



# 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**  
**May 15, 2025, 11 a.m.**  
**Hampton Inn and Suites – Raleigh/Crabtree Valley**

**Board Members Present**

Stacy Buff	Tamara Rabenold
Dave Stephens	Jerry Pitman
Andy Renfrow	Candace Ratliff
Debra Duncan	Kim Heffney
Steve Johnson	Ron Burris
Richard Epley	Suzanne Creech

**Staff Present**

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

**Board Members Absent**

David Poston  
Assata Buffaloe

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**Call to Order**

Chair Tamara Rabenold called the May 15, 2025, meeting of the North Carolina Private Protective Services Board to order at 11 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 March 2025 Board Meeting Minutes**

Motion: Debra Duncan motioned to accept the March 15, 2025, Board meeting minutes. Dave Stephens seconded. The motion carried unanimously.

## **Committee Reports**

**Grievance Committee:** Grievance Committee members Tamara Rabenold, Steve Johnson, Jerry Pitman, Suzanne Creech, Ron Burris and Candace Ratliff met on May 14, 2025, from 8:35 a.m. to 12:57 p.m. They heard 21 cases. Committee Chair Ron Burris presented the Grievance Committee report.

Motion: Suzanne Creech 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, Stacy Buff, Kim Heffney, Debra Duncan, Andy Renfrow and Richard Epley met on May 14, 2025, from 1:09 p.m. to 2:54 p.m. to review 60 new license applications. Committee Chair Debra Duncan presented the Screening Committee report.

Motion: Suzanne Creech motioned to accept the Screening Committee report. Kim Heffney seconded. The motion carried unanimously.

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

**Law and Rules Committee:** Laws and Rules Committee members Debra Duncan, Suzanne Creech, Steve Johnson, Jerry Pitman, Kim Heffney, Candace Ratliff and Andy Renfrow met on May 15, 2025, from 10:00 a.m. to 10:20 a.m. Committee Chair Steve Johnson presented the Committee report.

Mr. Johnson reported that the Committee recommended the Board approve the following administrative rule amendments. He said the amendments were not urgent and suggested the Board delay filing the amendments until they could be batched with a larger set of rule amendments.

1. Amend Rule .0809 to allow any rifle caliber between .223 and .30.
2. Amend Rule .0807 to require the 20-hour armed security guard training course be completed within 14 consecutive days.

Next, Mr. Johnson stated the Committee recommend the Board amend its Consent Agreement Policy to allow for the use of enhanced penalties in follow-up registration compliance audits. He reported the current policy does not allow for enhanced penalties, and the Law and Rules Committee members believe the Board should have broader discretion for the use of enhanced penalties to address repeated registration violations.

Motion: Steve Johnson motioned to approve the proposed amendment to Rule .080 to allow rifle calibers between .223 and .30. Dave Stephens seconded. The motion carried unanimously.

Motion: Stacy Buff motioned to approve the proposed amendment to Rule .0807 to require the 20-hour armed security guard training course be completed within 14 consecutive days. Candace Ratliff seconded. The motion carried unanimously.

Motion: Steve Johnson motioned to approve amending the Board's Consent Agreement Policy to state that enhanced penalties "may" be used when settling registration violations found during follow-up audits. Kim Heffney seconded. The motion carried unanimously.

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

**Training and Education Committee** Training and Education Committee members Richard Epley, Steve Johnson, Dave Stephens, Andy Renfrow, Stacy Buff, and Candace Ratliff met on May 25, 2025, from 9:00 a.m. to 9:49 a.m. Committee Chair Dave Stephens presented the Training and Education Committee report, which included updates about trainer courses, a report on two trainer observations, two reports on weapon discharges, and various applications for new and renewal continuing education courses.

In addition, Committee Chair Dave Stephens reported the following topics were discussed by the Committee:

1. The Committee recommended the following manuals be translated into Spanish: Unarmed Guard Trainer Manual, Unarmed Guard Student Manual, Firearms Trainer Manual, and Firearms Student Manual.
2. The Committee considered a proposal from a licensee to change the Board's firearms course of fire to match the recently revised course of fire used by law enforcement officers in North Carolina. The Committee recommended the Board not change its current course of fire.
3. The Committee referred to the Law and Rules Committee the proposed rule amendment regarding permissible rifle calibers.
4. The Committee recommended the Board grant standing approval for continuing education to the annual Techno Security and Digital Forensics Conference.
5. The Committee recommended the Board adopt a policy that further defines a "standard" firearm, as referenced in Rule .0809, as a firearm that is composed entirely of OEM parts, even if those parts are from various manufacturers.
6. The Committee referred to the Law and Rules Committee the proposed rule amendment regarding requiring the armed security guard training course be completed within 14 consecutive days.

In addition, Mr. Stephens reported the Committee recommended the Board approve all the new and renewal continuing education courses that were submitted for review.

Andy Renfrow, chair of the Special Committee on Continuing Education, reported the Special Committee met on May 6, 2025, and discussed on-going plans to reconfigure the Board's continuing education program. He said the Special Committee was interested in pursuing specific continuing education courses that licensees are required to complete, such as an

overview of NCGS 74C, using Permitium, professionalism and ethics, and other license-specific topics. Mr. Renfrow said the ideas are still in development and discussion and no Board action was needed currently.

Motion: Debra Duncan motioned to accept the Training and Education Committee report. Kim Heffney seconded. The motion carried unanimously.

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

### **Finance Committee**

Finance Committee Chair Andy Renfrow stated the Committee did not meet and did not have a report to give the Board.

### **Emerging Technology Committee**

Emerging Technology Chair Candace Ratliff stated the Committee did not meet and did not have a report to give the Board.

### **Special Committee on Unlicensed Activity**

Suzanne Creech, chair of the Special Committee on Unlicensed Activity, reported that Gary Pastor had been appointed Co-Chair of the Special Committee. Ms. Creech also discussed the reluctance of district attorneys to prosecute criminally violations of NCGS 74C, and how continued outreach by the Board of the dangers of unlicensed activity are needed.

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

### **ASLB/PPSB Joint Special Committee**

Candace Ratliff, chair of the ASLB/PPSB Joint Special Committee, stated the Special Committee had not met recently; however, she stated the ASLB had included in its pending amendment to NCGS 74D a provision that would allow PPSB-licensed security guard and patrol companies to obtain a special ASLB license for video monitoring. Ms. Ratliff also said she was working to coordinate a presentation of a robot security guard at a future Committee meeting.

Motion: Stacy Buff motioned to accept the ASLB/PPSB Joint Special Committee report. Kim Heffney seconded. The motion carried unanimously.

### **Final Agency Decisions**

Attorney Jeff Gray recused himself as the Board's attorney to present the Proposal for Decision in the case of 24 DOJ 04994, David Kriwox (Petitioner) v. NC Private Protective Services Board (Respondent). Mr. Kriwox was present. The case was heard by Administrative Law Judge Michael Byrne on January 28, 2025. The case involved the suspension of Mr. Kriwox's license

for failing to cooperate with an investigation by the Board and registration violations, pursuant to NCGS 74C-11; 74C-12(a)(12); and 74C-13.

Motion: Stacy Buff motioned to accept the findings of the Administrative Law Judge and suspend Mr. Kriwox's security guard and patrol license. Kim Heffney seconded the motion. The motion carried unanimously. Members Ron Burris, Steve Johnson, Tamara Rabenold and Candace Ratliff, who served on the Grievance Committee that heard the original complaint against Mr. Kriwox and recommended the suspension, recused from the vote.

Mr. Gray also presented the Proposal for Decision in the case of 24 DOJ 04257, Lawrence Garcia (Petitioner) v. NC Private Protective Services Board (Respondent). Mr. Garcia was not present. A representative of AmeriGuard Security, Jamie Buckley, was present. The case was heard by Administrative Law Judge Lawrence Duke on December 17, 2024. The case involved the suspension of Mr. Garcia's security guard and patrol license for numerous registration violations and failing to cooperate with an investigation by the Board, pursuant to NCGS 74C-11; 74C-12(a)(12); and 74C-13. Administrative Judge Lawrence Duke recommended that Lawrence Garcia and Ameriguard Security Services Inc. be assessed a civil penalty of \$2,000.00 for the violation of N.C.G.S. 74C-12(a)(29) and receive no sanction for the registration violations.

Motion: Stacy Buff motioned to reject the recommendation from the Administrative Law Judge and uphold the Board's suspension of Mr. Garcia's license. Debra Duncan seconded the motion. The motion carried unanimously. Members Ron Burris, Steve Johnson, Tamara Rabenold, Candace Ratliff, Jerry Pitman and Suzanne Creech, who served on the Grievance Committee that heard the original complaint against Mr. Garcia and recommended the suspension, recused from the vote.

### **Old Business**

None.

### **New Business**

Mr. Pitman reported on attending the 2025 South Carolina Association of Legal Investigators Conference May 7-9, 2025, in Myrtle Beach, S.C. Mr. Pitman said there were 105 attendees, about one-quarter of which are licensed in North Carolina. He stated the sessions were informative and commended the presentation about N.C. and S.C. private investigator licensing delivered by Director Sherwin.

### **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, as well as an update on board finances.

Motion: Jerry Pitman motioned to accept the Director's Report. Andy Renfrow 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, litigation, and legislative updates.

Mr. Gray informed the Board that the public comment period for amendments to Rules 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501, and .1502 had closed, and no comments were submitted. He suggested the Board approve the rules as written and proceed with sending the amendments to the Rules Review Commission for evaluation.

Member Richard Epley asked if it would be feasible for the Board to work with the General Assembly to amend NCGS 14-269.2 to allow registered armed security guards to work on educational property. Chair Rabenold authorized Mr. Epley and Mr. Gray to explore the matter further with legislators.

Motion: Steve Johnson motioned to accept the Attorney's Report, to include the adoption of the amendments to Rules 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501, and .1502. Andy Renfrow seconded. The motion carried unanimously.

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

### **Good of the Order**

Tamara Rabenold acknowledged the recent birthdays of members Suzanne Creech and Steve Johnson.

### **Public Comment**

Shaun Marso, president of the N.C. Association of Private Investigators, reported the 2025 NCAP Conference is scheduled for October 21- 24, 2025, at The DoubleTree by Hilton in Atlantic Beach, N.C. Mr. Marso reported the Association currently has 247 members.

Bill MacRae said the Association of Professional Security Providers of North Carolina is actively recruiting members and Board directors.

### **Adjourn**

Motion: Steve Johnson motioned to adjourn the meeting. Richard Epley seconded. The motion carried unanimously.

Meeting Adjourned: 1:32 p.m.

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Paul Sherwin, Director

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Mercedes Sierra, Board Secretary

**Board Meeting Guests**

William MacRae	Kimberly Haswell	Paul Latorre	Christopher Oxendine
Don Miller	Craig Petronella	Shaun Marso	Les Goodwin
Tina Wilson	Monty Smothers	Oscar Quick	David Roebuck
Jamie Buckley	Gary Pastor	George Porter	Rodney Knowles
June Knowles	Dionne Porter	Jeff Mixon*	Chuck Lynch*
Daren Lopez*	Drew Skelton*	Michael Ortiz*	John Honeycutt*
Kevin Hecksher*	Leonard Dupee*	Tom McNamara*	Mike Czarnecki*
Rich Vicars*	Taylor Cromartie*	Uganchimeg Leonard*	Tom Stewart*
William Smith*	Michael Curtis*		

**\*V: Virtual**

## PPSB Grievance After Report for May 15, 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-114	Jeffrey Scott Covington Covington Investigations 4312 Havens Crest Havens Crest Morehead City, NC 28570	14B NCAC 16 .0404(a) NCGS 74C-12(a)(20)	Find a violation of NCGS 74C-12(a)(20). Issue a Letter of Caution to Jeffrey Covington for failure to provide his client a report. Mr. Covington is to provide the client a written report no later than June 15, 2025, for work conducted through 12:30 p.m. on Oct. 20, 2024. Mr. Covington is to provide Board staff with confirmation of delivering the report.	Accepted
2.	2025-PPS-004	Hector Falu Falu Security 1100 Peachtree Street NE Suite 200 Atlanta, GA 30309	14B NCAC 16 .0108(b) NCGS 74C-2	Find a violation of NCGS 74C-11(a); NCGS 74C-12(a)(6); NCGS 74C-12(a)(29); NCGS 74C-12(a)(31); NCGS 74C-13(b); 14B NCAC 16 .0108(b); and 14B NCAC 16 .0110(a). Mr. Falu is to pay a civil penalty of \$2,000.00 for each violation, totaling \$14,000.00. Revoke Mr. Falu's security and patrol license. Mr. Falu is to immediately remove all advertising for security services in North Carolina. Refer this matter to the Screening Committee should Mr. Falu apply to renew or reinstate his license. Board staff is to notify regulatory authorities of this case in each state Mr. Falu is licensed.	Accepted
3.	2025-PPS-008	Curtis Romano Watchmen Solutions, LLC 13534 Plaza Rd Extension Suite 122 CHARLOTTE, NC 28215	14B NCAC 16 .0108(b)	Find a violation of NCGS 74C-11. Enter into a consent agreement with Curtis Romano and Watchmen Solutions, LLC, in the amount of \$8,384.40 for 64 unarmed security guard registration violations and three armed security guard registration violations. Mr. Romano and designees Samuel Sigler and Vernon Bowen are to attend PPSB Registration Procedures training following the September 2025 Board meeting. Board staff is to conduct a follow-up registration compliance audit of Q4 2025 and Q1 2026.	Accepted
4.	2025-PPS-009	Terry Walser Tri Metro Security Services, LLC 224 E Holding Ave Unit 935 Wake Forest, NC 27588	NCGS 74C-12(d)(4)	Find a violation of NCGS 74C-12(d)(4). Issue a Letter of Caution to Terry Walser for failure to report a criminal charge.	Accepted



