

July 17, 2023

From:

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To:

Jim Burgin (NCGA Senate) Jim.Burgin@ncleg.gov

Christie Darling (Legislative Assistant [above]) Christie.Darling@ncleg.gov

Phil Berger (NCGA Senate, President Pro Tempore) Phil.Berger@ncleg.gov

Abbigail Clark (Legislative Assistant [above]) Abbigail.Clark@ncleg.gov

CC:

(Office of) Governor Roy Cooper – (link submitted in web form): <https://governor.nc.gov/contact/contact-governor-cooper>

NC Attorney General Josh Stein josh.stein@ncdoj.gov jstein@ncdoj.gov info@JoshStein.org (email addresses from GRNC – not verified – link submitted in web form): <https://ncdoj.gov/contact-doj/>

Lt. Governor Mark Robinson via “Constituent Services” mary.rehbein@nc.gov and “Scheduling” patrick.riley@nc.gov

Grass Roots North Carolina (Paul Valone) – (link submitted in web form): <https://www.grnc.org/contact>

Richard Epley, Member NC PPSB and CJS Commission – (via request for ‘government communications’ below – listed ‘official’ email is richardaepley@yahoo.com)

Paul Sherwin, Director NC PPSB paul.sherwin@ncdps.gov

NC DOJ – CJS Division:

Jeffery Smythe, Director jsmythe@ncdoj.gov

Michelle Schilling, Deputy Director mschilling@ncdoj.gov

Bob Overton, “Program Manager” boverton@ncdoj.gov

NC Republican Party info@nc.gop

BCC: Chad Thompson (formerly of NCDOJ/NCJA, retired; current “LE”), “JA”, Harvey Morse

“Open” format, published at: <http://imfscorp.com/july-2023-efforts-against-nc-cch-proposed-changes/>

Regarding or Catalyst Event(s): Proposed North Carolina “Administrative Code Changes”

All “government employees”: Have you ever sent or received email from Richard Epley at his yahoo(dot-com) address? The list, that included the “private email being for official government communications” of Mr. Epley, was ‘released’ to Harvey Morse by CJS (Smythe/Schilling) and has since been published by GRNC.

All NCDOJ employees (especially if you have communicated “officially” with Mr. Epley via yahoo): have you advised him that the use of a private email via a private email service/server(s) “subjects” him to:

Richard Epley: RETAIN AND PRODUCE RECORDS (all email, logs, ‘contacts’) associated with that yahoo-dot-com email address that “may be construed to be North Carolina ‘official’ business and/or related to the ‘business’ of either Board (PPSB) or Commission (CJS).”

(It is very “funny” – in the wrong way that we use that term – Mr. Epley, that according to the ‘minutes of the meetings’ you are the one that ‘introduced’ that “Records Retention according to NCGS § 121-4 and § 132-8.1” proposed changes.)

Sherwin and Smythe: please have this delivered to “Member/Commissioner Epley” in an approved way.

FOIA DEMAND

Josh Stein, Paul Sherwin and Jeffery Smythe: Produce and deliver all communications – or logs/notes of communications - “with” Mr. Richard Epley. Make them available “electronically” so that there is “no cost” for the “printing/production”.

North Carolina Senator(s) Jim Burgin (and Phil Berger)

Thank you for making and taking the time to meet with “JA” about these issues. Because “JA” has participated and assisted me with many NC PPSB “classes” over the years he mentioned it to you during your meeting. He (may be incorrectly, may be not) related back to me that you stated (the “robotic and wrong” my paraphrasing:) “Because PPSB is not in ‘The Law’ it had to be removed from the code.”

