



# North Carolina Department of Public Safety

## Private Protective Services Board

Josh Stein, Governor  
Eddie M. Buffaloe, Jr., Secretary

Tamara Rabenold, Chair  
Paul Sherwin, Director

**Meeting Minutes**  
**March 20, 2025, 10:30 a.m.**  
**Hampton Inn and Suites – Raleigh/Crabtree Valley**

### **Board Members Present**

David Poston	Tamara Rabenold
Dave Stephens	Jerry Pitman
Andy Renfrow	Assata Renfrow
Debra Duncan*	Candace Ratliff*
Steve Johnson	
Richard Epley	*Virtual

### **Staff Present**

Paul Sherwin  
Ray Bullard  
Kim Odom  
Mercedes Sierra  
Jeff Gray  
Karen Battle

### **Board Members Absent**

Stacy Buff	Kim Heffney
Ron Burris	Suzanne Creech

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### **Call to Order**

Chair Tamara Rabenold called the March 20, 2025, meeting of the North Carolina Private Protective Services Board to order at 10:30 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 January 2025 Board Meeting Minutes**

Motion: Steve Johnson motioned to accept the January 16, 2025, Board meeting minutes. David Poston seconded. The motion carried unanimously.

## **Final Agency Decision**

Attorney Jeff Gray recused himself as the Board's attorney to present the Proposal for Decision in the case of 24 DOJ 04992, Willie Brown (Petitioner) v. NC Private Protective Services Board (Respondent). Mr. Brown was present. The case was heard by Administrative Law Judge Michael Byrne on January 28, 2025. This case involved the denial of Mr. Brown's application for a private investigator license, based on a lack of verifiable experience.

Motion: Steve Johnson motioned to accept the Administrative Law Judge's proposal to grant the Mr. Brown a private investigator license. Assata Buffaloe seconded the motion. The motion carried unanimously. Board members Andy Renfrow, Dave Stephens and Richard Epley recused from the vote.

## **Committee Reports**

**Grievance Committee:** Grievance Committee members Tamara Rabenold, Steve Johnson, Jerry Pitman, Andy Renfrow, and Candace Ratliff met on March 19, 2025, from 9:00 a.m. to 12:07 p.m. They heard 12 cases. Steve Johnson presented the Grievance Committee report.

Motion: Dave Stephens motioned to accept the Grievance Committee report. Jerry Pitman seconded. The motion carried unanimously.

*See the attachment for the full Grievance Committee report.*

**Screening Committee:** Screening Committee members Dave Stephens, Assata Buffaloe, Tamara Rabenold, David Poston, and Andy Renfrow met on March 19, 2025, from 1:03 p.m. to 3:53 p.m. to review 59 new license applications. Dave Stephens presented the Screening Committee report.

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

*See the attachment for the full Screening Committee report.*

**Law and Rules Committee:** Law and Rules Committee members David Poston, Steve Johnson, Jerry Pitman, and Andy Renfrow met on March 20, 2025, from 8:30 a.m. to 9:17 a.m. Committee Chair Steve Johnson presented the Committee report.

Mr. Johnson reported that the Committee reviewed rule 14B NCAC 16 .0103 "Definitions" and planned to make several recommendations to the Board dealing with updating some language within the Rule. Mr. Johnson said the Committee would bring a draft of the proposed amendments back to the Board at a future meeting.

Next, Mr. Johnson reported the Committee reviewed a draft of a new proposed rule, 14B NCAC 16. 0116 "Declaratory Rulings," but the rule needed additional refinement before it was ready for Board review. Mr. Johnson said the Committee would bring a draft of the proposed rule back to the Board at a future meeting.

Mr. Johnson reported that the Committee, in consultation with the Special Committee on Polygraph Licensing, was recommending several changes to rules 14B NCAC 16 .0501-.0504, which address the polygraph license. Mr. Johnson said the Committee recommended the Board approve the rule amendments. (See the attachment for the full text of the rules amendments.)

Furthermore, Mr. Johnson reported the Committee evaluated a proposal from a security guard and patrol licensee that would require the Board to track and “flag” security guards who are terminated from employment for misconduct, such as failing to show up for work. Mr. Johnson explained the Board does not have the statutory authority for such a system, nor does Board staff have the capability to execute it. He said the Committee recommended the Board not pursue the matter further.

Finally, Mr. Johnson reported the Committee discussed whether the Board should require licensees to display their license numbers on advertising materials, websites and social media pages. He said the intent of such a requirement may help reduce unlicensed activity by helping the public differentiate between licensed and unlicensed firms or persons. Mr. Johnson reported that the matter needed further research and discussion by the Committee before proceeding further.

Motion: Assata Buffaloe motioned to approve the amendments to rules 14B NCAC 16 .0501, .0502, .0503 and .0504. Richard Epley seconded. The motion carried unanimously.

Motion: Dave Stephens motioned to accept the Law & Rules Committee report. Andy Renfrow seconded. The motion carried unanimously.

**Finance Committee:** Committee Chair Andy Renfrow reported that the Finance Committee did not meet.

**Training and Education Committee:** Training and Education Committee members Richard Epley, Steve Johnson, Dave Stephens, Andy Renfrow and David Poston met on March 20, 2025, from 9:30 a.m. to 10:10 a.m. Committee Chair Dave Stephens presented the Training and Education Committee report, which included updated schedules for unarmed guard trainer courses and firearms trainer courses, trainer evaluation reports, weapon discharges, and applications for continuing education courses.

Mr. Stephens reported the Committee recommended approving all the continuing education courses, except “Finding Birth Parents for Adoptees, Donor-Conceived, and NPEs,” submitted by Stephanie Mitchell. Mr. Stephens recommended deferring further consideration of this course until additional information about it could be obtained from the instructor.

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

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

**Special Committee on Continuing Education:** Special Committee Chair Andy Renfrow reported the Special Committee had not met recently and no report was presented.

**Emerging Technology Committee:** Emerging Technology Committee members Candace Ratliff, Tamara Rabenold, Andy Renfrow and David Poston met on March 19, 2025, from 3:00 p.m. to 3:53 p.m.

Ms. Rabenold reported that the Committee heard from a licensee who expressed concerns about the “overlap” between the work of an electronic countermeasures professional and a digital forensics examiner. For example, an electronic countermeasures professional may have to image or analyze a computer to locate hidden software. Ms. Rabenold said the Committee would continue to research and evaluate the licensee’s concerns.

Ms. Rabenold also reported that the Committee engaged in a discussion about whether the Board should provide to its licensees guidance or resources about the use of GPS trackers or drones. Ultimately, the Committee decided issuing such guidance would be problematic because the Board does not regulate such technology, therefore providing recommendations about its use would be inappropriate.

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

**Special Committee on Unlicensed Activity:** Special Committee Chair Suzanne Creech was absent, and no report was presented.

**ASLB/PPSB Joint Special Committee** Director Paul Sherwin reported that the Alarm Systems Licensing Board (ASLB) had agreed to attempt to amend its statute to create a restricted monitoring license for PPSB-licensed security guard and patrol companies. He said that until the amendment becomes law, security guard and patrol companies should obtain an alarm license if they are conducting monitoring activities regulated by the ASLB.

### **Old Business**

Director Paul Sherwin reported the industry award recognition program he had recommended to the Board was still under development.

### **New Business**

None.

### **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, registrants, investigations, and trainers, and an update on Board finances.

Motion: Dave Stephens 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: Andy Renfrow motioned to accept the Attorney's Report. Steve Johnson seconded. The motion carried unanimously.

*See the attachment for the full Attorney's Report.*

### **Good of the Order**

Ms. Rabenold and the Board recognized Attorney Jeff Gray for being recently awarded the North Carolina Bar Association Administrative Law Section's Award of Excellence.

### **Public Comment**

N.C. Association of Private Investigators President Shaun Marso reported that the Association's fall conference is scheduled for October 21-22, 2025, at The DoubleTree by Hilton in Atlantic Beach, N.C.

Bill MacRae reported that the Association of Professional Security Providers in North Carolina is recruiting members and Board officers.

### **Adjourn**

Motion: Andy Renfrow motioned to adjourn the meeting. Dave Poston seconded. The motion carried unanimously.

Meeting Adjourned: 12:09 p.m.

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Paul Sherwin, Director

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Mercedes Sierra, Board Secretary

**Board Meeting Guests**

Chuck Lynch*	Billy Delaporte*	Christopher Kilpatrick*	Craig Petronella*
Daren Lopez*	David Dodge*	John Honeycutt*	Jayne Grandes*
Lesley Kennedy*	Maria Jocys*	Matt Causey*	Richard Quichocho*
Ryan Van Deusen*	Shannon Collazo*	Stacey Honeycutt*	Tawana Craig*
Taylor Cromartie*	Kara Baldy*	Thomas Silluzio*	Tiffany Mejia*
Tim Wilson*	Uganchimeg Leonard*	William A Smith Jr*	Joe Ruffennach*
Ron Reich*	Scott Snide*	Stephen Brown*	Shaun O'Neill
Bryan Willis	Teresa Biffle	Michael Mills	Lloyd Watson
Mark Wohlnick	Craig Gorham	Timothy Neal	Thomas Miller
George Porter	Dionne Porter	Don Miller	Gideon LeConey
Randall Sturkey	Willie Brown	Shaun Marso	Austin Black
John Alojado Saraza	Sean Joseph	William MacRae	Sandra Epley
Catherine Flowers	Chad Williamson	Jeff Mixon	Gerald Williamson

**\*Virtual**

## PPSB Grievance After Report for March 20, 2025 9:00 am

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
1.	2024-PPS-017	Tiffany Ann Havens Havens Investigative Services, LLC 9137 Colony Village Ln Raleigh, NC 27617	NCGS 74C-2	Find a violation of Rule 14B NCAC 16 .1504. Issue a Letter of Caution to Tiffany Havens and Havens Investigative Services, LLC.	Accepted
2.	2024-PPS-101	Joseph Roy Securitas Security Services USA, Inc. 10200 Mallard Creek Rd. Ste 104 Charlotte, NC 28262	14B NCAC 16 .0108(b)	Find a violation of NCGS 74C-11. Enter into a consent agreement with Joseph Roy and Securitas Security Services USA, Inc., in the amount of \$6,609.60 for 54 unarmed security guard registration violations. No follow-up audit is recommended.	Accepted
3.	2024-PPS-103	Shawn Helmandi Good Guard Security 21757 Devonshire St #10 Chatsworth, CA 91311	NCGS 74C-2	Find a violation of NCGS 74C-2. Continue the cease and desist order previously issued to Shawn Helmandi and Good Guard Security. Refer this matter to the Screening Committee should Mr. Helmandi apply for license or registration. Staff is to send cease and desist order by email and via Good Guard Security's website; and send notification of this case to the California Bureau of Security and Investigative Services.	Accepted
4.	2024-PPS-105	Natasha Ilenus Williams Southeastern Protective Service P.O. Box 668571 Charlotte, NC 28266	NCGS 74C-11	Find a violation of NCGS 74C-11. Enter into a consent agreement with Natasha Ilenus Williams and Southeastern Protective Service in the amount of \$489.60 for four unarmed security guard registration violations. Staff is to conduct a follow up registration audit of Q4 2025 and Q1 2026. Ms. Williams is to attend Registration Procedures training following the March or September 2025 Board meeting.	Accepted
5.	2024-PPS-106	Samuel Eugene Harrison, Jr. STB Security, LLC 1470 Bethany Dr Summerfield , NC 27358	NCGS 74C-13	Find a violation of NCGS 74C-11 and NCGS 74C-13. Enter into a consent agreement with Samuel Eugene Harrison, Jr. and STB Security, LLC, in the amount of \$489.60 for one unarmed security guard registration violation and two armed security guard registration violations. Staff is to conduct a follow up registration compliance audit of Q4 2025 and Q1 2026. Mr. Harrison is to attend Registration Procedures training following the March or September 2025 Board meeting.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
6.	2024-PPS-109	Kevin Peak Security Solutions of America/Guard-One Protective Services 7000 Harps Mill Road Raleigh, NC 27615	14B NCAC 16 .0108(b)	Find a violation of NCGS 74C-11 and NCGS 74C-13. Enter into a consent agreement with Clacie McGuffin and Security Solutions of America/Guard-One Protective Services in the amount of \$11,260.80 for 53 unarmed security guard registration violations and 26 armed security guard registration violations; and \$255.00 for three months of unlicensed activity. Staff is to conduct a follow up registration compliance audit of Q4 2025 and Q1 2026. Mr. McGuffin is to attend Registration Procedures training following the March or September 2025 Board meeting.	Accepted
7.	2024-PPS-111	Shamarr Gamble Williams SG Tactical Protection 1701 W Market St Greensboro, NC 27403	NCGS 74C-12(d)(2)	Find a violation of NCGS 74C-12(d)(2). Issue a Letter of Reprimand to Shamarr Gamble Williams for failure to report a criminal charge. Mr. Gamble is to attend four hours of industry training following the March or September 2025 Board meeting.	Accepted
8.	2024-PPS-112	Queontezze Riley Alliance Protection Services LLC PO BOX 61774 Durham , NC 27705	14B NCAC 16 .0110(a) NCGS 74C-13(b)(2)	Find a violation of Rule 14B NCAC 16 .0110(a) and NCGS 74C-13(b)(2). Issue a Letter of Caution to Queontezze Riley for failure to report a registrant's criminal charge and failure to own or lease a registrant's weapon. Mr. Riley is to attend four hours of industry training following the March or September 2025 Board meeting.	Accepted
9.	2024-PPS-113	Micah Joel Parks Inari Security Services, LLC 7604 Nichalette Ct. Charlotte, NC 28215	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously to Micah Parks and Inari Security Services, LLC. Refer this matter to the Screening Committee should Mr. Parks apply for a license or registration.	Accepted
10.	2024-PPS-115	Josh Harrington Life Line K9 4595 mt hope ch rd salisbury, NC 28146	NCGS 74C-2	No violation.	Accepted
11.	2025-PPS-001	Mekeshia White 107 Breezewood Drive Apt. F Greenville, NC 27858	NCGS 74C-13(a)	Find a violation of NCGS 74C-13(a). Continue the cease and desist order previously issued to Mekeshia White. Refer this matter to the Screening Committee should Ms. White apply for a license or registration.	Accepted
12.	2025-PPS-005	Michael Linard Cole C&D Protective Services LLC 4031 Village Place Winston Salem, NC 27127	NCGS 74C-10(h)	Find a violation of NCGS 74C-10(h). Issue a Letter of Caution to Michael Cole for a lapse of liability insurance.	Accepted