	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
5.	2025-PPS-010	Abraham Smiley Brown's Security 7501 Cedar Pointe Lane Apt. 209 Charlotte, NC 28210	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Issue a Letter of Caution to Abraham Smiley for working as an armed security guard without a registration.	Accepted
6.	2025-PPS-011	Earl Emmanuel McCoy, Jr. Brown's Security 9903 Peppermint Lane Charlotte, NC 28215	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Earl Emmanuel McCoy, Jr. and refer this matter to the Screening Committee should Mr. McCoy apply for license or registration.	Accepted
7.	2025-PPS-013	Tad Chase Coe Brown's Security 2508 Madeline Meadows Drive Charlotte, NC 28217	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Tad Chase Coe and refer this matter to the Screening Committee should Mr. Coe apply for license or registration.	Accepted
8.	2025-PPS-014	Devin Keyon Dargan Brown's Security 5508 Keyway Blvd C Charlotte, NC 28215	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Devin Keyon Dargan and refer this matter to the Screening Committee should Mr. Dargan apply for license or registration.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
9.	2025-PPS-015	Jason Jermaine Simmons Brown's Security 8848 Nolley Court Apt. 107 Charlotte, NC 28270	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Jason Jermaine Simmons and refer this matter to the Screening Committee should Mr. Simmons apply for license or registration.	Accepted
10.	2025-PPS-016	Fate Ferguson IV Brown's Security 211 S. Caldwell Street Apt. A Salisbury, NC 28144	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Fate Ferguson IV and refer this matter to the Screening Committee should Mr. Ferguson apply for license or registration.	Accepted
11.	2025-PPS-017	Stacy Lavar Parham Skull Head Security 7800 Andover Woods Drive Charlotte, NC 28210	NCGS 74C-2, NCGS 74C-13(b)	Find a violation of NCGS 74C-2 and NCGS 74C-13(b). Continue the cease and desist order previously issued to Stacy Lavar Parham and Skull Head Security. Refer this matter to the Screening Committee should Mr. Parham apply for license or registration.	Accepted
12.	2025-PPS-018	Adrian Oman Norman Skull Head Security 1210 N. Tryon Street Charlotte, NC 28206	NCGS 74C-2, NCGS 74C-13(a)	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Adrian Oman Norman and refer this matter to the Screening Committee should Mr. Norman apply for license or registration.	Accepted
13.	2025-PPS-024	Lamorrow Hakeen Haley Skull Head Security 6405-B Leafcrest Lane Charlotte, NC 28210	NCGS 74C-2, NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13(a). Continue the cease and desist order previously issued to Lamorrow Hakeen Haley and refer this matter to the Screening Committee should Mr. Haley apply for license or registration.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
14.	2025-PPS-028	Richard Amandi-Emina Mopol Security Services 4411 Oakburn Dr Charlotte, NC 282690000	NCGS 74C-10(h)	Find a violation of NCGS 74C-10(h). Issue a Letter of Caution to Richard Amandi-Emina for a lapse of liability insurance.	Accepted
15.	2025-PPS-029	David Kriwox Saker Aegis Systems, Inc. P.O. Box 41053 Raleigh, NC 27604	NCGS 74C-13(b) 14B NCAC 16 .0110(a)	Find a violation of 14B NCAC 16 .0110(a). Issue a Letter of Caution to Mr. Kriwox for failure to report a registrant's criminal charge. Mr. Kriwox is to attend Registration Procedures training following the September 2025 Board meeting.	Accepted
16.	2025-PPS-031	David Charles Kaiser Spearhead Private Investigations P.O. Box 64301 Fayetteville, NC 28306	NCGS 74C-12(a)(7)	Find a violation of NCGS 74C-12(a)(7). Revoke Board approval of all continuing education courses for which David Kaiser is an approved instructor.	Accepted
17.	2025-PPS-032	David Charles Kaiser Spearhead Private Investigations P.O. Box 64301 Fayetteville, NC 28306	NCGS 74C-2	Find a violation of NCGS 74C-2. Revoke all PPSB credentials held by David Kaiser, including licenses, registrations and trainer certifications. Assess a \$2,000.00 civil penalty to Mr. Kaiser.	Accepted
18.	2025-PPS-033	David Charles Kaiser Spearhead Private Investigations P.O. Box 64301 Fayetteville, NC 28306	NCGS 74C-12(a)(7)	Find a violation of NCGS 74C-12(a)(7). Revoke Board approval of all continuing education courses for which David Kaiser is an approved instructor.	Accepted

	<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
19.	2025-PPS-038	David Charles Kaiser Spearhead Private Investigations P.O. Box 64301 Fayetteville, NC 28306	NCGS 74C-12(d)(2)	Find a violation of NCGS 74C-12(d)(2). Revoke all PPSB credentials held by David Kaiser, including licenses, registrations and trainer certifications.	Accepted

# Board Meeting Report

Board Date 05/15/2025

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Dean Adone DJA Investigations 3213 Box Turtle Drive Fort Mill, SC 29715	Private Investigator	Approve	Accepted
2.	Dean Adone DJA Investigations 3213 Box Turtle Drive Fort Mill, SC 29715	Security Guard And Patrol	Approve	Accepted
3.	Wesley Carlton Anders Dominion XP, LLC 40 Cane Creek Industrial Park Drive Fletcher, NC 28732	Close Personal Protection	Approve with Condition Receipt of favorable fingerprint-based criminal history record check.	Accepted
4.	David Milton Anderson Professional Surveillance Group 5607 W Friendly Av Greensboro, NC 27410	Private Investigator Associate	Deny False statement on license application.	Accepted
5.	Robert K Beaman Robert K Beaman 1229 Harbor Town Place Rock Hill, SC 29730	Polygraph Examiner	Approve with Condition Pass testing required by Rule 14B NCAC 16 .0501(a)(1)	Accepted
6.	Brett Bishop Cerberus Security LLC 493 W Norton Ave231 Norton Shores, MI 49444	Security Guard And Patrol	Approve	Accepted
7.	Brett Bishop Cerberus Security LLC 493 W Norton Ave231 Norton Shores, MI 49444	Guard Dog Service	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
8.	Jacqueline Davon Brown KingCargo 4346 Tipperary Place Charlotte, NC 28215	Courier Service	Approve	Accepted
9.	Luis David Castrillon Envista Forensics, LLC 5565 Centerview Dr Raleigh, NC 27606	Digital Forensics Examiner	Approve	Accepted
10.	Jessica Coates Ellington Digital Forensics 7620 Thompson Mill Rd Wake Forest, NC 27587	Digital Forensics Examiner	Approve with Condition Jessica Coates enter into and pay a \$1,700.00 consent agreement for 20 months of unlicensed activity. The consent agreement may be paid in three equal installments.	Accepted
11.	Richard George Colpitts RC Investigations 6945 Potter Rd matthews, NC 28104	Private Investigator	Approve	Accepted
12.	Richard George Colpitts RC Investigations 6945 Potter Rd matthews, NC 28104	Close Personal Protection	Approve	Accepted
13.	Harrill Dean Conner Davis & Forest Investigative Group, LLC 9820 Northcross Center Ct #62 Huntersville, NC 28078	Private Investigator	Approve	Accepted
14.	Winford Lee Creel SOAR Security, LLC 645 Mouzon Rd Waynesville, NC 28785	Security Guard And Patrol	Approve with Condition Receipt of a favorable fingerprint-based criminal history record check.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
15.	Rickey Scott Dease Armatae Incorporated 202 East Washington Street Mebane, NC 27302	Private Investigator Associate	Approve Level 1 with 400 hours	Accepted
16.	Rickey Scott Dease Armatae Incorporated 202 East Washington Street Mebane, NC 27302	Security Guard And Patrol	Approve	Accepted
17.	Daniel Dorminey Max Woodrow & Company 82 High Top Mountain Rd Leicester, NC 28748	Private Investigator	Approve	Accepted
18.	Catherine Davis Flowers Cat's Eye Private Investigations LLC PO Box 26451 Raleigh, NC 276110000	Security Guard And Patrol	Approve	Accepted
19.	Bakur Ghurtskaia Bakur Ghurtskaia 6321 New Hope Church RD Marshville, NC 28103	Close Personal Protection	Approve	Accepted
20.	Brian Edward Gibson Allied Universal Compliance and Investigations, Inc. 910 Paverstone Drive Raleigh, NC 27615	Private Investigator	Approve	Accepted
21.	Brett Derek Hart All Access Investigation & Protective Services, LLC P.O. Box 2065 Cornelius, NC 28031	Private Investigator Associate	Approve Level 2 with 2,145.6 hours	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
22.	Christopher George Herman Smart System Security 13861 Piedmont Vista Dr Haymarket, VA 20169	Security Guard And Patrol	Approve	Accepted
23.	Stephanie Elizabeth Hessler Dominion XP, LLC 40 Cane Creek Industrial Park Rd Fletcher, NC 28732	Close Personal Protection	Approve	Accepted
24.	James Allen Holler Jr. Firefly - Independant Sexual Abuse Investigations 420 Crum Road Fairfield, PA 17320	Private Investigator	Approve	Accepted
25.	Jamie Russell Hollifield Dominion XP, LLC 40 Cane Creek Industrial Park Road Fletcher, NC 28732	Close Personal Protection	Approve	Accepted
26.	WENDE GUERIN KERL Investigative Edge PI & Consulting 19701 Bethel Church Rd Cornelius, NC 28031	Private Investigator	Approve	Accepted
27.	Maria Kuylen Integrity First Consultants LLC 205 Kindling Wood Ln Waxhaw, NC 28173	Private Investigator	Approve	Accepted
28.	Richard Ian Mack Mack Consulting Group, LLC 420 Lexington ave suite 1402 Bayside, NY 10170	Security Guard And Patrol	Approve	Accepted



	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
29.	Kimberley Kay McCarty Hugrekki-Giles and Associates 9339 Bonnie Briar Circle Charlotte, NC 28277	Private Investigator	Approve	Accepted
30.	William Wayne Melton Redleg Protective Services 323 Declaration Dr Raeford, NC 28376	Close Personal Protection	Approve	Accepted
31.	Robert Leroy Merry Allied Universal Compliance and Investigations, Inc. 910 Paverstone Dr Raleigh, NC 27615	Private Investigator	Approve	Accepted
32.	Brian Kevin Mitchell Universal Security Forces, LLC 2 Overhill Ln simpsonville, SC 29680	Security Guard And Patrol	Approve	Accepted
33.	Simeon Mwale Cas-Wale LLC 1302 Cochise Dr Arlington , TX 76012	Security Guard And Patrol	Approve	Accepted
34.	Fredrick Myers Night Walker Defense Solutions 9627 Calloway Rd Aberdeen, NC 28315	Close Personal Protection	Approve	Accepted
35.	JONATHAN MICHAEL NOEL CorpsElite Investigations 304 E 3RD ST PRINCETON, NC 27569	Private Investigator	Deny Demonstrated lack of financial responsibility and lack of good moral character	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
36.	Kristen J Novelli Titan Digital Forensics 3304 Grey Leaf Dr. Wilmington, NC 28409	Private Investigator Associate	Approve Level 1 with 800 hours	Accepted
37.	Michael Angelo Ortiz Archangel Defense Solutions, LLC 113 Zion Church Road Sanford, NC 27330	Close Personal Protection	Approve	Accepted
38.	DURIEL Jovan PITTMAN 520 Private Investigations, Inc. 1029 W RIDGE RD SALISBURY, NC 28147-8763	Private Investigator	Approve	Accepted
39.	WILLIAM PRASCHAK 7-5-3 Executive Protection Inc 344 BELLOWS LN ROCKY POINT, NC 28457	Close Personal Protection	Approve	Accepted
40.	Cameron Pressley Novant Health 200 Hawthorne Lane Charlotte, NC 28204	Private Investigator	Approve	Accepted
41.	STEVEN ROBERT RADUS CPA, CFE, PI Steven Robert Radus 4100 Cherrybrook Drive Mint Hill, NC 28227- 0102	Private Investigator	Approve	Accepted
42.	Benjamin Josiah Redd BARD Group L.L.C. 6900 Fernhill Ln Raleigh, NC 27612	Security Guard And Patrol	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
43.	Joel Rodriguez Zion Defense Group, LLC 560 Junction Rd Mocksville , NC 27028	Close Personal Protection	Approve	Accepted
44.	Sharwyn James Saigo McGee Jr F&M Enterprise LLC 61 Monalisa ct Zebulon , NC 27597	Security Guard And Patrol	Approve with Condition Sharwyn James Saigo McGee Jr. enter into and pay a \$935.00 consent agreement for 11 months of unlicensed activity.	Accepted
45.	Andrew Leigh Skelton True North Investigative Services LLC PO Box 151 Perkiomenville, PA 18074	Private Investigator	Approve	Accepted
46.	Sean Robert Smith The Audi Group 2800 Creekbed Lane Charlotte, NC 28210	Private Investigator Associate	Approve Level 1 with zero hours	Accepted
47.	Michael Smothers Smothers Investigative Service 1701 W. Blackman Road Dunn, NC 28334	Close Personal Protection	Approve	Accepted
48.	Michael Smothers Smothers Investigative Service 1701 W. Blackman Road Dunn, NC 28334	Private Investigator	Approve	Accepted
49.	John Henry Stephens III Charlie Bravo Tactical Solutions, LLC 256 Danner Rd Mocksville, NC 27028	Close Personal Protection	Approve	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
50.	Cole Stevenson Blue Falcons Investigation LLC 3620 Legion Rd Hope Mills, NC 28348	Private Investigator	Deny Failure to complete the application process and license ineligibility, per NCGS 50-13.12	Accepted
51.	LaBecca Patrice Thomas East Coast Protective Services, Inc. 315 Spring Garden St. Greensboro, NC 27401	Security Guard And Patrol	Approve with Condition LaBecca Patrice Thomas enter into and pay a consent agreement of \$170.00 for two months of unlicensed activity.	Accepted
52.	Shane Russell Varney Aerial 41, LLC 700 Trace Dr. Wilmington, NC 28411	Private Investigator	Approve with Condition Surrender sworn LEO status.	Accepted
53.	Brian Nicholas Vermilya Vermilya Asset Protection LLC 39 Home Place Rd Roxboro, NC 27574	Security Guard And Patrol	Approve	Accepted
54.	Brian Nicholas Vermilya Vermilya Asset Protection 39 Home Place Rd Roxboro, NC 27574	Armored Car	Approve	Accepted
55.	Brian Nicholas Vermilya Vermilya Asset Protection 39 Home Place Rd Roxboro, NC 27574	Courier Service	Approve	Accepted
56.	Kellie Renee Wade Wade Investigations 7791 Old River Rd Burgaw, NC 284250000	Private Investigator	Approve with Condition Receipt of a favorable fingerprint-based criminal history record check.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
57.	Kevin Eugene Wetzel Skeleton Key Investigations Inc 125 Eagleton Cir Moyock, NC 27958	Electronic Countermeasures	Approve	Accepted
58.	Wayne Earl Wilson AW Polygraph Services, LLC 976 Crackers Neck RD Cleveland, VA 24225	Polygraph Examiner	Approve	Accepted
59.	David Wayne York Technology Concepts & Design, Inc. 4580 Weybridge Lane Greensboro, NC 27407	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

May 15, 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

- August 4-8, 2025
- September 15-19, 2025
- December 8-12, 2025
- February 16-20, 2026
- March 11-15, 2026
- July 13-17, 2026
- September 14-18, 2026
- November 16-20, 2026

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

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

- May 21, 2025
- September 3, 2025
- October 9, 2025
- November 12, 2025 (Recert for both HG and LG)
- March 4, 2026 (Recert for both HG and LG)
- March 31, 2026
- April 15, 2026
- September 23, 2026
- October 7, 2026
- November 10, 2026 (Recert for both HG and LG)

**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)

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

***Location:*** NCJA, Salemburg

- September 30 – October 3, 2025

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

***Location:*** NCJA, Salemburg

- December 2-4, 2025

### **Completed Training**

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

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

- May 5-9, 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>)

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

***Location:*** NCJA, Salemburg

- April 22-24, 2025 (10 new LG trainers)

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

***Location:*** NCJA, Salemburg

- April 28-May 1, 2025 (24 new firearms trainers)

