

From: [Diana Starr](#)
To: [Van Duncan](#)
Subject: [EXTERNAL] Fwd: [External] [External] Re: [External] [External] [External] Re: [External] Re: [External] Re: [External] Re: [External] Re: [External] Re: BCSO Code of Conduct
Date: Wednesday, May 9, 2018 7:16:04 PM

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Hello Sheriff,

I don't know if you are aware or if you ordered them not to comply, but I have made several public records requests over several weeks and your employees are not forthcoming with that information.

Here is my request, which by law your office is required to respond to.

1. SECTION 1. Sec. 5.4 of General Assembly of North Carolina Session 2007 House Bill 1197 Ratified Bill that created the Personnel Advisory Board for the Sheriff's Department of Buncombe County clearly states that "The secretary shall keep the minutes of the proceedings of the Board and shall be the custodian of all papers and records pertaining to the business of the Board, and shall perform such other duties as the Board may direct. All of the records of the Board shall be open to public inspection, during normal business hours at their place of keeping, except where otherwise prohibited by law."

A. How often does the Buncombe County Sheriff's Office Personnel Advisory Board meet and who attends the meetings other than the Board members?

There is no section specifically under SECTION 2.(a) that exempts the Personnel Advisory Board minutes from public records.

B. Please provide the public records of the Board and/or please provide certified confirmation that Board minutes have been taken and recorded, as required by law.

2. The Buncombe County Sheriff's Office 2015 Annual Report states that the sheriff's office follows the Family Justice Center model for dealing with domestic violence calls.

A. Please provide any and all statistics showing the model's use and/or success and/or failure with the model.

B. Please provide the number of domestic violence calls responded to for Sheriff Van Duncan's entire tenure, by year, and the outcomes of those calls.

3. The City of Asheville Police Department provides the public with records pertaining to employees who have been terminated.

A. Please provide the same for Sheriff Duncan's entire tenure, including any law enforcement certifications Sheriff Duncan has revoked.

Thank you.

Diana Starr

Begin forwarded message:

From: Diana Starr <biz@wildthingsdwell.org>
Subject: Re: [External] [External] Re: [External] [External] [External]
Re: [External] Re: [External] Re: [External] Re: [External] Re: BCSO
Code of Conduct
Date: May 7, 2018 at 12:33:29 PM EDT
To: Roney Hilliard <Roney.Hilliard@buncombecounty.org>
Cc: "Natalie N. Bailey" <natalie.bailey@buncombecounty.org>

Captain Hilliard,

I left you a voice mail message a few moments ago.

I need a response as to when the data I have requested will be provided.

Thank you.

On May 1, 2018, at 11:00 PM, Diana Starr
<biz@wildthingsdwell.org> wrote:

Ms. Bailey, please see follow-up questions below in black that were submitted on April 26, 2018.

When can I expect a response?

Thank you.

On Apr 26, 2018, at 12:52 PM, Diana Starr
<biz@wildthingsdwell.org> wrote:

On Apr 26, 2018, at 8:27 AM, Natalie N.
Bailey
<Natalie.Bailey@buncombecounty.org>
wrote:

Ms. Starr,

Thank you for your patience. You will
find the responses to your inquiry
below each question.

Best regards,
Natalie

1. Are the Sheriff's Office Personnel
Advisory Board meetings open to the
public and where is the set schedule of
meetings posted please? Please provide
contact information for the board
members

I have attached a copy of the North
Carolina General Statute establishing
and governing the Personnel Advisory
Committee, and a roster of current
board members. The committee
operates independently from the
Buncombe County Sheriff's Office.
These meetings are not open to the
public due to the committee discussing
personnel issues.

How often does the Board meet and who attends the
meetings other than the Board members? What do you
mean by the Board operates independently?

SECTION 1. Sec. 5.4 clearly states that "The secretary
shall keep the minutes of the proceedings of the Board

and shall be the custodian of all papers and records pertaining to the business of the Board, and shall perform such other duties as the Board may direct. All of the records of the Board shall be open to public inspection, during normal business hours at their place of keeping, except where otherwise prohibited by law.”

There is no section specifically under SECTION 2.(a) that exempts the Personnel Advisory Board minutes from public records. Please arrange a time for me to inspect the public records of the Board and/or please provide certified confirmation that Board minutes have been taken and recorded, as required by law.

2. The sheriff’s office annual report states that you follow the FJS model for dealing with domestic violence calls. Please provided any information on what that means or any statistics showing the model's use and/or success and/or failure with the model.

