



North Carolina General Assembly
House of Representatives

HOUSE OVERSIGHT AND REFORM COMMITTEE

REPRESENTATIVE JAKE JOHNSON, CO-CHAIR
DISTRICT 113

REPRESENTATIVE HARRY WARREN, CO-CHAIR
DISTRICT 76

May 23, 2023

Kristi Jones
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Ms. Jones:

Pursuant to N.C. Gen. Stat. §§120-14, 120-19, the House Oversight and Reform Committee requests your appearance to testify on June 8, 2023, from 1:00PM until the conclusion of the hearing in the Legislative Building Auditorium.

On May 2, 2023, at a House Oversight and Reform Committee hearing, you provided testimony to your involvement in several conversations with SBI Director Bob Schurmeier regarding issues involving senior positions within SBI. However, you cited that State personnel laws did not permit you to fully answer the Committee's questions. We would like to provide you with another opportunity to testify during a "closed session" and share information you believe you were precluded from offering.

This legislative committee pursuant to N.C. Gen. Stat. §138.10 is a "public body" and "shall be open to the public." However, under N.C. Gen. Stat. §143-318.11(c), a public body "may hold a closed session" upon a motion duly made and adopted at an open meeting.

Pursuant to N.C. Gen. Stat. §143-318.11(a)(1), a public body may hold a closed session and exclude the public "to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States." It is the intention of this committee to motion for a closed session so that you may truthfully and openly provide answers to this committee's questions.

In your April 14, 2023 letter to this committee, you state that the confidentiality of personnel files under N.C. Gen. Stat. §§ 126-22(b)(3), 126-24 prevents you or other witnesses "from discussing many aspects of the Director's testimony." Further, your letter states that "[you] are constrained in responding to questions about [Director Schurmeier's] testimony because of legal protections afforded to the Director's personnel file."

A closed session committee hearing will allow you to testify without fear of violating the statutes you cite in your letter since, pursuant to N.C. Gen. Stat. §126-24(3), "Members of the General Assembly...may inspect and examine personnel records under the authority of G.S. 120-19."

Again, we would like you to provide fully and truthfully:

- Testimony on the meetings held on October 3, 2022, November 22, 2022, and December 14, 2022, with Eric Fletcher and Director Schurmeier.
- Details of any communications you have had with SBI General Counsel Angel Gray regarding staffing senior positions at SBI and Director Schurmeier's hiring authority.
- Details of any communications you have had with SBI Counsel Angel Gray regarding any duty of representation to the Governor's Office.
- Details of any communications you have had with SBI Counsel Angel Gray regarding any allegations of discrimination against Director Schurmeier.

Please read this letter carefully to ensure that you comply with all hearing requirements and that you understand your rights as a witness.

Each witness who is to appear before the House Oversight and Reform Committee must file with the Committee Clerk a written statement of proposed testimony. This must be filed by close of business the day before your appearance. Failure to comply with this requirement may result in the exclusion of your written testimony from the hearing record and/or the barring of your oral presentation of the testimony. Responses to questions at the hearing should be limited to no more than five minutes per response.

A witness appearing before the Committee must include with their written testimony, a current resume summarizing education, experience, and affiliations pertinent to the subject matter of the hearing.

Witnesses at hearings may be accompanied by their own counsel to advise them concerning their constitutional rights but accompanying counsel shall not directly respond to questions. We reserve the right to place any witness under oath. Finally, witnesses may obtain a transcript copy of their testimony given in open, public session, or in a closed session only when authorized by the Committee.

To fully prepare for this hearing, your testimony must be submitted electronically in Microsoft Word (docx) or Adobe Acrobat (pdf) format to Megan.Kluttz@ncleg.gov no later than 12:00 noon the day before hearing.

Accommodations for individuals with disabilities, including assistive listening systems, interpreters, and materials in alternate formats, may be arranged by contacting the Committee Clerks in advance of the hearing.

Should you or your staff have any questions or need additional information, please contact Megan Kluttz at (919)-715-4466 or Megan.Kluttz@ncleg.gov.

Sincerely,



Rep. Jake Johnson
Co-Chair



Rep. Harry Warren
Co-Chair