## **Firearms Trainer Observation (1)**

### **Dale Chapman & Albert Harris**

**Date:** Friday, April 4, 2025

**Location:** Brinks Range, 2415 Executive Street, Charlotte

*No concerns or violations noted. Provided a facility tour.*

## **Firearms Trainer Audit**

### **Gene Carter**

**Date:** Friday, April 11, 2025

**Location:** 470 W. Hanes Mill Rd., Winston Salem.

**Audit period:** 2024

*A couple of pre and post reports from spring 2024 were missing.*

*They have since been submitted.*

## **Weapon Discharges**

**Name:** Anjelica Perez

**Company:** Tailormade Protective Services

**Date of Incident:** April 1, 2025 @ 10:25pm

**Location of Incident:** Circle K, 7747 N. Tryon Road, Charlotte

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

**Registration Status:** Active armed guard.

*Security Guard Perez was working armed security at the Circle K on April 1, 2025. At approximately 10:25pm, a white female entered the store and approached Perez in a very aggressive demeanor yelling obscenities. The female suspect shouted at Perez that she was going to "shoot the place up". The suspect started to retrieve an object out of her pocket, therefore, Perez unholstered her weapon and instructed her to leave the premises. The female exited the building as Perez followed her outside. The suspect opened her car door, brandished a firearm from her vehicle, and discharged 1 round in Perez's direction. Perez discharged her weapon towards the female suspect. No injuries were reported. CMPD responded to the scene and placed the female suspect in custody and charged with Assault with a Deadly Weapon.*

**Name:** Michael Waugh

**Company:** Loomis Armored US

**Date of Incident:** April 25, 2025 @ 2:50pm

**Location of Incident:** 1403 East Main Street, Havelock NC

**Weapon Involved:** 9MM Sig Sauer

**Registration Status:** Active armed armored car on date of incident

*Michael Waugh was working armed armored car for Loomis Armored US on April 25, 2025. At approximately 2:5pm, Waugh was seated in an armored vehicle waiting on a scheduled transport. While seated in the vehicle, Waugh unholstered his weapon and dismantled it to conduct a functions check. During the process, the weapon discharged. Waugh shot himself in the wrist and was transported to the hospital for non-life threatening injuries. He was terminated from Loomis Armored US as a result of this incident.*

### **Topics for Discussion**

- **UGT translated in Spanish.**
- **Changing PPS course of fire to LEO standards**
- **Unarmed Guard and Firearms manuals available for purchase at the NCJA in Salemburg**
- **Rifle Calibers**

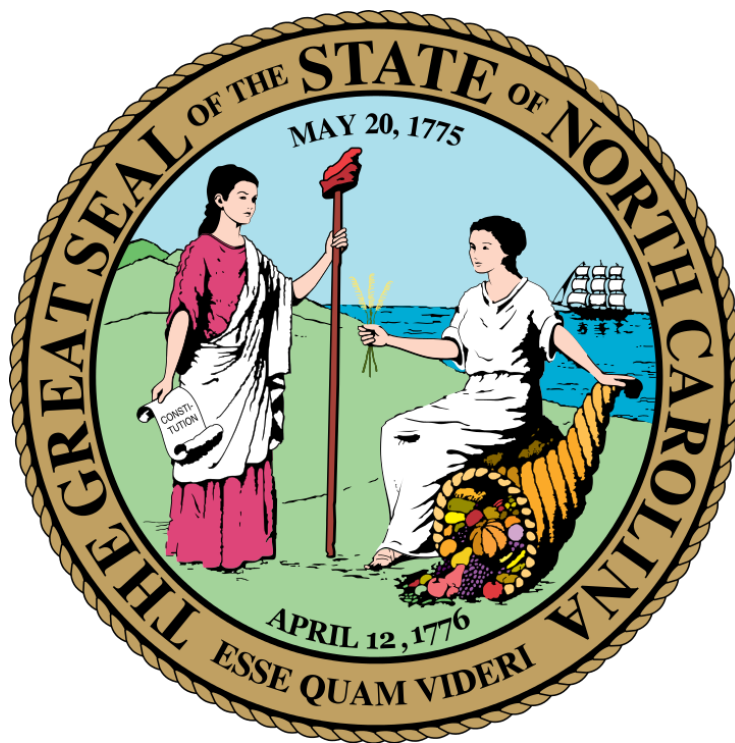
*End of Report*

<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): (APPROVED)</b>					
1.	Stephanie Mitchell	Finding Birth Parents for Adoptees, Donor-Conceived, and NPEs	PPSB-25-017	Thomas Humphreys	Online	01/28/2025	7.0
2.	Stephanie Mitchell	Identity Theft Investigation: Increase Your Revenue and Expertise	PPSB-25-018	Thomas Humphreys	Online	01/24/2025	6.0
3.	Craig Petronella	Cloud & Web Forensics	PPSB-25-019	Craig Petronella	Online	05/02/2025	4.0
4.	Craig Petronella	Incident Response & Investigation for Digital Forensics	PPSB-25-020	Craig Petronella	Online	05/02/2025	6.0
5.	Craig Petronella	Data Acquisition & Analysis	PPSB-25-021	Craig Petronella	Online	05/02/2025	3.0
6.	Craig Petronella	Cyber Threats & Threat Intelligence	PPSB-25-022	Craig Petronella	Online	05/02/2025	3.0
7.	Craig Petronella	Cryptocurrency Tracing & Blockchain Forensics	PPSB-25-023	Craig Petronella	Online	05/02/2025	3.0
8.	Francess Tolentino	Case Research, Backgrounds, and Records	PPSB-25-024	Francess Tolentino	Online	03/07/2025	6.0
		<b>Renewal Application(s): (APPROVED)</b>					
1.	Rick Mullinax	Active Shooter Training and Survival	PPSB-17-183	Rick Mullinax	Classroom	2/5/2025	12.0
2.	Stephanie Mitchell	Understanding Homeland Security and Terrorism	PPSB-17-339	Thomas "Hal" Humphreys	Online	04/08/2025	2.0
3.	Stephanie Mitchell	Untying the Knot: A Guide to Investigating Troubled Relationships	PPSB-17-337	Thomas "Hal" Humphreys	Online	04/08/2025	6.0

# **NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD**

May 15, 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 one vacant position:

- Registration Processor

Gerri Bowen on May 5, 2025, started with Private Protective Services as a registration processor. Bowen brings many years of experience working in the law enforcement profession, including in sworn and civilian positions with the Wake County Sheriff's office, the Roanoke Chowan Drug Task Force, the Williamston Police Department, and Northampton County Sheriff's Office. She has also worked as a substitute teacher, postal worker, and most recently as a registered armed security guard with a PPSB-licensed security guard and patrol company. She has three children, one of which works in law enforcement as a state trooper.

### **OPERATIONS**

#### **Registration Unit**

- Registration applications received YTD 2025: 10,618
  - Same period 2024: 9,869
  - Same period 2023: 8,875
  - Same period 2022: 7,945
  - Same period 2021: 8,128
  - Same period 2020: 8,203
  - Same period 2019: 8,924

#### **Licensing Unit**

- License applications received YTD 2025: 373
  - Same period 2024: 467
  - Same period 2023: 393
  - Same period 2022: 481
  - Same period 2021: 290
  - Same period 2020: 435
  - Same period 2019: 310

#### **Investigations Unit**

- License applicant background investigations completed YTD 2025: 147
  - Same period 2024: 205
  - Same period 2023: 176
  - Same period 2022: 111
  - Same period 2021: 140
  - Same period 2020: 152
  - Same period 2019: 158

- Complaint investigations completed YTD 2025: 42
  - Same period 2024: 59
  - Same period 2023: 42
  - Same period 2022: 47
  - Same period 2021: 29
  - Same period 2020: 13
  - Same period 2019: 46

### **Training Unit**

- Trainer applications received YTD 2025: 157
- Same period 2024: 138
- Same period 2023: 122
- Same period 2022: 88
- Same period 2021: 128
- Same period 2020: 82
- Same period 2019: 57

### **OTHER**

Investigator David Batton in March 2025 conducted a proactive registration compliance audit of Dynamic Integrated Security, Inc., and qualifying agent Zeev Fragachan Ben Dayan, for Q3 2024. Fragachan Ben Dayan holds a Security Guard and Patrol license (753913-GP) that expires Nov. 30, 2026. Batton's audit reviewed the registration records of 15 employees. No violations were discovered.

Investigator David Batton in March 2025 conducted a proactive registration compliance audit of Galilee Missionary Baptist Church, a Board-approved proprietary security organization under the supervision of Barry Rountree, for Q3 2024. Batton's audit found Rountree is the only security employee of the church. No violations were discovered.

Investigator David Batton in March 2025 conducted a proactive registration compliance audit of Hana Industries and qualifying agent Paul Foltz, for Q3 2024. Foltz holds a Security Guard and Patrol license (604471-GP) that expires May 31, 2026. Batton's audit found Hana Industries did not employ any security guards during the selected quarter. No violations were discovered.

Director Sherwin on May 8, 2025, delivered a presentation at the 2025 Spring Conference of the South Carolina Association of Legal Investigators in Myrtle Beach, S.C. The presentation covered private investigator licensing requirements in North Carolina and examined the PI industry and regulatory standards between the two states.

## LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

**Total active in Permitium: 27,070 (-7.9% from March 2025 meeting)**

Registration		
	Armed	4726
	Armed Armored Car	430
	Armed Licensee	118
	Armed Licensee Associate	11
	Unarmed	18358
	Unarmed Armored Car	23
<b>Registration Total</b>		<b>23666</b>
License		
	Armored Car Profession	78
	Close Personal Protection	303
	Courier Service Profession	69
	Digital Forensics Examiner	17
	Digital Forensics Examiner Trainee	0
	Electronic Counter Measures Profession	45
	Electronic Counter Measures Trainee	8
	Guard Dog Service Profession	16
	Polygraph Examiner	31
	Polygraph Trainee Permit	0
	Private Investigator	1407
	Private Investigator Temp Permit	4
	Private Investigator Associate	235
	Private Investigator Associate Temp Permit	2
	Proprietary	109
	Psychological Stress Evaluator	8
	Security Guard and Patrol	490
	Special Limited Guard and Patrol	4
<b>License Total</b>		<b>2827</b>
Certification		
	Firearms Trainer	218
	Unarmed Guard Trainer	359
<b>Certification Total</b>		<b>577</b>

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

**PPSB Operating Fund Revenue and Expenditures**

FYTD25 revenue	\$ 1,430,114.27
FYTD25 expenditures	\$ (1,349,347.51)
<b>FYTD25 FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ 80,766.76</b>

**PPSB Operating Fund Cash Flow**

Beginning Cash Balance (July 1, 2024)	\$ 1,915,254.57
FYTD25 revenue	\$ 1,430,114.27
FYTD25 expenditures	\$ (1,349,347.51)
<b>FYTD25 ENDING FUND BALANCE</b>	<b>\$ 1,996,021.33</b>

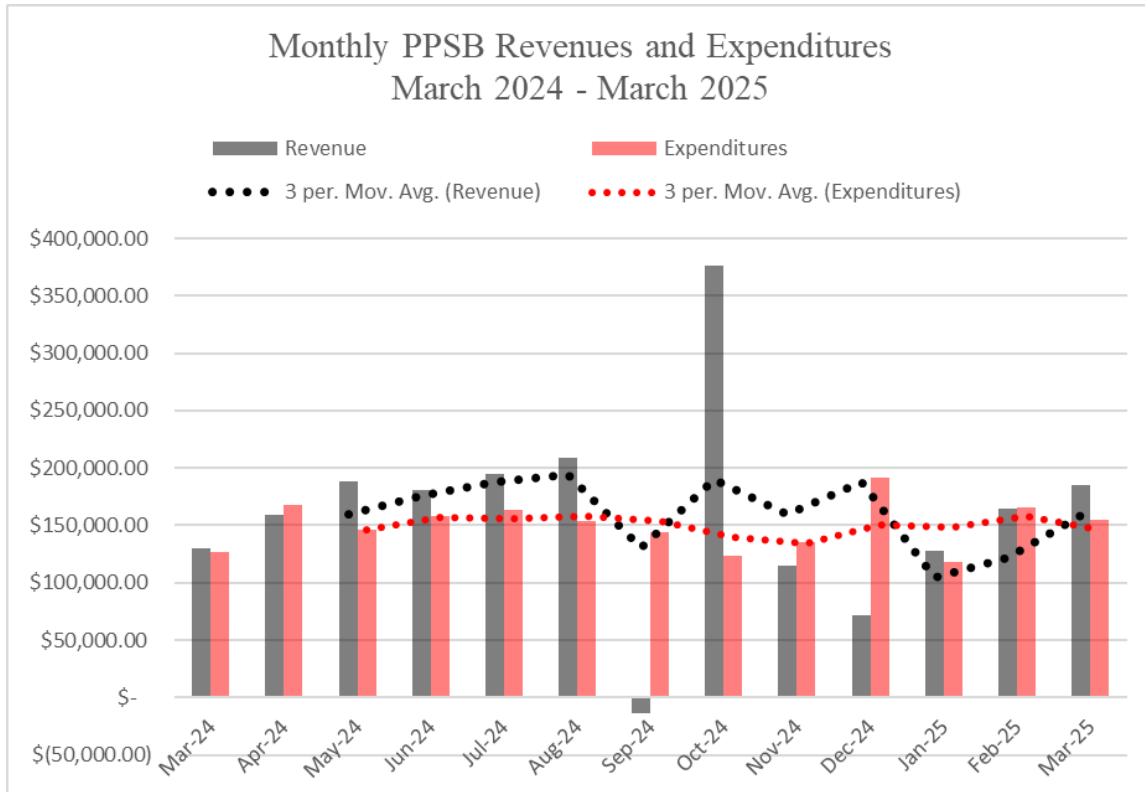
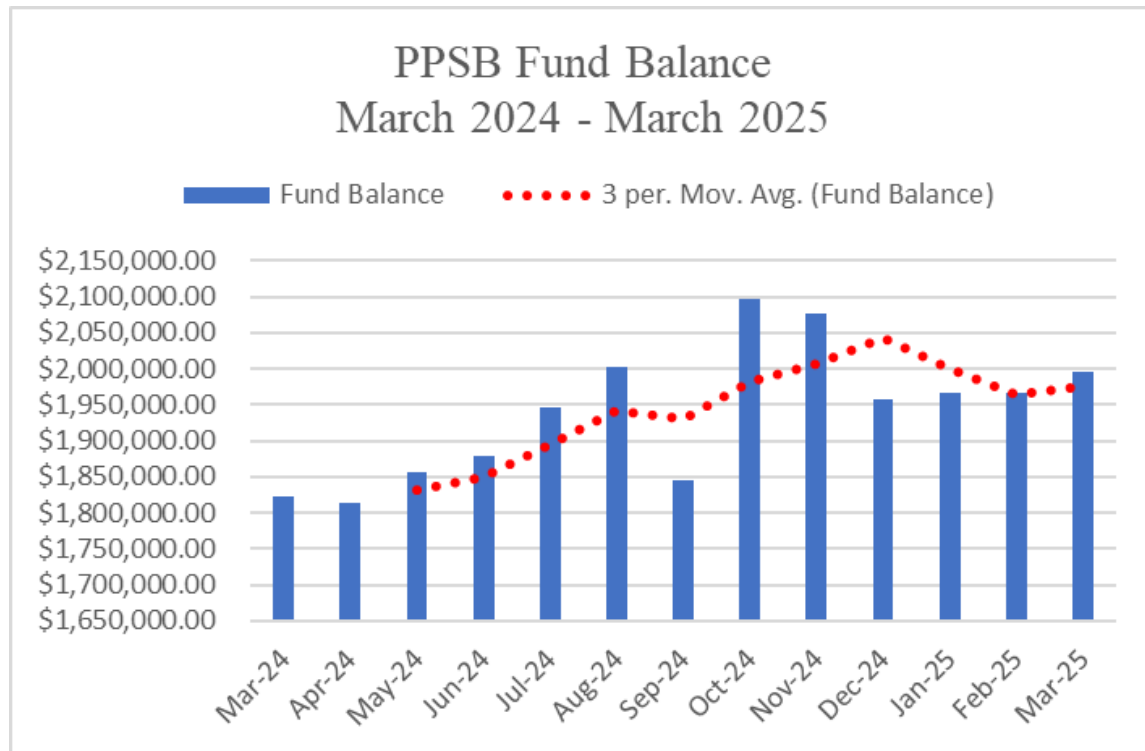
**PPSB Education Fund Revenue and Expenditures**

