

1 12 NCAC 10B .0603 is proposed to be amended with changes as published in Volume 37, Issue 2, pages 178-180
2 of the North Carolina public register as follows:

3
4 12 NCAC 10B .0603 EVALUATION FOR TRAINING WAIVER

5 (a) ~~Only applicants~~ Applicants for detention officer certification with prior detention or correctional officer experience
6 who have been employed and certified as a detention or correctional officer may seek a training waiver evaluation
7 pursuant to this ~~Rule~~ Section.

8 (b) The Division shall use the following to evaluate a detention officer's training and experience to grant a training
9 waiver:

10 (1) Persons who separated from a detention officer position during the probationary period after
11 completion of a commission-certified ~~detention officer training course~~ Detention Officer
12 Certification Course and who have been separated from a detention officer position for more than
13 one year shall complete a subsequent commission-certified ~~detention officer training course~~
14 Detention Officer Certification Course in its entirety and pass the State Comprehensive Examination
15 within the 12 month probationary period as set forth in Rule .0602(a) of this Section.

16 (2) Persons who separated from a detention officer position during their probationary period after
17 completion of a commission-certified ~~detention officer training course~~ Detention Officer
18 Certification Course and who have been separated from a detention officer position for one year or
19 less shall serve the remainder of the initial probationary period in accordance with G.S. 17E-7(b),
20 but need not complete an additional training program.

21 (3) Persons who separated from a detention officer position during the probationary period without
22 completion of a commission-certified ~~detention officer training course~~ Detention Officer
23 Certification Course, or whose certification was suspended pursuant to Rule .0204(b)(1) of this
24 Subchapter and who have remained separated or suspended for over one year shall complete a
25 commission-certified ~~detention officer training course~~ Detention Officer Certification Course in its
26 entirety and pass the State Comprehensive Examination, and shall be allowed a 12 month
27 probationary period as prescribed in Rule .0602(a) of this Section.

28 (4) Persons holding General Detention Justice Officer Certification as a detention officer pursuant to
29 12 NCAC 10B .0404 who completed a commission-certified Detention Officer Certification Course
30 ~~detention officer training course~~ and who separated from a detention officer position for more than
31 one year shall complete a subsequent commission-certified Detention Officer Certification Course
32 ~~detention officer training course~~ in its entirety and pass the State Comprehensive Examination
33 within the 12 month probationary period as prescribed in Rule .0602(a) of this Section.

34 (5) Persons holding Grandfather Detention Officer Certification pursuant to G.S. 17E-7(a) who
35 separate from a detention officer position and remain separated from a detention officer position for
36 more than one year shall complete a commission-certified Detention Officer Certification Course

1 ~~detention officer training program~~ in its entirety and pass the State Comprehensive Examination
2 within the 12 month probationary period as prescribed in Rule .0602(a) of this Section.

- 3 (6) Persons transferring to a sheriff's office from another law enforcement agency who hold a detention
4 officer certification issued by the North Carolina Criminal Justice Education and Training Standards
5 Commission are subject to evaluation of their prior training and experience on an individual basis.
6 The Division shall review the training received against the training required by Rule .0601 of this
7 Section and determine whether that training is comparable to the requirements set out in Rule .0601
8 based upon topics covered and determine what additional training, if any is required under Rule
9 .0601.

10 (c) The Division shall ~~use the following~~ to evaluate ~~[evaluation]~~ a correction officer who holds a general certification
11 as a ~~correctional officer training and experience~~ to grant a ~~training~~ waiver ~~if the~~ ~~to individual~~ ~~individuals~~ ~~has that~~
12 ~~general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training~~
13 ~~Standards Commission; Commission~~

14 ~~(1) [and] completed training as a correctional officer between January 1, 1981 and August 1, 2002;~~
15 ~~[2002;]~~

16 ~~(1) hold general certification as a correctional officer from the North Carolina Criminal Justice~~
17 ~~Education and Training Standards Commission under 12 NCAC 09G .0304;~~

18 ~~[(1)](2) transfer [transfers] to a sheriff's office or a district confinement facility in a detention officer~~
19 ~~position; and~~

20 ~~(2) completed training as a correctional officer between January 1, 1981 and August 1, 2002;~~

21 ~~(3) is an applicant for justice officer certification as a detention officer certification through a sheriff's~~
22 ~~office or a district confinement facility; and~~

23 ~~[(2)](3) (4) [has] have does not have had less than a one year break in service exceeding one year from the~~
24 ~~time of last employment as a correctional officer to the time of being appointed as a detention officer.~~

25 shall:

26 ~~(A)~~

27 ~~Applicants that are granted a training waiver under this section shall~~ serve a 12-month probationary period
28 as set forth in Rule .0602(a) of this ~~Section; Section. and~~ ~~During this probationary period, they must take and~~
29 ~~successfully complete the State Comprehensive Examination in its entirety as set forth in 12 NCAC 10B~~
30 ~~.0606 after completing the following topic areas in a commission-certified Detention Officer Certification~~
31 ~~Course:~~

32 ~~(B) take [and successfully complete] the [State Comprehensive Examination] state~~
33 ~~examination in its entirety during that probationary period after completing the following~~
34 ~~topic areas in a commission-certified [Detention Officer Certification Course:] detention~~
35 ~~officer certification course:~~

36 Orientation	3 hours
37 Legal Aspects of Management & Supervision	14 hours

1	Medical Care in the Jail	6 hours
2	Investigative Process in the Jail	8 hours
3	Criminal Justice System	2 hours
4	Introduction to Rules and Regulations Governing Jails	2 hours
5	Subject Control Techniques	32 hours
6	TOTAL HOURS	67 hours

(d) The Division shall use the following to evaluate [evaluation] a correction officer who holds a general certification as a correctional officer training and experience to grant a waiver if the to individual individuals has that general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training Standards Commission who:

- (1) [and] completed training as a correctional officer after August 1, 2002; [2002:]
 - (1) hold general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training Standards Commission under 12 NCAC 09G .0304;
 - (2)[(1)] transfer [transfers] to a sheriff's office or a district confinement facility in a detention officer position; and
 - (3)[(2)] have [has] had less than a one year break in service shall:
 - (A) submit documentation of the training completed as a correctional officer. The Division shall review the training received against the training required by Rule .0601 of this Section and determine whether that training is comparable to the requirements set out in Rule .0601 based upon topics covered and determine what additional training, if any is required under Rule .0601. The Division shall notify the employing agency of the resulting training requirements; and
 - (2) completed training as a correctional officer after August 1, 2002;
 - (3) are applicants for detention officer certification through a sheriff's office or a district confinement facility; and
 - (4) does not have a break in service exceeding one year from the time of last employment as a correctional officer to the time of being appointed as a detention officer.

Detention officers that are granted a training waiver under this section shall serve a 12-month probationary period as set forth in Rule .0602(a) of this Section and provide the record of completion of the Basic Correctional Officer Training Course as defined in 12 NCAC 09G .0411. The Division shall review the course curriculum of the correctional officer training received against the training required by Rule .0601 of this Section and determine whether that training is comparable to the requirements set out in Rule .0601. Based upon topics covered in the basic correctional officer training course, and the Division shall determine if additional training is required to ensure the applicant has received training comparable to that specified in Rule .0601. The Division shall notify the employing agency of the resulting training requirements, if any, and the officer shall take and successfully complete the State Comprehensive Examination as set forth in 12 NCAC 10B .0606 in its entirety during the probationary period after completing any training as determined

1 to be necessary by the training evaluation referenced in this section, in a commission-certified Detention
2 Officer Certification Course.

3
4 (B) ~~take~~ [and successfully complete] the [State Comprehensive Examination] state examination in its
5 entirety during the probationary period after completing the required training in a commission-
6 certified Detention Officer Certification [Course.]

7 (e) Applicants for detention officer certification who hold probationary [or general deputy sheriff] justice officer
8 certification as a deputy pursuant to 12 NCAC 10B .0402 or general justice officer certification as a deputy pursuant
9 to 12 NCAC 10B .0404, with the North Carolina Sheriffs' Education and Training Standards Commission; or a law
10 enforcement officer [that has [issued] probationary [certification] law enforcement officer certification, pursuant to 12
11 NCAC 09C .0303 or general [certification] law enforcement officer certification, pursuant to 12 NCAC 09C .0304,
12 issued by the Criminal Justice Education and Training Standards Commission, shall be granted a training waiver
13 pursuant to this Section provided the individual:

14 (1) has successfully completed the NC Basic Law Enforcement Training Course as outlined in 12
15 NCAC 09B .0205;

16 (2) has had no break in service as a deputy sheriff or law enforcement officer exceeding one year.

