors working as the Navy's military police are equipped to handle any situation. Provide security on ships, at bases and at military installations all around the world. Train to become a K9 dog handler and even protect and escort shipboard weapons in the armory. The call to serve and protect starts by defending our own.

ENLISTED

WHAT TO EXPECT

Master-at-Arms

RESPONDENT'S EXHIBIT
 tabbies
 6



MORE INFORMATION

RESPONSIBILITIES

The law enforcement and security community provides a wide range of critical services to every part of the Navy. As a Master-at-Arms you may:

- Provide security and physical protection for service members
- Train fellow Sailors in security and shore patrol duties
- Serve as a security advisor for your squadron
- Assist in crowd control and riot prevention
- Operate military prisons (brigs) aboard ships and on shore
- Handle and care and training for dogs that detect narcotics and explosives
- Conduct waterborne security patrol and interdiction operations
- Provide protective service to high-ranking dignitaries and government officials
- Conduct preliminary investigations into Uniform Code of Military Justice violations
- Conduct crime prevention programs

WORK ENVIRONMENT

TRAINING & ADVANCEMENT

EDUCATION OPPORTUNITIES

QUALIFICATIONS & REQUIREMENTS

PART-TIME OPPORTUNITIES

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(tel://+18008726289)

[/]

MISSION

To recruit, train, equip, and organize to deliver combat ready Naval forces to win conflicts and wars while maintaining security and deterrence through sustained forward presence.

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[WHAT TO EXPECT \(/WHAT-TO-EXPECT\)](#)

[JOINING THE NAVY \(/JOINING-THE-NAVY\)](#)

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[ACCESSIBILITY POLICY \(/ACCESSIBILITY-POLICY\)](#) [EEO STATEMENT \(/EQUAL-EMPLOYMENT-OPPORTUNITY-STATEMENT\)](#)

[WEBSITE FEEDBACK \(/WEBSITE-FEEDBACK\)](#) [SITEMAP \(/SITEMAP\)](#)



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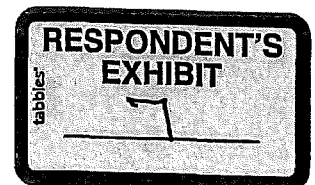
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It takes more than pulling a trigger to fire our weapons. In America's Navy, we are the first and last line of defense, and that requires serious ammunition. As a Gunner's Mate, that falls to you. Mount, stow, and secure all weaponry, repair and calibrate defense systems, maintain guided missile launching, rocket launchers, gun mounts and all other ordnance. If it shoots, it's your responsibility. Whether your ship is assisting Marines with combat operations or defending itself from terrorist threats, it's up to you as a Gunner's Mate to oversee all weaponry on board.

ENLISTED

WHAT TO EXPECT

Gunner's Mate





MORE INFORMATION

RESPONSIBILITIES

Gunner's Mates (GM) are responsible for the operation and maintenance of missile launch systems, underwater explosive weapons, gun mounts and other ordnance equipment. Your job responsibilities as a GM may include:

- Operating and maintaining guided missile launch systems, torpedo and rocket launch systems, gun mounts and other ordnance systems and equipment
- Training and supervising crews in the use of all ordnance equipment such as large caliber guns, missile systems and small arms
- Stowing, securing and ordering explosives
- Operating and maintaining magazine flooding and sprinkler systems
- Preparing systems casualty analysis using blueprints, schematics and diagrams
- Repairing, maintaining and test calibration equipment
- Maintaining hydraulic and pneumatic components associated with launching systems
- Tracing internal wiring, connections, cables and transformers
- Operating and maintaining optical scanning, optical marking and night optical devices used to label, identify and report use of explosives
- Inspecting weapons

WORK ENVIRONMENT

TRAINING & ADVANCEMENT

EDUCATION OPPORTUNITIES

QUALIFICATIONS & REQUIREMENTS

PART-TIME OPPORTUNITIES

CONTACT US

Have a question or just want to learn more? We're here to help.

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(/local)

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(tel://+18008726289)

[/]

MISSION

To recruit, train, equip, and organize to deliver combat ready Naval forces to win conflicts and wars while maintaining security and deterrence through sustained forward presence.

AMERICA'S NAVY

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WHAT TO EXPECT (/WHAT-TO-EXPECT)

JOINING THE NAVY (/JOINING-THE-NAVY)

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ACCESSIBILITY POLICY (/ACCESSIBILITY-POLICY) EEO STATEMENT (/EQUAL-EMPLOYMENT-OPPRTUNITY-STATEMENT)

WEBSITE FEEDBACK (/WEBSITE-FEEDBACK) SITEMAP (/SITEMAP)

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

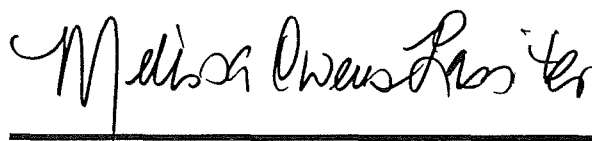
IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

Kenneth Keith Plummer, Petitioner, v. NC Private Protective Services Board, Respondent.	POST HEARING ORDER
---	---------------------------

Having concluded the hearing in this matter on September 26, 2023, the Undersigned establishes the following:

1. At hearing, Respondent's Exhibits Nos. 1 - 5 were admitted into evidence, and Petitioner's Exhibit No. 1 was admitted into evidence.
2. Respondent shall upload copies of all admitted exhibits to the Office of Administrative Hearings' case management system within ten (10) days of hearing or no later than **October 6, 2023**.
3. On or before **October 6, 2023**, Petitioner shall file documentation which verifies his experience as a manager and/or supervisor for the Security Team for a 501(c)(3) organization performing guard and patrol functions for the last 16 years. Petitioner shall file a certification averring that the documents being filed are based upon his testimony presented at the September 26, 2023 contested case hearing.
4. Respondent shall file a response to Petitioner's filing within twenty (20) days or no later than **October 26, 2023**, including whether and when Respondent desires to provide additional testimony at hearing regarding its response and the effect Petitioner's documentation has on Respondent's denial of Petitioner's security guard and patrol license application.
5. Each party shall serve the other party with a copy of its documentation and/or response, via electronic mail, at the same time it files such documentation with the Tribunal.

SO ORDERED, this the 27th day of September, 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
1206 Lakecrest Ave
High Point NC 27265
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 27th day of September, 2023.

A handwritten signature in black ink, appearing to read 'D. Chunko', is written over a solid horizontal line.

Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1850

0156681789 0300

OCR TYPING FONT NOT REQUIRED FOR COMPLETION OF THIS SIDE

50 MEMBER'S LAST NAME, INITIALS PLUMER, K. K.	51 SSN [REDACTED]	PERIOD OF REPORT 52 From 87JUN30 53 To 88MAR31
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54 DUTIES AND RESPONSIBILITIES
Responsible for the handling and stowage of classified naval ordnance. Performs corrective and preventive maintenance on the MK 16 Mod 7 ASROC launching group and the ASROC weapon handling system (AWHS) MK 4 Mod 0 and related test/handling equipment. Member of the ASROC Handling Team and PRP program. Stands POOW inport and ASROC rover inport/underway. The ship participated in the Indian Ocean and North Arabian Sea deployment and 1988 Team Spirit Exercise.

55 SPECIAL ACHIEVEMENTS
Completed the following POS: Non-Nuclear Ordnance Handling (301, 304, 307, 338 watchstations), NAVEDTRA 43387-4A Nuclear Weapons Afloat Handling and Stowage (4301, 4305, 4306, 4308, 4309, 4310, 4311 watchstations), NAVEDTRA 43386B Magazine Protection Systems

56 EVALUATION COMMENTS
Petty Officer Plumer is a thorough, reliable, and efficient individual. His positive "can do" attitude is infectious and sparks peers to superior performance. His leadership and managerial skills are a significant factor in "Team Oly" maintaining an exceptionally high level of ASW readiness critical for a SEVENTH Fleet ship. Specific accomplishments include:

- Set the standards for OLDENDORF's ASROC Handling Team which received a score of "outstanding" during DNSI and NWAT. DNSI inspectors stated that the team was the best seen in the last six months.
- A driving force in Team Oly's repeated successful firings of ASROC shots and obtaining the gold ASW "A".
- Participated in Battle Group Alfa's deployment to the Northern Arabian Sea.
- Assisted in 3M inspection in which his workcenter received an outstanding.
- Captain of .50 caliber machine gun mount for the ship's small arms self-defense force and anti-mine force during deployment to the Northern Arabian Sea.
- Military bearing and military appearance set the standard for others to emulate.
- Dedicates numerous extra hours to complete scheduled PMS or help trouble shoot late night casualties.
- Participated in Change of Command ceremonies for Commander, Destroyer Squadron Fifteen.

GMMZ Plumer is a tireless hard charging individual characterized by self-confidence, even temperment and a pleasant personality. Petty Officer Plumer has a very strong future in the United States Navy and is highly recommended for retention and advancement.

BLK 54 CONTINUED: OLDENDORF is a member of the Overseas Family Residency Program (OFRP) homeported in Yokosuka, Japan.

BLK 55 CONTINUED: (304 watchstation) and NAVEDTRA43241D 3M (watchstation 302).

PETITIONER'S EXHIBIT
1

STATE OF North Carolina
COUNTY OF Guildford

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD

IN RE:

APPLICATION OF
Kenneth Keith Plummer

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)

AFFIDAVIT
OF WITNESS
IN SUPPORT OF
APPLICANT'S EXPERIENCE

Darryell Wayne Bass, being first duly sworn, does depose and state, in support of Mr. Kenneth Keith Plummer ("Applicant"), who is applying for a Security Guard and Patrol license in North Carolina; and I verify that the following statements are true of my own knowledge, except those matters and things stated upon information and belief, as to which things, I believe them to be true.

1. I understand that the Private Protective Services Board is the State agency responsible for accepting applications for a _Security Guard and Patrol_ license, conducting backgrounds of each applicant, and issuing licenses to qualified individuals.

2. I understand that any applicant for a Security Guard and Patrol license is required to prove 3000 hours of relevant experience by the Applicant within the previous ten (10) years.

3. I have known Kenneth Keith Plummer for the past 16 years and 8 months

as follows:

Kenneth Keith Plummer has served as the Leader of the volunteer security team. He is responsible for organization and implementation of all aspects of our security measures including scheduling of personnel for watch schedule, being a liaison with the High Point Police Department for community events, orientation and training of voluntary security staff and providing Safety Assessments tools for the Ministry.

I, Darryell Wayne Bass am the Senior Pastor of Redeeming Love Word Ministries where Kenneth Keith Plummer is a member.

4. My prior employment experience includes the following:

Not Applicable

5. I have personal knowledge of the Applicant's job responsibilities and performance, described, as follows:

Manage the personnel of the voluntary security team using 5 years of military experience, and 19 years and 6 months of leadership experience at my current place of employment as a manager/supervisor.

Provide scheduling of security watches to be maintained by current volunteer security team.

Train, coach, and develop the current security team as to threat awareness, based on military experience, and world events.

Observe and report (see something, say something) to local law enforcement

Utilization of communication devices (Radios) for better situational awareness and response time

Evaluate overall facility safety using assessment provided by the Homeland Security

6. I have personal knowledge that the Applicant spent certain times on specified duties, as follows:

<u>Specific Job Duty</u>	<u>Number of Hours Dedicated to the Activity Each Day/Month/Year</u>
<u>Manage Voluntary Security Team</u>	<u>From 6/2009 to 2/2020 = 20 Hrs./week x 86 weeks = 6.724 Hours (Pre-COVID)</u>
<u>Manager Voluntary Security Team</u>	<u>From 3/2020 to 9/2023 = 8 Hrs./week x 180 week = 1.440 Hours (Post-COVID)</u>

7. The reason documents are not available to prove Applicant's experience is, as follows:

All duties and responsibilities for Security Guard and Patrol is on a volunteer basis for a 501c3 non-profit organization.