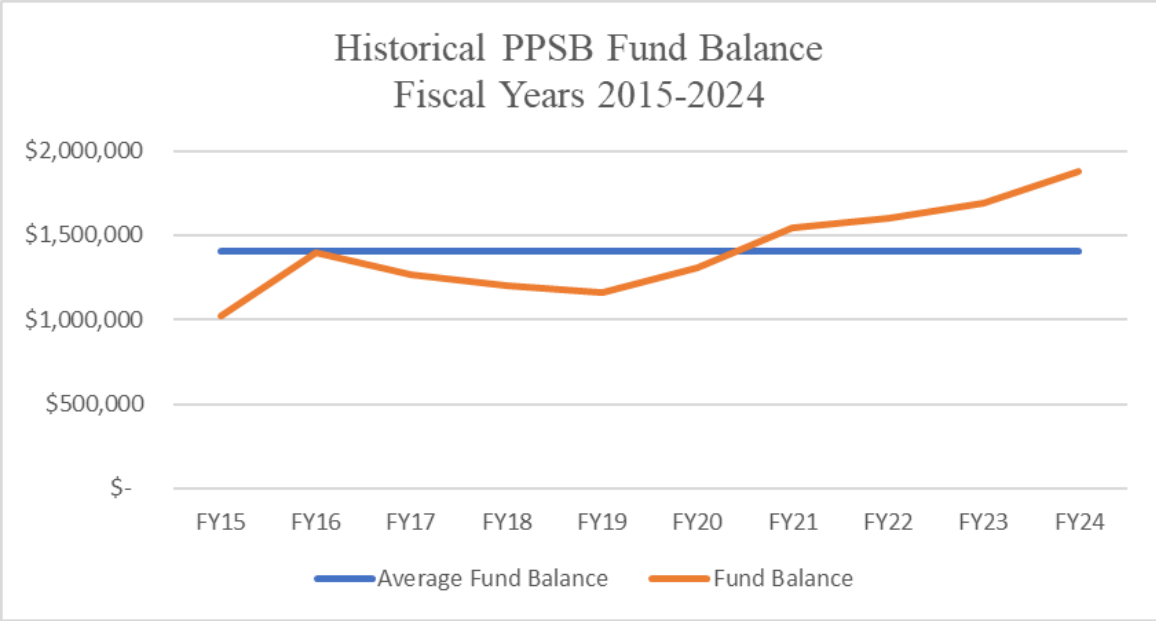
FYTD25 revenue	\$ 9,600.00
FYTD25 expenditures	\$ (15,133.00)
<b>FYTD25 EDUCATION FUND BALANCE INCREASE/(DECREASE)</b>	<b>\$ (5,533.00)</b>

**PPSB Education Fund Cash Flow**

Beginning Cash Balance (July 1, 2024)	\$ 142,143.38
FYTD25 revenue	\$ 9,600.00
FYTD25 expenditures	\$ (15,133.00)
<b>FYTD24 ENDING FUND BALANCE</b>	<b>\$ 136,610.38</b>

## BUDGET GRAPHICS





**PRIVATE PROTECTIVE SERVICES BOARD**

Raleigh, North Carolina

May 15, 2025

**ATTORNEY'S REPORT**





## **PRIVATE PROTECTIVE SERVICES BOARD**

Raleigh, North Carolina

May 15, 2025

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

1. 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. Paid in full.
2. 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. Paid in full.
3. 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. Paid in full.
4. On March 20, 2025, Samuel Eugene Harrison, Jr./STB Security, LLC, entered into a Consent Agreement with the Board in the amount of \$489.60 for one unarmed security guard registration violation and two armed security guard registration violations. The temporary consent agreement was signed by QA Samuel Eugene Harrison, Jr. on February 19, 2025. Payment has not been received.
5. On March 20, 2025, Joy McDaniel/Nova Nine Protection, LLC, entered into a Consent Agreement with the Board in the amount of \$170.00 for two months of unlicensed activity. The consent agreement was signed by QA Joy McDaniel on May 5, 2025. Paid in full.
6. On March 20, 2025, Clacie McGuffin/S & S Management Group LLC, entered into a Consent Agreement with the Board in the amount of \$11,260.80 for registration violations, 255.00 for two months of unlicensed activity. The temporary consent agreement was signed by QA Kevin Peak on February 13, 2025. Paid in full.
7. On March 20, 2025, Joseph Roy/Securitas Security Services USA, Inc. entered into a Consent Agreement with the Board in the amount of \$6,609.60 for registration violations. The Consent Agreement was signed by QA Joseph Roy on May 5, 2025. Payment has not been received.
8. On March 20, 2025, Natasha Williams/Southeastern Protective Service, Inc. entered into a Consent Agreement with the Board for \$489.60 for four unarmed security guard registration violations. No Consent Agreement was signed. Payment has not been received.

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

*See*, Hearings List (Attachment 1).

## **III. ADMINISTRATIVE RULES**

a. 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 was scheduled for Tuesday, February 18, 2025, at 2:00 p.m. at the Board's office. The Public Comment Period ended April 4, 2025. There were no comments written or oral. A copy of these rules, as amended, are attached as Attachment 2.

A vote to approve is in order for today.

b. At its March 20, 2025 meeting, the Board voted, upon recommendation of the Law & Rules Committee, to amend two rules so as to require a license number in any advertising and to "modernize" the polygraph license process. It also voted to adopt a rule setting forth procedures to obtain a declaratory ruling. The Notice of Text was filed on April 7, 2025. The Public Hearing is scheduled for Tuesday, May 20, 2025 at 2:00 p.m. at the Board's office, and the public comment period ends June 30, 2025.

A copy of these rule amendments and adoption, as noticed, is attached as Attachment 3.

## **IV. LITIGATION**

a. At its August 2024 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 was calendared for April 28, 2025 but was not granted. The judge required that the Defendants, who did not file an Answer, be defaulted first.

A Motion for Default Judgment was filed May 12, 2025.

b. 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 was successful in serving Defendant McGee, individually, but initially had difficulty serving Defendant Flippin and the LLC. I was ultimately successful.

Mr. McGee applied for a license and appeared before the Screening Committee at its March meeting. His application was deferred pending resolution of this case. Mr. McGee removed Mr. Flippin as a member of the LLC and has given assurances that Mr. Flippin would have no involvement in the company. After consulting with staff, I filed a Notice of Voluntary Dismissal Without Prejudice on May 2, 2025, which leaves Mr. Flippin as the only remaining Defendant. He had until May 5<sup>th</sup> to file an Answer and failed to do so.

## V. LEGISLATION

a. A draft bill to append trainee permits, amend the definition of security guard and patrol profession and guard dog profession, add four more "commission" offenses, add active and retired law enforcement who can carry a concealed handgun pursuant to HR218 as an exemption to the permit requirement in G.S. 74C-13(a), and a general clean up of Chapter 74C was approved at the Board on January 16, 2025, and provided to DPS's legislative liaison by Director Sherwin. It was introduced as a part of a larger, omnibus bill making changes to many of the component parts of the Department of Public Safety. It is Senate Bill 710, entitled "DPS Agency Changes." I have attached the relevant portions of the bill as Attachment 4.

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.

This bill passed the House on May 1, 2025 and has been referred to the Senate Committee on Rules.

c. House Bill 402, NC REINS Act, would require legislative review of any

administrative rule with a “substantial economic impact.” “REINS” stands for “Regulations from the Executive in Need of Scrutiny.” The threshold for review is an aggregate economic impact of at least 1 mil. dollars. The week of April 14<sup>th</sup>, certain provisions were negotiated with Democrat members of the House, and the Senate, including removing a mandated floor vote in the legislature for any rule that received 10 letters of objection.

This bill passed the House on April 17, 2025 and has been referred to the Senate Committee on Rules.

HB402 was virtually identical to Senate Bill 290 when introduced.

At this point, I am not concerned the Board would suggest or approve a rule that could reach the threshold, but this bill is worth watching.

d. House Bill 763, Neighbor State License Recognition Act, would require all licensing boards, except six medical-related boards and the State Bar (attorneys), to recognize a license issued by a similar licensing agency in any state contiguous to North Carolina – plus West Virginia – if the licensee establishes residency in North Carolina, subject to certain conditions such as licensure greater than one year and good standing.

An additional condition is that the licensee “demonstrates competency in the profession through methods determined by the board.”

This bill passed the House on May 1, 2025 and has been referred to the Senate Committee on Rules.

e. House Bill 926, Regulatory Reform Act of 2025, makes changes to numerous individual licensing boards statutes, as well as proposes a constitutional amendment regarding condemnation. Two provisions in this omnibus bill, if passed, could affect the Board.

The first would extend from 15 to 45 the number of days that must be given for notice of a contested case before the Office of Administrative Hearings.

The second would require the Board to engage in informal negotiations with the applicant, registrant or licensee prior to denying, suspending or revoking a registration or license, and prior to a contested case hearing. (This last provision would not be an issue since the Board already has such a procedure.)

This bill received a favorable report on May 6, 2025 in the House Committee on Regulatory Reform, then was re-referred to the House Rules Committee.

f. House Bill 949, School Protection Act, would allow a person hired as an armed security guard to possess a firearm on nonpublic educational property so long as the armed security guard is also a sworn law enforcement officer. Currently, a civilian licensed by the North Carolina Private Protective Services Board as an armed security guard may not possess a firearm on either public or nonpublic educational property (unless employed as a security guard for a hospital or health care facility located on educational property).

This bill was first referred to the House Education, K-12 Committee, then re-referred to the House Judiciary 2 Committee.

g. Senate Bill 280, Private School Security Act, would allow **employees or volunteers** of private schools to carry firearms or stun guns on educational property owned, used, or operated by the private school if: (1) the employee or volunteer has written authorization from the school board of trustees or school director to possess and carry the firearm or stun gun; (2) the employee or volunteer has a valid concealed handgun permit; (3) the employee or volunteer completes a minimum of eight hours of specific training in addition to the safety course required for the concealed handgun permit; and (4) the private school adopts and maintains minimum written standard operating procedures regarding possession and carrying of firearms and stun guns.

The bill would also allow a person in a place of religious worship that is located on educational property owned, used, or operated by the membership of the place of religious worship to possess weapons while attending worship services, as detailed in the bill.

Currently, the law allows a person to carry a handgun on private elementary, middle, or high school educational property that is also a location of religious worship if the handgun is only possessed and carried outside of school operating hours and a conspicuous notice has not been posted prohibiting the carrying of weapons.

This bill passed the Senate on May 8, 2025 and has been referred to the House Rules Committee.

## **VI. FINAL AGENCY DECISIONS**

Lawrence Garcia; and Ameriguard Security Services, Inc. (*see*, Attachment 5.)

David Kriwok; and Sake Aegis Systems, Inc. (*see*, Attachment 6.)

**PPSB  
MASTER HEARINGS LIST  
as of May 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	May 15, 2025.
January 28, 2025	Willie R. Brown 24 DOJ 04992	Denial of Private Investigator License	Final Agency Decision served March 25, 2025.
January 28, 2025	David Kriwox; and Saker Aegis Systems, Inc. 24 DOJ 04994	Suspension of Security Guard and Patrol License	May 15, 2025.
March 25, 2025	Terrence Jamal Kornegay 25 DOJ 00714	Summary Suspension of Armed Guard Registration	Proposed Proposed Final Decision to ALJ April 17, 2025; "Final Decision" filed by ALJ April. 30, 2025.

(b) Within 30 days of receipt of award notification, the applicant shall submit the grant compliance and modification information. An applicant may request an extension of no more than 60 days to submit the information. An applicant who does not provide the required information shall be ineligible for grant funding. For the purposes of this Rule, grant compliance and modification information includes the following:

- (1) a list of grant conditions that were agreed to by an authorizing official of the applicant;
- (2) a certification of non-supplanting;
- (3) a certification of filing of an equal employment opportunity program;
- (4) a memorandum of agreement or contract with any cooperating government agencies;
- (5) an original signature of all authorizing officials, implementing project director, and the applicant's chief financial officer; and
- (6) a signed agreement to submit to an annual audit of the program.

(c) Funds shall be conveyed to grantees through Grant Award Contracts. The Grant Award Contract shall bear the original signature of the grantee's authorizing official and the Executive Director of the Commission. The Grant Award Contract shall be signed and returned to the Department within 30 days.

(d) ~~The grant period for the project shall be for a period of up to two years. The grant period shall coincide with the start and close of the federal fiscal year, if possible.~~ guidance provided by the granting entity.

(e) Requests for adjustments to approved applications may be made at any time up to 90 days before the project's scheduled termination date. These requests shall be made through the GMS system, providing an explanation for proposed amendments.

Authority G.S. 143B-602(8); 143B-1103; 143B-1104.

\*\*\*\*\*

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to amend the rules cited as 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501, and .1502.

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: June 1, 2025

Public Hearing:

Date: February 18, 2025

Time: 2:00 p.m.

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

Reason for Proposed Action: 14B NCAC 16 .0701, .0801, .1301, .1307 and .1401 are being amended to reflect that the Board's on-line application system maintains documents electronically which are accessible by the Board staff. Currently a new unarmed guard can stand post for up to 20 days before being required to obtain any training. 14B NCAC 16 .0707 is

being amended to require a minimum of four (4) hours of specific training prior to standing post and .1307 is being amended to require the same for unarmed armored car guards. The Board is eliminating the cap on the number of hours of continuing education awarded for higher education courses and 14B NCAC 16 .1203 is being amended accordingly. 14B NCAC 16 .1501 and .1502 are being amended to reflect that all four entities can award each of the three required certifications.

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: April 4, 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 .0700 - SECURITY GUARD REGISTRATION (UNARMED)

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

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

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

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

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

~~(e)(b)~~ The applicant's copy of the application and ~~completed affidavit form~~ a copy of the appropriate statement required by Subparagraph (a)(7) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her probationary or permanent employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

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

Authority G.S. 74C-5; 74C-8.1; 74C-11.

