

1 12 NCAC 09B .0205 is amended with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09B .0205 BASIC LAW ENFORCEMENT TRAINING**

4 (a) The basic training course for law enforcement officers shall consist of instruction designed to provide the trainee  
5 with the skills and knowledge to perform those tasks essential to function in law enforcement.

6 ~~[(b) Accredited delivery agencies may elect to exclude (e)(6) Sheriff Specific Unit. The course entitled "Basic Law  
7 Enforcement Training" shall consist of a minimum of 588 hours of instruction (e)(1-5), for accredited delivery  
8 agencies approved to facilitate the Commission-accredited Basic Law Enforcement Training course and shall  
9 include the following identified topical areas in subparagraph (e) and minimum instructional hours for each.]~~

10 **(b) (e)** The course entitled "Basic Law Enforcement Training" shall consist of a minimum of ~~632~~ 640 hours of  
11 instruction and shall include the following identified topical areas and minimum instructional hours for each:

12 (1) LEGAL UNIT

13 (A) Motor Vehicle Laws	20 Hours
14 (B) Controlled Substance	12 Hours
15 (C) Elements of Criminal Law	24 Hours
16 (D) Juvenile Laws and Procedures	8 Hours
17 (E) Arrest, Search and Seizure/Constitutional Law	28 Hours
18 (F) Alcohol Beverage Control (ABC)Laws and Procedures	4 Hours

19 UNIT TOTAL 96 Hours

20 (2) PATROL DUTIES UNIT

21 (A) Techniques of Traffic Law Enforcement	24 Hours
22 (B) Explosives and Hazardous Materials Emergencies	12 Hours
23 (C) Traffic Crash Investigation	<del>20</del> <u>24</u> Hours
24 (D) In-Custody Transportation	8 Hours
25 (E) Crowd Management	12 Hours
26 (F) Patrol Techniques	28 Hours
27 (G) Law Enforcement Communication and Information Systems	8 Hours
28 (H) Anti-Terrorism	4 Hours
29 (I) Rapid Deployment	8 Hours

30 UNIT TOTAL ~~124~~ 128 Hours

31 (3) LAW ENFORCEMENT COMMUNICATION UNIT

32 (A) Responding to Victims and the Public	10 Hours
33 (B) Domestic Violence Response	<del>12</del> <u>16</u> Hours
34 (C) Ethics for Professional Law Enforcement	4 Hours
35 (D) Individuals with Mental Illness and Developmental Disabilities	24 Hours
36 (E) Crime Prevention Techniques	6 Hours
37 (F) Communication Skills for Law Enforcement Officers	8 Hours
38 (G) Preparing for Court and Testifying in Court	12 hours

1		UNIT TOTAL	<del>76</del> <u>80</u> Hours
2	(4)	INVESTIGATION UNIT	
3	(A)	Fingerprinting and Photographing Arrestee	6 Hours
4	(B)	Field Note-taking and Report Writing	12 Hours
5	(C)	Criminal Investigation	34 Hours
6	(D)	Interviews	16 Hours
7	(E)	Human Trafficking	2 Hours
8		UNIT TOTAL	70 Hours
9	(5)	PRACTICAL APPLICATION UNIT	
10	(A)	First Responder	32 Hours
11	(B)	Firearms	48 Hours
12	(C)	Law Enforcement Driver Training	40 Hours
13	(D)	Physical Fitness (classroom instruction)	8 Hours
14	(E)	Fitness Assessment and Testing	12 Hours
15	(F)	Physical Exercise 1 hour daily, 3 days a week	34 Hours
16	(G)	Subject Control Arrest Techniques	40 Hours
17		UNIT TOTAL	214 Hours
18	(6)	SHERIFF-SPECIFIC UNIT	
19	(A)	Civil Process	24 Hours
20	(B)	Sheriffs' Responsibilities: Detention Duties	4 Hours
21	(C)	Sheriffs' Responsibilities: Court Duties	6 Hours
22		UNIT TOTAL	34 Hours
23	(7)	COURSE ORIENTATION	2 Hours
24	(8)	TESTING	16 Hours
25		TOTAL COURSE HOURS	<del>632</del> <u>640</u> Hours

27 ~~(c)~~ ~~(d)~~ The "Basic Law Enforcement Training Manual" published by the North Carolina Justice Academy shall be  
 28 used as the curriculum for this training course. Copies of this publication may be inspected at the office of the  
 29 agency:

30 Criminal Justice Standards Division  
 31 North Carolina Department of Justice  
 32 1700 Tryon Park Drive  
 33 Post Office Drawer 149  
 34 Raleigh, North Carolina 27602

35 and may be obtained at the cost of printing and postage from the North Carolina Justice Academy at the following  
 36 address:

37 North Carolina Justice Academy

1 Post Office Drawer 99

2 Salemburg, North Carolina 28385

3 (d) (e) The "Basic Law Enforcement Training Course Management Guide" published by the North Carolina Justice  
4 Academy shall be used by school directors in planning, implementing, and delivering basic training courses. Copies  
5 of this guide may be obtained at the cost of printing and postage from the Justice Academy.

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7 *History Note: Authority G.S. 17C-6; 17C-10;*  
8 *Eff. January 1, 1981;*  
9 *Temporary Amendment Eff. December 14, 1983 for a period of 120 days to expire on April 12,*  
10 *1984;*  
11 *Amended Eff. January 1, 2019; July 1, 2018; January 1, 2018; July 1, 2017; July 1, 2016;*  
12 *January 1, 2015; February 1, 2014; July 1, 2011; July 1, 2009; January 1, 2006; August 1, 2002;*  
13 *August 1, 2000; November 1, 1998; July 1, 1997; January 1, 1995; February 1, 1991; July 1,*  
14 *1989.*  
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1 12 NCAC 09B .0313 is adopted with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09B .0313 CERTIFICATION TRAINING FOR SCHOOL RESOURCE OFFICER**

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5 (a) The School Resource Officer training course for law enforcement officers shall ~~be designed to~~ provide the trainee  
6 with the skills and knowledge to perform in the capacity of a School Resource Officer. The course shall be for a period  
7 of ~~not less than~~ 40 hours.

8 (b) The “School Resource Officer Training” course published by the North Carolina Justice Academy shall be used  
9 as the curriculum for this training course. ~~course as authored by the North Carolina Justice Academy is to be applied~~  
10 ~~as basic curriculum for the school resource officer training course for law enforcement officers certified with the~~  
11 ~~Commission. Copies of this publication may be inspected at the office of the agency:~~

12 Criminal Justice Standards Division  
13 North Carolina Department of Justice  
14 1700 Tryon Park Drive  
15 Post Office Drawer 149  
16 Raleigh, North Carolina 27602

17 and may be obtained at the cost of printing and postage from the North Carolina Justice Academy at the following  
18 address:

19 North Carolina Justice Academy  
20 Post Office Drawer 99  
21 Salemburg, North Carolina 28385

22

23 (c) Law Enforcement officers assigned by their agency to perform duties as a School Resource Officer shall:

- 24 (1) have been issued general certification by the NC Criminal Justice Education and Training Standards  
25 ~~Commission, Commission~~ as a law enforcement officer; and  
26 (2) have completed, or complete within one year after being assigned as a School Resource Officer, the  
27 School Resource Officer the “School Resource Officer Training” course pursuant to Paragraph (b)  
28 of this Rule.

29 *History Note: Authority G.S. 17C-6; 17C-10;*  
30 *Eff. October 1, 2018.*

31

1 12 NCAC 09C .0103 is amended with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09C .0103 DIVULGING PERSONNEL INFORMATION**

4 (a) ~~A department head~~ The head of a criminal justice agency may request in writing and with the appropriate  
5 authorization for ~~[release]~~ release information in the Standards Division ~~Division's~~ files regarding the suitability or  
6 qualifications of a criminal justice officer for employment or retention.

7 (b) The Director of the Standards Division shall evaluate the request to determine what, if any, information the  
8 Standards Division ~~Division's~~ files contain which that is necessary and essential to the retention or employment of the  
9 officer or applicant.

10 (c) The Director shall divulge such the information in the Standards Division ~~Division's~~ files ~~as he deems necessary~~  
11 ~~and essential to the retention or employment of the officer or applicant.~~ In in accordance with [state] State personnel  
12 laws. Such The information shall be provided to the ~~Department head~~ of the criminal justice agency in writing by  
13 personal delivery or personally addressed first class mail.

14 (d) The Standards Division shall maintain a copy of the letter divulging such information in the personnel file of the  
15 subject officer or applicant.