8. My current association with the Applicant is, as follows:

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State how you are currently associated with the applicant. Specifically state if you do have no current association.

9. I am willing to be interviewed by the Private Protective Services Board or one of its representatives regarding the contents of this Affidavit. I also understand that I may be asked to attend the Board's Screening Committee meeting to further elaborate on my statements made herein in the consideration of the Applicant's application.

10. I am aware that this Affidavit is being submitted by Kenneth Keith Plummer in support of the Applicant's application for a Security Guard and Patrol and that the application may be denied, suspended, or revoked if insufficient, false, or misleading information is provided. Further, I am aware that this sworn statement is being provided to a State agency as part of its official background investigation of the applicant. I understand that if I commit perjury in this affidavit my actions may be punished as a Class F Felony pursuant to North Carolina General Statute § 14-209.

Further, the Witness sayeth not.

Date

10/5/2023

Signature of Witness

Darryell W. Bass

Full Name of Witness

Darryell Wayne Bass

Witness Address - street

3961 Claybroke Ct.

Witness Address - city, state, zip

High Point, NC 27265

Witness Date of Birth

10/20/1964

Witness Telephone Number (work)

(336) 442-5146

Witness Telephone Number (other)

(336) 442-5146

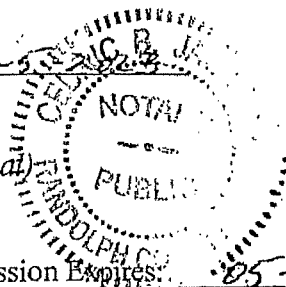
OATH OR AFFIRMATION

STATE OF North Carolina

COUNTY OF Guildford

Appearing before me this day, and first being duly sworn or affirmed, the above-named Witness, Darryell W. Bass, subscribed or acknowledged his signature to the foregoing Affidavit, and either I have personal knowledge of the identity of the Witness, I have seen satisfactory evidence of the principal's identity by a current state of federal identification with the Witness's photograph (in the form of a driver's license or # 7356633), or a credible witness has sworn to the identity of the Witness.

Date: 10-5-2021



(Official Seal)

My Commission Expires: 05-26-2026

Cedric B. Jackson
Signature of Notary or Judicial Official

Cedric B. Jackson
Name/Title of Notary or Judicial Official

STATE OF North Carolina
COUNTY OF Guildford

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD

IN RE:

APPLICATION OF
Kenneth Keith Plummer

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AFFIDAVIT
OF WITNESS
IN SUPPORT OF
APPLICANT'S EXPERIENCE

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Further, the Witness sayeth not.

10/3/2023
Date

Darryell W. Bass
Signature of Witness

Darryell Wayne Bass
Full Name of Witness

3961 Claybrooke Ct.
Witness Address - street

High Point, NC 27265
Witness Address - city, state, zip

10/20/1964
Witness Date of Birth

(336) 442-5146
Witness Telephone Number (work)

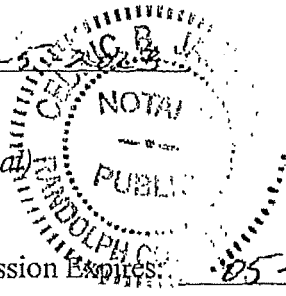
(336) 442-5146
Witness Telephone Number (other)

OATH OR AFFIRMATION

STATE OF North Carolina

COUNTY OF Guildford

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Date: 10-5-2021
(Official Seal) 
My Commission Expires: 05-26-2026

Cedric B. Jackson
Signature of Notary or Judicial Official

Cedric B. Jackson
Name/Title of Notary or Judicial Official

23 DOJ 03153

STATE OF North Carolina
COUNTY OF Guildford

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD

IN RE:

APPLICATION OF
Kenneth Keith Plummer

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AFFIDAVIT
OF WITNESS
IN SUPPORT OF
APPLICANT'S EXPERIENCE

OFFICE OF ADMIN HEARINGS

2023 OCT -9 AM 11:05

FILED

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Date

10/3/2023

Signature of Witness

Full Name of Witness

Witness Address - street

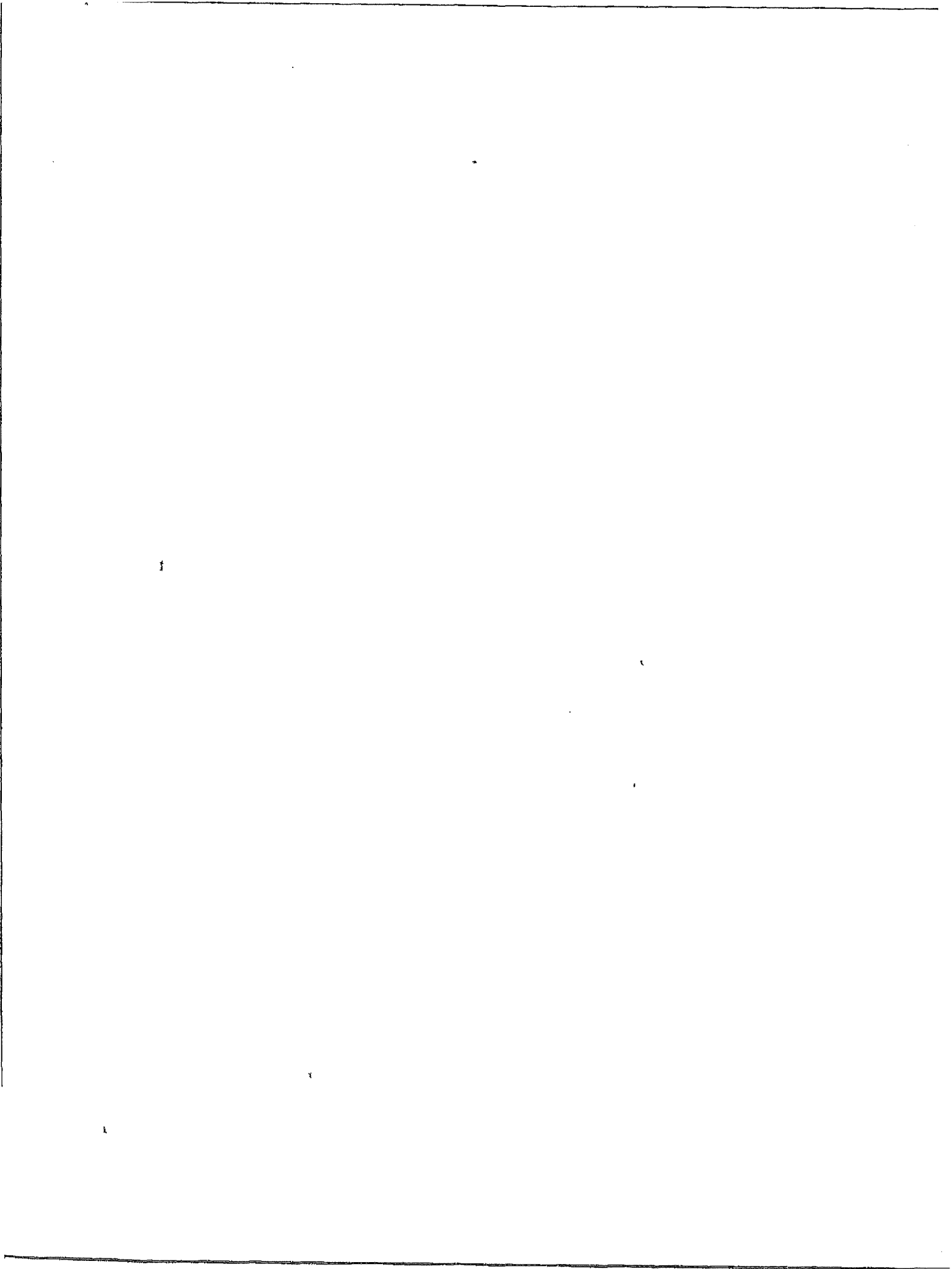
Witness Address - city, state, zip

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Darryell W. Bass
Darryell Wayne Bass
3961 Claybrooke Ct.
High Point, NC 27265
10/20/1964
(336) 442-5146
(336) 442-5146



OATH OR AFFIRMATION

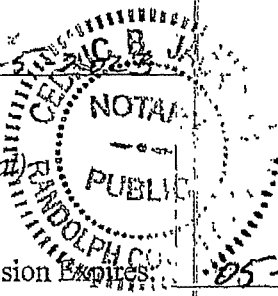
STATE OF North Carolina
COUNTY OF Guildford

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Date:

10-5-2020

(Official Seal)

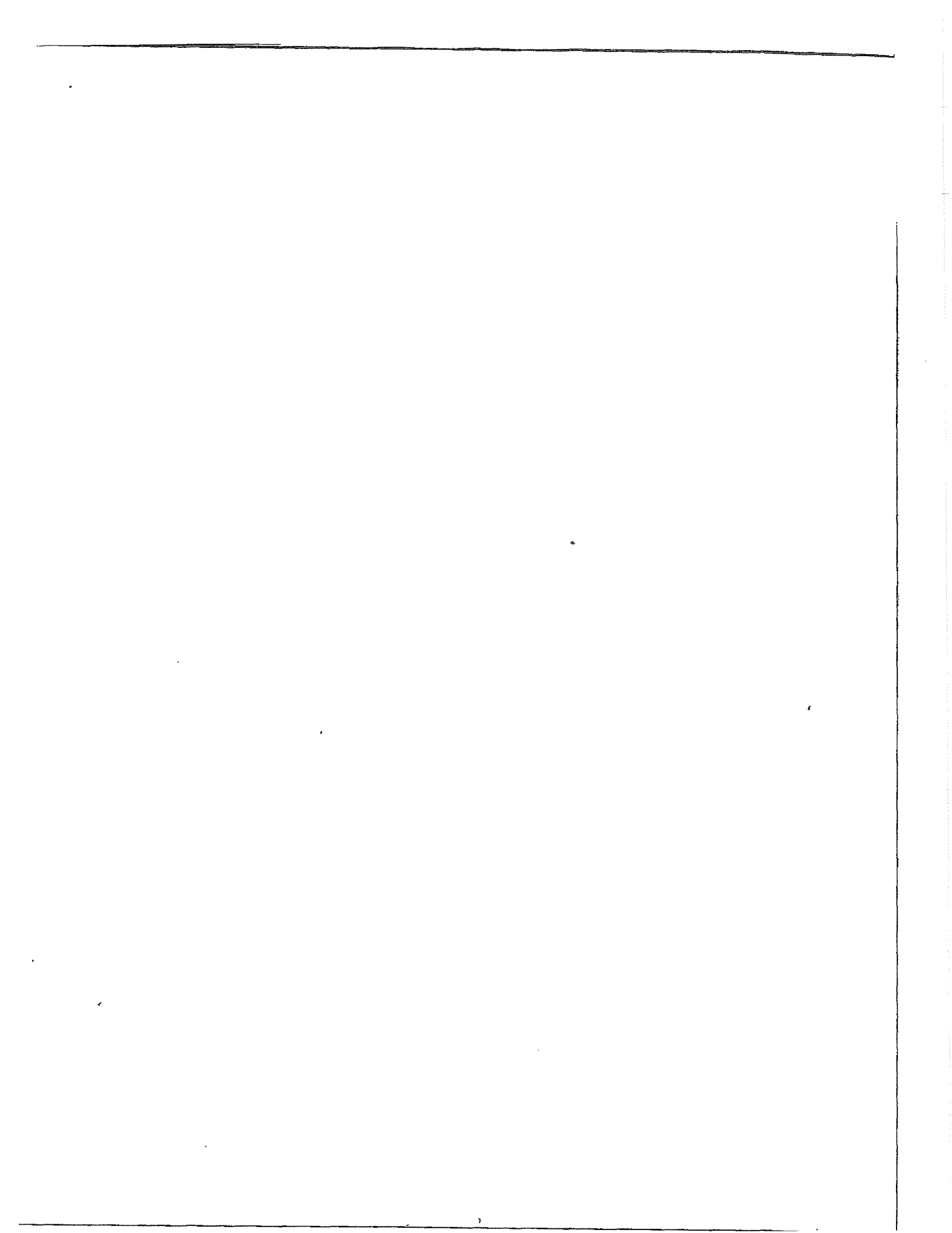


My Commission Expires:

05-26-2026

Cedric B. Jackson
Signature of Notary or Judicial Official

Cedric B. Jackson
Name/Title of Notary or Judicial Official



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KENNETH K. PLUMMER
1206 LAKECREST AVE.
HIGH POINT NC.
27265

DELIVERY OPTIONS (Customer Use Only)

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PO ZIP Code 27370	Scheduled Delivery Date (MM/DD/YYYY) 10/6/23	Postage \$ 28.75	
Date Accepted (MM/DD/YYYY) 10/5/23	Scheduled Delivery Time P.M.	Insurance Fee \$	COD Fee \$
Time Accepted 10:45	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Return Receipt Fee \$	Live Animal Transportation Fee \$
Special Handling/Fragile \$	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 28.75	
Weight 2 lbs.	<input type="checkbox"/> Flat Rate Accepted Employee Initials RB		

DELIVERY (POSTAL SERVICE USE ONLY)

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Delivery Attempt (MM/DD/YYYY)	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-B, MAY 2021

PSN 7690-02-000-9900



PS10001000006

EP13F July 2022
OD: 12 1/2 x 9 1/2



UNITED STATES POSTAL SERVICE®

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

KENNETH KEITH PLUMMER,)
)
Petitioner,)
v.)
)
N.C. PRIVATE PROTECTIVE)
SERVICES BOARD,)
)
Respondent.)
_____)

**RESPONSE TO
POST HEARING ORDER**

NOW COMES Respondent, North Carolina Private Protective Services Board, pursuant to the Post Hearing Order dated September 27, 2023, and responds to Petitioner’s supplemental filing as follows:

1. The undersigned has received and reviewed the Affidavit of Witness in Support of Applicant’s Experience signed by Pastor Darryell Wayne Bass, affiant, dated October 5, 2023 and filed in this matter on October 9, 2023.

2. The affiant declares that all experience of Petitioner at Redeeming Love Ministries was volunteered, and that Petitioner was not an employee of said church.

3. The Affidavit states Redeeming Love Ministries is a non-profit organization and a church; it is not a contract security organization, a proprietary security organization, a federal law enforcement agency, a state law enforcement agency, a county law enforcement agency, or a municipal law enforcement agency performing security guard and patrol functions.

4. The Respondent Board’s administrative rule, 14B NCAC 16 .0301, entitled “Experience Requirements/Security Guard and Patrol License;” provides in subsection (a):

- (1) establish to the Board’s satisfaction three years of experience as a manager, supervisor, or administrator with a contract security company or a proprietary security organization performing guard and patrol functions;
- (2) establish to the Board’s satisfaction three years of experience as a

manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or

- (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U. S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.

5. A church is not one of these categories where experience is recognized in subsection (a).

6. Further, Paul Sherwin, Director of Respondent Board, testified on re-direct at the hearing that in his time as Deputy Director, then Director of the Board, and his knowledge of past-practices, the Respondent Board has never recognized time as a volunteer for purposes of the experience requirements for any license issued by the Board.

7. While a church can be a "proprietary security organization" -- and numerous churches are licensed with the Board as a proprietary security organization* -- Redeeming Love Ministries in High Point, NC is not. But even if it were, Petitioner was not an "employee." The definition of "proprietary security organization" for purposes of the Board's administrative rules (so therefore, 14B NCAC 16 .0301) envisions the person being an "employee."

14B NCAC 16 .0103(13) states:

(13) "Proprietary Security Organization" means any person, firm, association, corporation or department thereof:

(a) that **employs** any of the following:

- (i) watchmen;
- (ii) security guards or officers;
- (iii) patrol personnel;
- (iv) armored car personnel; or
- (v) couriers; and

(b) that employs these persons regularly and exclusively as an employee in connection with the business affairs of such employer.

(Emphasis added.)

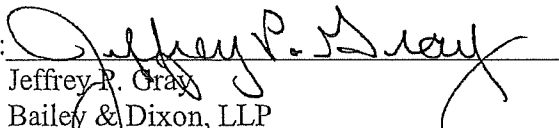
* A proprietary security organization whose guards are unarmed is not required to be licensed by the Board; only armed proprietary security organizations must be licensed. *See*, N. C. Gen. Stat. §74C-3(b)(13) and N. C. Gen. Stat. §74C-13(d2).

8. Webster's New Collegiate Dictionary defines "employ" as "the state of being employed esp. for wages or a salary."

9. For the above stated reasons, Petitioner's volunteer experience, while extensive, cannot be considered for purpose of licensure.

The undersigned will make himself available, along with Director Sherwin, on its customary hearing day of November 14, 2023 at 2:00 p.m. if sworn testimony as to Redeeming Love Ministries' unlicensed status is necessary for resolution of this matter.

Respectfully submitted, this the 26th day of October, 2023.

By: 
Jeffrey R. Gray
Bailey & Dixon, LLP
Legal Counsel, NC Private Protective
Services Board
434 Fayetteville Street, Suite 2500
Post Office Box 1351 (27602)
Raleigh, NC 27601
jgray@bdixon.com
(919) 828-0731 (Telephone)
(919) 828-6592 (Fax)

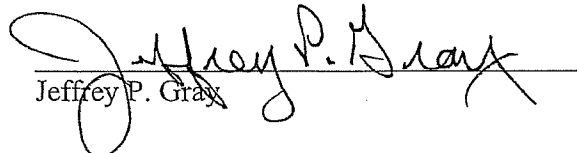
CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing RESPONSE TO POST HEARING ORDER upon the Petitioner by depositing a copy of the same in the United States mail, postage prepaid, and addressed as follows:

Kenneth Keith Plummer
1206 Lakecrest Avenue
High Point, NC 27265

This the 26th day of October, 2023.

BAILEY & DIXON, LLP


Jeffrey P. Gray

cc: Paul Sherwin, Director

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

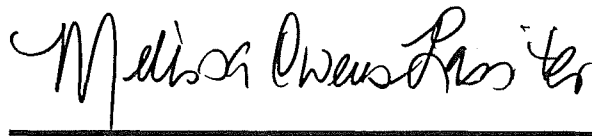
IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

<p>Kenneth Keith Plummer, Petitioner,</p> <p style="text-align: center;">v.</p> <p>NC Private Protective Services Board, Respondent.</p>	<p style="text-align: center;">ORDER THAT ADDITIONAL TESTIMONY NOT NEEDED</p>
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This matter comes before the Undersigned upon consideration of Petitioner's Affidavit by Dayne W. Bass in support of Petitioner's Experience, filed post Hearing in this case, and Respondent's Response. In its Response, Respondent states that "The undersigned will make himself available, along with Director Sherwin, on ... November 14, 2023 ... if sworn testimony as to Redeeming love Ministries' unlicensed status is necessary"

The Tribunal finds that additional testimony on whether Petitioner's volunteer experience qualifies for the experience requirements for a license issued by Respondent is not necessary, and therefore, no hearing is needed in this case on November 14, 2023.

SO ORDERED, the 26th day of October, 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
kenplumer@yahoo.com
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 26th day of October, 2023.



Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1850

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

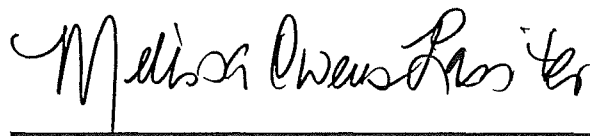
IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

<p>Kenneth Keith Plummer, Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board, Respondent.</p>	<p>ORDER FOR RESPONDENT'S PROPOSED FINAL DECISION</p>
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The official record closed on September 26, 2023 after Respondent filed its Response to Petitioner's Affidavit of Witness in support of Applicant's Experience. The Undersigned hereby establishes the following schedule:

1. Respondent shall file its proposed Proposal for Decision on or before **November 13, 2023**.
2. The Undersigned shall file the Proposal for Decision in this contested case on or before **December 28, 2023**.

SO ORDERED, the 27th day of October, 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
kenplumer@yahoo.com
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 27th day of October, 2023.



Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1850

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 3153

KENNETH KEITH PLUMMER,)
)
Petitioner,)
v.)
)
N.C. PRIVATE PROTECTIVE)
SERVICES BOARD,)
)
Respondent.)
_____)

**PROPOSED
PROPOSED
FINAL DECISION**

On September 26, 2023, Administrative Law Judge Melissa Owens Lassiter called this case for hearing in Raleigh, North Carolina.

APPEARANCES

Petitioner appeared *pro se*.

Respondent was represented by attorney Jeffrey P. Gray, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602.

ISSUE

Whether Petitioner should be denied a Security Guard and Patrol profession business license based on Petitioner’s lack of verifiable experience.

APPLICABLE STATUTES AND RULES

Official notice is taken of the following statutes and rules applicable to this case: N.C.G.S. § 74C-3(a)(6); N.C.G.S. §§ 74C-5(2) and (6); 14B NCAC 16 .0301.

EXHIBITS

- Respondent’s Exhibit 1: Petitioner’s Application
- Respondent’s Exhibit 2: Investigator Raften’s case notes
- Respondent’s Exhibit 3: Application Presentation Form to Screening Committee
- Respondent’s Exhibit 4: April 27, 2023 letter notifying Petitioner of the denial of his application for lack of verifiable experience
- Respondent’s Exhibit 5: May 22, 2023 letter from Petitioner requesting contested case hearing and offering additional experience.

Petitioner's Exhibit 1: U. S. Navy form describing Petitioner's duties as a Petty Officer (1987-1988)

The parties stipulated to the authenticity of each Exhibit and the admission into evidence.

FINDINGS OF FACT

1. Respondent Board is established pursuant to N.C. Gen. Stat. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business.
2. Petitioner applied to Respondent Board for a Security Guard and Patrol profession license.
3. Respondent denied the Security Guard and Patrol profession license due to Petitioner's inability to establish three years of experience.
4. Petitioner requested a hearing on Respondent's denial of the application.
5. By Notice of Hearing dated July 6, 2023, and mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his Security Guard and Patrol profession license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on August 22, 2023. Petitioner appeared at the hearing.
6. Paul Sherwin, Director of Respondent Board, testified to receipt of Petitioner's application and the background investigation conducted for any license applicant. Petitioner's background was assigned to Investigator Bill Raften.
7. Respondent Board's administrative rule, 14B NCAC 16 .0301, entitled "Experience Requirements/Security Guard and Patrol License;" provides in subsection (a):
 - (1) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator with a contract security company or a proprietary security organization performing guard and patrol functions;
 - (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or
 - (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U. S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.
8. Petitioner's submissions with his application did not indicate he had experience as a

manager, supervisor, or administrator with a contract security company, proprietary security organization, or federal, state, county or municipal law enforcement agency. While conducting Petitioner's background investigation Investigator Raften discussed this fact with him.