#### 14B NCAC 16 .0707 TRAINING REQUIREMENTS FOR UNARMED SECURITY GUARDS

(a) Applicants for an unarmed security guard registration shall ~~complete the~~ The basic unarmed security guard training course within 30 days from the date of permanent hire. The course shall consist of a minimum of 16 hours of classroom instruction including:

- (1) The Security Officer in North Carolina -- (minimum of one hour);
- (2) Legal Issues for Security Officers -- (minimum of three hours);
- (3) Emergency Response -- (minimum of three hours);
- (4) Communications -- (minimum of two hours);
- (5) Patrol Procedures -- (minimum of three hours);
- (6) Note Taking and Report Writing -- (minimum of three hours); and
- (7) Professional Conduct -- (minimum of one hour).

(b) A minimum of four hours of instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed within 20 calendar days of before any security guard, including probationary, being is placed on a duty station. These four hours shall include the instruction on The Security Officer in North Carolina and Legal Issues for Security Officers. The 16 hour basic unarmed security guard course shall be completed within 30 days from the date of permanent, non-probationary employment.

~~(b)(c)~~ Training shall be conducted by a Board certified unarmed security guard trainer. A Board created lesson plan covering the training requirements in Paragraph (a) of this Rule shall be made available by the Board to each trainer. The Board may approve other forms of media and training materials that deliver the training requirements of Paragraph (a) of this Rule.

~~(e)(d)~~ The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:

- (1) "In-Person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-Person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-line live format where on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.



- (2) Each student is provided a copy of the unarmed security guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in a classroom setting must be at least 32 inches.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) The total number of students receiving the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.
- (7) Any additional training beyond the Board mandated training in the unarmed security guard training manual is taught either before or after the 16 hour unarmed security officer training.

*Authority G.S. 74C-5; 74C-11; 74C-13(m).*

**SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

**14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

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

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;
- (6) ~~a certification by the applicant that he or she is at least 21 years of age;~~
- (6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the Boards office;
- (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; ~~and~~
- (8) a signed SBI release of information form; and
- (8)(9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(e)(b)~~ The applicant's copy of the application, affidavit, application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)(c)~~ Applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards.

~~(e)(d)~~ The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

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

**SECTION .1200 – CONTINUING EDUCATION**

**14B NCAC 16 .1203 ACCREDITATION STANDARDS**

(a) CE courses may obtain the approval of the Board by submitting the following information to the Board for consideration:

- (1) the nature and purpose of the course;
- (2) the course objectives or goals;
- (3) the outline of the course, including the number of training hours for each segment; and
- (4) the name of the instructor.

(b) To determine if a course will receive approval from the Board, the Board shall complete the following review:

- (1) The matter shall be referred to the Training and Education Committee for the appointment of a sub-committee that shall review the course under consideration. The sub-committee shall

consist of at least two industry members of the Training and Education Committee. Other members of the sub-committee may be appointed at the discretion of the Training and Education Committee Chairman.

- (2) The sub-committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.
- (3) When the sub-committee completes its review, it shall report to the Training and Education Committee. The Training and Education Committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives and goals. The Training and Education Committee shall then report the findings with a recommendation of acceptance or denial to the Private Protective Services Board.

(c) Upon receipt of the Training and Education Committee report, the Private Protective Services Board shall determine by majority vote if the course will be approved for continuing education credits. In making its determination, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.

(d) Each approved course shall remain an approved course for four years from the date of approval by the Board, unless the course content changes or the course instructor changes.

(e) Trainers and instructors shall receive continuing education credit of five hours for every actual teaching hour with an eight hour cap of continuing education credit every two years.

(f) Colleges, universities, trade schools, and other degree granting institutions shall be granted standing approval when the institutions are accredited, certified, or approved by the Department of Public Instruction or by a similar agency in another state and the course is related to law, criminal justice, security profession, finance, ethics, forensics, crime prevention, and investigation. Approval is one credit hour per contact hour ~~not to exceed eight up to the maximum 12~~ credit hours.

*Authority G.S. 74C-5; 74C-22.*

### **SECTION .1300 – ARMORED CAR SERVICE GUARD REGISTRATION (UNARMED)**

#### **14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each ~~armored car~~ employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format

of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

- (3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this Section, ~~if applicable; and Section unless a valid statement is on file in the Board's office;~~
- (7) ~~a signed SBI release of information form; and~~
- (7)(8) a completed affidavit form and public notice statement form.

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

(e)(b) The applicant's copy of the application and ~~completed affidavit form~~ a copy of the appropriate statement required by Subparagraph (a)(6) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working is within the scope of his or her probationary or permanent employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

(d)(c) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

*Authority G.S. 74C-3; 74C-5; 74C-8.1(a).*

#### **14B NCAC 16 .1307 TRAINING REQUIREMENTS FOR UNARMED ARMORED CAR SERVICE GUARDS**

(a) ~~Applicants for an unarmed armored car service guard registration shall complete a~~ The basic training course for unarmed armored car service guard course ~~guards within 30 days from the date of permanent hire. The course shall consist of a minimum of 16 hours of classroom instruction including:~~

- (1) The Security Officer in North Carolina – (minimum of one hour);
- (2) Legal Issues for Security Officers – (minimum of three hours);

- (3) ~~Department Professional Conduct~~ – (minimum of one hour);
- (4) Armored Security Operations – (minimum of five hours);
- (5) Emergency Responses – (minimum of three hours); and
- (6) Safe Driver Training – (minimum of three hours); hours.

(b) A minimum of four hours of classroom instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed within 20 calendar days of any before any unarmed armored car service guard, including probationary, ~~being is~~ placed on a duty station. ~~These four hours shall include The Security Officer in North Carolina and Legal Issues for Security Officers. The 16 hour basic unarmed armored car service guard course shall be completed within 30 days from the date of permanent, non-probationary employment. Unarmed armored car service guard training is not transferable to qualify as unarmed security guard training.~~

~~(b) Licensees shall submit their names and resumes for proposed certified unarmed trainer registrations to the Director for Board approval.~~

(c) Training shall be conducted by a Board certified unarmed trainer. A Board approved lesson plan covering the training requirements in Paragraph (a) of this Rule shall be made available by the Board to each trainer. The trainer may use other media training materials that deliver the training requirements of Paragraph (a) of this Rule.

~~(d) The 16 hours of training may be delivered remotely under the following conditions: The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:~~

- (1) ~~The training is presented by a Board-certified unarmed trainer. "In-person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-~~

line live format where on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.

- (2) Each student is given a copy of the Board approved unarmed armored car service guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students in each classroom are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in each classroom setting must be at least 32 inches, inches-wide.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) ~~Each student is taught to use the audio and video equipment in the classroom prior to the start of the 16-hour unarmed armored car service guard training course.~~
- ~~(7)(6)~~ The total number of students receiving ~~remote~~ the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.
- ~~(8)(7)~~ Any additional training beyond the Board mandated training in the unarmed armored car service guard training manual is taught either before or after the 16 hour unarmed armored car service guard training.
- (9) ~~The Director is notified five days prior to training of the location of each classroom, the name of the certified trainer, and the number of students who will be present.~~
- ~~(10) The sponsoring agency allows the Director or designee access via computer to the training during the time that it is taking place.~~

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

#### **SECTION .1400 - ARMED ARMORED CAR SERVICE GUARDS FIREARM REGISTRATION PERMIT**

##### **14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each ~~armored-car~~ employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant

fingerprint card that shall be mailed separately to the Board's office;

- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;
- (3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;
- (6) ~~a certification by the applicant that he or she is at least 18 years of age;~~
- (6) a statement signed by a certified trainer that the applicant has completed the training;
- (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (8) a signed SBI release of information form; and
- (8)(9) a completed affidavit form and public notice statement form.

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

~~(e)(b) The applicant's copy of the application, affidavit, application and a copy of the statement required by Subparagraph (a)(5) of this Rule, training certification and a copy of the statement required by Subparagraph(a)(6) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.~~

~~(d)(c) Online applications Applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards . unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)(d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.~~

*Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13.*

## SECTION .1500 - CLOSE PERSONAL PROTECTION

### 14B NCAC 16 .1501 EXPERIENCE REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE

(a) In addition to the requirements of G.S. 74C-8 and Section .0200 of this Chapter, applicants for a close personal protection license shall:

- (1) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with a private person, firm, association, or corporation within the last 10 years;
- (2) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with any federal, state, county or municipal law enforcement agency, or other governmental agency within the last 10 years;
- (3) establish a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) while serving in an official capacity; or
- (4) have completed a course in close personal protection approved by the Board given by a school specializing in close personal protection (or "executive protection") that consists of a minimum of 40 hours of actual classroom and practical instruction within the last two years as required by Rule .1502 of this Chapter.
- (5) possess a valid basic first aid certificate ~~from the American Red Cross~~ and a valid CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a close personal protection license that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- (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 verifiable experience within the past five years while conducting close personal protection as set forth in in G.S. 74C-3(a)(3a) while serving in an official capacity with any entity described in Paragraph (a) of this Rule.

*Authority G.S. 74C-5(2); 93B-15.1.*

### 14B NCAC 16 .1502 TRAINING REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE

(a) Applicants for a close personal protection license who do not have the experience set forth in Rule .1501(a)(1) through (3) or

(b)(1) and (2) shall complete a basic close personal protection (or "executive protection") training course approved by the Board within the previous 24 months. The course shall consist of a minimum of 40 hours of classroom and practical instruction including as a minimum:

- (1) Fundamentals of personal protection, including as a minimum mission planning, performing site surveys, route selection (primary, secondary, etc.), medical evacuation, walking formations (single, multiple, etc.), communications with protectees, and transitional movements (arrivals, departures, plan changes, hasty movements, etc.) – (minimum of 26 hours);
- (2) Practical exercises – (minimum of 12 hours); and
- (3) Legal Issues, including the rules applicable to each of the below blocks of instruction and this Section and North Carolina's laws on use of force, and the federal and State firearms law. The three hour unarmed guard block of instruction, set forth in 14B NCAC 16 .0707 if performing services unarmed, or the four hour armed guard block of instruction set forth in 14B NCAC 16 .0807(c)(1) if performing services armed taught by a certified instructor shall fulfill this requirement – (minimum of two hours).

(b) In addition to the minimum classroom and practical instruction required by Paragraph (a) of this Rule, the applicant must possess a basic valid first aid certificate ~~from the American Red Cross~~ and a valid CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(c) Subparagraph (a)(3) of this Rule may be conducted remotely as provided for by 14B NCAC 16 .0707(c).

*Authority G.S. 74C-5.*

## TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Coastal Resources Commission intends to adopt the rule cited as 15A NCAC 07H .0314.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.deq.nc.gov/about/divisions/coastal-management/coastal-resources-commission/crc-proposed->

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

**Public Hearing:**

**Date:** February 26, 2025

**Time:** 4:30 p.m.

**Location:** DoubleTree New Bern - Riverfront, 100 Middle St., New Bern, NC 28560

**Reason for Proposed Action:** *The Coastal Resources Commission proposes a new administrative rule to provide greater flexibility to local governments, large oceanfront homeowners associations, and government agencies in allowing the use of wheat straw bales for dune protection in addition to sand fencing.*

**Comments may be submitted to:** Tancred Miller, 400 Commerce Ave., Morehead City, NC 28557; email [DCMComments@deq.nc.gov](mailto:DCMComments@deq.nc.gov)

**Comment period ends:** April 4, 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 07 - COASTAL MANAGEMENT

### SUBCHAPTER 07H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

#### SECTION .0300 - OCEAN HAZARD AREAS

#### 15A NCAC 07H .0314 INSTALLATION AND MAINTENANCE OF WHEAT STRAW BALES FOR SAND FENCING

(a) Wheat straw bales shall only be installed by local, state, or federal government or a local homeowners association as defined in G.S. 47F-1-103(3) that has the authority to approve the locations of structures on lots within the territorial jurisdiction of the association and has jurisdiction over at least one mile of ocean shoreline, for the purpose of building and protecting dunes by trapping windblown sand.

(b) Wheat straw bales shall not impede existing public access to the beach, recreational use of the beach, or emergency vehicle access. Wheat straw bales shall not be installed in a manner that

(b) Within 30 days of receipt of award notification, the applicant shall submit the grant compliance and modification information. An applicant may request an extension of no more than 60 days to submit the information. An applicant who does not provide the required information shall be ineligible for grant funding. For the purposes of this Rule, grant compliance and modification information includes the following:

- (1) a list of grant conditions that were agreed to by an authorizing official of the applicant;
- (2) a certification of non-supplanting;
- (3) a certification of filing of an equal employment opportunity program;
- (4) a memorandum of agreement or contract with any cooperating government agencies;
- (5) an original signature of all authorizing officials, implementing project director, and the applicant's chief financial officer; and
- (6) a signed agreement to submit to an annual audit of the program.

(c) Funds shall be conveyed to grantees through Grant Award Contracts. The Grant Award Contract shall bear the original signature of the grantee's authorizing official and the Executive Director of the Commission. The Grant Award Contract shall be signed and returned to the Department within 30 days.

(d) ~~The grant period for the project shall be for a period of up to two years. The grant period shall coincide with the start and close of the federal fiscal year, if possible. guidance provided by the granting entity.~~

(e) Requests for adjustments to approved applications may be made at any time up to 90 days before the project's scheduled termination date. These requests shall be made through the GMS system, providing an explanation for proposed amendments.

Authority G.S. 143B-602(8); 143B-1103; 143B-1104.

\*\*\*\*\*

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to amend the rules cited as 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501, and .1502.

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: June 1, 2025

Public Hearing:

Date: February 18, 2025

Time: 2:00 p.m.

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

Reason for Proposed Action: 14B NCAC 16 .0701, .0801, .1301, .1307 and .1401 are being amended to reflect that the Board's on-line application system maintains documents electronically which are accessible by the Board staff. Currently a new unarmed guard can stand post for up to 20 days before being required to obtain any training. 14B NCAC 16 .0707 is

being amended to require a minimum of four (4) hours of specific training prior to standing post and .1307 is being amended to require the same for unarmed armored car guards. The Board is eliminating the cap on the number of hours of continuing education awarded for higher education courses and 14B NCAC 16 .1203 is being amended accordingly. 14B NCAC 16 .1501 and .1502 are being amended to reflect that all four entities can award each of the three required certifications.

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

Comment period ends: April 4, 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. 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 .0700 - SECURITY GUARD REGISTRATION (UNARMED)

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

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

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

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

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

~~(e)(b)~~ The applicant's copy of the application and ~~completed affidavit form~~ a copy of the appropriate statement required by Subparagraph (a)(7) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her probationary or permanent employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

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

Authority G.S. 74C-5; 74C-8.1; 74C-11.

#### 14B NCAC 16.0707 TRAINING REQUIREMENTS FOR UNARMED SECURITY GUARDS

(a) Applicants for an unarmed security guard registration shall complete the The basic unarmed security guard training course within 30 days from the date of permanent hire. The course shall consist of a minimum of 16 hours of classroom instruction including:

- (1) The Security Officer in North Carolina -- (minimum of one hour);
- (2) Legal Issues for Security Officers -- (minimum of three hours);
- (3) Emergency Response -- (minimum of three hours);
- (4) Communications -- (minimum of two hours);
- (5) Patrol Procedures -- (minimum of three hours);
- (6) Note Taking and Report Writing -- (minimum of three hours); and
- (7) Professional Conduct -- (minimum of one hour).