# Board Meeting Report

Board Date 03/20/2025

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Hollie Alvilhiera Fortress Security Consulting LLC 422 Bear Tree Creek Chapel Hill, NC 27517	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
2.	Reginald Alan Anderson Zion Defense Group LLC 4205 Stoney brook road Clemmons , NC 27012	Close Personal Protection	Approve	Accepted
3.	Travis Avato Travis Avato 1776 Curtis Street Denver, CO 80202	Private Investigator	Approve	Accepted
4.	Aaron Barker Hugh Chatham Health 180 Parkwood Drive Elkin, NC 28621	Proprietary	Approve	Accepted
5.	Dallas Barnhardt Blue Falcons Investigation LLC 3620 Legion Rd, Suite 207 Hope Mills, NC 28348	Private Investigator Associate	Approve Level 1 with 1,000 hours	Accepted
6.	Mark Basil Knight's Journey Investigations, LLC 130 Byerly Street Mount Airy, NC 27030	Close Personal Protection	Approve	Accepted
7.	Tony J. Bell Jr. Scout & Co. 110 Equestrian Ct. Cary, NC 27513	Close Personal Protection	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
8.	Melvin Keith Burns Atrium Health 1000 Blythe Boulevard Charlotte, NC 28203	Security Guard And Patrol	Approve	Accepted
9.	Craig Butler Wegmans Food Markets, Inc. 3710 Davis Drive Morrisville , NC 27560	Proprietary	Approve	Accepted
10.	Robin Edison Carpenter Leupold Investigations 607 SOUTH MAIN STREET King, NC 27021	Private Investigator	Approve	Accepted
11.	Matthew Mark Causey Aubor Group PO Box 2186 Jamestown, NC 27282	Private Investigator Associate	Approve Level 3 with 2,600 hours	Accepted
12.	Richard Allen Chase Pace Investigations, LLC 6082 Hwy 908 Gresham, SC 29546	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
13.	Darin Ray Church TruNorth Investigations LLC 473 Wellborn Ln Deep Gap, NC 28618	Private Investigator	Approve	Accepted
14.	Darin Ray Church TruNorth Investigations LLC 473 Wellborn Ln Deep Gap, NC 28618	Digital Forensics Examiner	Approve	Accepted
15.	William Earl Connell Safe Haven Protection & Investigative Group PO Box 903 Matthews, NC 28106	Close Personal Protection	Approve	Accepted
16.	William Earl Connell Safe Haven Protection & Investigative Group PO Box 903 Matthews, NC 28106	Private Investigator	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
17.	TAWANA YVETTE CRAIG AMT SECURITY INC 27557 SANCTUARY COURT VALENCIA, CA 91381	Security Guard And Patrol	Approve	Accepted
18.	Chansellor Gershom Crawford Crawford Safety Solutions 2408 Gardenia Rd Winston Salem, NC 27107	Close Personal Protection	Deny Falsification of application and credit history.	Accepted
19.	Johnny Edward Duncan Jr. Duncan Private Investigation Services LLC PO Box 1723 Flat Rock, NC 28731	Private Investigator	Approve	Accepted
20.	Rashad Duncan Blackman Detective and PI Services, Inc. 4208 Six Forks Road Suite 1000 Raleigh, NC 27609	Private Investigator Associate	Approve Level 2 with 1,200 hours	Accepted
21.	Toni Michelle Duncan Ethos Risk, LLC P.O. Box 99 Broussard, LA 70518	Private Investigator	Approve	Accepted
22.	Kessington Ekhaiyeme MedSwift Couriers, LLC 14316 Reese Blvd Suite B- 1758 Huntersville, NC 28078	Courier Service	Approve	Accepted
23.	Mary Nwanna Godspower Aspire HomeHealth Services 4831 Shallowbrook Trl Raleigh, NC 27616	Courier Service	Approve	Accepted
24.	Thomas Carnell Greene Cherub Security Solutions 7104 Sweet Almond Dr Holly Springs, NC 27640	Security Guard And Patrol	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
25.	Thomas Carnell Greene Cherub Security Solutions 7104 Sweet Almond Dr Holly Springs, NC 27640	Close Personal Protection	Approve	Accepted
26.	Kimo Lee Griggs KEKOA Defense LLC 289 Carriage Park Drive West End, NC 27376	Close Personal Protection	Approve	Accepted
27.	John Hamner Hamner Investigation Services 10205 US HWY 15-501 Unit 26 #267 Southern Pines, NC 28387	Private Investigator	Approve	Accepted
28.	Cedrick A Harmon Reliable Security Services, LLC 166 Jackson Heights Ln Marietta, GA 30064	Security Guard And Patrol	Approve	Accepted
29.	Andre Deon Hinton Andre D Hinton 1146 Dartmouth Drive Mebane, NC 27302	Close Personal Protection	Approve	Accepted
30.	Stacey Bailey Honeycutt Mid Atlantic Security Services LLC 322 Reedy Creek Ct Lexington, NC 27295	Security Guard And Patrol	Approve	Accepted
31.	Kendria Kay Hunt R&R Protective Services LLC PO Box 68 Pembroke , NC 28372	Security Guard And Patrol	Approve with Condition Ms. Hunt provides a satisfactory credit payment plan.	Accepted
32.	Keith Andrew Johnson Sr Helping Hand Logistics LLC 1925 Pine Bough Ln Concord, NC 28027	Courier Service	Approve with Condition Mr. Johnson provides a satisfactory credit payment plan.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
33.	Lesley Nicole Kennedy Macks Pickett Investigative Service 202 N Cypress St Wendell, NC 27591	Private Investigator Associate	Approve Level 1 with 400 hours	Accepted
34.	PAUL DANIEL KLOPFER Paul Klopfer 1067 MCPHERSON RD VASS, NC 28394	Close Personal Protection	Approve	Accepted
35.	PAUL DANIEL KLOPFER Paul Klopfer 1067 MCPHERSON RD VASS, NC 28394	Security Guard And Patrol	Approve	Accepted
36.	Patrick Michael Lewis Precision Dynamics Group P.O. Box 272 Biscoe, NC 27209	Close Personal Protection	Approve	Accepted
37.	Joel Christopher Liptak Lewin Investigations 4601 Lake Forest Place Wilson, NC 27896	Private Investigator Associate	Approve Level 1 with 800 hours	Accepted
38.	Nicholas John Lucas The North Carolina Protection Group 740 Greenville Boulevard SE Suite 400-105 Greenville, NC 27858	Guard Dog Service	Approve	Accepted
39.	Nicholas John Lucas The North Carolina Protection Group 740 Greenville Boulevard SE Suite 400-105 Greenville, NC 27858	Private Investigator	Approve	Accepted
40.	John Michael Matthews Workhorse Transportation 11961 Hambright Rd Huntersville, NC 28078	Close Personal Protection	Deny Criminal history.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
41.	Joy McDaniel Nova Nine Protection 1617 Elizabeth Ave Charlotte, NC 28204	Security Guard And Patrol	Approve with Condition Payment of \$170.00 consent agreement for two months of unlicensed activity, and provide a satisfactory credit payment plan.	Accepted
42.	Colleen McGarvey Digistream Carolinas P.O. Box 167, 300 Fayetteville St Raleigh, NC 27602	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
43.	Clacie Joe McGuffin Security Solutions of America/Guard-One Protective Services 7000 Harps Mill Rd. Raleigh, NC 27615	Security Guard And Patrol	Approve with Condition Payment of consent agreements of \$11,260.80 for registration violations and \$255.00 for two months of unlicensed activity.	Accepted
44.	James Matthew Officer Signal of Wilmington 7127 Rock Fish Ln Leland, NC 28451	Security Guard And Patrol	Approve with Condition Receipt of favorable fingerprint-based criminal history record check.	Accepted
45.	Eric Frederick Pangburn Walton Investigations 4004 K Spring Garden St GREENSBORO, NC 27407	Private Investigator	Approve	Accepted
46.	Jonathan Pennington Health and Safety Sciences, LLC. 3264 Ruckriegel Pkwy Jeffersontown, KY 40299	Security Guard And Patrol	Approve	Accepted
47.	David Charles Ramsey Ramsey Investigative Services 6425 Private Drive 28124 Mount Pleasant, NC 28124	Private Investigator	Approve	Accepted
48.	Brett Eslinger Roth Blue Falcons Investigation LLC 226 N Front St Wilmington, NC 28401	New Branch Office	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
49.	Joseph Ruffennach Donan Engineering NC, PLLC 500 N. Hurstbourne, Suite 350 Louisville, KY 40222	Private Investigator	Approve	Accepted
50.	Sean Patrick Saunders Proteus Security Agency, LLC 1034 X Ray Dr Gastonia, NC 28054	New Branch Office	Approve	Accepted
51.	Mark Robert Schutte Veracity Research Co., L.L.C. 1104 Dallas Drive Denton, TX 76205	Private Investigator	Approve	Accepted
52.	Mary Thomas P&G Security Guard INC. 205 E Council Street Salisbury, NC 28144	Security Guard And Patrol	Approve	Accepted
53.	Willie Turner Alliance Assessments, LLC. 200 Northgate Park Dr. Winston Salem, NC 27106	Close Personal Protection	Approve	Accepted
54.	Guy Watkins Gatekeeper Global LLC 1621 N Roberts Rd Kennesaw, GA 30144	Private Investigator	Approve	Accepted
55.	Jimmie Derrell White Behind The Scenes Investigations LLC 633 Ranch Road Clayton, NC 27520	Private Investigator	Deny Work history and falsification of application.	Accepted
56.	Timothy James Whitfield Signal Security 1250 Revolution Mill Dr Greensboro, NC 27405	New Branch Office	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
57.	Ryan Clark Willhite The North Carolina Protection Group 740 Greenville Blvd. SE Greenville, NC 27858	Private Investigator	Approve	Accepted
58.	Karen Dove Williams Overwatch Protection Service Inc 418 Tyler Ridge Murphy, NC 28906	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
59.	Robert Zeimet CoventBridge (USA) Inc 9485 Regency Square Blvd Jacksonville, FL 32225	Private Investigator	Approve	Accepted



## TITLE 14B – DEPARTMENT OF PUBLIC SAFETY

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to adopt the rules cited as 14B NCAC 16 .0116, .0117, and amend the rules cited as 14B NCAC 16 .0103, .0105, and .0501-.0503.*

**Link to agency website pursuant to G.S. 150B-19.1(c):** <https://www.ncdps.gov/about-dps/boards-commissions/private-protective-services-board>

**Proposed Effective Date:** September 1, 2025

**Public Hearing:**

**Date:** May 20, 2025

**Time:** 2:00 p.m.

**Location:** 3101 Industrial Drive, Suite 104, Raleigh, NC 27609

**Reason for Proposed Action:** 14B NCAC 16 .0103, the definitional section of this Chapter, is being amended to gender neutralize the chair position, specify the amount of experience required, and remove definitions for a deleted rule and for a non-existent guard category. 14B NCAC 16 .0105 is amended and new .0116 is adopted, to require a licensee's license number to be included in any advertisement.