1. The Code is there so that the law does not have to be amended for every ‘administrative’ change needed. Class ‘hours’, target types and sizes, required number of rounds and ‘passing’ scores and many other things are not in ‘The Law’. Most importantly The Law and The Code DO NOT “allow” for permitium (electronic applications) or the charging of ‘fees/costs’ for the certificates. Originally, before the NCGA ‘erroneously’ amended the law “to include USCCA (now Delta Defense)” The Law (sort of) said: “Any course approved by the commission”. Thereby ‘delegating’ approval of courses so that you (senators) could spend your time dealing with “pressing business of the State.”
2. PPSB is in the Law. § 14-415.12A. (b) 74C & 74C-13 “exempted”

Senator(s): I am not trying to offend or condemn you (personally) by saying ‘erroneously’. Your only ‘qualification for office’ is to ‘get elected’. The “highly qualified” employees of the (Administrative) State – such as all of the lawyers of the DOJ, the ‘advisor lawyers’ to the GA, and the ‘members’ of Boards and Commissions – are there to “protect you” from this sort of “mistake and confusion.” I especially ‘set my eyes’ upon a “trained attorney, 17-18 year Attorney General, and two-term Governor” and ‘wonder’ at his ‘office’ not being able to ‘veto’ or ‘offer correction’ to “inexpert and unnecessary” changes to the law.

“JA” reported that you said that you could initiate something called – to JA’s recollection – “Technical Review” and get these “proposed changes” stopped. I am requesting that you, please, do that and “be very loud about it” in the media and to the/your “Party” in Our State.

Also, please ‘oversight’ **your** “Legislative Analysis Division.”

Thank you, again, for making and taking the time (then and now).

North Carolina Senator Phil Berger, President Pro Tempore N.C. Senate

“Your name” (office) is the one “rubber-stamped” on the appointment of Mister Richard Epley for the North Carolina Private Protective Services Board (PPSB). For: embarrassing the NCGA, neglect of duty, and incompetence; I “formally request” that you “remove” him immediately from the PPSB. § 74C-4 (d).

Lt. Governor Mark Robinson and the NCGOP

I would that I could “dis-appoint” you (remove you from my/our office) as much as you disappoint everyone including yourself (and excluding me, because I had no expectation of you except for you to continue to be wrong [as you were in that Council meeting] and rewarded for it). Why are “JA”, Morse, GRNC, and me the “tiny voices” out here trying to “get heard” when we (they – I assuredly did not vote for you) pay you (and reward you with our votes and our “chair”) to be “our loud voice”?

Sir, please, self-assess, and 'withdraw' from the 'race' for Governor of NC 2024. You are neither qualified nor competent for that office.

How do I know/assess above, Mister Robinson? Because here is all of this utterly "inexpert" but full of "heart" effort from me, on my time and costing me money and the (further) risk of "my whole career" from retaliation and vindictiveness from "politicians" (like Epley/PPSB, and you, and the Governor, and "CJS" people), and all for the simple idea of "Speak(ing) Truth to Power for 'our Posterity and fellows'." What do we have from you?

NCGOP: "Good luck!" if you stay this (Robinson) course. The "silence" (silence and willful refusal for his office to respond) from him is making your (Dash-R) prospects (meaning your voters) in 2024 sad, dismal and apathetic.

Roy Cooper and Josh Stein (and the Senators again)

All of this "is on your watch." You are the (mis- or mal-) managers. Please, just for a few minutes: do your jobs. Every department and division (or sub-division thereof) of governance in NC is this "bad" (or worse). It is only because "GUN!" that anyone is talking about it – this time. "We the people (of NC)" are all "broken" by your corruption, incompetence, nonchalance, over-regulation and under- or mis- representation.

***** Without (even) the appearance of impropriety *****

If "anything" should – even accidentally – happen to [a single government employee or [their] career] that it is "rumored" that [they] may "become the necessary scape-goat" for this, I will surely "witness and testify" for [them] in their "wrongful/hostile" "actions" if any.

If any **more** of my licenses, certifications, registrations "vanish" or get delayed, denied, and so on: "Qualified Limited Immunity" is for the "offices" not the "officers" (and 74-C doesn't offer any form of 'immunity' to "Licensees," Board Members and/or Staff **personally**).

Of note: doing 'further research' for this I saw that the DOJ/CJS page(s) have changed – apparently this morning - from the "this is how it is (going to be 1-Oct)" hard stance poor delivery to a Public Meeting announcement and "READ ME" along with "DRAFT" documents. I received email from Morse and GRNC shortly after seeing it myself.

I thank all of you for your time. I do not apologize for "my delivery method" or lack of "editorial assistance and staff." All of the money that I could ever have used to pay someone to help me was instead paid (taxes, licenses, 'fees') to someone (all of you) to hurt me.

/s/ Dean Wiley