(b) A minimum of four hours of instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed within 20 calendar days of before any security guard, including probationary, being is placed on a duty station. These four hours shall include the instruction on The Security Officer in North Carolina and Legal Issues for Security Officers. The 16 hour basic unarmed security guard course shall be completed within 30 days from the date of permanent, non-probationary employment.

~~(b)(c)~~ Training shall be conducted by a Board certified unarmed security guard trainer. A Board created lesson plan covering the training requirements in Paragraph (a) of this Rule shall be made available by the Board to each trainer. The Board may approve other forms of media and training materials that deliver the training requirements of Paragraph (a) of this Rule.

~~(e)(d)~~ The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:

- (1) "In-Person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-Person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-line live format where on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.



- (2) Each student is provided a copy of the unarmed security guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in a classroom setting must be at least 32 inches.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) The total number of students receiving the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.
- (7) Any additional training beyond the Board mandated training in the unarmed security guard training manual is taught either before or after the 16 hour unarmed security officer training.

*Authority G.S. 74C-5; 74C-11; 74C-13(m).*

#### **SECTION .0800 - ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

##### **14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

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

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;
- (6) ~~a certification by the applicant that he or she is at least 21 years of age;~~
- (6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the Boards office;
- (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; and
- (8) a signed SBI release of information form; and
- (8)(9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(e)(b)~~ The applicant's copy of the application, affidavit, application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)(c)~~ Applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards.

~~(e)(d)~~ The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

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

#### **SECTION .1200 – CONTINUING EDUCATION**

##### **14B NCAC 16 .1203 ACCREDITATION STANDARDS**

(a) CE courses may obtain the approval of the Board by submitting the following information to the Board for consideration:

- (1) the nature and purpose of the course;
- (2) the course objectives or goals;
- (3) the outline of the course, including the number of training hours for each segment; and
- (4) the name of the instructor.

(b) To determine if a course will receive approval from the Board, the Board shall complete the following review:

- (1) The matter shall be referred to the Training and Education Committee for the appointment of a sub-committee that shall review the course under consideration. The sub-committee shall



consist of at least two industry members of the Training and Education Committee. Other members of the sub-committee may be appointed at the discretion of the Training and Education Committee Chairman.

- (2) The sub-committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.
- (3) When the sub-committee completes its review, it shall report to the Training and Education Committee. The Training and Education Committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives and goals. The Training and Education Committee shall then report the findings with a recommendation of acceptance or denial to the Private Protective Services Board.

(c) Upon receipt of the Training and Education Committee report, the Private Protective Services Board shall determine by majority vote if the course will be approved for continuing education credits. In making its determination, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.

(d) Each approved course shall remain an approved course for four years from the date of approval by the Board, unless the course content changes or the course instructor changes.

(e) Trainers and instructors shall receive continuing education credit of five hours for every actual teaching hour with an eight hour cap of continuing education credit every two years.

(f) Colleges, universities, trade schools, and other degree granting institutions shall be granted standing approval when the institutions are accredited, certified, or approved by the Department of Public Instruction or by a similar agency in another state and the course is related to law, criminal justice, security profession, finance, ethics, forensics, crime prevention, and investigation. Approval is one credit hour per contact hour ~~not to exceed eight up to the maximum 12~~ credit hours.

*Authority G.S. 74C-5; 74C-22.*

### **SECTION .1300 – ARMORED CAR SERVICE GUARD REGISTRATION (UNARMED)**

#### **14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each ~~armored car~~ employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format

of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

- (3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this Section, ~~if applicable; and Section unless a valid statement is on file in the Board's office;~~
- (7) ~~a signed SBI release of information form; and~~
- (7)(8) a completed affidavit form and public notice statement form.

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

~~(e)(b)~~ The applicant's copy of the application and ~~completed affidavit form~~ a copy of the appropriate statement required by Subparagraph (a)(6) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working is within the scope of his or her probationary or permanent employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)(c)~~ A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

*Authority G.S. 74C-3; 74C-5; 74C-8.1(a).*

#### **14B NCAC 16 .1307 TRAINING REQUIREMENTS FOR UNARMED ARMORED CAR SERVICE GUARDS**

~~(a) Applicants for an unarmed armored car service guard registration shall complete a~~ The basic training course for unarmed armored car service guard course guards within 30 days from the date of permanent hire. The course shall consist of a minimum of 16 hours of classroom instruction including:

- (1) The Security Officer in North Carolina – (minimum of one hour);
- (2) Legal Issues for Security Officers – (minimum of three hours);

- (3) ~~Department Professional Conduct~~ – (minimum of one hour);
- (4) Armored Security Operations – (minimum of five hours);
- (5) Emergency Responses – (minimum of three hours); and
- (6) Safe Driver Training – (minimum of three hours); hours.

(b) A minimum of four hours of classroom instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed within 20 calendar days of any before any unarmed armored car service guard, including probationary, ~~being is placed on a duty station. These four hours shall include The Security Officer in North Carolina and Legal Issues for Security Officers. The 16 hour basic unarmed armored car service guard course shall be completed within 30 days from the date of permanent, non-probationary employment. Unarmed armored car service guard training is not transferable to qualify as unarmed security guard training.~~

~~(b) Licensees shall submit their names and resumes for proposed certified unarmed trainer registrations to the Director for Board approval.~~

(c) Training shall be conducted by a Board certified unarmed trainer. A Board approved lesson plan covering the training requirements in Paragraph (a) of this Rule shall be made available by the Board to each trainer. The trainer may use other media training materials that deliver the training requirements of Paragraph (a) of this Rule.

~~(d) The 16 hours of training may be delivered remotely under the following conditions: The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:~~

- (1) ~~The training is presented by a Board-certified unarmed trainer. "In-person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-~~

line live format where on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.

- (2) Each student is given a copy of the Board approved unarmed armored car service guard training manual to use for the duration of the 16 hour training course.
- (3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.
- (4) All students in each classroom are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in each a classroom setting must be at least 32 inches, inches wide.
- (5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.
- (6) ~~Each student is taught to use the audio and video equipment in the classroom prior to the start of the 16-hour unarmed armored car service guard training course.~~
- ~~(7)~~(6) The total number of students receiving ~~remote~~ the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.
- ~~(8)~~(7) Any additional training beyond the Board mandated training in the unarmed armored car service guard training manual is taught either before or after the 16 hour unarmed armored car service guard training.
- (9) ~~The Director is notified five days prior to training of the location of each classroom, the name of the certified trainer, and the number of students who will be present.~~
- (10) ~~The sponsoring agency allows the Director or designee access via computer to the training during the time that it is taking place.~~

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

#### **SECTION .1400 - ARMED ARMORED CAR SERVICE GUARDS FIREARM REGISTRATION PERMIT**

##### **14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each ~~armed car~~ employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. This online form shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant

fingerprint card that shall be mailed separately to the Board's office;

- (2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;
- (3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;
- (6) ~~a certification by the applicant that he or she is at least 18 years of age;~~
- (6) a statement signed by a certified trainer that the applicant has completed the training;
- (7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (8) a signed SBI release of information form; and
- (8)(9) a completed affidavit form and public notice statement form.

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

~~(c)(b) The applicant's copy of the application, affidavit, application and a copy of the statement required by Subparagraph (a)(5) of this Rule, training certification and a copy of the statement required by Subparagraph(a)(6) of this Rule, unless a valid statement is on file in the Board's office, shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.~~

~~(d)(c) Online applications Applications submitted without proof of completion of a Board approved firearms training course shall not serve as temporary registration cards . unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)(d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.~~

*Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13.*

## **SECTION .1500 - CLOSE PERSONAL PROTECTION**

### **14B NCAC 16 .1501 EXPERIENCE REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE**

(a) In addition to the requirements of G.S. 74C-8 and Section .0200 of this Chapter, applicants for a close personal protection license shall:

- (1) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with a private person, firm, association, or corporation within the last 10 years;
- (2) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with any federal, state, county or municipal law enforcement agency, or other governmental agency within the last 10 years;
- (3) establish a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) while serving in an official capacity; or
- (4) have completed a course in close personal protection approved by the Board given by a school specializing in close personal protection (or "executive protection") that consists of a minimum of 40 hours of actual classroom and practical instruction within the last two years as required by Rule .1502 of this Chapter.
- (5) possess a valid basic first aid certificate ~~from the American Red Cross and a valid CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.~~

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a close personal protection license that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

- (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 verifiable experience within the past five years while conducting close personal protection as set forth in in G.S. 74C-3(a)(3a) while serving in an official capacity with any entity described in Paragraph (a) of this Rule.

*Authority G.S. 74C-5(2); 93B-15.1.*

### **14B NCAC 16 .1502 TRAINING REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE**

(a) Applicants for a close personal protection license who do not have the experience set forth in Rule .1501(a)(1) through (3) or

(b)(1) and (2) shall complete a basic close personal protection (or "executive protection") training course approved by the Board within the previous 24 months. The course shall consist of a minimum of 40 hours of classroom and practical instruction including as a minimum:

- (1) Fundamentals of personal protection, including as a minimum mission planning, performing site surveys, route selection (primary, secondary, etc.), medical evacuation, walking formations (single, multiple, etc.), communications with protectees, and transitional movements (arrivals, departures, plan changes, hasty movements, etc.) – (minimum of 26 hours);
- (2) Practical exercises – (minimum of 12 hours); and
- (3) Legal Issues, including the rules applicable to each of the below blocks of instruction and this Section and North Carolina's laws on use of force, and the federal and State firearms law. The three hour unarmed guard block of instruction, set forth in 14B NCAC 16 .0707 if performing services unarmed, or the four hour armed guard block of instruction set forth in 14B NCAC 16 .0807(c)(1) if performing services armed taught by a certified instructor shall fulfill this requirement – (minimum of two hours).

(b) In addition to the minimum classroom and practical instruction required by Paragraph (a) of this Rule, the applicant must possess a basic valid first aid certificate ~~from the American Red Cross~~ and a valid CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(c) Subparagraph (a)(3) of this Rule may be conducted remotely as provided for by 14B NCAC 16 .0707(c).

Authority G.S. 74C-5.

## TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Coastal Resources Commission intends to adopt the rule cited as 15A NCAC 07H .0314.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.deq.nc.gov/about/divisions/coastal-management/coastal-resources-commission/crc-proposed->

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

**Public Hearing:**

**Date:** February 26, 2025

**Time:** 4:30 p.m.

**Location:** DoubleTree New Bern - Riverfront, 100 Middle St., New Bern, NC 28560

**Reason for Proposed Action:** *The Coastal Resources Commission proposes a new administrative rule to provide greater flexibility to local governments, large oceanfront homeowners associations, and government agencies in allowing the use of wheat straw bales for dune protection in addition to sand fencing.*

**Comments may be submitted to:** Tancred Miller, 400 Commerce Ave., Morehead City, NC 28557; email DCMComments@deq.nc.gov

**Comment period ends:** April 4, 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. 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 07 - COASTAL MANAGEMENT

### SUBCHAPTER 07H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

#### SECTION .0300 - OCEAN HAZARD AREAS

#### 15A NCAC 07H .0314 INSTALLATION AND MAINTENANCE OF WHEAT STRAW BALES FOR SAND FENCING

(a) Wheat straw bales shall only be installed by local, state, or federal government or a local homeowners association as defined in G.S. 47F-1-103(3) that has the authority to approve the locations of structures on lots within the territorial jurisdiction of the association and has jurisdiction over at least one mile of ocean shoreline, for the purpose of building and protecting dunes by trapping windblown sand.

(b) Wheat straw bales shall not impede existing public access to the beach, recreational use of the beach, or emergency vehicle access. Wheat straw bales shall not be installed in a manner that

4.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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SENATE BILL 710

Short Title: DPS Agency Changes.-AB

(Public)

Sponsors: Senators Daniel, Britt, and B. Newton (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 26, 2025

A BILL TO BE ENTITLED

AN ACT TO MODERNIZE THE ALARMS SYSTEMS LICENSING ACT, MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES BOARD LAWS, STRENGTHEN THE OVERSIGHT AUTHORITY OF THE ABC COMMISSION, REQUIRE SENATE CONFIRMATION FOR THE ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, AND TO MODIFY PROVISIONS REGARDING SUMMARY COURTS-MARTIAL AND THE APPOINTMENT AND SERVICE OF MILITARY JUDGES OF THE NORTH CAROLINA NATIONAL GUARD.

The General Assembly of North Carolina enacts:

PART I. ALARMS SYSTEMS LICENSING ACT MODERNIZATION

SECTION 1.(a) Chapter 74D of the General Statutes reads as rewritten:

"Chapter 74D.

"Alarm Security Systems.

"Article 1.

"Alarm Security Systems Licensing Act.

"§ 74D-1. Title.

This act may be cited as the "Alarm Security Systems Licensing Act."

"§ 74D-2. License-Business and qualifying agent license requirements.

(a) License Required. – No person, firm, association, corporation, or department or division of a firm, association or corporation, shall engage in or hold itself out as engaging in an alarm-a security systems business without first being licensed in accordance with this Chapter. A department or division of a firm, association, or corporation may be separately licensed under this Chapter if the distinct department or division, as opposed to the firm, association, or corporation as a whole, engages in an alarm-a security systems business. The department or division shall ensure strict confidentiality of private security information, and the private security information of the department or division must, at a minimum, be physically separated from other premises of the firm, association, or corporation. For purposes of this Chapter an "alarm-a security systems business" is defined as any person, firm, association or corporation that does any of the following:

(1) Sells-Unless otherwise exempt, sells or attempts to sell an alarm-a security system device by engaging in a any personal solicitation at a residence or business to advise, design, or consult on specific types and specific locations of alarm-security system devices.

(2) Installs-Unless otherwise exempt, installs, services, monitors, or responds to electrical, wireless or hardwired electronic or mechanical alarm signal



required by this Chapter without alleging and proving that the ~~alarm security~~ systems business is appropriately licensed and the employee or agent of the ~~alarm security~~ systems business is appropriately registered upon entering into a contract with the consumer. ~~An alarm A security~~ systems installation, maintenance, or monitoring contract entered into with a consumer shall be void if the consumer confirms through records maintained by the Board that the ~~alarm security~~ systems business is not properly licensed or the consumer establishes through records maintained by the Board that the person enticing the consumer to enter into the contract is not properly registered by the Board. The sale, installation, or service of an ~~alarm A security~~ system by an unlicensed ~~entity~~ or unregistered employee shall be deemed an unfair and deceptive trade practice and shall be actionable under Chapter 75 of the General Statutes.

...."

SECTION 1.(b) Article 2 of Chapter 74D of the General Statutes reads as rewritten:

"Article 2.

"~~Alarm Security~~ Systems Education Fund.