*It was recently discovered that the Board did not adopt a rule setting forth its procedure for requesting a declaratory ruling when the requirement in G.S 150B-4(a) was enacted. It is now doing so.*

*The rules for licensure as a polygraph examiner, 14B NCAC 16 .0501, .0502 and .0503, are being amended to bring them up to current standards.*

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

**Comment period ends:** June 30, 2025

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov). If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

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

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

## CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD

### SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

#### 14B NCAC 16 .0103 DEFINITIONS

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

- (1) "Advertising medium" means any form of written, printed, broadcast or computer-based advertising, or other promotional materials, except a telephone directory listing for which no additional advertising charge is made.
- ~~(1)~~(2) "Agency Head" means the ~~Chairman~~ Chair of the Board.
- ~~(2)~~(3) "Applicant" means any person, firm, or corporation applying to the Board for a license, trainee permit, registration, or firearms trainer certificate.
- ~~(3)~~(4) "Armed Security Guard" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:
  - (a) who at any time wears, carries, or possesses a firearm in the performance of his or her duties; and
  - (b) whose principal duty is that of:
    - (i) an armed security guard, officer, patrol, or watchman;
    - (ii) an armed armored car service guard; or

- (iii) an armed courier service guard.
- ~~(4)(5)~~ "Board" means the Private Protective Services Board established by G.S. 74C.
- ~~(5)(6)~~ "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
- ~~(6)(7)~~ "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out-of-state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
- ~~(7)(8)~~ ~~"Chairman"~~ "Chair" means the ~~Chairman~~ Chair of the Private Protective Services Board.
- ~~(8)(9)~~ "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 that provides the services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- ~~(9)(10)~~ "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on a frequent and reasonable basis based upon the trainee's level of experience.
- ~~(10)(11)~~ "Investigative Capacity" means any law enforcement agency position for which the majority of the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals.
- ~~(11)(12)~~ "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
- ~~(12)(13)~~ "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.
- ~~(13)(14)~~ "Proprietary Security Organization" means any person, firm, association, corporation, or department that employs watchmen, security guards or "officers," patrol personnel, or couriers in connection with the business affairs of the employer.
- ~~(14)(15)~~ "Qualifying Agent" means the individual licensee who is responsible for the private protective services business. If the licensee maintains an office in North Carolina, the Qualifying Agent must be a resident of North Carolina.
- ~~(15)(16)~~ "Registered agent" means the individual resident of North Carolina designated by the business entity in lieu of the Qualifying Agent as allowed by G.S. 74C-8(c)(1) who may be, but is not required to be, the registered agent required by G.S. 55D-30.
- ~~(16)~~ ~~"Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.~~
- ~~(17)~~ ~~"Temporary unarmed security guard" means an individual who is hired for a period of 30 days or less within a calendar year and who is designated by his or her employer as a temporary security guard at the start of employment.~~

*History Note:* Authority G.S. 74C-3; 74C-5; 74C-8;  
 Eff. June 1, 1984;  
 Amended Eff. October 1, 2013; August 1, 1998; May 1, 1988; July 1, 1987;  
 Transferred and Recodified from 12 NCAC 07D .0104 Eff. July 1, 2015;  
 Readopted Eff. August 1, 2020;  
 Amended Eff. January 1, 2023; March 1, 2022.

#### **14B NCAC 16 .0105 PROHIBITED ACTS**

(a) In addition to the prohibited acts set forth elsewhere in these Rules and in Chapter 74C of the General Statutes, any licensee, trainee, registrant, or firearms trainer who does any of the following may have his or her license, trainee permit, registration, or firearms trainer certificate revoked or suspended:

- (1) Displays or causes or allows to be displayed, or has in his or her possession any cancelled, revoked, suspended, fictitious, or fraudulently altered license, trainee permit, registration identification card, or firearms trainer certificate, or any document simulating, purporting to be, or purporting to have been issued as a license, trainee permit, registration identification card, or firearms trainer certificate;
- (2) Lends his or her license, trainee permit, registration identification card, or firearms trainer certificate to any person or allows the use thereof by another;
- (3) Displays or represents any license, trainee permit, registration identification card, or firearms trainer certificate not issued to him or her as being his or her license, trainee permit, registration identification card, or firearms trainer certificate; or
- (4) Includes in any advertisement a statement that implies official state authorized certification or approval other than this statement: "Licensed by the Private Protective Services Board of the State of North ~~Carolina~~." ~~Licensees must include their license number.~~ Carolina" and license number required by 14B NCAC 16 .0116.

(b) In addition to the prohibited acts set forth elsewhere in these Rules and in Chapter 74C of the General Statutes, it shall be grounds for application denial or license registration suspension or revocation for an applicant, licensee, trainee, registrant, or trainer to make any false statement or give any false information to a third party in connection with any criminal history record check provided to the Board.

*History Note:* Authority G.S. 74C-5; 74C-8.1; 74C-12; 74C-16;  
 Eff. June 1, 1984;  
 Amended Eff. May 1, 2014; July 1, 1987;  
 Transferred and Recodified from 12 NCAC 07D .0106 Eff. July 1, 2015;

#### **14B NCAC 16 .0116      ADVERTISING**

Any advertisement of private protective services in any advertising media as defined in these Rules shall include the licensee's name and license number, whether or not a trade name is used.

History Note:    Authority G.S. 74C-5;  
Eff. \_\_\_\_\_.

#### **14B NCAC 16 .0117      DECLARATORY RULING PROCEDURES**

(a) All requests for declaratory rulings shall be in writing and mailed to the Board at the Board's address.

(b) Each request for a declaratory ruling must include the following information:

- (1) the name and address of person requesting the ruling;
- (2) the statute or rule to which the request relates;
- (3) a concise statement of the manner in which the requesting person is aggrieved by the rule or statute or its potential application to him or her;
- (4) names and addresses of additional third persons known to the person aggrieved who may possibly be affected by the requested ruling;
- (5) a statement of all material facts;
- (6) a statement whether or not the person aggrieved is aware of any pending Board action or court action that may bear on the applicability of the statute or rule to the person's particular situation; and
- (7) a statement of the arguments and legal authority supporting the person's position on the applicability of this statute or rule; and

The petitioner shall sign and verify the request before an officer qualified to administer oaths that the information supplied in the request is true and accurate.

(c) Upon receipt of a request for a declaratory ruling, the Board shall determine whether a ruling is appropriate under the facts stated.

(d) The Board shall proceed to issue a declaratory ruling when the person requesting the rule shows that, with regard to the facts presented:

- (1) the rule or statute in question is unclear on its face;
- (2) circumstances are so changed since the adoption of a rule that a declaratory ruling is warranted;
- (3) the factors specified in the request were not given appropriate consideration by the Board at the time the rule was adopted;
- (4) the rule or statute is unclear in its application to the requesting person's facts; or
- (5) a fair question exists regarding the validity of the rule because of an absence of authority for the Board's adoption of the rule or other irregularities in the Board's rule-making proceedings.

(e) The Board shall not issue a declaratory ruling when the petitioner's request is the subject of, or materially related to, an investigation or audit by the Board or contested case before the Board.

(f) When the Board determines for good cause that the issuance of a declaratory ruling is unnecessary, the Board shall notify, in writing, the person requesting the ruling, stating the reasons for the denial of the request. The Board will ordinarily decline to issue a declaratory ruling when:

- (1) there has been a similar controlling factual determination made by the Board;
- (2) the rule-making record shows that the factual issues raised by the request were specifically considered prior to adoption of the rule;
- (3) the subject matter of the request is involved in pending litigation in any state or federal court in North Carolina;
- (4) the request does not comply with the procedural guidelines within Paragraphs (a) and (b) of this Rule;
- (5) the Board has previously issued a declaratory ruling on substantially similar facts;
- (6) the Board has previously issued a final agency decision in a contested case on substantially similar facts;
- (7) the facts underlying the request for a declaratory ruling were considered at the time of the adoption of the rule in question;
- (8) the subject matter is one concerning which the Board is without authority to make a decision binding the Board or the petitioner;
- (9) the petitioner is not aggrieved by the rule or statute in question or otherwise has no interest in the subject matter of the request;
- (10) there is reason to believe that the petitioner or some other person or entity materially connected to the subject matter of the request is acting in violation of the G.S. Chapter 74C or the rules adopted by the Board; or
- (11) the subject matter of the request is involved in pending litigation, legislation, or rulemaking.

(g) Prior to issuing a declaratory ruling, the Board may give notice of the declaratory proceedings to any persons it deems appropriate and may direct that fact-finding proceedings appropriate to the circumstances of the particular request be conducted by the Board. The proceedings may consist of written submissions, an oral hearing, or other appropriate procedures.

(h) If the Board finds evidence that the factors listed in Subparagraphs (d)(1), (2), or (3) of this Rule exist or potentially exist beyond the specific facts presented in a particular petition for declaratory ruling, the Board shall consider rule-making proceedings on the rule.

(i) A record of each declaratory ruling and the procedures conducted therefor will be maintained by the Board. The record will contain:

- (1) the request for a declaratory ruling;
- (2) all written submissions filed in the request, whether filed by the person requesting the ruling or by any other person;
- (3) a record or summary of oral presentations, if any; and

- (4) a copy of the declaratory ruling.

*History Note:* Authority G.S. 150B-4;  
Eff. \_\_\_\_\_.

## SECTION .0500 - POLYGRAPH

### SECTION .0500 – POLYGRAPH

#### 14B NCAC 16 .0501 EXPERIENCE REQUIREMENTS FOR A POLYGRAPH LICENSE

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

- (1) ~~pass an examination and a performance test administered by a panel of polygraph examiners appointed by an entity designated by the Board;~~
- (2)(1) successfully complete a course of instruction at any polygraph school approved accredited by the American Polygraph Association, the American Association of Police Polygraphists, or the Board; and Association or approved by the Board using standards established by the American Polygraph Association; and
- (3)(2) ~~have either:~~ have a minimum of
  - (A) ~~one year of verifiable polygraph experience; or experience with verification or certification of having conducted no less than 25 polygraph examinations; and~~
  - (B) ~~complete at least six months of training as a holder of a polygraph trainee permit, and have administered no fewer than 50 polygraph examinations; or~~
- (3) pass a 100 question written examination, provide three sets of polygraph charts from polygraph examinations conducted by the applicant, successfully complete a performance test of independent, blind chart scoring, and successfully complete an oral examination conducted by a panel of polygraph examiners appointed by the Board; or
- (4) have a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces performing polygraph examinations.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a polygraph license who is the spouse of an active duty member of the U.S. Armed Forces shall establish:

- (1) the spouse holds a current license, certification, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and
- (2) the spouse has two years of verifiable experience within the past five years performing polygraph examinations.

(c) Applicants for a polygraph license may ~~take the examination required~~ attempt to complete the requirements in Subparagraph (a)(1) of this Rule no more than twice within a 12 month period. All portions of the examination licensing process must be completed within that 12 month period. Any applicant who fails the polygraph examination four times shall retake the polygraph course of instruction required in Subparagraph (a)(2) of this Rule before taking the polygraph examination again.

(d) ~~Polygraph operators who are duly licensed in another state may perform up to three examinations in this State without being licensed, provided that those examinations are for the purpose of an evaluation of that examiner and the Director has given authorization for this evaluation in advance.~~

*History Note:* Authority G.S. 74C-5; 93B-15.1;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; October 1, 2013; July 1, 2009; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0501 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020;  
Amended Eff. September 1, 2024; February 1, 2022.

#### 14B NCAC 16 .0502 POLYGRAPH TRAINEE PERMIT REQUIREMENTS

In addition to the requirements of Section .0200 of this Chapter, the following requirements shall apply to polygraph trainees:

- (1) ~~The applicant shall successfully~~ Successfully complete a formal course of instruction at any polygraph school approved by the American Polygraph Association, the American Association of Police Polygraphists, or the Board. Association or approved by the Board using standards established by the American Polygraph Association. A list of approved schools can be found at: <https://www.ncdps.gov/list-polygraph-schools>; and
- (2) ~~The applicant shall be~~ Be directly supervised by a North Carolina licensed polygraph examiner approved by the Board and that examiner shall supervise no more than three trainees at any given time; examiner;
- (3) ~~An individual currently enrolled in a polygraph school may conduct examinations as a part of the course curriculum provided the examinations are on school premises, under the direct one on one supervision of a polygraph licensee, and the school provides written notice to the client that such examinations are being conducted by students and not by licensed polygraph examiners. The school shall maintain a copy of the written notification;~~
- (4)(3) Trainees who wish to apply for a license must submit an application to the Board in accordance with Rule .0201 of this Chapter. Applicants meeting license qualifications within one year of the issuance of a trainee permit shall not be required to pay an additional application fee;
- (5)(4) Any request for renewal of a trainee permit or for issuance of a polygraph license shall be accompanied by an evaluation report of the trainee's performance submitted by the trainee's ~~supervisor; and supervisor.~~
- (6) ~~In addition to the final evaluation report, supervisors shall submit five monthly evaluation reports over the duration of the traineeship on a checklist provided by the Board.~~

*History Note:* Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0502 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020.