9. Petitioner was, however, a Petty Officer of the Watch while in the U. S. Navy and contended that his duties were the equivalent to a manager, supervisor or administrator performing guard and patrol services. Petitioner listed the duties he believed equated to the Board's experience requirements. Investigator Raften researched the job description for a U. S. Navy Petty Officer of the Watch and detailed them in the Application Presentation Form, Respondent's Exhibit 3, pages 4 through 6.
10. Even if Petitioner's duties in the U. S. Navy did equate to the Board's experience requirements, 14B NCAC 16 .0301(a)(3) requires "two years of experience within the past five years." Petitioner's military service ended in April 1990. *See*, DD-214, Respondent's Exhibit 1, pages 14 through 22.
11. Pursuant to 14B NCAC 16 .0401(c)(2), Petitioner received 800 hours credit for a bachelor's degree but could not verify any hours towards the 3000 hours experience required by 14B NCAC 16 .0301(1) and (2). He was therefore denied.
12. On direct testimony Petitioner testified he had volunteered as "director of security" at his church for 17 years.
13. On rebuttal Director Sherwin testified that the Board does not recognize unpaid or volunteer service for purposes of the experience requirements.
14. Post hearing, the undersigned allowed Petitioner to submit verified hours of his volunteer time as director of security for his church. An Affidavit from Darryell Wayne Bass, Senior Pastor of Redeeming Love Word Ministries, was filed on October 9, 2023. Respondent Board was allowed to respond.
15. A church is not one of the categories where experience is recognized in subsection (a) of 14B NCAC 16 .0301.
16. Further, Paul Sherwin, Director of Respondent Board, testified on re-direct at the hearing that in his time as Deputy Director, then Director of the Board, and his knowledge of past-practices, the Respondent Board has never recognized time as a volunteer for purposes of the experience requirements for any license issued by the Board.
17. While a church can be a "proprietary security organization" -- and numerous

churches are licensed with the Board as a proprietary security organization* -- Redeeming Love Ministries in High Point, NC is not. But even if it were, Petitioner was not an "employee." The definition of "proprietary security organization" for purposes of the Board's administrative rules, so therefore 14B NCAC 16 .0301, envisions the person being an "employee." 14B NCAC 16 .0103(13) states:

(13) "Proprietary Security Organization" means any person, firm, association, corporation or department thereof:

(a) that **employs** any of the following:

- (i) watchmen;
- (ii) security guards or officers;
- (iii) patrol personnel;
- (iv) armored car personnel; or
- (v) couriers; and

(b) that **employs** these persons regularly and exclusively as an employee in connection with the business affairs of such employer.

(Emphasis added.)

18. Webster's New Collegiate Dictionary defines "employ" as "the state of being employed esp. for wages or a salary."
19. Petitioner's volunteer experience, while extensive, cannot be considered for purpose of licensure.

CONCLUSIONS OF LAW

1. The parties properly are before the Office of Administrative Hearings.
2. Under G.S. §74C-5(2), the Board may determine the minimum qualifications and establish minimum education, experience and training standards for applicants.
3. Under G.S. § 74C-5(6) the Board may deny any license to any applicant who fails to satisfy the requirements of Chapter 74C or the Board's administrative rules.
4. 14B NCAC 16 .0301 sets forth the experience requirements for a Security Guard and Patrol profession business license.
5. Respondent Board presented evidence that Petitioner had failed to establish the experience requirements of 14B NCAC 16 .0301.

* A proprietary security organization whose guards are unarmed is not required to be licensed by the Board; only armed proprietary security organizations must be licensed. *See*, N. C. Gen. Stat. §74C-3(b)(13) and N. C. Gen. Stat. §74C-13(d2).

- Petitioner presented insufficient evidence to show he has the verifiable experience required to obtain a Security Guard and Patrol profession business license.

Based on the foregoing, the undersigned makes the following:

PROPOSED FINAL DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that the denial of Petitioner's application be upheld.

NOTICE AND ORDER

The North Carolina Private Protective Services Board will make the Final Agency Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The undersigned hereby orders that agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

This the _____ day of November, 2023.

Honorable Melissa Owens Lassiter
Administrative Law Judge

Submitted this the _____ day of November, 2023.

BAILEY & DIXON, LLP

By: _____

Jeffrey P. Gray
Attorney for Respondent
P.O. Box 1351
Raleigh, NC 27602-1351
Telephone: (919) 828-0731
Fax: (919) 828-6592

CERTIFICATE OF SERVICE

The undersigned attorney for Respondent certifies that on this day the foregoing Proposed Final Decision was served upon the Petitioner in this action by depositing a copy of same in the United States mail, postage prepaid, and addressed as follows:

Kenneth Keith Plummer
1206 Lake Crest Avenue
High Point, NC 27265

This the ____ day of November, 2023.

Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 3153

KENNETH KEITH PLUMMER,)
)
) Petitioner,)
v.)
)
) N.C. PRIVATE PROTECTIVE)
) SERVICES BOARD,)
)
) Respondent.)
_____)

**PROPOSED
PROPOSED
FINAL DECISION**

On September 26, 2023, Administrative Law Judge Melissa Owens Lassiter called this case for hearing in Raleigh, North Carolina.

APPEARANCES

Petitioner appeared *pro se*.

Respondent was represented by attorney Jeffrey P. Gray, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602.

ISSUE

Whether Petitioner should be denied a Security Guard and Patrol profession business license based on Petitioner's lack of verifiable experience.

APPLICABLE STATUTES AND RULES

Official notice is taken of the following statutes and rules applicable to this case: N.C.G.S. § 74C-3(a)(6); N.C.G.S. §§ 74C-5(2) and (6); 14B NCAC 16 .0301.

EXHIBITS

- Respondent's Exhibit 1: Petitioner's Application
- Respondent's Exhibit 2: Investigator Raften's case notes
- Respondent's Exhibit 3: Application Presentation Form to Screening Committee
- Respondent's Exhibit 4: April 27, 2023 letter notifying Petitioner of the denial of his application for lack of verifiable experience
- Respondent's Exhibit 5: May 22, 2023 letter from Petitioner requesting contested case hearing and offering additional experience.

Petitioner's Exhibit 1: U. S. Navy form describing Petitioner's duties as a Petty Officer (1987-1988)

The parties stipulated to the authenticity of each Exhibit and the admission into evidence.

FINDINGS OF FACT

1. Respondent Board is established pursuant to N.C. Gen. Stat. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business.
2. Petitioner applied to Respondent Board for a Security Guard and Patrol profession license.
3. Respondent denied the Security Guard and Patrol profession license due to Petitioner's inability to establish three years of experience.
4. Petitioner requested a hearing on Respondent's denial of the application.
5. By Notice of Hearing dated July 6, 2023, and mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his Security Guard and Patrol profession license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on August 22, 2023. Petitioner appeared at the hearing.
6. Paul Sherwin, Director of Respondent Board, testified to receipt of Petitioner's application and the background investigation conducted for any license applicant. Petitioner's background was assigned to Investigator Bill Raften.
7. Respondent Board's administrative rule, 14B NCAC 16 .0301, entitled "Experience Requirements/Security Guard and Patrol License;" provides in subsection (a):
 - (1) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator with a contract security company or a proprietary security organization performing guard and patrol functions;
 - (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or
 - (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U. S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.
8. Petitioner's submissions with his application did not indicate he had experience as a

manager, supervisor, or administrator with a contract security company, proprietary security organization, or federal, state, county or municipal law enforcement agency. While conducting Petitioner's background investigation Investigator Raften discussed this fact with him.

9. Petitioner was, however, a Petty Officer of the Watch while in the U. S. Navy and contended that his duties were the equivalent to a manager, supervisor or administrator performing guard and patrol services. Petitioner listed the duties he believed equated to the Board's experience requirements. Investigator Raften researched the job description for a U. S. Navy Petty Officer of the Watch and detailed them in the Application Presentation Form, Respondent's Exhibit 3, pages 4 through 6.
10. Even if Petitioner's duties in the U. S. Navy did equate to the Board's experience requirements, 14B NCAC 16 .0301(a)(3) requires "two years of experience within the past five years." Petitioner's military service ended in April 1990. *See*, DD-214, Respondent's Exhibit 1, pages 14 through 22.
11. Pursuant to 14B NCAC 16 .0401(c)(2), Petitioner received 800 hours credit for a bachelor's degree but could not verify any hours towards the 3000 hours experience required by 14B NCAC 16 .0301(1) and (2). He was therefore denied.
12. On direct testimony Petitioner testified he had volunteered as "director of security" at his church for 17 years.
13. On rebuttal Director Sherwin testified that the Board does not recognize unpaid or volunteer service for purposes of the experience requirements.
14. Post hearing, the undersigned allowed Petitioner to submit verified hours of his volunteer time as director of security for his church. An Affidavit from Darryell Wayne Bass, Senior Pastor of Redeeming Love Word Ministries, was filed on October 9, 2023. Respondent Board was allowed to respond.
15. A church is not one of the categories where experience is recognized in subsection (a) of 14B NCAC 16 .0301.
16. Further, Paul Sherwin, Director of Respondent Board, testified on re-direct at the hearing that in his time as Deputy Director, then Director of the Board, and his knowledge of past-practices, the Respondent Board has never recognized time as a volunteer for purposes of the experience requirements for any license issued by the Board.
17. While a church can be a "proprietary security organization" -- and numerous

churches are licensed with the Board as a proprietary security organization* -- Redeeming Love Ministries in High Point, NC is not. But even if it were, Petitioner was not an "employee." The definition of "proprietary security organization" for purposes of the Board's administrative rules, so therefore 14B NCAC 16 .0301, envisions the person being an "employee." 14B NCAC 16 .0103(13) states:

(13) "Proprietary Security Organization" means any person, firm, association, corporation or department thereof:

(a) that **employs** any of the following:

- (i) watchmen;
- (ii) security guards or officers;
- (iii) patrol personnel;
- (iv) armored car personnel; or
- (v) couriers; and

(b) that **employs** these persons regularly and exclusively as an employee in connection with the business affairs of such employer.

(Emphasis added.)

- 18. Webster's New Collegiate Dictionary defines "employ" as "the state of being employed esp. for wages or a salary."
- 19. Petitioner's volunteer experience, while extensive, cannot be considered for purpose of licensure.

CONCLUSIONS OF LAW

- 1. The parties properly are before the Office of Administrative Hearings.
- 2. Under G.S. §74C-5(2), the Board may determine the minimum qualifications and establish minimum education, experience and training standards for applicants.
- 3. Under G.S. § 74C-5(6) the Board may deny any license to any applicant who fails to satisfy the requirements of Chapter 74C or the Board's administrative rules.
- 4. 14B NCAC 16 .0301 sets forth the experience requirements for a Security Guard and Patrol profession business license.
- 5. Respondent Board presented evidence that Petitioner had failed to establish the experience requirements of 14B NCAC 16 .0301.

* A proprietary security organization whose guards are unarmed is not required to be licensed by the Board; only armed proprietary security organizations must be licensed. *See*, N. C. Gen. Stat. §74C-3(b)(13) and N. C. Gen. Stat. §74C-13(d2).

6. Petitioner presented insufficient evidence to show he has the verifiable experience required to obtain a Security Guard and Patrol profession business license.

Based on the foregoing, the undersigned makes the following:

PROPOSED FINAL DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that the denial of Petitioner's application be upheld.

NOTICE AND ORDER

The North Carolina Private Protective Services Board will make the Final Agency Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

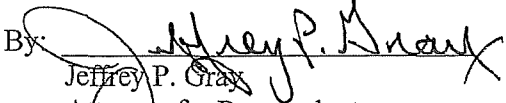
The undersigned hereby orders that agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

This the _____ day of November, 2023.

Honorable Melissa Owens Lassiter
Administrative Law Judge

Submitted this the 13th day of November, 2023.

BAILEY & DIXON, LLP

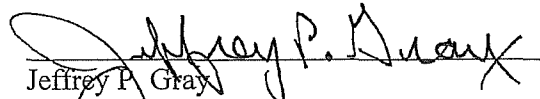
By: 
Jeffrey P. Gray
Attorney for Respondent
P.O. Box 1351
Raleigh, NC 27602-1351
Telephone: (919) 828-0731
Fax: (919) 828-6592

CERTIFICATE OF SERVICE

The undersigned attorney for Respondent certifies that on this day the foregoing Proposed Final Decision was served upon the Petitioner in this action by depositing a copy of same in the United States mail, postage prepaid, and addressed as follows:

Kenneth Keith Plummer
1206 Lake Crest Avenue
High Point, NC 27265

This the 13th day of November, 2023.