"§ 74D-30. ~~Alarm Security~~ Systems Education Fund created; payment to Fund; management; use of funds.

(a) There is hereby created and established a special fund to be known as the "~~Alarm Security~~ Systems Education Fund" (hereinafter Fund) which shall be set aside and maintained in the office of the State Treasurer. The Fund shall be used in the manner provided in this Article for the education of licensees and registrants.

...

(c) In addition to the fees provided for elsewhere in this Chapter, the Board shall charge the following fees which shall be deposited into the Fund:

(1) ~~On July 1, 1985, the Board shall charge every licensee on that date a fee of fifty dollars (\$50.00);~~

(2) The Board shall charge each new applicant for a license ~~fifty dollars (\$50.00), provided that for purposes of this Article a new applicant is hereby defined as an applicant who did not possess a license on July 1, 1985; and~~ fifty dollars (\$50.00).

(3) The Board is authorized to charge each licensee an additional amount, not to exceed fifty dollars (\$50.00), on July 1 of any year in which the balance of the Fund is less than twenty-five thousand dollars (\$25,000).

(d) The State Treasurer shall invest and reinvest the moneys in the Fund in a manner provided by law. The Board in its discretion, may use the Fund for any of the following purposes:

(1) To advance education and research in the ~~alarm security~~ systems field for the benefit of those licensed under the provisions of this Chapter and for the improvement of the ~~industry, industry.~~

(2) To underwrite educational seminars, training centers and other educational projects for the use and benefit generally of ~~licensees, and licensees.~~

(3) To sponsor, contract for and to underwrite any and all additional educational training and research projects of a similar nature having to do with the advancement of the ~~alarm security~~ systems field in North Carolina."

SECTION 1.(c) The Alarm Systems Licensing Board may adopt rules to implement the provisions of this Part.

SECTION 1.(d) This Part becomes effective October 1, 2025.

## PART II. PRIVATE PROTECTIVE SERVICES BOARD LAWS AMENDMENTS

SECTION 2.(a) G.S. 74C-2 reads as rewritten:

"§ 74C-2. Licenses required.

(a) No private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a private protective services

profession or activity in this State without having first complied with the provisions of this Chapter. Compliance with the licensing requirements of this Chapter shall not relieve any person, firm, association or corporation from compliance with any other licensing law.

(b) An individual in possession of a valid private protective services license or private detective trainee permit issued prior to October 1, 1989, shall not be subject to forfeiture of such license by virtue of this Chapter. Such license shall, however, remain subject to suspension, denial, or revocation in the same manner in which all other licenses issued pursuant to this Chapter are subject to suspension, denial, or revocation.

(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 2.(b) G.S. 74C-3 reads as rewritten:

"§ 74C-3. Private protective services profession defined.

(a) As used in this Chapter, the term "private protective services profession" means and includes the following:

(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 unit of 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 unit of government that entered into the contract for security services.
- d. Control, regulation, or direction of the flow or movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to assure the protection of properties.

(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.

...."

SECTION 2.(c) G.S. 74C-9 reads as rewritten:

"§ 74C-9. Form of license; term; renewal; posting; branch offices; not assignable; late renewal fee.

(e) The Board is authorized to charge reasonable application and license fees as follows:

(17) An application for approval of a continuing legal education course not to exceed one hundred dollars (\$100.00).

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

1 ...  
2 (h) Trainee permits shall not be issued to applicants that qualify for a private  
3 detective-investigator license.

4 (i) A licensed private ~~detective-investigator~~, polygraph examiner, electronic  
5 countermeasures professional, or digital forensic examiner may supervise no more than five  
6 trainees at any given time."

7 SECTION 2.(d) G.S. 74C-11 reads as rewritten:

8 "§ 74C-11. Probationary employees and registration of regular employees; unarmed  
9 security guard-guards and unarmed armored car guards required to have registration  
10 card.

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

25 To register an employee after the probationary period ends, a licensee-security guard and  
26 patrol company or armored car company must give the Board the following:

- 27 (1) Set(s) of classifiable fingerprints on standard F.B.I. applicant cards; recent  
28 photograph(s) of acceptable quality for identification; and  
29 (2) Statements of any criminal records obtained from the appropriate authority in  
30 each area where the employee has resided within the immediately 48  
31 preceding months.

32 (b) A security guard and patrol company or armored car company may not employ an  
33 unarmed security guard in a regular position unless the guard has a registration card issued under  
34 subsection (d) of this section. ~~section and A person engaged in a private protective services~~  
35 ~~profession~~ may not employ an armed security-guard unless the guard has a firearm registration  
36 permit issued under G.S. 74C-13.

37 (c) The Director shall be notified in writing of the termination of any regular employee  
38 registered under subsection (a) of this section within 10 days after the termination.

39 (d) An unarmed security guard shall make application to the Director for an unarmed  
40 registration card which the Director shall issue to the applicant after receipt of the information  
41 required to be submitted by the applicant's employer pursuant to subsection (a) of this section,  
42 and after meeting any additional requirements which the Board, in its discretion, deems to be  
43 necessary. The unarmed security guard registration card shall be in the form of a pocket card  
44 designed by the Board, shall be issued in the name of the applicant, and may have the applicant's  
45 photograph affixed to the card. The unarmed security-guard registration card shall expire one  
46 year after its date of issuance and shall be renewed every year. The Board may require all  
47 registration holders to complete continuing education courses approved by the Board before  
48 renewal of their registrations. If an unarmed registered security-guard is terminated by a licensee  
49 security guard and patrol company or armored car company and changes employment to another  
50 security guard and patrol company, company or armored car company, the security-guard's  
51 registration card shall remain valid, provided the security-guard pays the unarmed guard



1 registration transfer fee to the Board and a new unarmed security-guard registration card is issued.  
2 ~~A~~ ~~unarmed security-guard whose transfer registration application and transfer fee have been~~  
3 sent to the Board may work with a copy of the transfer application until the registration card is  
4 issued.

5 (e) Notwithstanding the provisions of this section, a ~~licensee-security guard and patrol~~  
6 ~~company or armored car company~~ may employ a person properly registered or licensed as an  
7 unarmed security-guard in another state for a period not to exceed 10 days in any given month;  
8 provided the ~~licensee, security guard and patrol company or armored car company~~, prior to  
9 employing the unarmed security-guard, submits to the Director the name, address, and social  
10 security number of the unarmed guard and the name of the state of current registration or  
11 licensing, and the Director approves the employment of the unarmed guard in this State.

12 (f) Repealed by Session Laws 2005-211, s. 1, effective July 20, 2005.

13 (g) Notwithstanding the provisions of this section, during a disaster declaration or state  
14 of emergency declared by the Governor pursuant to Article 1A of Chapter 166A of the General  
15 Statutes, a ~~licensee security guard and patrol company or armored car company~~ may employ a  
16 person properly registered or licensed as an armed security-guard in another state, provided that  
17 the ~~licensee, security guard and patrol company or armored car company~~ prior to deploying the  
18 armed security-guard in this State, submit to the Director all of the following:

19 (1) The name, address, and social security number of the armed security-guard.

20 (2) The name of the state of current registration or licensing of the armed security  
21 guard.

22 (3) Proof of completion of the 4-hour training course mandated by  
23 G.S. 74C-13(h)(1)a. and 14B NCAC 116 .0807(c)(1), administered by a North  
24 Carolina certified trainer.

25 (4) Qualification by a firearms instructor certified by the North Carolina Private  
26 Protective Services Board, based on the firearm the armed security-guard  
27 intends to carry, meeting the qualification requirements approved by the  
28 Board and the Secretary of Public Safety for each firearm.

29 (h) The Director may approve the employment of the armed security-guard in this State,  
30 if the person meets all of the requirements of subsection (g) of this section. Qualification under  
31 subsection (g) of this section shall be valid for a 12-month period. The duration of the deployment  
32 of an armed security-guard from another state by a ~~licensee-security guard and patrol company~~  
33 ~~or armored car company~~ shall not exceed the length of the disaster declaration or state of  
34 emergency."

35 SECTION 2.(e) G.S. 74C-12 reads as rewritten:

36 "§ 74C-12. Denial, suspension, or revocation of license, registration, or permit; duty to  
37 report criminal arrests.

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

42 (1) Made any false statement or given any false information in connection with  
43 any application for a license, registration, certification, ~~or permit-permit, or~~  
44 ~~audit~~ or for the renewal or reinstatement of a license, certification, registration  
45 or permit.

46 ...

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

50 ...

51 (27) Worn, carried, or accepted any badge or shield purporting to indicate that

the person is a law enforcement officer while licensed or registered under the provisions of this Chapter as a private investigator Chapter.

...."

SECTION 2.(f) G.S. 74C-13 reads as rewritten:

"§ 74C-13. Armed licensee or registered employee required to have firearm registration permit; firearms training.

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

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

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

(c) The applicant for a firearm registration permit shall submit an application to the Board on a form provided by the Board.

(d) Each firearm registration permit issued under this section to an armed security guard shall be in the form of a pocket card designed by the Board and shall identify the contract security company, company, armored car company, or proprietary security organization by whom the holder of the firearm registration permit is employed. A firearm registration permit issued to an armed security-guard expires one year after the date of its issuance and must be renewed annually unless the permit holder's employment terminates before the expiration of the permit. The Board may require all permit holders to complete continuing education courses approved by the Board before renewal of their permits.

(d1) Each firearm registration permit issued under this section to an armed private investigator-licensee shall be in the form of a pocket card designed by the Board and shall identify the name of the armed private investigator-licensee. While carrying a firearm and engaged in private protective services, the armed private investigator-licensee shall carry the firearms registration permit issued by the Board, together with valid identification, and shall disclose to any law enforcement officer that the person holds a valid permit and is carrying a firearm, whether concealed or in plain view, when approached or addressed by the law enforcement officer, and shall display both the permit and the proper identification upon the request of a law enforcement officer. A private investigator-licensee's firearm registration permit expires one year from the date of issuance and shall be renewed annually. The Board may require all permit holders to complete continuing education courses approved by the Board before renewal of their permits.

(d2) A proprietary security organization that employs an armed security-guard shall submit an application to the Board for a license on a form, provided by the Board. A proprietary security organization shall renew its license every two years.

(e) If an armed ~~security guard~~ terminates his or her employment with the contract security ~~company company, armored car company, or proprietary security organization~~, the firearm registration permit expires and must be returned to the Board within 15 working days of the date of termination of the employee.

(f) A contract security ~~company company, armored car company, or proprietary security organization~~ shall be allowed to employ an individual for 30 days as an armed ~~security guard~~ pending completion of the firearms training required by this Chapter, if the contract security ~~company company, armored car company, or proprietary security organization~~ obtains prior approval from the Director. The Board and the Secretary of Public Safety shall provide by rule the procedure by which an armed ~~private investigator, licensee, a contract security company, armored car company, or a proprietary security organization~~ applicant may be issued a temporary firearm registration permit by the Director of the Board pending a determination by the Board of whether to grant or deny an applicant a firearm registration permit.

(g) The Board may suspend, revoke, or deny a firearm registration permit if the holder or applicant has been convicted of any crime set forth in G.S. 74C-8(d) or for violation of this section or rules promulgated by the Board to implement this section. The Director may summarily suspend a firearm registration permit pending resolution of charges for any of the offenses set forth in G.S. 74C-12 or any crime set forth in G.S. 74C-8(d).

(h) The Board and the Secretary of Public Safety shall establish a firearms training program for licensees and registered employees 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 may approve training programs conducted by a contract security ~~company company, armored car company, and the security department of a proprietary security organization~~, if the contract security ~~company company, armored car company, or security department of a proprietary security organization~~ offers the courses listed in subdivision (1) of this subsection and if the instructors of the training program are certified trainers approved by the Board and the Secretary of Public Safety.

(1) The basic training course approved by the Board and the Secretary of Public Safety shall consist of a minimum of four hours of classroom training which shall include all of the following:

- (a) Legal limitations on the use of firearms and on the powers and authority of an armed ~~security guard~~ guards and licensees.
- (b) Familiarity with this section.
- (c) Range firing and procedure and firearm safety and maintenance.
- (d) Any other topics of ~~armed security guard~~ firearms training curriculum which the Board deems necessary.

(2) An applicant for a firearm registration permit must fire a minimum qualifying score to be determined by the Board and the Secretary of Public Safety on any approved target course approved by the Board and the Secretary of Public Safety.

(3) A firearms registrant must complete a refresher course and shall requalify on the prescribed target course prior to the renewal of his or her firearm registration permit.

(4) The Board and the Secretary of Public Safety shall have the authority to promulgate all rules necessary to administer the provisions of this section concerning the training requirements of this section.

(i) The Board may not issue a firearm registration permit to an applicant until the applicant's employer submits evidence satisfactory to the Board that the applicant:

- (1) Has satisfactorily completed an approved training course.
- (2) Meets all the qualifications established by this section and the rules promulgated to implement this section.

(3) Is mentally and physically capable of handling a firearm within the guidelines set forth by the Board and the Secretary of Public Safety.

(j) The Board and the Secretary of Public Safety are authorized to prescribe reasonable rules to implement this section, including rules for periodic requalification with the firearm and for the maintenance of records relating to persons issued a firearm registration permit by the Board.

(k) All fees collected pursuant to G.S. 74C-9(e)(7) and (8) shall be expended, under the direction of the Board, for the purpose of defraying the expense of 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) Notwithstanding subsection (n) of this section, a licensee who is authorized pursuant to section 926B or 926C of the United States Code to carry a concealed handgun and is in compliance with the requirements of those sections, is exempt from obtaining the permit described in G.S. 14-415.11."

**SECTION 2.(g)** The Private Protective Services Board may adopt rules to implement the provisions of this Part.

**SECTION 2.(h)** This Part becomes effective October 1, 2025.

### **PART III. ENHANCE BACKGROUND CHECK ABILITIES OF PRIVATE PROTECTIVE SERVICES BOARD AND ALARM SYSTEMS LICENSING BOARD**

**SECTION 3.(a)** G.S. 14-415.12 reads as rewritten:

**"§ 14-415.12. Criteria to qualify for the issuance of a permit.**

(a) The sheriff shall issue a permit to an applicant if the applicant qualifies under the following criteria:

(1) The applicant is a citizen of the United States or has been lawfully admitted for permanent residence as defined in 8 U.S.C. § 1101(a)(20), and has been a resident of the State 30 days or longer immediately preceding the filing of the application.

(2) The applicant is 21 years of age or older.

(3) The applicant does not suffer from a physical or mental infirmity that prevents the safe handling of a handgun.

(4) The applicant has successfully completed an approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force. The North Carolina Criminal Justice Education and Training Standards Commission shall prepare and publish general guidelines for courses and qualifications of instructors which would satisfy the requirements of this subdivision. An approved course shall be any course which satisfies the requirements of this subdivision and is certified or sponsored by any of the following:

a. The North Carolina Criminal Justice Education and Training Standards Commission.

b. The National Rifle Association.

b1. The United States Concealed Carry Association.

c. A law enforcement agency, college, private or public institution or organization, or firearms training school, taught by instructors certified by the North Carolina Criminal Justice Education and Training Standards Commission, the United States Concealed Carry Association, or the National Rifle Association.

d. The North Carolina Private Protective Services Board and Secretary of Public Safety pursuant to G.S. 74C-13.