#### **14B NCAC 16 .0503 POLYGRAPH EXAMINATION REQUIREMENTS**

Polygraph licensees and trainees shall adhere to the following:

- (1) Obtain written consent from the individual to be examined. The consent form shall be signed in the presence of the examiner and shall include a statement advising the examinee that he or she may terminate the examination at any time.
- (2) A printed or reproducible electronic copy of each chart collected, as well as documents associated with the examination such as reports, question sets, and signed consent forms, shall be retained by the examiner for a minimum of three years. The examiner shall record the following information:
  - (a) the name of the examinee;
  - (b) the date of the examination;
  - (c) the type of examination;
  - (d) the time the examination started;
  - (e) the location of the examination; and
  - (f) the name and license number of the examiner.This requirement may be completed by labeling the beginning of the first printed chart by hand, or by entering the information into the electronic polygraph file.
- (3) The examiner shall give the examinee an opportunity prior to concluding the examination to explain reactions on the charts.
- (4) The examiner shall not issue or permit an employee to issue an examination report that is misleading, biased, or falsified.
- (5) Each examination report shall be a factual, impartial, and objective account of the pertinent information developed during the examination and the examiner's professional conclusion, based upon the analysis of the charts.
- (6) All questions considered for chart analysis shall be documented in writing or an electronic question set and shall be reviewed with the examinee prior to any testing.
- (7) An examiner shall not make a conclusive verbal or written examination report without having administered two or more charts consisting of the same questions.
- (8) An examiner shall not inquire into the sexual conduct or preferences of a person to whom a polygraph examination is being given unless pertinent to an alleged sex-related ~~crime~~, crime or while conducting Post Conviction Sex Offender Testing (POST), nor shall an examiner inquire into the activities, affiliations, or beliefs on religion, politics, or race, except where there is relevancy to an investigation.
- (9) Each chart shall be signed at the end of the chart by the examinee and the examiner before the end of the recording if using an analog instrument. If an analog instrument is used, the examiner shall retain printed and not electronic copies of the charts for a minimum of three years. Retaining reproducible electronic copies of all charts noting the names of the examiner and examinee as well as the date and time of testing will also meet the requirements of this Item.
- (10) An examiner shall conduct no more than five examinations in a 24 hour period.
- (11) Each examiner shall keep a daily log of examinations. The daily log of examinations shall be maintained by the licensee for a minimum of three years and shall be subject to inspections by the Director or the Director's designee between 8:00 a.m. – 5:00 p.m. Monday through Friday.

*History Note:* Authority G.S. 74C-5;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2014; December 1, 1987; July 1, 1987; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0503 Eff. July 1, 2015;  
Readopted Eff. August 1, 2020.



# North Carolina Department of Public Safety

## Private Protective Services Board

Josh Stein, Governor  
Eddie M. Buffaloe, Jr., Secretary

Tamara Rabenold, Chair  
Paul Sherwin, Director

### North Carolina Private Protective Services Board Training and Education Committee Agenda

March 20, 2025

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

**Course:** **Unarmed Guard Trainer and Workshop**

**Location:** Wake Tech Public Safety Education Campus  
321 Chapanoke Road, Raleigh

- May 5-9, 2025 (FULL on 2/21/25)
- August 4-8, 2025
- September 15-19, 2025
- December 8-12, 2025

**Course:** **Firearms Trainer Recertification/Prequalification 1-day course**

**Location:** Samarcand Training Academy, Jackson Springs

- April 9, 2025 (Recert for both HG and LG)
- April 16, 2025 (Make-up date for March 5<sup>th</sup>)
- May 21, 2025
- September 3, 2025
- October 9, 2025
- November 12, 2025 (Recert for both HG and LG)

**Course:** **New Firearms Trainer Course and Workshop (4 days)**

**Location:** NCJA, Salemburg

- April 28-May 1, 2025

**Course:** **Long Gun Trainer Course (3 days)**

**Location:** NCJA, Salemburg

- April 22-24, 2025

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



[www.ncdps.gov/pps](http://www.ncdps.gov/pps)  
An Equal Opportunity employer

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

Email: [ppsasl@ncdps.gov](mailto:ppsasl@ncdps.gov)

## **Completed Training**

**Course:** **Unarmed Guard Trainer and Workshop**

**Location:** Wake Tech Public Safety Education Campus  
321 Chapanoke Road, Raleigh

- February 24-28, 2025 / 17 new Unarmed Guard Trainers

**Course:** **Firearms Trainer Recertification/Prequalification 1-day course**

**Location:** Samarcand Training Academy, Jackson Springs

- March 5, 2025 (Canceled due to weather)
- March 13, 2025 (Prequalification only)

## **Firearms Trainer Observations (3)**

### **Thomas Greene**

*Date: Wednesday, January 15, 2025*

*Location: 554 Green Street, Parkton NC*

*Course of fire time violation attributed to not using a stopwatch.*

### **Patrick Penland**

*Date: Thursday, January 30, 2025*

*Location: Triple Target Range @ 2589 Plott Hound Rd., Sophia NC*

*No violations observed.*

### **James Bailey**

*Date: Monday, February 3, 2025*

*Location: Shelby Police Range, 1608 Airport Road, Shelby NC*

*No violations noted.*

## **Weapon Discharges**

**Name:** John Robert Fugee

**Company:** Allied Universal Services

**Date of Incident:** Sunday, January 18, 2025 @ 10:04pm

**Location of Incident:** Columbus Correctional Institution, 1255 Prison Camp Road, Whiteville, NC

**Weapon Involved:** S&W 9mm.

**Registration Status:** Active armed guard.

*On Sunday January 18, 2025, at 10:00pm, John Fugee was working armed security for Allied Universal Services at the Columbus Correctional Institution in Whiteville. While seated in a state vehicle conducting perimeter security checks, SG Fugee noticed that he had accidentally selected a*

*left-handed holster for duty as opposed to a right-handed one. SG Fugee exited the vehicle and attempted to unholster the weapon. He applied excessive pressure to the trigger and the weapon discharged. The live round dislodged and landed on the pavement underneath the vehicle. No injuries or property damage were reported. SG Fugee was mandated to attend a remedial firearms training course as a result of this incident. AUS will be replacing its current holsters from P&G with the level 3 model, which prevents weapons being holstered backwards.*

**Name:** Clayton Douglas

**Company:** Tailormade Protective Services

**Date of Incident:** Tuesday, February 11, 2025 @ 2:00am

**Location of Incident:** QuikTrip, 7115 South Blvd, Charlotte

**Weapon Involved:** Taurus 9mm

**Registration Status:** Active armed guard

*On February 11, 2025, Clayton Douglas was working armed security for Tailormade Protective Services at the QuikTrip located in Charlotte. While inside the store, SG Douglas observed officers from the Charlotte Mecklenburg Police Department enter the parking lot with their blue lights and sirens activated. CMPD appeared to be engaged in a pursuit with a suspect operating a black in color Dodge Charger. Upon being alerted to the pursuit, SG Douglas exited the store. He immediately observed that CMPD officers had the Dodge Charger blocked in. CMPD had their weapons drawn on the suspect. The suspect then exited the Charger and pointed a firearm towards them and SG Douglas. CMPD began giving commands for the suspect to drop his weapon. Fearing for the safety of himself and others, SG Douglas unholstered his weapon. The suspect began firing in the direction of SG Douglas and CMPD officers. SG Douglas fired back 1 time. CMPD fired also, and the suspect fell to the ground.*

*This case remains under further investigation by CMPD.*

**Name:** Jeremy Michael Jordan

**Company:** Allied Universal Services

**Date of Incident:** Thursday, February 13, 2025 @ 11:16pm

**Location of Incident:** Sampson Correctional Facility @ 421 NW Blvd., Clinton, North Carolina

**Weapon Involved:** M&P9 Smith & Wesson

**Registration Status:** Active armed guard

*On February 13, 2025 @ 11:16pm, Jeremy Jordan was working armed security for Allied Universal Services at the Sampson Correctional Facility in Clinton, NC. SG Jordan attempted to unload his weapon at a clearing barrel on the site. The weapon discharged. No injuries or property damage were reported. SG Jordan will be given remedial training on how to properly clear a weapon.*

## **Topics for Discussion**



- **2026 LEO Inservice Training**

*End of Report*

NCPPSB CE Course Approval New/Renewal 6.2024

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME / COURSE TYPE TO OBTAIN A LICENSE	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
		<b>New Application(s):</b>					
1.	Stephanie Mitchell	Mastering Online Public Records: Court Documents	APPROVED PPSB-25-010	Thomas Humphreys	Online	01/28/2025	1.0
2.	Stephanie Mitchell	Finding Birth Parents for Adoptees, Donor-Conceived, and NPEs	DEFER	Thomas Humphreys	Online	01/24/2025	6.0
		<b>Renewal Application(s): (APPROVED)</b>					
1.	Fred Wharton	Premium & Application Fraud for WC and Auto	PPSB-10-513	Fred Wharton	Online	02/05/2025	2.0
2.	Jerry Cooper	Outlaw Motorcycle Gangs	PPSB-21-035	Jerry Cooper	Classroom	01/27/2025	12.0
3.	Kimberly Hamilton	Private Investigator Associate Supplemental Education	PPSB-21-018	Kimberly Hamilton	Classroom	02/05/2025	8.0
4.	Kimberly Hamilton	The Dark Web and Investigations	PPSB-20-049	Kimberly Hamilton	Classroom	02/05/2025	4.0
5.	Stephanie Mitchell	It's All Lies, Deception Detection	PPSB-17-301	Thomas Humphreys	Online	01/28/2025	6.0
6.	Sandra von Eschenbach	Crime Scene Reconstruction - An Introduction	PPSB-21-011	Steve Cassell	Online	01/10/2025	4.0
7.	Sandra von Eschenbach	Different Types of Death Investigations	PPSB-21-014	Steve Cassell	Online	01/10/2025	4.0
8.	Sandra von Eschenbach	Handwriting Analysis – Introduction 101	PPSB-21-013	Steve Cassell	Online	01/10/2025	4.0
9.	Sandra von Eschenbach	How to Investigate a Suspicious Death Claim	PPSB-21-017	Steve Cassell	Online	01/20/2025	4.0
10.	Sandra von Eschenbach	How to Use Photography as an Investigative Tool	PPSB-21-016	Steve Cassell	Online	01/10/2025	4.0
11.	Sandra von Eschenbach	Best Evidence for Investigations	PPSB-21-015	Steve Cassell	Online	01/10/2025	4.0

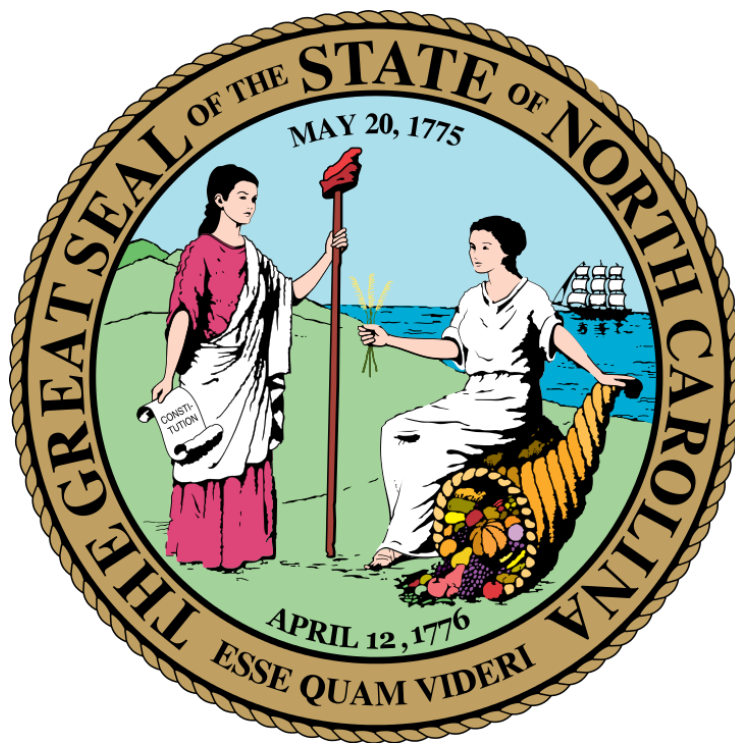
NCPPSB CE Course Approval New/Renewal 6.2024

<input checked="" type="checkbox"/>	REQUESTED BY	COURSE NAME / COURSE TYPE TO OBTAIN A LICENSE	Course Number	INSTRUCTOR(S)	Classroom/ Online	Date Submitted	Hours
12.	Stephanie Mitchell	Ethics for Investigators in Theory and Practice	PPSB-21-022	Thomas Humphreys	Online	01/17/2025	2.0
13.	Frank Weicks	How Pedophiles Prey on Children	PPSB-12-779	Frank Weicks	Classroom	01/15/2025	4.0
14.	Frank Weicks	Preventing attacks on soft targets for commercial security	PPSB-17-279	Frank Weicks	Classroom	01/15/2025	8.0
15.	Frank Weicks	Understanding Domestic Violence	PPSB-13-856	Frank Weicks	Classroom	01/15/2025	2.0

# **NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD**

March 20, 2025

## **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 two vacant positions:

- Registration Processor (2) – Recruitment in process

### **OPERATIONS**

#### **Registration Unit**

- Registration applications received YTD 2025: 5,195
  - Same period 2024: 4,831
  - Same period 2023: 4,255
  - Same period 2022: 3,615
  - Same period 2021: 4,106
  - Same period 2020: 4,112
  - Same period 2019: 4,156

#### **Licensing Unit**

- License applications received YTD 2025: 186
  - Same period 2024: 239
  - Same period 2023: 174
  - Same period 2022: 225
  - Same period 2021: 138
  - Same period 2020: 232
  - Same period 2019: 164

#### **Investigations Unit**

- License applicant background investigations completed YTD 2025: 91
  - Same period 2024: 126
  - Same period 2023: 116
  - Same period 2022: 68
  - Same period 2021: 93
  - Same period 2020: 103
  - Same period 2019: 100
- Complaint investigations completed YTD 2025: 18
  - Same period 2024: 45
  - Same period 2023: 20
  - Same period 2022: 34
  - Same period 2021: 20
  - Same period 2020: 9
  - Same period 2019: 29

## Training Unit

- Trainer applications received YTD 2025: 98
- Same period 2024: 83
- Same period 2023: 59
- Same period 2022: 49
- Same period 2021: 65
- Same period 2020: 37
- Same period 2019: 9

## OTHER

On January 31, 2025, Investigator Lee Kelly accompanied officers with the Charlotte-Mecklenburg Police Department to conduct inspections at seven ABC-permitted establishments and four sweepstakes businesses. As a result of the operation, CMPD officers cited four individuals for criminal violations of N.C.G.S. 74C and seized five firearms. Board investigations for each violation are underway. The following locations were inspected: Mulberry Mini Mart, Tattooz and Booz, Voltage, Zodiac, King Tutt, Safari, Bliss, 2400 Arcade Room, Starz Arcade, Skillville Arcade, and Queen City Arcade.