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 03153

Kenneth Keith Plummer Petitioner, v. NC Private Protective Services Board Respondent.	PROPOSAL FOR DECISION
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On September 26, 2023, Administrative Law Judge Melissa Owens Lassiter called this case for hearing in Raleigh, North Carolina, pursuant to N.C. Gen. Stat. § 150B-40(e) and Respondent's request for designation of an Administrative Law Judge to hear this contested case. On November 2, 2016, Respondent filed a proposed Proposal for Decision with the Office of Administrative Hearings

APPEARANCES

Petitioner appeared *Pro se*.

Respondent was represented by attorney Jeffrey P. Gray, Bailey & Dixon, LLP, Raleigh, North Carolina.

ISSUE

Whether Respondent should deny Petitioner's application for a Security Guard and Patrol profession business license for lack of proof of verifiable experience?

APPLICABLE STATUTES AND RULES

The Undersigned takes Official notice of the following statutes and rules applicable to this case:

N.C.G.S. § 74C-3(a)(6)
N.C.G.S. §§ 74C-5(2) and (6)
14B NCAC 16 .0301

EXHIBITS ADMITTED INTO EVIDENCE

The parties stipulated to the authenticity and admission of each exhibit into evidence:

Petitioner:

Exhibit 1: U. S. Navy form describing Petitioner's duties as a Petty Officer (1987-1988)

Respondent:

- Exhibit 1: Petitioner's Application
- Exhibit 2: Investigator Raften's case notes.
- Exhibit 3: Application Presentation Form to Screening Committee
- Exhibit 4: April 27, 2023 letter notifying Petitioner of the denial of his application for lack of verifiable experience.
- Exhibit 5: May 22, 2023 letter from Petitioner requesting contested case hearing and offering additional experience.

FINDINGS OF FACT

Procedural Background

1. Respondent Board is established pursuant to N.C. Gen. Stat. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business.

2. Petitioner applied to Respondent Board for a Security Guard and Patrol profession license.

3. On April 27, 2023, Respondent denied Petitioner's application for a Security Guard and Patrol license for failing to establish three years or 3000 hours of verifiable experience required to obtain such license. (Resp Exh 4) The Undersigned notes that Respondent's Exhibit No. 4 incorrectly and mistakenly indicates the Board denied Petitioner's application for a Private Investigator Associate license. However, the testimony of all witnesses at hearing, including Petitioner, and all documentation admitted into evidence clearly showed that Petitioner applied for, and Respondent denied Petitioner's application for a Security Guard and Patrol license.

4. Petitioner requested a hearing on Respondent's denial of the application.

5. By Notice of Hearing dated July 6, 2023, and mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his Security Guard and Patrol profession license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on August 22, 2023. Petitioner appeared at the hearing.

Adjudicated Facts

6. Respondent Board received Petitioner's application for a Security Guard and Patrol professional license and assigned Investigator Bill Raften to investigate Petitioner's application per the Board's standard procedure.

7. Respondent Board's administrative rule, 14B NCAC 16 .0301, entitled "Experience Requirements/Security Guard and Patrol License" provides:

(a) In addition to the requirements of Section .0200 of this Chapter, applicants for a security guard and patrol license shall:

- (1) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator with a contract security

- company or a proprietary security organization performing guard and patrol functions;
- (2) establish to the Board's satisfaction three years of experience as a manager, supervisor, or administrator in security with any federal, state, county, or municipal law enforcement agency performing guard and patrol functions; or
 - (3) establish to the Board's satisfaction a military occupational specialty and two years of experience within the past five years in the U. S. Armed Forces as a manager, supervisor, or administrator performing guard and patrol functions.

8. The evidence in this case established that Petitioner was a Petty Officer of the Watch while serving in the U. S. Navy. In his application, Petitioner listed the duties he believed equated to the Board's experience requirements. Petitioner contends that his duties as a Petty Officer were the equivalent to a manager, supervisor or administrator performing guard and patrol services.

9. Investigator Raften interviewed Petitioner, Petitioner's supervisor at his current job, Tempur Sealy International, Petitioner's official military personnel file, and researched the job description for a U. S. Navy Petty Officer of the Watch. Raften described his investigative results in the Application Presentation Form he prepared and presented to the Board; specifically, describing the job duties for Petitioner's U.S. Navy Petty Officer of the Watch. (Resp Exhibit 3, specifically pages 4 through 6).

10. Petitioner's submissions with his application did not sufficiently establish that Petitioner had experience as a manager, supervisor, or administrator with a contract security company, proprietary security organization, or federal, state, county, or municipal law enforcement agency. While conducting Petitioner's background investigation Investigator Raften discussed this fact with him.

11. Even if Petitioner's duties in the U. S. Navy did equate to the Board's experience requirements, 14B NCAC 16 .0301(a)(3) requires "two years of experience within the past five years." Petitioner's military service ended in April 1990. (DD-214, Respondent's Exhibit 1, pages 14 through 22).

12. Pursuant to 14B NCAC 16 .0401(c)(2), Petitioner received 800 hours credit for a bachelor's degree but could not verify any hours towards the 3000 hours experience required by 14B NCAC 16 .0301(1) and (2).

13. On direct testimony, Petitioner testified he had volunteered as "director of security" at his church for 17 years.

14. During Paul Sheridan's time as Deputy Director for the Board and based on Director Sheridan's knowledge of the Board's past practices, the Respondent Board has never recognized time as a volunteer for purposes of the experience requirements for any license issued by the Board. On rebuttal, Director Sherwin explained that the Board does not recognize unpaid or volunteer service for purposes of the experience requirements.

15. After the hearing, the Undersigned allowed Petitioner to submit a verification of hours of his volunteer time as Director of Security for his church. Petitioner filed an Affidavit from Darryell Wayne Bass, Senior Pastor of Redeeming Love Word Ministries on October 9, 2023, describing Petitioner's duties as Director of Security of his church. The affiant declared that

Redeeming Love Ministries is a non-profit organization and a church. The affiant declared that all experience of Petitioner at Redeeming Love Ministries was as a volunteer, and that Petitioner was not an employee of said church.

16. A church is not one of the categories where experience is recognized in subsection (a) of 14B NCAC 16 .0301.

17. The definition of "proprietary security organization" for purposes of the Board's administrative rules, so therefore 14B NCAC 16 .0301, envisions the person being an "employee." 14B NCAC 16 .0103(13) states:

(13) "Proprietary Security Organization" means any person, firm, association, corporation, or department thereof:

- (a) that **employs** any of the following:
 - (i) watchmen;
 - (ii) security guards or officers;
 - (iii) patrol personnel;
 - (iv) armored car personnel; or
 - (v) couriers; and
- (b) that **employs** these persons regularly and exclusively as an employee in connection with the business affairs of such employer.

(Emphasis added.)

18. Webster's New Collegiate Dictionary defines "employ" as "the state of being employed esp. for wages or a salary."

19. While a church can be a "proprietary security organization" -- and numerous churches are licensed with the Board as a proprietary security organization* -- Redeeming Love Ministries in High Point, NC is not so licensed. Even if it were, Petitioner was not an "employee."

20. For the above reasons, Petitioner's volunteer experience, while extensive, cannot be considered for purpose of licensure.

CONCLUSIONS OF LAW

1. The parties are properly before the Office of Administrative Hearings.
2. Pursuant to N.C. Gen. Stat. §74C-5(2), the Respondent Board may determine the minimum qualifications and establish minimum education, experience, and training standards for applicants.
3. Pursuant to N.C. Gen. Stat. § 74C-5(6) the Respondent Board may deny any license to any applicant who fails to satisfy the requirements of Chapter 74C or the Board's administrative rules.
4. 14B NCAC 16 .0301 sets forth the experience requirements for a Security Guard and Patrol profession business license.

5. Respondent Board presented evidence that Petitioner had failed to establish the experience requirements of 14B NCAC 16 .0301.

6. While Petitioner has extensive experience in security as a volunteer in his church, Petitioner presented insufficient evidence to show he has the verifiable experience required under Respondent's statutes and rules to obtain a Security Guard and Patrol profession business license.

PROPOSAL FOR DECISION

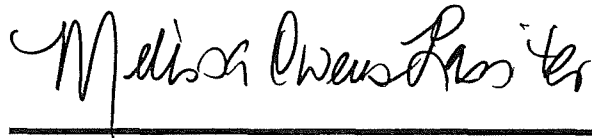
Based upon the foregoing Findings of Fact and Conclusions of Law, the Undersigned hereby recommends the Respondent Board DENY Petitioner's application.

NOTICE AND ORDER

The North Carolina Private Protective Services Board will make the Final Agency Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The Undersigned hereby Orders that agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

SO ORDERED, this the ____ day of December 2023.



Melissa Owens Lassiter
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Kenneth Keith Plummer
kenplumer@yahoo.com
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 11th day of December, 2023.



Daniel Chunko
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 984-236-1902

4.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 04665

<p>Christopher Paul Plantier Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p>PROPOSAL FOR DECISION</p>
--	-------------------------------------

This case was heard before Michael C. Byrne, Administrative Law Judge, on November 14, 2023 at the Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the General Statutes of North Carolina.

APPEARANCES

For Petitioner: None

For Respondent:
Mr. Jeffrey P. Gray
Bailey & Dixon, LLP.
Post Office Box 1351
Raleigh, NC 27602

WITNESSES

For Petitioner:

None

For Respondent:

G. Ray Bullard, Deputy Director of the NC Private Protective Services Board (“Respondent”).

EXHIBITS

For Petitioner: None.

For Respondent: Exhibits 1 and 2 were admitted.

ISSUE

Whether Petitioner being charged with "Felony Murder" supports Respondent's Summary Suspension of Petitioner's Armed Security Guard Registration on the bases that the public's health, safety and welfare will be jeopardized if Petitioner is allowed to continue in his role as an Armed Security Guard.

STATUTES & RULES

N.C.G.S. 14-112.2, 74C-6, 74C-12(a)(25) 150B-3(c), and 14B NCAC 16 .0100, et. seq.

BASED UPON careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, the video evidence received and admitted into evidence, and the entire record in this proceeding, the Tribunal makes the following:

FINDINGS OF FACT

1. Respondent, an agency of the State of North Carolina, is created pursuant to N.C.G.S. 74C-1, et seq., and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.
2. Pursuant to N.C.G.S. 74C-12:

The Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend, or revoke a license or registration issued under this Chapter if it is determined that the applicant, licensee, registrant or permit holder has...:

Demonstrated intemperate habits or a lack of good moral character. The acts that are prima facie evidence of intemperate habits or lack of good moral character under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision[; and/or,] ...

Failed to make any disclosure to the Board or provide documents or information required by this Chapter or rules adopted by the Board.

N.C.G.S. 74C-12(a)(25) and (30).

3. Petitioner is a registered armed security guard with GRL Management Group, Inc., a licensed security guard and patrol company located in Southport, NC. Petitioner's registration expires on February 29, 2024.
4. On October 20, 2023, Petitioner was charged with "Felony Murder" in Wake County, NC (the "Criminal Charge"). The Criminal Charge arose out of Petitioner allegedly causing the death of Mr. Richard Lee Harris by shooting Harris multiple times with malice aforethought in a domestic dispute.