17 (3) [serve] serves a 12-month probationary period as a detention officer, as set forth in Rule .0602(a)
18 of this Section; and

19 (4) [take] takes and successfully complete the State Comprehensive Examination for the Detention
20 Officer Certification Course in its entirety as set forth in 12 NCAC 10B .0606 during that
21 probationary [period after:] period; and

22 (5) [(A)] [completing] completes the following topic areas in a full delivery of a commission-certified
23 Detention Officer Certification Course:

24	Course Orientation	3 hours
25	Ethics	3 hours
26	Fire Emergencies	4 hours
27	Aspects of Mental Illness	6 hours
28	Review and Testing	7 hours
29	Legal Aspects of Management and Supervision	14 hours
30	Contraband/Searches	6 hours
31	Medical Care in the Jail	6 hours
32	Patrol and Security Function of the Jail	5 hours
33	Key and Tool Control	2 hours
34	Supervision and Management of Inmates	5 hours
35	Suicides and Crisis Management	5 hours
36	Introduction to Rules and Regulations	2 hours
37	Stress	3 hours

1	Prison Rape Elimination Act	2 hours
2	<u>TOTAL HOURS</u>	<u>73 hours</u>
3	of	
4	(B) completing a commission certified truncated delivery of the Detention Officer	
5	Certification Course that covers the following topic areas:	
6	Course Orientation	3 hours
7	Ethics	3 hours
8	Fire Emergencies	4 hours
9	Aspects of Mental Illness	6 hours
10	Review and Testing	7 hours
11	Legal Aspects of Management and Supervision	14 hours
12	Contraband/Searches	6 hours
13	Medical Care in the Jail	6 hours
14	Patrol and Security Function of the Jail	5 hours
15	Key and Tool Control	2 hours
16	Supervision and Management of Inmates	5 hours
17	Suicides and Crisis Management	5 hours
18	Introduction to Rules and Regulations	2 hours
19	Stress	3 hours
20	Prison Rape Elimination Act	2 hours
21	TOTAL HOURS	73 hours

22
23 ~~(f) A truncated delivery of the Detention Officer Certification Course that only teaches blocks as specified in Paragraph~~
24 ~~(e) of this Rule is hereby authorized and shall comply with the following requirements:~~

25 ~~(1) The "Detention Officer Certification Training Manual," including subsequent amendments and editions,~~
26 ~~shall be used as the basic curriculum for the specified topics covered in the truncated delivery.~~

27 ~~(2) The "Truncated Detention Officer Certification Course Management Guide" published by the North~~
28 ~~Carolina Justice Academy is hereby incorporated by reference, including subsequent amendments and~~
29 ~~editions, and shall be used by school directors in planning, implementing, and delivering the truncated basic~~
30 ~~detention officer training.~~

31 ~~(3) The standards and requirements established by the "Truncated Detention Officer Certification Course~~
32 ~~Management Guide" shall be adhered to by the school director. The Justice Academy shall issue to each~~
33 ~~certified school director a copy of the guide at the time of certification at no cost to the certified school.~~

34 ~~(4) Each applicant shall complete form F-1 and pass the medical exam as required by 12 NCAC 10B .0304.~~

35 ~~(5) Each executive officer or officers of the institution or agency sponsoring a truncated Detention Officer~~
36 ~~Certification Course shall comply with the provisions of 12 NCAC 10B .0703 except for subsection~~

1 ~~.0703(c)(3)(D), as the truncated course does not require instruction in Subject Control Techniques because~~
2 ~~this is already provided in Basic Law Enforcement Training.~~

3 ~~(6) Each school director shall submit to the Commission a Pre-Delivery Report of Training Course~~
4 ~~Presentation (Form F-7A) in compliance with 12 NCAC 10B .0704(8).~~

5 ~~(7) Each school director shall not more than ten days after receiving from the Commission's representative~~
6 ~~the Report of Examination Scores, submit to the Commission a Post-Delivery Report of Training Course~~
7 ~~Presentation (Form 7-B) in compliance with 12 NCAC 10B .0704(16).~~

8 ~~(8) The delivering institution or agency must be certified to deliver the Detention Officer Certification Course~~
9 ~~under 12 NCAC 10B .0802.~~

10 ~~(9) Each presentation of the truncated Detention Officer Certification Course shall be reported to the~~
11 ~~Commission in compliance with 12 NCAC 10B .0803.~~

12 ~~(10) All instructors, school directors, executive officers, or lecturers involved in teaching and administering~~
13 ~~a truncated Detention Officer Certification Course shall hold the same certifications and qualifications~~
14 ~~required of instructors, school directors, executive officers, or lecturers in the full Detention Officer~~
15 ~~Certification Course.~~

16
17 *History Note: Authority G.S. 17E-4; 17E-7;*
18 *Eff. January 1, 1989;*
19 *Amended Eff. February 1, 2014; August 1, 2011; January 1, 2006; August 1, 2002; August 1, 1998;*
20 *February 1, 1998; January 1, 1996; January 1, 1993; January 1, 1992; January 1, 1991;*
21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
22 *2018.*

23 *Amended Eff. December 1, 2022;*
24
25