On Friday, Feb. 7, 2025, Investigator Darla Cole assisted N.C. ALE agents with inspections of several ABC-permitted establishments. The inspections found the following:

- One registered unarmed security guard was working armed using a firearm owned by his PPSB-licensed employer. The weapon was seized by ALE agents and the establishment was cited by ALE agents for hiring unregistered armed security. A PPSB investigation is underway.
- Armed security working at *Kings Bowl – North Hills* in Raleigh was found to be in compliance.
- Armed proprietary security working at *Party Addicts* in Raleigh was found to be in partial compliance. One on-duty guard was properly registered. Another on-duty guard was registered, but not with *Party Addicts*. ALE issued a warning to the partially registered guard and Investigator Cole is following up to ensure the guard becomes properly registered.
- One self-employed unregistered armed security guard working at *Semaforo Lounge* in Raleigh. ALE agents cited the guard for a criminal violation of N.C.G.S. 74C and seized his firearm. A PPSB investigation is underway.
- *Club Insomnia* in Raleigh was selected for inspection, but the location was closed when ALE agents arrived.

Investigator David Batton in February 2025 conducted a proactive compliance audit of Direct Connect Alarm, LLC, and qualifying agent Joseph Higgins, for Q1 2024. Higgins holds a Special Limited Guard and Patrol License (19-LGL) that expires Jan. 31, 2027. Batton's audit found that Higgins is the only employee of Direct Connect Alarm, LLC, and Higgins maintains an armed security guard registration. No violations were discovered.

## LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

**Total active in Permitium: 29,396 (-0.2% from January 2025 meeting)**

Registration		
	Armed	4370
	Armed Armored Car	477
	Armed Licensee	127
	Armed Licensee Associate	15
	Unarmed	21177
	Unarmed Armored Car	33
<b>Registration Total</b>		<b>26199</b>
License		
	Armored Car Profession	39
	Close Personal Protection	292
	Courier Service Profession	71
	Digital Forensics Examiner	15
	Digital Forensics Examiner Trainee	0
	Electronic Counter Measures Profession	38
	Electronic Counter Measures Trainee	4
	Guard Dog Service Profession	13
	Polygraph Examiner	26
	Polygraph Trainee Permit	0
	Private Investigator	1279
	Private Investigator Temp Permit	4
	Private Investigator Associate	240
	Private Investigator Associate Temp Permit	2
	Proprietary	108
	Psychological Stress Evaluator	7
	Security Guard and Patrol	486
	Special Limited Guard and Patrol	4
<b>License Total</b>		<b>2628</b>
Certification		
	Firearms Trainer	200
	Unarmed Guard Trainer	369
<b>Certification Total</b>		<b>569</b>



**Private Protective Services Board Financial Report**  
**Fiscal Year 2024-2025**  
**July 1, 2024 – January 31, 2025**

**PPSB Operating Fund Revenue and Expenditures**

FYTD25 revenue	\$ 1,080,635.51
FYTD25 expenditures	\$ (1,029,100.05)
<b>FYTD25 FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ 51,535.46</b>

**PPSB Operating Fund Cash Flow**

Beginning Cash Balance (July 1, 2024)	\$ 1,915,254.57
FYTD25 revenue	\$ 1,080,635.51
FYTD25 expenditures	\$ (1,029,100.05)
<b>FYTD25 ENDING FUND BALANCE</b>	<b>\$ 1,966,790.03</b>

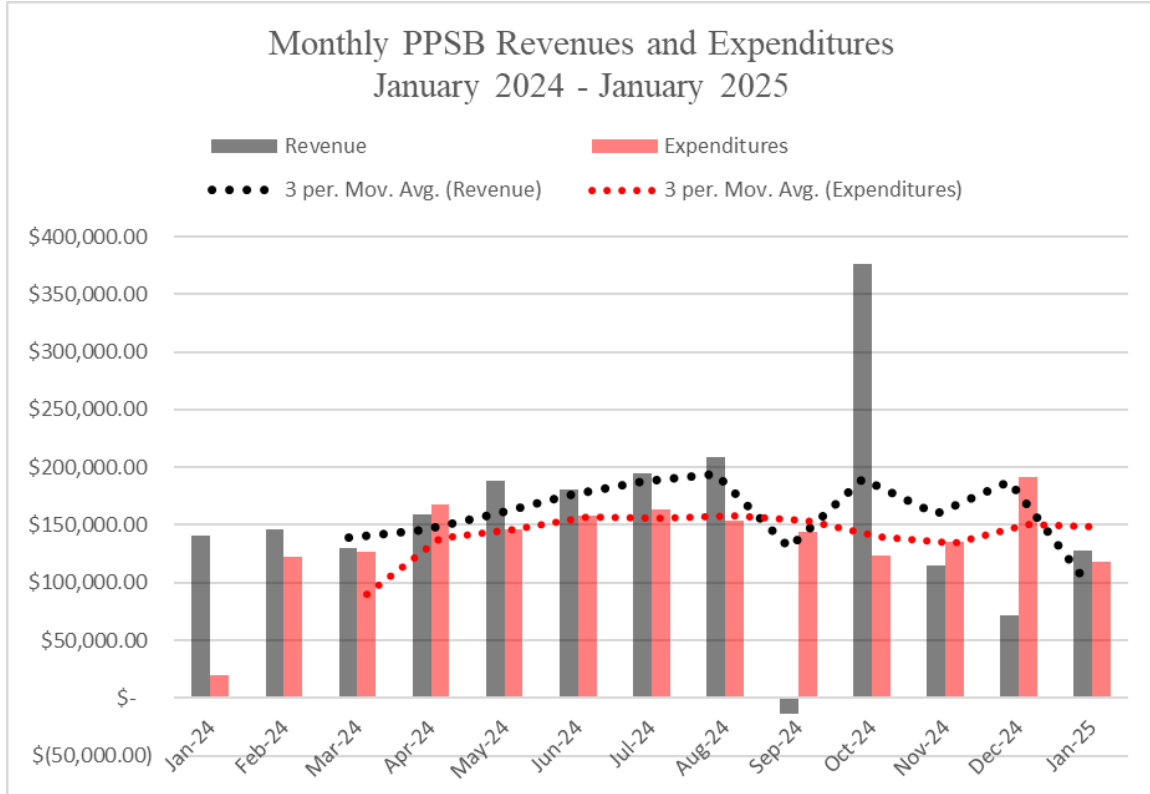
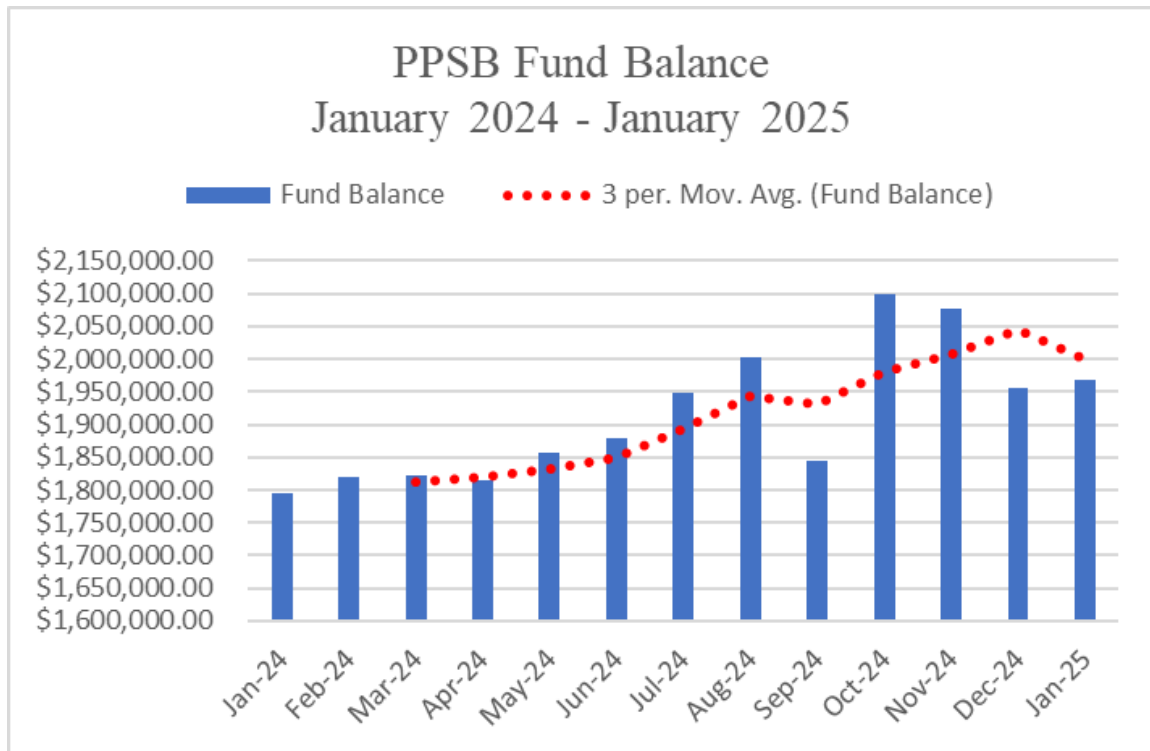
**PPSB Education Fund Revenue and Expenditures**

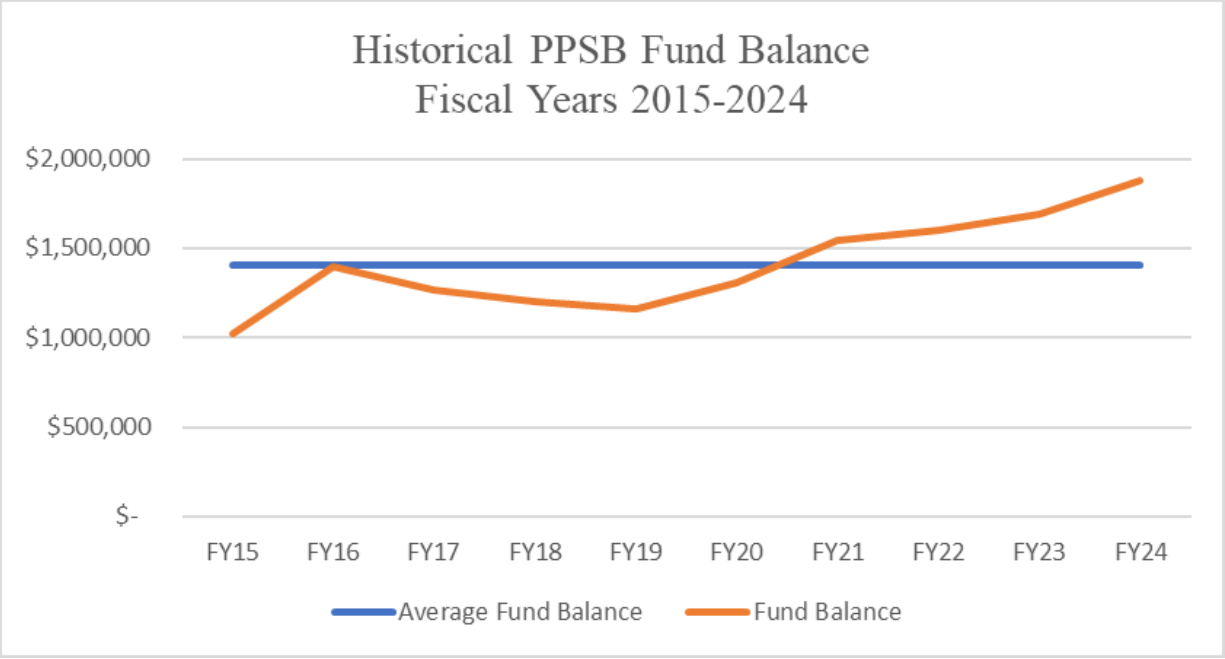
FYTD25 revenue	\$ 7,700.00
FYTD25 expenditures	\$ (10,140.00)
<b>FYTD25 EDUCATION FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ (2,440.00)</b>

**PPSB Education Fund Cash Flow**

Beginning Cash Balance (July 1, 2024)	\$ 142,143.38
FYTD25 revenue	\$ 7,700.00
FYTD25 expenditures	\$ (10,140.00)
<b>FYTD24 ENDING FUND BALANCE</b>	<b>\$ 139,703.38</b>