The Buncombe County Sheriff’s Office participates in the Family Justice Center, FJC, model in dealing with domestic violence issues. For statistics regarding the Family Justice Center, contact Julie Klipp-Nicholson, the FJC’s director.

Please provide the number of domestic violence calls responded to for current sheriff’s entire tenure by year and the outcomes of those calls.

3. Are any of your disciplinary stats public record? I understand that personnel files are not public record but are the number of disciplinary actions public record and if yes, please provide.

The Sheriff’s Office does not possess a record responsive to this request.

The City of Asheville Police Department provides the public with records pertaining to employees who have been terminated. Please provide the same for the current sheriff's entire tenure.

Thank you.

-----Original Message-----

From: Diana Starr

[<mailto:biz@wildthingsdwell.org>]

Sent: Tuesday, April 24, 2018 5:18 PM

To: Natalie N. Bailey

<Natalie.Bailey@buncombecounty.org

>

Cc: Roney Hilliard

<Roney.Hilliard@buncombecounty.org

>

Subject: [External] Re: [External] Re:
[External] [External] [External] Re:
[External] Re: [External] Re: [External]
Re: [External] Re: BCSO Code of
Conduct

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Thank you.

Have a good evening.

On Apr 24, 2018, at 5:09 PM, Natalie N. Bailey
<Natalie.Bailey@buncombecounty.org> wrote:

Good Evening Ms. Starr,

I am processing your inquiry; I expect to get it to you by the close of business tomorrow. Thank you for your patience. --Natalie

Natalie Bailey
Public Information Officer
Buncombe County Sheriff's
Office
60 Court Plaza, 4th Floor
Asheville, NC 28801
828/250-4469 Office
[Natalie.Bailey@buncombe
county.org](mailto:Natalie.Bailey@buncombecounty.org)

-----Original Message-----

From: Diana Starr
[\[mailto:biz@wildthingsdwell.org\]](mailto:biz@wildthingsdwell.org)
Sent: Tuesday, April 24,
2018 3:13 PM
To: Natalie N. Bailey
<[Natalie.Bailey@buncombe
county.org](mailto:Natalie.Bailey@buncombecounty.org)>
Cc: Roney Hilliard
<[Roney.Hilliard@buncomb
ecounty.org](mailto:Roney.Hilliard@buncombecounty.org)>
Subject: [External] Re:
[External] [External]
[External] Re: [External]
Re: [External] Re:
[External] Re: [External]
Re: BCSO Code of Conduct

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Hello,

Hope you are feeling better.

I need that information please.

Thank you.

On Apr 20, 2018,
at 8:21 AM,
Natalie N. Bailey
<Natalie.Bailey@buncombecounty.org> wrote:

Ms. Starr,

I have been out of the office dealing with an illness. I am in receipt of your request, and will respond to it shortly.

Regards,
Natalie

Natalie Bailey
Public

Information
Officer
Buncombe
County Sheriff's
Office
60 Court Plaza,
4th Floor
Asheville, NC
28801
828/250-4469
Office
[Natalie.Bailey@
buncombecounty
.org](mailto:Natalie.Bailey@buncombecounty.org)

-----Original
Message-----
From: Diana
Starr
[\[mailto:biz@wild
thingsdwell.org\]](mailto:biz@wildthingsdwell.org)
Sent: Thursday,
April 19, 2018
11:12 PM
To: Natalie N.
Bailey
<[Natalie.Bailey
@buncombecoun
ty.org](mailto:Natalie.Bailey@buncombecounty.org)>
Subject:
[External] Re:
[External]
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[External] Re:
[External] Re:
[External] Re:
[External] Re:
BCSO Code of
Conduct

CAUTION:
External email.
Do not click
links or open
attachments
unless verified.
Use the "Phish
Alert" button to
report all
suspicious email.

Hello,

When will I have
the data
requested?

Thank you.

On
Apr
18,
2018,
at
12:06
AM,
Roney
Hilliar
d
<[Ron
ey.Hil
liard
@bun
combe
count
y.org](mailto:Ronney.Hilliar@buncombcounty.org)>
wrote:

Hi Ms
Starr.

I have
forwar
ded
them
all to
our
public
info
officer
Natali
e
Bailey
. She
will
work
with
you as
she
norma
lly
deals
with
public
rec

<Personnel Advisory Committee Roster 4-
25- 2018.pdf><NC HB 1197.pdf>