5. The Criminal Charge has not yet been resolved in the State criminal courts.
6. By Order issued October 31, 2022, Respondent summarily suspended Petitioner's Armed Security Guard Registration, pursuant to N.C.G.S. 150B-3(c) and N.C.G.S. 74C-6, "upon the Findings of Fact showing that the public health, safety and welfare will be jeopardized if [Petitioner] is allowed to continue in his role as an Armed Security Guard for GRL Management Group, Inc." Resp's Ex 2, Order of Summary Suspension, p.2, dated and filed October 31, 2023 ("Summary Suspension Order").
7. The Board served Petitioner with the Summary Suspension Order and Notice of Hearing of this contested case to be heard on November 14, 2023 in the Office of Administrative Hearings, Raleigh, Wake County, North Carolina. Petitioner was served with the Board's letter, order, and Notice of Hearing via certified mail. Resp's Ex 2, Notice of Hearing at p.1.
8. Petitioner did not appear and testify at the contested case hearing.

CONCLUSIONS OF LAW

1. The parties are properly before the Tribunal.
2. Under N.C.G.S. 74C-12(a)(25), the Board may suspend Petitioner's business license and registration if it is determined that Petitioner has demonstrated intemperate habits or lacks good moral character.
3. Petitioner was charged with felony murder. The seriousness of the elements of the Criminal Charge, if proven, are indicative of a lack of good moral character and indicate genuine potential danger to the public if Petitioner is permitted to serve as a registered Armed Security Guard pending resolution of the Criminal Charge in our State criminal courts.
4. Bullard testified that, because of the Criminal Charge, Respondent found Petitioner to be in violation of N.C.G.S. 74C-12(2), (25), (30) and 74C-12(d)(1), which violations entitle the Board to suspend Petitioner's registration pursuant to N.C.G.S. 74C-12(a)(5) and (a)(24) and N.C.G.S. 150B-3.
5. The Tribunal's function in this case is not to decide Petitioner's guilt or innocence, but rather whether sufficient evidence exists to justify Respondent's summary suspension action against Petitioner.
6. Although Petitioner has not been convicted of the felony with which he was charged, Respondent presented sufficient evidence to support its summary suspension of Petitioner's Armed Security Guard Registration based on the elements and nature of the criminal charge concerned and on the governing law.

PROPOSED DECISION

Respondent's summary suspension of Petitioner's Armed Security Guard Registration is **AFFIRMED.**

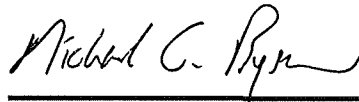
NOTICE

The NC Private Protective Services Board will make the Final Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The undersigned hereby orders that agency to serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, N.C. 27609.

SO ORDERED.

This the 14th day of November, 2023.

A handwritten signature in cursive script, reading "Michael C. Byrne", is written above a solid horizontal line.

Michael C. Byrne
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Christopher Paul Plantier
1310 Durham Dr
STE 207
Raleigh NC 27614
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 14th day of November, 2023.



Micah C. Deveaux
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 919-431-3000

State of North Carolina
Office of Administrative Hearings
Certification

I hereby certify the attached (1 flash drive) to be a true copy of the Official Record as required by G.S. 150B-42 of the proceedings in the Office of Administrative Hearings, in case (s):

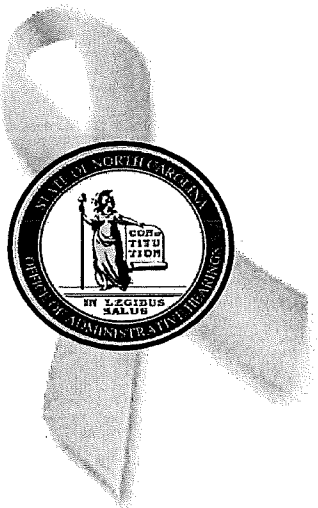
"23 DOJ 04665", "Christopher Paul Plantier, Petitioner, v. NC Private Protective Services Board, Respondent."

the original of which is filed in this office in conformance with Chapter 150B of the General Statutes of the State of North Carolina.

In witness whereof, I authorize this certification and affix the official seal of the North Carolina Office of Administrative Hearings at Raleigh this the 7th day of December, 2023.

Donald Robert van der Vaart
Chief Administrative Law Judge, Director

By:



STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 04665

Christopher Paul Plantier Petitioner, v. NC Private Protective Services Board Respondent.	OFFICIAL RECORD INDEX SHEET
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RECOMMENDED DECISION

DOCUMENTS

SECTION I

- Petition (Article 3 Agencies **only**)
- Request for Designation of ALJ (Article 3A Boards & Commissions **only**)
- Notice of Contested Case & Order of Assignment
- Order(s) of Reassignment
- Order for Prehearing Statements
- Scheduling Orders
- Notice(s) of Representation
- Document Constituting Agency Action
- Hearing Assistant/Court Reporter Request Form
- Motion & Order of Consolidation

SECTION II

- Prehearing Statements
- Notice of Prehearing Conference
- Motions/Responses/Briefs/Rulings
- Report of Mediator
- Report of Settlement Conference

SECTION III

- Notices of Hearings
- Return of Service on Subpoenas and Notices
- Motions and Orders of Continuance
- Prehearing Order

SECTION IV

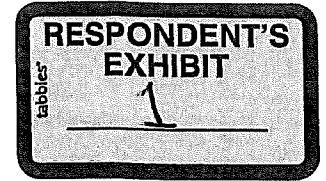
- Parties' Proposed Decisions
- Other Post Hearing Submissions

SECTION V

- Exhibits
- Offers of Proof

SECTION VI

- Miscellaneous documents
- Request for transcript
- Transcript
- Hearing tapes (when necessary)



Wake District Court
Case Summary

Case No. 23CR439669-910

STATE OF NORTH CAROLINA VS CHRISTOPHER PAUL PLANTIER	§	Location: Wake District Court
	§	Filed on: 10/20/2023
	§	Electronic Warrants Warrant ID: 2pwy8YgtpLZrayLCgPHaqM
	§	Criminal Process Number: WFA-23-738321
	§	Criminal Process Number: RO-23-738793
	§	Electronic Warrants Warrant ID: 3p8kZhCFejLTvhtas7tTJ

Case Information

Offense	Statute	Degree	Offense Date	Filed Date	Case Type: Criminal
1. MURDER	14-17	FNC	10/15/2023	10/20/2023	Case Status: 10/20/2023 Pending
Arrest					
Date: 10/20/2023					
Offense Reports					
Agency: Raleigh Police Department					
6716 Six Forks Rd					
Raleigh, NC, 27615					

Related Cases

Assignment Information

Current Case Assignment
Case Number 23CR439669-910
Court Wake District Court
Date Assigned 10/20/2023

Party Information






Defendant	PLANTIER, CHRISTOPHER PAUL	POWERS, PHYLCIA MONEE
	1310 DURLAIN DR	<i>Retained</i>
	STE 207	
	RALEIGH, NC 27614-6488	
	White	
	Male	
	Height: 5' 11"	
State	STATE OF NORTH CAROLINA	
	Other	
Complainant	Correll, J	
Law Enforcement Officer	Correll, J	

Case Events


Wake District Court

Case Summary

Case No. 23CR439669-910

- 10/24/2023  Notice of Appearance
Notice of Appearance
Created: 10/24/2023 10:57 AM Index # 4
- 10/24/2023 Motion Index # 5
Request for Voluntary Discovery
Created: 10/24/2023 10:57 AM
- 10/23/2023  Counsel Appointed - Appointed Attorney
Created: 10/23/2023 10:07 AM
- 10/20/2023  Release Order Issued Index # 3
Location: WAKE COUNTY COURTHOUSE
Crim Proc #: RO-23-738793
Created: 10/20/2023 12:44 PM
- 10/20/2023  Warrant for Arrest Returned Served Index # 2
Location: WAKE COUNTY COURTHOUSE
Crim Proc #: WFA-23-738321
Created: 10/20/2023 12:43 PM
- 10/20/2023  Warrant For Arrest Issued Index # 1
Location: WAKE COUNTY COURTHOUSE
Crim Proc #: WFA-23-738321
Created: 10/20/2023 9:28 AM

Hearings

- 11/13/2023 **Disposition Hearing** (9:00 AM)
Resource: Location 910-0301 Wake Co. Justice Center, Courtroom 301
Created: 10/23/2023 10:07 AM
- 10/23/2023 **First Appearance Hearing** (9:00 AM) (Judicial Officer: Stevens, Mark Lindsay)
Resource: Location 910-JAIL Wake Co. Justice Center, JAIL
10/23/2023 Reset by Court to 10/23/2023
MINUTES - 10/23/2023
 Counsel Appointed - Appointed Attorney
Created: 10/23/2023 10:07 AM
Disposition Hearing (11/13/2023 at 9:00 AM)
Resource: Location 910-0301 Wake Co. Justice Center, Courtroom 301
Created: 10/23/2023 10:07 AM
Hearing Held;
Hearing Held
Created: 10/20/2023 12:43 PM

Bond Settings

- 10/20/2023 **Bond Setting**
Not Authorized

File No. 23CR439669-910		Law Enforcement Case No.	LID No.
WARRANT FOR ARREST		STATE OF NORTH CAROLINA In The General Court Of Justice District Court Division _____ WAKE County	
THE STATE OF NORTH CAROLINA VS.			
Name And Address Of Defendant CHRISTOPHER PAUL PLANTIER [REDACTED]			
OFFENSE(S) (see AOC-CR-100 Continuation(s) for charging text)			
Race	Sex	Date Of Birth	Age
W	M	[REDACTED]	27
Name Of Defendant's Employer		Count No.	Offense
		1	F - MURDER
Date Of Offense 10/15/2023		Offense in Violation Of G.S.	Offense Code
		14-17	0930
<input type="checkbox"/> Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan			
Date Of Arrest & Check Digit No. (as shown on fingerprint card)			
Complainant Name (and address, if Complainant is an officer) J Correll RALEIGH POLICE DEPARTMENT 6716 Six Forks Rd RALEIGH NC 27615 WAKE			
Witness Information			
<p>TO ANY OFFICER WITH AUTHORITY AND JURISDICTION TO EXECUTE A WARRANT FOR ARREST FOR THE OFFENSE(S) CHARGED IN THIS WARRANT: I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully, and feloniously did commit the offense(s) set forth above and on the attached AOC-CR-100 Continuation(s), which is (are) incorporated by reference. This act(s) was in violation of the law referred to in this Warrant For Arrest. This Warrant For Arrest is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.</p>			
Date Issued 10/20/2023	Name Of Issuing Official P. POWE	Signature [Signature]	<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge
Location Of Court	Court Date	Court Time	
WAIVER OF PROBABLE CAUSE HEARING			
The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.			
Date Waived	Signature Of Defendant	Name Of Attorney	Signature Of Attorney

STATE VERSUS	WAKE County	File No. 23CR439669-910
Name Of Defendant CHRISTOPHER PAUL PLANTIER		NOTE: Use this page to set forth the charging text for each offense listed on the AOC-CR-100. G.S. 15A-924(a)(5).
Date Of Issuance Of Warrant For Arrest 10/20/2023		

OFFENSES (continued)

Count 1. Offense: F - MURDER
<p><i>Charging Text For This Count</i> On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did of malice aforethought kill and murder Richard Lee Harris</p>

Count 2. Offense:
<p><i>Charging Text For This Count</i></p>

STATE VERSUS	WAKE County	File No. 23CR439669-910
Name Of Defendant CHRISTOPHER PAUL PLANTIER		If the Warrant For Arrest is not served within one hundred and eighty (180) days, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon.
Date Of Issuance Of Warrant For Arrest 10/20/2023		

RETURN OF SERVICE

I certify that the Warrant For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received 10/20/23	Date Served 10/20/23	Time Served 12:17 PM	Date Returned 10/20/23
---------------------------	-------------------------	-------------------------	---------------------------

By arresting the defendant and bringing the defendant before:

Name Of Judicial Official
Magistrate

The Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return <i>[Signature]</i>	Name Of Officer (type or print) P. T. Mitchell
Department Or Agency Of Officer Raleigh PD #4231	

REDELIVERY/REISSUANCE	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court
------------------------------	---

RETURN FOLLOWING REDELIVERY/REISSUANCE

I certify that the Warrant For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
---------------	-------------	-------------	---------------

By arresting the defendant and bringing the defendant before:

Name Of Judicial Official

The Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return	Name Of Officer (type or print)
Department Or Agency Of Officer	

CERTIFICATE OF SERVICE

I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

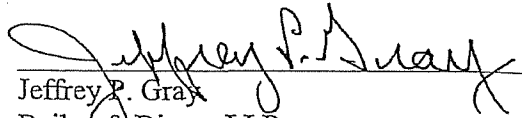
Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

and via hand delivery;

Wake County Detention Center

This the ~~31st~~ day of October, 2023.

