



*State of North Carolina
Office of the Governor*

*Roy Cooper
Governor*

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April 6, 2023

The Honorable Jake Johnson
North Carolina House of Representatives
300 N. Salisbury Street, Rm. 306B1
Raleigh, NC 27603-5925

The Honorable Harry Warren
North Carolina House of Representatives
300 N. Salisbury Street, Rm. 611
Raleigh, NC 27603-5925

Dear Chairman Johnson and Chairman Warren,

I noted the testimony of State Bureau of Investigation Director Bob Schurmeier before the House Oversight and Reform Committee on March 28, 2023 with great interest. In recent years, current and former SBI agents have contacted us and leadership at the North Carolina Department of Public Safety to raise concerns about hiring, promotions, and workplace practices at the North Carolina State Bureau of Investigation. Though our oversight of the SBI is constrained by law, we have attempted to work with the SBI to address those issues in a manner that complies with all applicable laws and is fair to all.

The SBI plays an essential role in North Carolina law enforcement. It has original jurisdiction over critical crimes like arson, narcotics, and election law. It also assists local law enforcement with the most complex and sensitive investigations, including officer-involved shootings, public corruption, excessive force complaints, cold cases, and countless others.

Since its inception, the SBI has been expected to meet the highest standards of impartiality, professionalism, integrity, and independence. In 2014, the General Assembly moved the SBI from the Department of Justice to a position of greater independence within the executive branch, housed administratively within the Department of Public Safety, but lacking much of the typical oversight of other agencies.

Over the past several years, current and former agents and others have contacted us to share a variety of information that left us increasingly concerned about the direction of the SBI and whether it was continuing to meet its high historical standards. Much of this information is legally

protected by personnel and other laws. However, we have provided a summary of important information that may be shared below.

Our concerns have been focused on human resources decisions and practices at the SBI. In particular, current and former SBI agents and staff reached out to the Governor's Office and leadership at the North Carolina Department of Public Safety ("NCDPS") to raise serious concerns focused on such issues as a lack of racial diversity among sworn SBI agents, promotion decisions and practices, and access to training, among others. We have also heard a variety of broader concerns raised about other parts of the SBI's operations.

In late 2022, members of the Governor's Office staff met with the Director to discuss these human resources issues, which threatened significant harm to the SBI's morale, operations, and reputation. In those meetings, we advised the Director that we thought a review of the SBI's diversity practices and policies was warranted. We also advised the Director that such a review should be conducted by an outside law firm to ensure independence and because of the potential for litigation. We advised that the cost of such a review could exceed \$100,000 and that the SBI should bear the cost as opposed to another state agency. In light of the logistical, legal, and financial complexities in undertaking such a review, which are exacerbated by the General Assembly's decision to remove normal executive oversight of the SBI, that review has not yet begun.

The Governor and our administration are committed to the success of all state agencies, which includes ensuring that all people have the opportunity to serve the public and succeed in doing so. It is particularly important that our state's leading law enforcement agencies, like the SBI, meet the highest standards. We will continue working to maintain a strong SBI and the safety of all North Carolinians.

Sincerely,



Kristi Jones
Chief of Staff
Office of the Governor