## BUDGET GRAPHICS





**PRIVATE PROTECTIVE SERVICES BOARD**

Raleigh, North Carolina

March 20, 2025

**ATTORNEY'S REPORT**



## **PRIVATE PROTECTIVE SERVICES BOARD**

Raleigh, North Carolina

March 20, 2025

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

1. On December 12, 2024, Samuel Eugene Harrison, Jr./STB Security, LLC entered into a Consent Agreement with the Board in the amount of \$680.00 for eight months of unlicensed activity. The temporary consent agreement was signed by QA Samuel Eugene Harrison, Jr. on November 14, 2024. Paid in full.
2. On December 12, 2024, Errol Green/Weiser Security Services, Inc., entered into a Consent Agreement with the Board in the amount of \$856.80 for seven unarmed security guard registration violations. The temporary consent agreement was signed by QA Errol Green on October 10, 2024. Payment has not been received.
3. On January 16, 2025, Tracy Burke/ East Coast Protective Services, Inc., entered into a Consent Agreement with the Board in the amount of \$183.60 for one armed security guard registration violation. The temporary consent agreement was signed by QA Tracy Burke on October 26, 2024. Payment has not been received.
4. On January 16, 2025, Terry Michael Walser/Tri Metro Security Services, LLC entered into a Consent Agreement with the Board in the amount of \$856.80 for seven unarmed security guard registration violations. The temporary consent agreement was signed by QA Terry Michael Walser on November 6, 2024. Paid in full.
5. On January 16, 2025, Jeffrey Tanksley/ Carolina Protective Services, LLC, (now Guardiex, LLC) entered into a Consent Agreement with the Board in the amount of \$2,142.00 for 13 unarmed and three armed security guard registration violations. The temporary consent agreement was signed by QA Tracy Burke on October 31, 2024. Payment has not been received.
6. On January 16, 2024, Angela Pittman/Inzane, LLC, (Screening) entered into a Consent Agreement with the Board in the amount of \$1,615.00 for 19 months of unlicensed activity. The Consent Agreement was signed by QA Angela Pitman on December 31, 2024 or January 1, 2025. Paid in full.

### **II. OFFICE OF ADMINISTRATIVE HEARINGS**

*See, Hearings List (Attachment 1).*

### **III. ADMINISTRATIVE RULES**

At its December 12, 2024 meeting, the Board voted, upon recommendation of the Law & Rules Committee, to approve amendments to nine administrative rules, 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501 and .1502. The Notice of Text for each was filed

on January 9, 2025. The Public Hearing is scheduled for Tuesday, February 18, 2025 at 2:00 p.m. at the Board's office. The Public Comment Period ends April 4, 2025, therefore it will be your May meeting before you can vote to approve.

A copy of these rules, as amended, were attached as Attachment 2 to my January 16, 2025 Attorney's Report.

#### **IV. LITIGATION**

a. In July 2023, the Board obtained a Permanent Injunction against Byron Kyle Phillips and "Dem Boyz Security" (a d/b/a; not a corporate entity) preventing Defendants from further engaging in unarmed and armed security. Mr. Phillips received a copy of the Court's Order.

Almost a year to the day later, Investigator Cole was contacted by ALE and advised Defendant Phillips was again engaged in armed and unarmed security guard and patrol services but this time under the name Chase Security Solutions, LLC. Mr. Phillips appeared before the Grievance Committee at its August meeting and claimed -- in spite of an ALE report, website postings claiming security activities, and pictures of himself and his employees in security guard attire, wearing tactical equipment and armed -- he was not engaged in the security guard and patrol business. Upon recommendation of the Grievance Committee the full Board voted at its August 15, 2024 meeting to seek criminal contempt by Defendant Phillips.

On September 6<sup>th</sup> I filed a Motion for Order to Show Cause, the first step in a contempt proceeding, and the hearing was originally calendared for Monday, October 21, 2024 in Wake County Superior Court. Defendant Phillips appeared and the Judge explained his right to legal counsel since he was facing criminal contempt. He requested appointment of counsel and the hearing was re-set for October 21<sup>st</sup>.

After a couple of false starts with appointed counsel, his court-appointed counsel moved to continue the hearing because of the short period between her appointment and the hearing; she had not met with her client.

The Show Cause hearing was re-calendared for Monday, December 9, 2024 at which time Defendant Phillips, by and through his attorney, surprisingly agreed to 24 hours in jail for criminal contempt. The Judge thereupon sentenced him to 30 days active time, suspended, with 24 hours active to be served on December 19 and 20, 2024.

I prepared a Consent Order and forwarded it to his attorney. After numerous reminder e-mails and a telephone conversation, Defendant only returned the signed Consent Order to me late on the afternoon of the 19<sup>th</sup>. Therefore I re-calendared the hearing on the merits for Monday, February 10<sup>th</sup>. By and through his attorney he again agreed to a Consent Order, which was signed in open court, however the presiding Judge gave Mr. Phillips an additional 24 hours. He served his 48 hour term in the Pitt County Detention Center beginning on February 27<sup>th</sup>.

b. Also at its August meeting, and upon the recommendation of the Grievance Committee, the Board voted to seek an injunction against Demarr Miller Dodson and True Flight Staffing, LLC for engaging in unlicensed security guard and patrol activities. I filed a Complaint for Injunctive Relief in Wake County Superior Court on September 9, 2024.

Board staff subsequently learned that Defendant Dodson had been charged in May 2024 for Possession of a Firearm by a Convicted Felon. Director Sherwin determined this charge was a threat to the public health, safety and welfare and requested I obtain a Temporary Restraining Order ("TRO").

I filed a Motion for TRO on September 27<sup>th</sup> and the hearing was held October 21, 2024. The Judge granted the TRO and the hearing on a Preliminary Injunction was held October 28, 2024 and a Preliminary Injunction was entered. The Order for Preliminary Injunction was signed November 15, 2024.

Defendant Dodson has since been convicted of the Possession of a Firearm charge.

A hearing on the merits for a Permanent Injunction has been calendared for April 28, 2025.

c. At its December meeting, and upon the recommendation of the Grievance Committee, the Board voted to seek an injunction against Deojunique James Flippin, Sharwyn James Saigo McGee, and their company, F & M Enterprise, LLC for engaging in security guard and patrol activities. I filed a Complaint for Injunctive Relief in Wake County Superior Court on January 8, 2025.

I have been successful in serving Defendant McGee, individually, but am having difficulty serving Defendant Flippin and the LLC.

## V. LEGISLATION

a. At its January 16<sup>th</sup> meeting the Board approved a bill draft amending not only Chapter 74C but other portions of the General Statutes effecting private protective services. Director Sherwin provided a copy to DPS's legislative liaison. To date, she has not found a bill sponsor and it has not been introduced. A copy of the final bill draft is attached as Attachment 2.

The Senate's bill filing deadline is Tuesday, March 25<sup>th</sup> and the House's deadline is Thursday, April 3<sup>rd</sup>.

b. HOUSE BILL 193, Firearm Law Revisions. This bill would allow an individual with a valid North Carolina concealed handgun permit or valid out-of-state concealed handgun permit and an active or retired law enforcement officer who is compliant with the Law Enforcement Officers Safety Act (LEOSA) to carry a handgun on **private** elementary or secondary school property, provided: 1) the person(s) in control of the property have not posted a notice prohibiting the carrying of concealed handguns; and 2) the person(s) in control of the property have provided written permission authorizing the individual or officer to possess and carry a handgun on the property.

Currently, active and retired law enforcement officers who are LEOSA compliant may possess and carry firearms on unposted private elementary or secondary school property. However, ordinary concealed handgun permittees may only possess on school grounds (public or private) pursuant to limited exceptions.

## VI. FINAL AGENCY DECISIONS

Willie R. Brown (*see*, Attachment 3.)

**PPSB**  
**MASTER HEARINGS LIST**  
**as of March 7, 2025**

1.

<b>OAH HEARING DATE</b>	<b>PETITIONER</b>	<b>TYPE OF APPLICATION</b>	<b>FAD STATUS OR HEARING DATE</b>
December 17, 2024	Lawrence Garcia; and Ameriguard Security Services, Inc. 24 DOJ 04257	Suspension of Security Guard and Patrol Business License	Proposed Proposal for Decision filed and served February 13, 2025.
January 28, 2025	Willie R. Brown 24 DOJ 04992	Denial of Private Investigator License	March 20, 2025.
January 28, 2025	David Kriwox; and Saker Aegis Systems, Inc. 24 DOJ 04994	Suspension of Security Guard and Patrol License	Proposed Proposal for Decision filed and served February 13, 2025.



2.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025  
SENATE/HOUSE BILL \_\_\_\_\_

Short Title: Private Protective Services (Public)

Sponsors: Senator/Representative

Referred to:

\_\_\_\_\_, 2025

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES LAWS

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 74C-2(c) reads as amended:

- (c) In its discretion, the Private Protective Services Board may issue a trainee permit in lieu of a private ~~investigator~~ investigator, polygraph examiner, electronic countermeasures, or digital forensic examiner license provided that the applicant works under the direct supervision of a licensee.

SECTION 1.(b) G.S. 74C-(3)(a)(6) reads as amended:

- (6) Security guard and patrol profession. – Any person, firm, association or corporation that provides a security guard on a contractual basis for another person, firm, association, ~~or corporation~~ corporation, or government for a fee or other valuable consideration and performs one or more of the following functions:
- (a) Prevention or detection of intrusion, entry, larceny, vandalism, abuse, fire or trespass on private property.
- (b) Prevention, observation, or detection of any unauthorized activity on public or private property.
- (c) Protection of patrons and persons lawfully authorized to be on the premises or being escorted between premises of the person, firm, association, ~~or corporation~~ corporation, or government that entered into the contract for security services.
- (d)

SECTION 1.(c) G.S. 74-3(a)(7) reads as amended:

- (7) Guard dog service profession. – Any person, firm, association or corporation which for a fee or other valuable consideration contracts with another person, firm, association, ~~or corporation~~ corporation, law enforcement agency, or unit of government to place, lease, rent, or sell a trained dog for the purpose of protecting lives or property.

1     **SECTION 1.(d) G.S. 74C-9** reads as amended:  
2

3             \*\*\*  
4

- 5             (e)    The Board is authorized to charge reasonable application and license fees as follows:  
6                   (1)    A nonrefundable initial application fee in an amount not to exceed one  
7                            hundred fifty dollars (\$150.00).  
8                   (2)    A new or renewal license fee in an amount not to exceed two hundred fifty  
9                            dollars (\$250.00) per year of the license term.  
10                  (3)    A new or renewal trainee permit fee in an amount not to exceed two hundred  
11                            fifty dollars (\$250.00).  
12                  (4)    A new or renewal fee for each license or duplicate license in addition to the  
13                            basic license referred to in subsection (2) in an amount not to exceed fifty  
14                            dollars (\$50.00) per year of the license term.  
15                  (5)    A late renewal fee to be paid within 90 days from the date the license,  
16                            registration, permit, or certification expires in addition to the renewal fee  
17                            due in an amount not to exceed one hundred dollars (\$100.00), if the license,  
18                            registration, permit, or certification has not been renewed on or before the  
19                            expiration date of the license, registration, permit, or certification.  
20                  (6)    A new, renewal, replacement or reissuance fee for an unarmed registration  
21                            identification card in an amount not to exceed thirty dollars (\$30.00).  
22                  (7)    An application fee for a firearm registration permit for all applicants and  
23                            licensees subject to G.S. 74C-13 not to exceed fifty dollars (\$50.00).  
24                  (8)    A new, renewal, replacement, or reissuance fee for a firearm registration  
25                            permit for all applicants and licensees subject to G.S. 74C-13 not to exceed  
26                            thirty dollars (\$30.00).  
27                  (9)    An application fee for certification as a certified trainer not to exceed fifty  
28                            dollars (\$50.00).  
29                  (10)   A renewal or replacement fee for certified trainer certification not to exceed  
30                            twenty-five dollars (\$25.00).  
31                  (11)   A new nonresident temporary permit fee not to exceed one hundred dollars  
32                            (\$100.00).  
33                  (12)   An unarmed registration transfer fee not to exceed fifteen dollars (\$15.00).  
34                  (13)   A branch office license fee not to exceed fifty dollars (\$50.00) per year of  
35                            the license term.  
36                  (14)   A special limited guard and patrol license fee not to exceed one hundred  
37                            dollars (\$100.00) per year of the license term.  
38                  (15)   A correctable error fee not to exceed one hundred dollars (\$100.00) for each  
39                            subsequent filing of an application following review and rejection of the  
40                            initial application.  
41                  (16)   A late fee for a business entity subject to G.S. 74C-8(c)(3) or an applicant  
42                            for licensure under G.S. 74C-8(f) not to exceed one hundred dollars  
43                            (\$100.00).  
44                  (17)   An application for approval of a continuing legal education course not to  
45                            exceed one hundred dollars \$100.00).  
46

1 Except as provided in G.S. 74C-13(k), all fees collected pursuant to this section shall be  
2 expended, under the direction of the Board, for the purpose of defraying the expenses of  
3 administering this Chapter.

4  
5 \*\*\*

6  
7 (h) Trainee permits shall not be issued to applicants that qualify for a private  
8 detective investigator license.