1st day of Nov.
JWA


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.

CERTIFICATE OF SERVICE

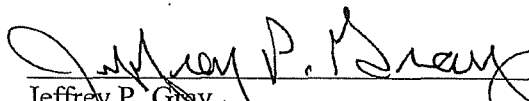
The undersigned hereby certifies that a copy of the foregoing ORDER OF SUMMARY SUSPENSION OF ARMED SECURITY GUARD REGISTRATION has been served upon the following by the method indicated:

Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614


X Hand Delivery.


X Certified Mail to the address stated above.

This the 1st day of ^{Nov. 2023} ~~October~~, 2023.


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.

COPY

BAILEY  DIXON

Jeffrey P. Gray

jgray@bdixon.com

October 31, 2023

Certified Mail – Return Receipt Requested & via hand delivery
(Wake County Detention Center)

Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

RE: *Administrative Hearing for Christopher Paul Plantier*

Dear Mr. Plantier:

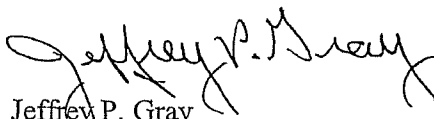
Enclosed is a copy of an Order of Summary Suspension of Armed Security Guard Registration dated October 30, 2023. You are entitled to an administrative hearing on the N.C. Private Protective Service Board's decision to suspend your armed security guard registration without undue delay.

Enclosed is a copy of the Notice of Hearing which I have filed with the Office of Administrative Hearings in this matter. As indicated on said Notice, the Board is requesting that your hearing be conducted by the Office of Administrative Hearings, located at 1711 New Hope Church Road, Raleigh, NC 27609, on **Tuesday, November 14, 2023, at 2:00 p.m.** Your failure to attend this court proceeding may result in dismissal of your case and a continuation of the suspension.

If you have any questions, you may call me at (919) 828-0731.

Sincerely,

BAILEY & DIXON, LLP


Jeffrey P. Gray

Enclosure

cc: Charles McCurry
GRL Management Group, Inc.
Paul Sherwin, Director



STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD
23 DOJ _____

CHRISTOPHER PAUL PLANTIER,)
)
 Petitioner,)
)
 V,)
)
 N. C. PRIVATE PROTECTIVE)
 SERVICES BOARD,)
)
 Respondent.)
 _____)

NOTICE OF HEARING

FOR: Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

DATE: Tuesday, November 14, 2023

TIME: 2:00 p.m.

PLACE: Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609

RE: Summary Suspension of Armed Security Guard Registration. The suspension was
for the following reason:

Petitioner has been charged with felony Murder in Wake County, North Carolina.

STATUTES: N. C. G. S. § 74C-12(a)(25); N. C. G. S. § 74C-13(g); 14B NCAC 16 .0106(a)

ADMINISTRATIVE
LAW JUDGE: Honorable Michael Byrne

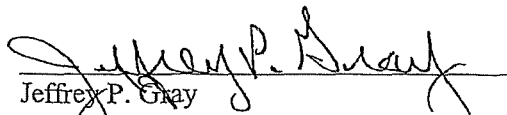
An administrative hearing has been scheduled by the N.C. Private Protective Services Board to examine formally the allegations specified above. This hearing will be held before the Office of Administrative Hearings for the Private Protective Services Board and will be conducted in accordance with the Administrative Procedures Act, North Carolina General Statute 150B.

This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray, Attorney at Law, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602, (919) 828-0731.

Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609, (919) 431-3000.

This the 31st day of October, 2023.

Private Protective Services Board
Paul Sherwin, Director



Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

CERTIFICATE OF SERVICE

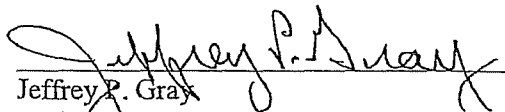
I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

and via hand delivery:

Wake County Detention Center

This the 31st day of October, 2023.


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD
23 DOJ _____

IN RE:)
)
ARMED SECURITY GUARD) ORDER OF SUMMARY SUSPENSION
REGISTRATION OF) OF
CHRISTOPHER PAUL PLANTIER) ARMED SECURITY GUARD
) REGISTRATION
)
)

THIS ORDER, issued pursuant to authority granted by North Carolina General Statute § 150B-3(e) and North Carolina General Statute § 74C-6, summarily suspends the Armed Guard Registration issued to Christopher Paul Plantier of Raleigh, North Carolina. In support thereof, the Private Protective Services Board's Director finds the following:

STATEMENT OF LAW AND
FINDINGS OF FACT

1. The North Carolina Private Protective Services Board is an agency of the State of North Carolina and is created pursuant to the North Carolina Private Protective Services Act, N.C.G.S. § 74C-1 *et seq.*

2. The position of Director of the North Carolina Private Protective Services Board is created pursuant to N.C.G.S. § 74C-6.

3. Pursuant to N.C.G.S. § 74C-12(a)(25), the Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a license or registration issued under this Chapter if it is determined that the registrant demonstrated intemperate habits or a lack of good moral character.

4. Pursuant to N.C.G.S. § 74C-6, the Director shall administer the directives contained in the Private Protective Services Act and the rules promulgated by the Board in order to actively police the industry.

5. Christopher Paul Plantier is registered as an armed security guard with GRL Management Group, Inc., a licensed security guard and patrol company located at 4128-B Vanessa Drive, Southport, NC 28461. Mr. Plantier's registration has an expiration date of February 29, 2024.

6. Investigation has revealed that on October 20, 2023, Mr. Plantier was charged with felony Murder in Wake County, North Carolina.

7. This charge arises out of Mr. Plantier causing the death of a Richard Lee Harris by shooting him multiple times with malice aforethought in a domestic dispute.

8. The facts underlying the charges indicate a lack of good moral character.

9. Mr. Plantier's charges have not been adjudicated in the criminal courts in Wake County.

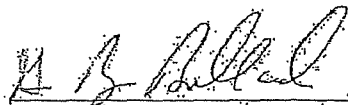
IT IS HEREBY ORDERED that Christopher Paul Plantier's Armed Security Guard Registration be summarily suspended pursuant to N.C.G.S. § 150B-3(c) upon the Findings of Fact showing that the public health, safety, and welfare will be jeopardized if Mr. Plantier is allowed to continue in his role as an Armed Security Guard for GRL Management Group, Inc.

An administrative hearing has been scheduled by N.C. Private Protective Services Board to formally examine the allegations specified above. This hearing will be held Tuesday, November 14, 2023 at 2:00 P.M. before the Office of Administrative Hearings for the Private Protective Services Board and will be conducted in accordance with Administrative Procedures Act, North Carolina General Statute 150B, Article 3A.

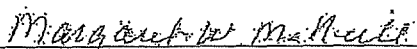
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray, Attorney at Law, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602, (919) 828-0731.

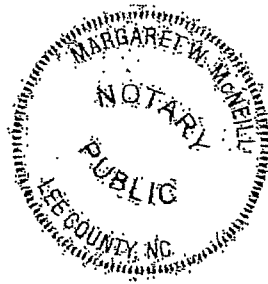
Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609, (919) 431-3000.

Issued this the 31st day of October, 2023.


G. Ray Bullard, Deputy Director
N.C. Private Protective Services Board

Sworn to and subscribed before me
This the 31 day of October, 2023.


Notary Public
My commission expires: 4/16/2024



CERTIFICATE OF SERVICE

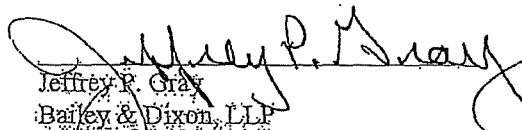
The undersigned hereby certifies that a copy of the foregoing ORDER OF SUMMARY SUSPENSION OF ARMED SECURITY GUARD REGISTRATION has been served upon the following by the method indicated:

Christopher Paul Plantier
1310 Dufain Drive, Suite 207
Raleigh, NC 27614

Hand Delivery.

Certified Mail to the address stated above.

This the 31st day of October, 2023.


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 - telephone
(919) 828-6592 - facsimile

cc: Charles McCurry
GRL Management Group, Inc.

CERTIFICATE OF SERVICE

I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

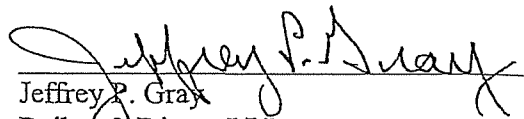
Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

and via hand delivery;

Wake County Detention Center

This the ~~31st~~ day of ~~October~~, 2023.

1st day of Nov.
JPG


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.


CERTIFICATE OF SERVICE

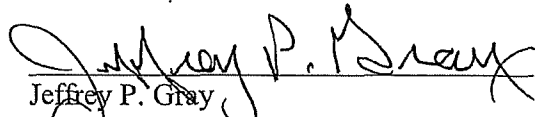
The undersigned hereby certifies that a copy of the foregoing ORDER OF SUMMARY SUSPENSION OF ARMED SECURITY GUARD REGISTRATION has been served upon the following by the method indicated:

Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614


 Hand Delivery.

Certified Mail to the address stated above.

This the 1st day of ~~October~~ ^{Nov.} , 2023.


Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.

49 5294 4623 0602 5270 0710 6589

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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OFFICIAL USE

Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postmark
 Here


Postage
 \$ _____

Total Postage \$ _____

Sent To
 Christopher Paul Plantier
 1310 Durlain Drive, Suite 207
 Raleigh, NC 27614

Street and
 City, State

PS Form 3811, January 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p>Christopher Paul Plantier 1310 Durlain Drive, Suite 207 Raleigh, NC 27614</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p>9590 9402 2191 6193 5815 41</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD
23 DOJ _____

CHRISTOPHER PAUL PLANTIER,)
)
 Petitioner,)
)
 V,)
)
 N. C. PRIVATE PROTECTIVE)
 SERVICES BOARD,)
)
 Respondent.)
 _____)

NOTICE OF HEARING

FOR: Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

DATE: Tuesday, November 14, 2023

TIME: 2:00 p.m.

PLACE: Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609

RE: Summary Suspension of Armed Security Guard Registration. The suspension was for the following reason:

Petitioner has been charged with felony Murder in Wake County, North Carolina.

STATUTES: N. C. G. S. § 74C-12(a)(25); N. C. G. S. § 74C-13(g); 14B NCAC 16 .0106(a)

ADMINISTRATIVE
LAW JUDGE: Honorable Michael Byrne

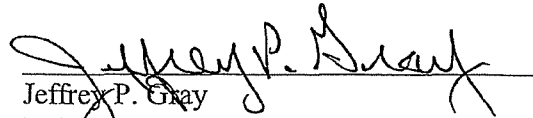
An administrative hearing has been scheduled by the N.C. Private Protective Services Board to examine formally the allegations specified above. This hearing will be held before the Office of Administrative Hearings for the Private Protective Services Board and will be conducted in accordance with the Administrative Procedures Act, North Carolina General Statute 150B.