Every instructor of an approved course shall file a copy of the firearms course description, outline, and proof of certification annually, or upon modification of the course if more frequently, with the North Carolina Criminal Justice Education and Training Standards Commission."

**SECTION 3.(b)** G.S. 15A-151 reads as rewritten:

**"§ 15A-151. Confidential agency files; exceptions to expunction.**

(a) The Administrative Office of the Courts shall maintain a confidential file for expungements containing the petitions granted under this Article and the names of those people for whom it received a notice under G.S. 15A-150. The information contained in the file may be disclosed only as follows:

...

(10) Upon request of the North Carolina Private Protective Services Board or the North Carolina Alarm Systems Licensing Board, if the criminal record was expunged under this Chapter for licensure or registration purposes only."

**SECTION 3.(c)** G.S. 93B-8.1 reads as rewritten:

**"§ 93B-8.1. Use of criminal history records.**

...

(d) 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, and the North Carolina Private Protective Services Board, and the North Carolina Alarm Systems Licensing Board."

**SECTION 3.(d)** The Alarm Systems Licensing Board and the Private Protective Services Board may adopt rules to implement the provisions of this Part.

**SECTION 3.(e)** This Part becomes effective October 1, 2025.

5.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 04257

Lawrence Garcia and Ameriguard Security Services, Inc Petitioner,  v.  NC Private Protective Services Board Respondent.	<b>PROPOSED FINAL DECISION</b>
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This contested case was heard by Lawrence R. Duke, Administrative Law Judge, on December 17, 2024, at the Office of Administrative Hearings in Raleigh, North Carolina.

**APPEARANCES**

Petitioner, Lawrence Garcia, appeared *pro se*.

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

**ISSUE**

Whether Petitioner's security guard and patrol business license should be suspended for failing to register an unarmed guard and numerous armed guards and for failing to cooperate with an investigation by the Board.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case:  
N.C.G.S. §§ 74C-11; 74C-12(a)(29); 74C-13.

**FINDINGS OF FACT**

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

2. Petitioner Ameriguard Security Services, Inc. is licensed by the Respondent Board as a security guard and patrol business.

3. Petitioner Ameriguard Security is headquartered in Fresno, CA and operates nationwide (12 states) primarily as a government contractor at military bases, government facilities, and as the bailiffs for Social Security Administration hearings. It has 500+ employees. In North Carolina, Petitioner holds the contract for the National Institute of Health and the Environmental Protection Agency in Research Triangle Park, Durham, NC. Petitioner Garcia testified that Master Security Company, a separate security guard and patrol business licensed by the Respondent Board, was subcontracted to provide security for the Environmental Protection Agency campus.

4. Petitioner Lawrence Garcia is the Qualifying Agent in North Carolina for Ameriguard Security Services, Inc.

5. Pursuant to G.S. §§ 74C-11 and 13, all guards, whether armed or unarmed, employed by a security guard and patrol company must be registered with the Board.

6. Board Investigator David Batton testified that in 2023 another Investigator had performed an audit of Petitioner Ameriguard Security's guard registrations for calendar year 2022. The records for 103 guards were reviewed and 33 violations noted. Petitioners entered into a Consent Agreement in resolution of these violations.

7. At its August 2023 meeting, and as the standard practice for failed audits that are resolved by consent, the Board ordered a follow-up audit for Quarter 2 and Quarter 3 of 2023.

8. On April 16, 2024, Investigator Batton sent a letter to Petitioner Garcia informing him of the commencement of the audit and requesting all quarterly Employment Security Commission reports, Form 1099 reports, and any other reports showing compensation paid to all armed and unarmed guards during Q2 and Q3 of 2023. He also e-mailed Petitioner Garcia a copy of the letter the same day.

9. On April 25, 2024, Investigator Batton received an e-mail message from John Conrad, Ameriguard's Director of Human Resources, asking for clarification regarding the requested reports. As a result, Investigator Batton extended the deadline to respond by 10 days. On May 2, 2024, he received the reports and completed his initial audit spreadsheet on June 20, 2024.

10. There were very few registration violations out of 122 employee records reviewed. Petitioner Garcia testified that the reports he had submitted to Respondent Board had included employees of Petitioner Ameriguard's subcontractor, Masters Security Company. Investigator Batton testified that while the audit should have only included Petitioner Ameriguard's employees, the Employment Security Commission reports may not have shown for which company each employee worked. Petitioner Garcia further testified that once aware of the violations, the violations were remedied within five days.

11. The audit spreadsheet was sent to Petitioner Garcia for review and rebuttal on June 20, 2024, and a response was requested by June 28, 2024. Investigator Batton received no response.

12. After waiting approximately two weeks, Investigator Batton reached out to Petitioner Garcia again on July 15, 2024, with a deadline of July 24, 2024. Receiving no response by the deadline, he sent another e-mail message. John Conrad, Petitioner Ameriguard's Director of Human Resources, finally responded on August 5<sup>th</sup> with a few rebuttals.

13. Investigator Batton made minor corrections to the audit spreadsheet and returned it to Petitioner Garcia for response on August 7, 2024, with an August 16, 2024, deadline. He received no response.

14. On August 26, 2024, Investigator Batton sent a finalized spreadsheet to Petitioner Garcia along with a proposed Consent Agreement for one (1) unarmed guard violation and six (6) armed guard violations, requesting a response by August 30, 2024. He received no response.

15. On September 4, 2024, Investigator Batton telephoned Petitioner Garcia, and his office assistant said he was not available; he left a message for Mr. Garcia to call him. He received no return call. Having received no response, Investigator Batton completed his Final Investigative Report which was submitted to the Board's Grievance Committee for its October 16, 2024, meeting.

16. All told, Investigator Batton attempted to contact Petitioners eight (8) times with no response. Petitioner Garcia acknowledged that he was the Qualifying Agent and responsible for communicating and cooperating with Respondent Board, claimed that he had delegated this duty to a subordinate and had failed to ensure cooperation with Respondent Board, and was embarrassed by this failure.

17. Upon recommendation of the Grievance Committee the full Board voted on October 17, 2024, to suspend Petitioners' security guard and patrol license and issue a cease-and-desist order.

18. Petitioners were notified of the Board's action by notice of Board Findings dated October 26, 2024. (Respondent's Exhibit 1).

19. Petitioners requested a hearing on Respondent's suspension of the security guard and patrol license.

20. By Notice of Hearing dated October 31, 2024, and mailed via certified mail, Respondent advised Petitioners that a hearing on the suspension of the security guard and patrol license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on December 17, 2024. The Notice of Hearing stated that "[t]he suspension was for the following reasons: Failure to register an unarmed guard and numerous armed guards and failure to cooperate with the Board or its agents." (Respondent's Exhibit 1). Petitioner appeared at the hearing.

21. Petitioner Garcia testified and apologized for his failure to respond and cooperate with Respondent Board and explained how the registration violations occurred and were promptly



remedied.

22. Petitioner did state that procedures were now in place to ensure any future contact by the Board is brought to his attention.

### **CONCLUSIONS OF LAW**

1. The parties properly are before the Office of Administrative Hearings.
2. Under G.S. §§ 74C-11 (governing unarmed security guards) and 13 (governing armed security guards), a Security Guard and Patrol license holder, such as Petitioner Ameriguard, is responsible for the registration and licensure of its employees.
3. Under G.S. § 74C-12(a)(2), Respondent Board may suspend or revoke a license for a violation of any provision within Chapter 74C, such as the above stated requirement to ensure registration and licensure of employees.
4. Under G.S. § 74C-12(a)(29), Respondent Board may suspend or revoke a license for failing to reasonably cooperate with the Board or its agents during an investigation.
5. Under G.S. § 74C-17(c), in lieu of suspension or revocation pursuant to G.S. § 74C-12 the Board can assess a civil penalty of not more than two thousand dollars (\$2,000.00) per violation.
6. Respondent Board presented evidence that Petitioner Garcia failed on numerous occasions to respond to a Board Investigator during an investigation, to wit a registration audit. Petitioner Garcia acknowledged as such and apologized for this failure.
7. Petitioner presented insufficient evidence as to why he failed to respond to the Board Investigator's numerous attempts to contact him, but has taken corrective action to ensure it does not occur in the future.
8. Respondent Board presented evidence that it had audited Petitioner Ameriguard and found violations of the requirement to register its employees with Respondent Board. However, this evidence was sufficiently challenged by credible testimony that Petitioner Ameriguard may have erroneously accepted responsibility for the employees of its subcontractor and Respondent Board's Investigator confirmed that this may have been the case.

Based on the foregoing, the undersigned makes the following:

### **PROPOSED FINAL DECISION**

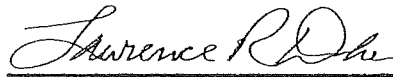
Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that Petitioners be assessed a civil penalty of two thousand dollars (\$2,000.00) for the violation of G.S. § 74C-12(a)(29) and no sanction for the underlying registration violations.

### NOTICE

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

The Tribunal orders that the agency serve a copy of the Final Decision or order 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). The agency shall also serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

**SO ORDERED**, the 4th day of April, 2025.

A handwritten signature in cursive script, reading "Lawrence R. Duke", written in dark ink. The signature is fluid and stylized, with the first letters of the first and last names being capitalized and prominent.

Lawrence Duke  
Administrative Law Judge

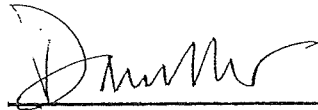
**CERTIFICATE OF SERVICE**

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 N.C. Admin. Code 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 will subsequently place the foregoing document into an official depository of the United States Postal Service.

Lawrence Garcia  
Ameriguard Secuirty Services, Inc  
lg@ameriguardsecurity.com  
Petitioner

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

This the 4th day of April, 2025.

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

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

6.

FILED  
OFFICE OF ADMINISTRATIVE HEARINGS  
03/24/2025 9:50 AM

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 04994

David Kriwox and Saker Aegis Systems Inc 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**

David Kriwox  
Saker Aegis Systems Inc  
P O Box 41053  
Raleigh, NC 27604  
Petitioners

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

**ISSUE**

Whether Petitioner's security guard and patrol business license should be suspended for failing to cooperate with an investigation by the Board.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case:  
N.C.G.S. 74C-11; 74C-12(a)(29); 74C-13.

**FINDINGS OF FACT**

1. Respondent Board 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 the armed and unarmed security guard and patrol business.

2. Petitioner Saker Aegis Systems, Inc. is licensed by the Respondent Board as a security guard and patrol business. Petitioner David Kriwox is the current Qualifying Agent for Saker Aegis Systems, Inc.
3. Petitioner Kriwox has owned the company for five years but only assumed the role of Qualifying Agent effective July 1, 2024. As Qualifying Agent he is responsible for the management and operations of the licensed business and ensuring that all requirements of licensure are met, including the registration of guards.
4. Pursuant to N.C.G.S. 74C-11 & 13 all guards, whether armed or unarmed, employed by a security guard and patrol company must be registered with the Board.
5. At its April 2022 meeting the Board approved a Consent Agreement for 45 Armed Guard registration violations and ordered a follow-up audit be conducted.
6. A follow-up audit was conducted and at its December 2023 meeting the Board approved a Consent Agreement for 25 Armed Guard registrations, suggested that the then Qualifying Agent Shenita Moore be replaced, and ordered that a follow-up audit be conducted.
7. Ms. Moore was terminated effective December 12, 2023 and after an extension of time was granted for a replacement Qualifying Agent, Petitioner Kriwox was approved.
8. Board Investigator Darla Cole testified that at the Board's August 2024 meeting, and as the standard practice for failed audits that are resolved by consent, the Board ordered yet another follow-up audit for Quarter 1, Quarter 2, and Quarter 3 of 2023.
9. On August 26, 2024, Investigator Cole sent a letter to Petitioner Kriwox informing him of the commencement of the audit and requesting all quarterly Employment Security Commission reports, Form 1099 reports, and any other reports showing compensation paid to all armed and unarmed guards during Q1 through Q3 of 2023. She also emailed Petitioner Kriwox a copy of the letter the same day. She received no response.
10. On October 14<sup>th</sup>, she re-sent the letter via email with a read receipt, which was never returned as being opened.
11. Investigator Cole attempted telephone calls to the personal number listed on Petitioner Kriwox's application and the recorded message stated the voice mailbox was full, and calls to the business number rolled over to his personal number.
12. Petitioner Kriwox never responded to three emails, two or three attempted telephone calls, or Investigator Cole's Final Investigative Report, which was sent to him.

13. Having received no response, Investigator Cole had completed her Final Investigative Report (Respondent's Exhibit 1) which was submitted to the Board's Grievance Committee for its December 12, 2024 meeting. A copy of the Report was sent to Petitioner Kriwox.
14. All told, Investigator Cole attempted to contact Petitioners at least seven (7) times with no response.
15. Upon recommendation of the Grievance Committee, the full Board voted on December 12, 2024 to suspend Petitioners' security guard and patrol license and to send a letter to all known clients of Petitioners notifying them of the suspension.
16. Petitioners were notified of the Board's action by notice of Board Findings dated December 17, 2024.
17. Petitioners requested a hearing on Respondent's suspension of the security guard and patrol license.
18. By Notice of Hearing dated December 31, 2024, and mailed via certified mail, Respondent advised Petitioners that a hearing on the suspension of the security guard and patrol license would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on January 28, 2025. Petitioner appeared at the hearing.
19. Petitioner Kriwox testified, admitting his failure to respond, apologized, but did not explain how the registration violations occurred. His only explanation for failing to respond for three and a half months was that he was unable to manage the business due to "personal issues."

### **CONCLUSIONS OF LAW**

1. The parties are properly before the Office of Administrative Hearings.
2. Under N.C.G.S. 74C-12(a)(29), Respondent Board may suspend or revoke a license for failing to reasonably cooperate with the Board or its agents during an investigation.
3. Respondent Board presented evidence that Petitioner Kriwox failed on numerous occasions to respond to a Board Investigator during an investigation, namely, a registration audit.
4. Petitioner presented insufficient evidence as to why he failed to respond to the Board Investigator's numerous attempts to contact him.

Based on the foregoing, the Tribunal makes the following:

**PROPOSED FINAL DECISION**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Tribunal proposes that Petitioners' security guard and patrol business license be suspended.

**This Proposed Final Decision is in resolution of the violation of N.C.G.S. 74C-12(a)(29) and not any underlying registration violations.**

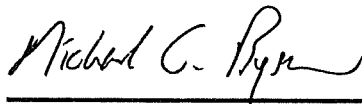
**NOTICE AND ORDER**

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

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

**SO ORDERED.**

This the 24th day of March, 2025.

A handwritten signature in black ink, reading "Michael C. Byrne", is written over a 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:

David Kriwox  
Saker Aegis Systems Inc  
P O Box 41053  
Raleigh NC 27604  
Petitioner

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

This the 24th day of March, 2025.



Ntombizodwa Mukondiwa  
Paralegal  
N. C. Office of Administrative Hearings  
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Raleigh, NC 27609-6285  
Phone: 984-236-1850