9 (i) A licensed private detective investigator, polygraph examiner, electronic  
10 countermeasures or digital forensic examiner may supervise no more than  
11 five trainees at any given time.  
12  
13

14 SECTION 1.(e) G.S. 74C-11 reads as amended:

15  
16 **§74C-11 Probationary employees and registration of regular employees;**  
17 **unarmed security guards and unarmed armored car guards**  
18 **required to have registration card.**

19 (a) ~~All licenses~~ A security guard and patrol business or armored car business may  
20 employ unarmed ~~security~~ guards as probationary employees for 20 consecutive  
21 calendar days. Upon completion of the probationary period and the desire of the  
22 licensee to hire an unarmed ~~security~~ guard as a regular employee, the licensee shall  
23 register the employee who will be engaged in providing private protective services  
24 covered by this Chapter with the Board within 30 days after the probationary  
25 employment period ends, unless the Director, in the Director's discretion, extends  
26 the time period, for good cause. Before a probationary employee engages in private  
27 protective services, the employee shall complete any training requirements, and the  
28 licensee shall conduct a criminal record check on the employee, as the Board deems  
29 appropriate. The licensee shall submit a list of the probationary employees to the  
30 Director on a monthly basis. The list shall include the name, address, social security  
31 number, and dates of employment of the employees.  
32

33 To register an employee after the probationary period ends, a licensee must give the Board  
34 the following:

- 35 (1) Set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent  
36 photograph(s) of acceptable quality for identification; and  
37 (2) Statements of any criminal records obtained from the appropriate authority  
38 in each area where the employee has resided within the immediately 48  
39 preceding months.
- 40 (b) A security guard and patrol or armored car company may not employ an unarmed  
41 ~~security~~ guard in a regular position unless the guard has a registration card issued  
42 under subsection (d) of this ~~section~~ section and ~~A person engaged in a private~~  
43 ~~protective services profession~~ may not employ an armed ~~security~~ guard unless the  
44 guard has a firearm registration permit issued under G.S. 74C-13.
- 45 (c) The Director shall be notified in writing of the termination of any regular employee  
46 registered under subsection (a) of this section within 10 days after the termination.

- (d) An unarmed security guard shall make application to the Director for an unarmed registration card which the Director shall issue to the applicant after receipt of the information required to be submitted by the applicant's employer pursuant to subsection (a) of this section, and after meeting any additional requirements which the Board, in its discretion, deems to be necessary. The unarmed security guard registration card shall be in the form of a pocket card designed by the Board, shall be issued in the name of the applicant, and may have the applicant's photograph affixed to the card. The unarmed security guard registration card shall expire one year after its date of issuance and shall be renewed every year. The Board may require all registration holders to complete continuing education courses approved by the Board before renewal of their registrations. If an unarmed registered security guard is terminated by a licensee and changes employment to another security guard and patrol company, company or armored car company, the security guard's registration card shall remain valid, provided the security guard pays the unarmed guard registration transfer fee to the Board and a new unarmed security guard registration card is issued. An unarmed security guard whose transfer registration application and transfer fee have been sent to the Board may work with a copy of the transfer application until the registration card is issued.
- (e) Notwithstanding the provisions of this section, a licensee may employ a person properly registered or licensed as an unarmed security guard in another state for a period not to exceed 10 days in any given month; provided the licensee, prior to employing the unarmed security guard, submits to the Director the name, address, and social security number of the unarmed guard and the name of the state of current registration or licensing, and the Director approves the employment of the unarmed guard in this State.
- (f) Repealed by Session Laws 2005-211, s. 1, effective July 20, 2005.
- (g) Notwithstanding the provisions of this section, during a disaster declaration or state of emergency declared by the Governor pursuant to Article 1A of Chapter 166A of the General Statutes, a licensee may employ a person properly registered or licensed as an armed security guard in another state, provided that the licensee, prior to deploying the armed security guard in this State, submit to the Director all of the following:
- (1) The name, address, and social security number of the armed security guard.
  - (2) The name of the state of current registration or licensing of the armed guard.
  - (3) Proof of completion of the 4-hour training course mandated by G.S. 74C-13(h)(1)a. and 14B NCAC 116 .0807(c)(1), administered by a North Carolina certified trainer.
  - (4) Qualification by a firearms instructor certified by the North Carolina Private Protective Services Board, based on the firearm the armed security guard intends to carry, meeting the qualification requirements approved by the Board and the Secretary of Public Safety for each firearm.
- (h) The Director may approve the employment of the armed security guard in this State, if the person meets all of the requirements of subsection (g) of this section. Qualification under subsection (g) of this section shall be valid for a 12-month period. The duration of the deployment of an armed security guard from another

1 state by a licensee shall not exceed the length of the disaster declaration or state of  
2 emergency.

3  
4 **SECTION 1.(f) G.S. 74C-12(a)(1)** reads as amended:

- 5  
6 (a) The Board may, after compliance with Chapter 150B of the General Statutes, deny,  
7 suspend or revoke a license, certification, registration or permit issued under this  
8 Chapter if it is determined that the applicant, licensee, trainee, registrant or permit  
9 holder has done any of the following acts:

10 (1) Made any false statement or given any false information in connection with  
11 any application for a license, registration, certification, ~~or permit~~ permit, or  
12 audit or for the renewal or reinstatement of a license, certification,  
13 registration or permit.

14 \*\*\*\*\*

15 (9) Committed an unlawful larceny, burglary, breaking or entering, assault,  
16 battery, sexual offense, kidnapping, forgery, or violated any State or federal  
17 firearms law.

18 \*\*\*\*\*

19  
20 (27) Worn, carried, or accepted any badge or shield purporting to indicate that  
21 the person is a law enforcement officer while licensed or registered under  
22 the provisions of this ~~Chapter as a private investigator~~. Chapter.

23  
24 **SECTION 1.(g) G.S. 74C-13** reads as amended:

- 25  
26 (b) It shall be unlawful for any person, firm, association, or corporation and its agents  
27 and employees to hire an armed ~~security guard~~ or an armed ~~private investigator~~  
28 licensee and knowingly authorize or permit the armed ~~security guard~~ or armed  
29 ~~private investigator licensee~~ to carry a firearm during the course of performing his  
30 or her duties ~~as an armed security guard or an armed private investigator~~ if the  
31 Board has not issued him or her a firearm registration permit under this section, or  
32 if the person, firm, association, or corporation permits an armed ~~security guard~~ or  
33 ~~an armed private investigator licensee~~ to carry a firearm during the course of  
34 performing his or her duties whose firearm registration permit has been suspended,  
35 revoked, or has otherwise expired:

36 (1) A firearm registration permit grants authority to the armed ~~security guard or~~  
37 ~~armed private investigator~~, guard or licensee, while in the performance of  
38 his or her duties or traveling directly to and from work, to carry any firearm  
39 approved by the Board and not otherwise prohibited by law. The use of any  
40 firearm not approved by the Board is prohibited.

41 (2) All firearms carried by authorized armed ~~security guards~~ or armed licensees  
42 in the performance of their duties shall be owned or leased by the employer.  
43 Personally owned firearms not leased to the employer shall not be carried  
44 by an armed ~~security guard~~ or armed licensee in the performance of his or  
45 her duties.

- 1 (c) The applicant for a firearm registration permit shall submit an application to the  
2 Board on a form provided by the Board.
- 3 (d) Each firearm registration permit issued under this section to an armed ~~security~~  
4 guard shall be in the form of a pocket card designed by the Board and shall identify  
5 the contract security ~~company~~, company, armored car company, or proprietary  
6 security organization by whom the holder of the firearm registration permit is  
7 employed. A firearm registration permit issued to an armed ~~security~~ guard expires  
8 one year after the date of its issuance and must be renewed annually unless the  
9 permit holder's employment terminates before the expiration of the permit. The  
10 Board may require all permit holders to complete continuing education courses  
11 approved by the Board before renewal of their permits.
- 12 (d1) Each firearm registration permit issued under this section to an armed ~~private~~  
13 ~~investigator licensee~~ shall be in the form of a pocket card designed by the Board  
14 and shall identify the name of the armed ~~private investigator licensee~~. While  
15 carrying a firearm and engaged in private protective services, the armed ~~private~~  
16 ~~investigator licensee~~ shall carry the firearms registration permit issued by the  
17 Board, together with valid identification, and shall disclose to any law enforcement  
18 officer that the person holds a valid permit and is carrying a firearm, whether  
19 concealed or in plain view, when approached or addressed by the law enforcement  
20 officer, and shall display both the permit and the proper identification upon the  
21 request of a law enforcement officer. A ~~private investigator licensee's~~ firearm  
22 registration permit expires one year from the date of issuance and shall be renewed  
23 annually. The Board may require all permit holders to complete continuing  
24 education courses approved by the Board before renewal of their permits.
- 25 (d2) A proprietary security organization that employs an armed security guard shall  
26 submit an application to the Board for a license on a form, provided by the Board.  
27 A proprietary security organization shall renew its license every two years.
- 28 (e) If an armed ~~security~~ guard terminates his or her employment with the contract  
29 security ~~company~~, company, armored car company, or proprietary security  
30 organization, the firearm registration permit expires and must be returned to the  
31 Board within 15 working days of the date of termination of the employee.
- 32 (f) A contract security ~~company~~, company, armored car company, or proprietary  
33 security organization shall be allowed to employ an individual for 30 days as an  
34 armed ~~security~~ guard pending completion of the firearms training required by this  
35 Chapter, if the contract security ~~company~~, company, armored car company, or  
36 proprietary security organization obtains prior approval from the Director. The  
37 Board and the Secretary of Public Safety shall provide by rule the procedure by  
38 which an armed ~~private investigator licensee~~, a contract security ~~company~~,  
39 company, armored car company, or a proprietary security organization applicant  
40 may be issued a temporary firearm registration permit by the Director of the Board  
41 pending a determination by the Board of whether to grant or deny an applicant a  
42 firearm registration permit.
- 43 (g) The Board may suspend, revoke, or deny a firearm registration permit if the holder  
44 or applicant has been convicted of any crime set forth in G.S. 74C-8(d) or for  
45 violation of this section or rules promulgated by the Board to implement this  
46 section. The Director may summarily suspend a firearm registration permit

- 1 pending resolution of charges for any of the offenses set forth in G.S. 74C-12 or  
2 any crime set forth in G.S. 74C-8(d).
- 3 (h) The Board and the Secretary of Public Safety shall establish a firearms training  
4 program for licensees and registered employees to be conducted by agencies and  
5 institutions approved by the Board and the Secretary of Public Safety. The Board  
6 and the Secretary of Public Safety may approve training programs conducted by a  
7 contract security ~~company~~, company, armored car company, and the security  
8 department of a proprietary security organization, if the contract security ~~company~~,  
9 company, armored car company, or security department of a proprietary security  
10 organization offers the courses listed in subdivision (1) of this subsection and if the  
11 instructors of the training program are certified trainers approved by the Board and  
12 the Secretary of Public Safety.
- 13 (1) The basic training course approved by the Board and the Secretary of Public  
14 Safety shall consist of a minimum of four hours of classroom training which shall  
15 include all of the following:
- 16 (a) Legal limitations on the use of firearms and on the powers and  
17 authority of ~~an armed security guard~~. guards and licensees.
- 18 (b) Familiarity with this section.
- 19 (c) Range firing and procedure and firearm safety and maintenance.
- 20 (d) Any other topics of armed ~~security guard~~ training curriculum which  
21 the Board deems necessary.
- 22 (2) An applicant for a firearm registration permit must fire a minimum  
23 qualifying score to be determined by the Board and the Secretary of Public Safety  
24 on any approved target course approved by the Board and the Secretary of Public  
25 Safety.
- 26 (3) A firearms registrant must complete a refresher course and shall requalify  
27 on the prescribed target course prior to the renewal of his or her firearm registration  
28 permit.
- 29 (4) The Board and the Secretary of Public Safety shall have the authority to  
30 promulgate all rules necessary to administer the provisions of this section  
31 concerning the training requirements of this section.
- 32 (i) The Board may not issue a firearm registration permit to an applicant  
33 until the applicant's employer submits evidence satisfactory to the Board  
34 that the applicant:
- 35 (1) Has satisfactorily completed an approved training course.
- 36 (2) Meets all the qualifications established by this section and the rules  
37 promulgated to implement this section.
- 38 (3) Is mentally and physically capable of handling a firearm within the  
39 guidelines set forth by the Board and the Secretary of Public Safety.
- 40 (j) The Board and the Secretary of Public Safety are authorized to  
41 prescribe reasonable rules to implement this section, including rules for  
42 periodic requalification with the firearm and for the maintenance of records  
43 relating to persons issued a firearm registration permit by the Board.
- 44 (k) All fees collected pursuant to G.S. 74C-9(e)(7) and (8) shall be expended, under  
45 the direction of the Board, for the purpose of defraying the expense of  
46 administering the firearms provisions of this Chapter.

(l) The Board and the Secretary of Public Safety shall establish a training program for certified trainers to be conducted by agencies and institutions approved by the Board and the Secretary of Public Safety. The Board or the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this subsection.

(1) The Board and the Secretary of Public Safety shall also establish renewal requirements for certified trainers. The Board may require all certified trainers to complete continuing education courses approved by the Board before renewal of their certifications.