This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray, Attorney at Law, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602, (919) 828-0731.

Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609, (919) 431-3000.

This the 31st day of October, 2023.

Private Protective Services Board
Paul Sherwin, Director



Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

CERTIFICATE OF SERVICE

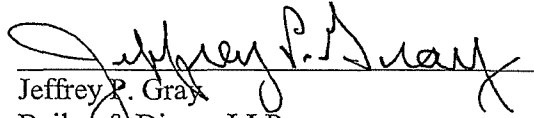
I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

and via hand delivery:

Wake County Detention Center

This the 31st day of October, 2023.



Jeffrey P. Gray
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 – telephone
(919) 828-6592 – facsimile

cc: Charles McCurry
GRL Management Group, Inc.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
PRIVATE PROTECTIVE SERVICES BOARD
23 DOJ _____

IN RE:)
ARMED SECURITY GUARD)
REGISTRATION OF)
CHRISTOPHER PAUL PLANTIER)
_____)

ORDER OF SUMMARY SUSPENSION
OF
ARMED SECURITY GUARD
REGISTRATION

THIS ORDER, issued pursuant to authority granted by North Carolina General Statute § 150B-3(e) and North Carolina General Statute § 74C-6, summarily suspends the Armed Guard Registration issued to Christopher Paul Plantier of Raleigh, North Carolina. In support thereof, the Private Protective Services Board's Director finds the following:

STATEMENT OF LAW AND
FINDINGS OF FACT

1. The North Carolina Private Protective Services Board is an agency of the State of North Carolina and is created pursuant to the North Carolina Private Protective Services Act, N.C.G.S. § 74C-1 *et seq.*
2. The position of Director of the North Carolina Private Protective Services Board is created pursuant to N.C.G.S. § 74C-6.
3. Pursuant to N.C.G.S. § 74C-12(a)(25), the Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a license or registration issued under this Chapter if it is determined that the registrant demonstrated intemperate habits or a lack of good moral character.
4. Pursuant to N.C.G.S. § 74C-6, the Director shall administer the directives contained in the Private Protective Services Act and the rules promulgated by the Board in order to actively police the industry.
5. Christopher Paul Plantier is registered as an armed security guard with GRI Management Group, Inc., a licensed security guard and patrol company located at 4128-B Vanessa Drive, Southport, NC 28461. Mr. Plantier's registration has an expiration date of February 29, 2024.

6. Investigation has revealed that on October 20, 2023, Mr. Plantier was charged with felony Murder in Wake County, North Carolina.

7. This charge arises out of Mr. Plantier causing the death of a Richard Lee Harris by shooting him multiple times with malice aforethought in a domestic dispute.

8. The facts underlying the charges indicate a lack of good moral character.

9. Mr. Plantier's charges have not been adjudicated in the criminal courts in Wake County.

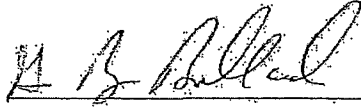
IT IS HEREBY ORDERED that Christopher Paul Plantier's Armed Security Guard Registration be summarily suspended pursuant to N.C.G.S. § 150B-3(c) upon the Findings of Fact showing that the public health, safety, and welfare will be jeopardized if Mr. Plantier is allowed to continue in his role as an Armed Security Guard for GRL Management Group, Inc.

An administrative hearing has been scheduled by N.C. Private Protective Services Board to formally examine the allegations specified above. This hearing will be held Tuesday, November 14, 2023 at 2:00 P.M. before the Office of Administrative Hearings for the Private Protective Services Board and will be conducted in accordance with Administrative Procedures Act, North Carolina General Statute 150B, Article 3A.

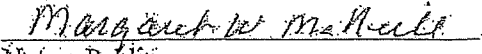
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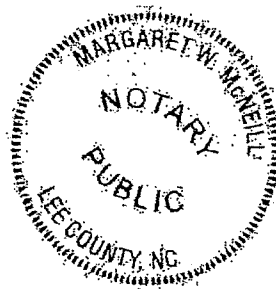
Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609, (919) 431-3000.

Issued this the 31st day of October, 2023.


G. Ray Bullard, Deputy Director
N.C. Private Protective Services Board.

Sworn to and subscribed before me
This the 31 day of October, 2023.


Notary Public
My commission expires: 4/16/2026



CERTIFICATE OF SERVICE

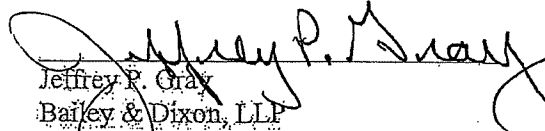
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Christopher Paul Plantier
1310 Durlain Drive, Suite 207
Raleigh, NC 27614

Hand Delivery,

Certified Mail to the address stated above.

This the 31st day of October, 2023.


Jeffrey P. Gray
Barley & Dixon, LLP
P.O. Box 1351
Raleigh, North Carolina 27602
(919) 828-0731 -- telephone
(919) 828-6592 -- facsimile

cc: Charles McCurry
GRL Management Group, Inc.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 04665

Christopher Paul Plantier Petitioner, v. NC Private Protective Services Board Respondent.	OFFICIAL RECORD INDEX SHEET
---	------------------------------------

RECOMMENDED DECISION

DOCUMENTS

SECTION I

- Petition (Article 3 Agencies **only**)
- Request for Designation of ALJ (Article 3A Boards & Commissions **only**)
- Notice of Contested Case & Order of Assignment
- Order(s) of Reassignment
- Order for Prehearing Statements
- Scheduling Orders
- Notice(s) of Representation
- Document Constituting Agency Action
- Hearing Assistant/Court Reporter Request Form
- Motion & Order of Consolidation

SECTION II

- Prehearing Statements
- Notice of Prehearing Conference
- Motions/Responses/Briefs/Rulings
- Report of Mediator
- Report of Settlement Conference

SECTION III

- Notices of Hearings
- Return of Service on Subpoenas and Notices
- Motions and Orders of Continuance
- Prehearing Order

SECTION IV

- Parties' Proposed Decisions
- Other Post Hearing Submissions

SECTION V

- Exhibits
- Offers of Proof

SECTION VI

- Miscellaneous documents
- Request for transcript
- Transcript
- Hearing tapes (when necessary)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 DOJ 04665

<p>Christopher Paul Plantier Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p>PROPOSAL FOR DECISION</p>
--	-------------------------------------

This case was heard before Michael C. Byrne, Administrative Law Judge, on November 14, 2023 at the Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the General Statutes of North Carolina.

APPEARANCES

For Petitioner: None

For Respondent:
Mr. Jeffrey P. Gray
Bailey & Dixon, LLP.
Post Office Box 1351
Raleigh, NC 27602

WITNESSES

For Petitioner:

None

For Respondent:

G. Ray Bullard, Deputy Director of the NC Private Protective Services Board (“Respondent”).

EXHIBITS

For Petitioner: None.

For Respondent: Exhibits 1 and 2 were admitted.

ISSUE

Whether Petitioner being charged with “Felony Murder” supports Respondent’s Summary Suspension of Petitioner’s Armed Security Guard Registration on the bases that the public's health, safety and welfare will be jeopardized if Petitioner is allowed to continue in his role as an Armed Security Guard.

STATUTES & RULES

N.C.G.S 14-112.2, 74C-6, 74C-12(a)(25) 150B-3(c), and 14B NCAC 16 .0100, et. seq.

BASED UPON careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, the video evidence received and admitted into evidence, and the entire record in this proceeding, the Tribunal makes the following:

FINDINGS OF FACT

1. Respondent, an agency of the State of North Carolina, is created pursuant to N.C.G.S. 74C-1, et seq., and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.
2. Pursuant to N.C.G.S. 74C-12:

The Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend, or revoke a license or registration issued under this Chapter if it is determined that the applicant, licensee, registrant or permit holder has...:

Demonstrated intemperate habits or a lack of good moral character. The acts that are prima facie evidence of intemperate habits or lack of good moral character under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision[; and/or,] ...

Failed to make any disclosure to the Board or provide documents or information required by this Chapter or rules adopted by the Board.

N.C.G.S. 74C-12(a)(25) and (30).

3. Petitioner is a registered armed security guard with GRL Management Group, Inc., a licensed security guard and patrol company located in Southport, NC. Petitioner’s registration expires on February 29, 2024.
4. On October 20, 2023, Petitioner was charged with “Felony Murder” in Wake County, NC (the “Criminal Charge”). The Criminal Charge arose out of Petitioner allegedly causing the death of Mr. Richard Lee Harris by shooting Harris multiple times with malice aforethought in a domestic dispute.

5. The Criminal Charge has not yet been resolved in the State criminal courts.
6. By Order issued October 31, 2022, Respondent summarily suspended Petitioner's Armed Security Guard Registration, pursuant to N.C.G.S. 150B-3(c) and N.C.G.S. 74C-6, "upon the Findings of Fact showing that the public health, safety and welfare will be jeopardized if [Petitioner] is allowed to continue in his role as an Armed Security Guard for GRL Management Group, Inc." Resp's Ex 2, Order of Summary Suspension, p.2, dated and filed October 31, 2023 ("Summary Suspension Order").
7. The Board served Petitioner with the Summary Suspension Order and Notice of Hearing of this contested case to be heard on November 14, 2023 in the Office of Administrative Hearings, Raleigh, Wake County, North Carolina. Petitioner was served with the Board's letter, order, and Notice of Hearing via certified mail. Resp's Ex 2, Notice of Hearing at p.1.
8. Petitioner did not appear and testify at the contested case hearing.

CONCLUSIONS OF LAW

1. The parties are properly before the Tribunal.
2. Under N.C.G.S. 74C-12(a)(25), the Board may suspend Petitioner's business license and registration if it is determined that Petitioner has demonstrated intemperate habits or lacks good moral character.
3. Petitioner was charged with felony murder. The seriousness of the elements of the Criminal Charge, if proven, are indicative of a lack of good moral character and indicate genuine potential danger to the public if Petitioner is permitted to serve as a registered Armed Security Guard pending resolution of the Criminal Charge in our State criminal courts.
4. Bullard testified that, because of the Criminal Charge, Respondent found Petitioner to be in violation of N.C.G.S. 74C-12(2), (25), (30) and 74C-12(d)(1), which violations entitle the Board to suspend Petitioner's registration pursuant to N.C.G.S. 74C-12(a)(5) and (a)(24) and N.C.G.S. 150B-3.
5. The Tribunal's function in this case is not to decide Petitioner's guilt or innocence, but rather whether sufficient evidence exists to justify Respondent's summary suspension action against Petitioner.
6. Although Petitioner has not been convicted of the felony with which he was charged, Respondent presented sufficient evidence to support its summary suspension of Petitioner's Armed Security Guard Registration based on the elements and nature of the criminal charge concerned and on the governing law.

PROPOSED DECISION

Respondent's summary suspension of Petitioner's Armed Security Guard Registration is **AFFIRMED.**

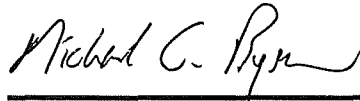
NOTICE

The NC Private Protective Services Board will make the Final Decision in this contested case. As the Final Decision maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C. Gen. Stat. § 150B-40(e).

The undersigned hereby orders that agency to serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, N.C. 27609.

SO ORDERED.

This the 14th day of November, 2023.

A handwritten signature in cursive script, reading "Michael C. Byrne", is written above a solid horizontal line.

Michael C. Byrne
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Christopher Paul Plantier
1310 Durham Dr
STE 207
Raleigh NC 27614
Petitioner

Jeffrey P Gray
Bailey & Dixon, LLP
jgray@bdixon.com
Attorney For Respondent

This the 14th day of November, 2023.



Micah C. Deveaux
Law Clerk
N. C. Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285
Phone: 919-431-3000