(2) No certified firearms trainer shall certify a licensee or registrant unless the licensee or registrant has successfully completed the firearms training requirements set out above in subsection (h) of this section.

(m) The Board and the Secretary of Public Safety shall establish a training program for unarmed security guards to be conducted by agencies and institutions approved by the Board and the Secretary of Public Safety. The Board and the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this subsection.

(n) A ~~private investigator licensee~~ shall be permitted to carry a concealed weapon during the performance of his or her ~~duties as a private investigator~~ private protective services duties upon: (i) obtaining a concealed ~~weapon~~ handgun permit issued pursuant to G.S. 14-415.11; (ii) successfully completing the firearms training course approved by the Board and the Secretary of Public Safety; and (iii) having a notation affixed to the face of the firearms registration card designating that the armed private investigator licensee is allowed to carry a concealed ~~weapon~~ handgun. A ~~private investigator licensee~~ who does not carry a ~~weapon~~ handgun during the course of his or her duties as a private investigator but who wishes to carry a concealed ~~weapon~~ handgun while not engaged in ~~private investigative~~ private protective service duties shall be permitted to do so upon completion of the requirements set forth in Article 54B of Chapter 14 of the General Statutes.

(o) The Board shall not knowingly issue a firearm registration permit to an individual who is prohibited by federal or State law from possessing a firearm.

(p) A licensee who is authorized pursuant to 18 USC 926B and 18 USC 926C (i.e. "H.R. 218"), to carry a concealed handgun shall be exempt from the requirement in (n)(i) above.

**SECTION 2.(a) G.S. 18B-3 reads as amended:**

\*\*\*\*\*

(23) Provide for a method for permittees and applicants to establish compliance with all local ordinances, and State and federal laws.

**SECTION 2.(b) 93B-8.1(d) reads as amended:**

(e) This section does not apply to the North Carolina Criminal Justice Education and Training Standards ~~Commission and Commission~~, the North Carolina Sheriff's Education and Training Standards ~~Commission~~ Commission and the North



1 Carolina Private Protective Services Board, and the North Carolina Alarm Systems  
2 Licensing Board.  
3

4 **SECTION 3. G.S. 14-415.12(a)(4)(c) reads as amended:**  
5

- 6 (4) The applicant has successfully completed an approved firearms safety and  
7 training course which involves the actual firing of handguns and  
8 instruction in the laws of this State governing the carrying of a concealed  
9 handgun and the use of deadly force. The North Carolina Criminal Justice  
10 Education and Training Standards Commission shall prepare and publish  
11 general guidelines for courses and qualifications of instructors which  
12 would satisfy the requirements of this subdivision. An approved course  
13 shall be any course which satisfies the requirements of this subdivision and  
14 is certified or sponsored by any of the following:  
15 a. The North Carolina Criminal Justice Education and Training Standards  
16 Commission.  
17 b. The National Rifle Association.  
18 b1. The United States Concealed Carry Association.  
19 c. A law enforcement agency, college, private or public institution or  
20 organization, or firearms training school, taught by instructors certified by the  
21 North Carolina Criminal Justice Education and Training Standards  
22 Commission, the United States Concealed Carry Association, or the National  
23 Rifle Association.  
24 d. The training course taught by instructors certified by the North Carolina Private  
25 Protective Services Board pursuant to G.S. 74C-13.  
26

27 **SECTION 4. G.S. 15A-151(a) reads as amended:**  
28

- 29 (a) The Administrative Office of the Courts shall maintain a confidential file for  
30 expungements containing the petitions granted under this Article and the names of  
31 those people for whom it received a notice under G.S. 15A-150. The information  
32 contained in the file may be disclosed only as follows:  
33 (1) Upon request of a judge of the General Court of Justice of North Carolina for  
34 the purpose of ascertaining whether a person charged with an offense has been  
35 previously granted a discharge or an expunction.  
36 (2) Upon request of a person requesting confirmation of the person's own discharge  
37 or expunction.  
38 (3) To the General Court of Justice of North Carolina in response to a subpoena or  
39 other court order issued pursuant to a civil action under G.S. 15A-152.  
40 (4) Upon request of State or local law enforcement, if the criminal record was  
41 expunged under this Chapter for employment purposes only.  
42 (5) Upon the request of the North Carolina Criminal Justice Education and Training  
43 Standards Commission, if the criminal record was expunged under this Chapter for  
44 certification purposes only.

- 1 (6) Upon request of the North Carolina Sheriff's Education and Training Standards  
2 Commission, if the criminal record was expunged under this Chapter for  
3 certification purposes only.
- 4 (7) To the district attorney in accordance with G.S. 15A-151.5.
- 5 (8) Upon request of the North Carolina Sheriffs' Education and Training Standards  
6 Commission, if the criminal record was expunged under this Chapter for purposes  
7 of preparing a disclosure statement in accordance with Article 3 of Chapter 17E of  
8 the General Statutes.
- 9 (9) For disclosure of records of previous dismissal pursuant to conditional  
10 discharge, upon joint request of the district attorney and the defendant in a pending  
11 proceeding for the purpose of determining eligibility for a conditional discharge.  
12 Any report disclosed in response to the joint request shall be delivered only to the  
13 clerk of superior court of the county in which the matter is pending. Upon receipt  
14 of the report from the Administrative Office of the Courts, the clerk shall provide a  
15 copy to the district attorney and to the defendant. The clerk shall otherwise  
16 maintain the information as a confidential record in the court file for the case.
- 17 (10) Upon request of the North Carolina Private Protective Services Board or the  
18 North Carolina Alarm Systems Licensing Board, if the criminal record was  
19 expunged under this Chapter for licensure or registration purposes only.

3

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 04992

Willie R Brown Petitioner,  v.  NC Private Protective Services Board Respondent.	<b>PROPOSAL FOR DECISION</b>
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This contested case was heard by Michael C. Byrne, Administrative Law Judge, on January 28, 2025 at the Office of Administrative Hearings in Raleigh, North Carolina

**APPEARANCES**

Mr. Willie R. Brown  
1370 Hwy 24-87 #219  
Cameron NC 28326  
Petitioner

Mr. Jeffrey P. Gray  
Bailey & Dixon, LLP  
434 Fayetteville Street, #2500  
Raleigh NC 27601  
Attorney For Respondent

**ADMITTED EXHIBITS**

Respondent's Exhibits 1-3 were admitted without objection

**WITNESSES**

For Petitioner: Petitioner Willie Brown  
For Respondent: Deputy Director Ray Bullard, Investigator George Daniels

**ISSUE**

Whether Respondent correctly denied Petitioner's application for a license to be a North Carolina private investigator for lack of verifiable experience.

Based on all evidence in the record, including admitted exhibits and the testimony of witnesses, the Tribunal makes the following:

### **FINDINGS OF FACT**

1. Respondent NC Private Protective Services Board ("Respondent" or "Board") is established pursuant to N.C.G.S. Chapter 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, as well as licensure of private investigators and other occupations subject to licensure or certification pursuant to N.C.G.S. 74C.
2. Ray Bullard is the Deputy Director for Respondent for two years and prior to that was training officer for Respondent. Prior to that he was employed with the Sanford, NC police department for more than 20 years. Unless otherwise stated Bullard was a credible witness.
3. George Daniels is an investigator for Respondent and investigated Petitioner's application. Daniels has experience as a Board investigator as well as more than thirty years of North Carolina and military law enforcement experience. Unless otherwise stated Daniels was a credible witness.
4. Petitioner Willie Brown has over three and up to four years as a law enforcement officer in the State of Texas. He applied to be a licensed private investigator in North Carolina and Respondent denied his application based on the statutory requirements of verifiable experience. Unless otherwise stated Brown was a credible witness.
5. Petitioner's application was put into evidence. The only law enforcement experience Petitioner listed on his application was approximately ten months in one of his multiple prior law enforcement positions in the State of Texas.
6. Petitioner acknowledged that it was his responsibility to demonstrate verifiable experience in his application to receive a license as a North Carolina private investigator.
7. Petitioner's application as submitted shows less than one year of applicable experience, which is substantially less than the statutory requirements. The application does not provide substantial details of the law enforcement experience Petitioner did not claim. Respondent denied his application for lack of verifiable experience.
8. However, when Daniels met with Petitioner, his subsequent report (Res. Ex. 2) shows that Petitioner had between three and four years of law enforcement experience in the State of Texas over a period of several years. Daniels' report addresses that experience in detail.
9. Petitioner was offered the opportunity to appear before Respondent's Grievance Committee regarding his denial. He did not appear. Petitioner's notice of appeal to this Tribunal states, and the Tribunal so finds, that Petitioner was absent due to a death in his family. It is further found that Petitioner was confused as to the nature of the present

proceeding; Petitioner was under the erroneous impression that he was again appearing before Respondent's committee regarding the denial of his application.

### **CONCLUSIONS OF LAW**

1. The Office of Administrative Hearings has jurisdiction over the parties and the subject matter pursuant to Chapters 74C and 150B, Article 3A of the North Carolina General Statutes. The North Carolina Private Protective Services Board will make the final decision in this contested case. Tiffany Ann Misel v. North Carolina Private Protective Services Board, 2012 NC OAH LEXIS 75, 12 DOJ 0681.
2. To the extent that the Findings of Fact contain Conclusions of Law and vice versa, they should be so considered without regard to their given labels. Charlotte v. Health, 226 N.C. 750, 755, 440 S.E.2d 600, 604 (1946).
3. An administrative tribunal need not make findings as to every fact which arises from the evidence and need only find those facts which are material to the settlement of the dispute. Flanders v. Gabriel, 110 N.C. App. 438, 440, 429 S.E.2d 611, 612 (1993).
4. All parties have been correctly designated and there is no question of misjoinder or nonjoinder.
5. Respondent is established pursuant to N.C.G.S. 74C-1, et seq., and is charged with the duty of licensing and registering individuals engaged in various practices, including that of a private investigator in North Carolina. Respondent is authorized by law to make rules setting minimum standards for certification in the fields it oversees.
6. Respondent's rule 14B NCAC 16 .0401 set out the experience qualifications for a private investigator license in North Carolina. There are multiple ways to demonstrate this experience under the rule. One, applicable here, is subsection (a)(2): "establish three years of verifiable experience while conducting investigations as set forth in G.S. 74C-3(a)(8) while serving in an investigative capacity as defined in Rule .0103(10) of this Chapter with any federal, state, county, municipal law enforcement agency, or other governmental agency." See also 14B NCAC 16 .0204 ("(a) Experience requirements shall be determined as follows: .. (3) three years experience = 3,000 hours.").
7. By Respondent's rules, "Investigative Capacity" is defined as "any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals." 14B NCAC 16 .0103(10).
8. Further, North Carolina courts reviewing experience determinations by Respondent tend to take an expansive, rather than restrictive, interpretation of relevant experience. Boston v. N.C. Private Protective Services Board, 96 N.C. App. 204, 207, 385 S.E.2d 148, 151 (1989); Cowan v. N.C. Private Protective Services Bd., 98 N.C. App. 498, 503, 391 S.E.2d

217, 220, (1990) (“we determine that a reasonable person would conclude that Cowan’s research activities were investigative, for the ‘purpose of obtaining information,’ and the Board’s findings and conclusions were not supported by substantial evidence.”).

9. The evidence tends to show that Petitioner’s service in an “Investigative Capacity,” as defined by Respondent’s rules, if verified, shows in excess of 3,000 hours of service in that capacity, meets Respondent’s minimum experience requirements of three years of verifiable experience to be licensed as a private investigator in North Carolina, and the Tribunal so concludes as a matter of law.
10. Thus, while Respondent’s initial denial based on Petitioner’s initial application was proper, upon Petitioner’s verification of all his prior relevant experience discussed above (if requested); see 14B NCAC 16 .0204(b) the Tribunal sees no barrier to Petitioner receiving a private investigator license upon reapplication.

### **PROPOSAL FOR DECISION**

The Tribunal proposes that Respondent affirm its denial of Petitioner’s initial application, as Petitioner failed to demonstrate verifiable experience in that application, but also proposes that the evidence demonstrates that he has applicable experience satisfying the statutory and rules criteria and that his re-application for a North Carolina private investigator license, should it occur, should be approved.

### **NOTICE**

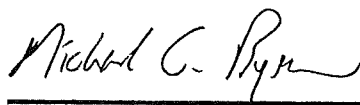
The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this Proposal for Decision, to submit proposed Findings of Fact and to present oral and written arguments to the agency. N.C.G.S. 150B-40(e).

The agency that will make the final decision in this contested case is the North Carolina Private Protective Services Board.

A copy of the final agency decision or order shall be served upon each party personally or by certified mail addressed to the party at the latest address given by the party to the agency and a copy shall be furnished to any attorney of record. N.C.G.S. 150B-42(a).

**SO ORDERED.**

This the 30th day of January, 2025.

A handwritten signature in black ink, reading "Michael C. Byrne", is written over a solid black 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 which subsequently will place the foregoing document into an official depository of the United States Postal Service:

Willie R Brown  
1370 Hwy 24-87 #219  
Cameron NC 28326  
Petitioner

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

This the 30th day of January, 2025.



Julie B. Eddins  
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