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17 *History Note: Authority G.S. 17C-9;*

18 *Eff. January 1, 1981.*

19 *Amended Eff. October 1, 2018.*

20

1 12 NCAC 09C .0208 is amended with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09C .0208 REPORT OF SEPARATION**

4 (a) The Affidavit of Separation and Report of Separation ~~is~~ shall be used for reporting the date of and reason for  
5 the separation of a criminal justice ~~office~~ officer from the employing agency. ~~The date of separation [would]~~  
6 shall be the date the criminal justice officer resigned or the date the employing agency terminated the  
7 employee.

8 (b) An agency separating a person from employment or appointment as a criminal justice officer shall, not later  
9 than 10 days after separation, forward to the Commission a [properly] completed Affidavit of Separation and  
10 Report of Separation. [The date of separation shall be the date the criminal justice officer resigned or the date  
11 the employing agency terminated the employee.]

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13 *History Note: Authority G.S. 17C-6;*

14 *Eff. January 1, 1981;*

15 *Temporary Amendment Eff. January 1, 2001;*

16 *Amended Eff. October 1, 2018; August 1, ~~2002-2002;~~ ~~[October 1, 2018;]~~*

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1 12 NCAC 09C .0310 is amended with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09C .0310 AGENCY REPORTING OF DRUG SCREENING RESULTS**

4 (a) Each agency shall report in writing to the Criminal Justice Standards Division all refusals and all positive results  
5 of required drug screening obtained from applicants and lateral ~~transfers~~ transfers, unless the ~~If the~~ positive result ~~has~~  
6 ~~been~~ were explained to the satisfaction of the agency's medical review ~~officer~~ officer, who shall be a licensed  
7 ~~physician.~~ physician, the positive results are not required to be reported.

8 (b) Each agency, if it conducts a drug screen for in-service officers, shall report in writing positive results or refusals  
9 to submit to an in-service drug screening to the Criminal Justice Standards Division within 30 days of the positive  
10 result or ~~refusal~~ refusal, unless the positive result has been explained to the satisfaction of the agency's medical review  
11 officer to the extent the drug screen conducted conforms to the specifications of 12 NCAC 09B .0101(5)(a), (b), (c),  
12 (d), and (f).

13 (c) For reporting purposes, a result is considered "positive" only in those cases where the drug screen reveals the  
14 presence of an illegal drug at a level equal to or greater than the threshold value as established by the Department of  
15 Health and Human Services for Federal Workplace Drug Testing Programs and incorporated by reference in 12 NCAC  
16 09B .0101(5)(d).

17 (d) All written reports required to be submitted to the Criminal Justice Standards Division by this Rule shall contain  
18 the individual's name, date of ~~birth,~~ birth, ~~and~~ either the date the test was administered or the date of the refusal,  
19 [refusal,] and a copy of the drug screen panel with the results of the medical officer review.

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21 *History Note: Authority G.S. 17C-6; 17C-10;*

22 *Eff. July 1, 1990;*

23 *Amended Eff. October 1, 2018; May 1, ~~2009-2009;~~ ~~October 1, 2018~~*

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1 12 NCAC 09E .0105 is amended with changes as published in 32: 24 NCR 2644-2661 as follows:

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3 **12 NCAC 09E .0105 MINIMUM TRAINING SPECIFICATIONS: ANNUAL IN-SERVICE TRAINING**

4 (a) The following topics, specifications, and hours shall be included in each law enforcement officer's annual in-  
5 service training courses. For the purposes of this Subchapter, a credit shall be equal to one hour of traditional classroom  
6 instruction. All sworn law enforcement officers shall complete a minimum of 24 in-service training credits. The  
7 following topics, totaling ~~18~~ 20 credits, shall be specifically required:

- 8 (1) ~~2018~~ 2019 Firearms Training and Qualification (4 credits);  
9 (2) ~~2018~~ 2019 Legal Update (4 credits);  
10 (3) ~~2018 Strategies to Improve Law Enforcement Interactions and Relationships With Minority Youth~~  
11 2019 Juvenile Law Update (2 credits);  
12 (4) ~~2018 Equality in Policing~~ (4 credits); Individual Wellness: Coping with Stress & PTSD (2 credits);  
13 (5) ~~2018 Communications Skills With Persons in Crisis — De-escalation Techniques~~ (4 credits).  
14 2019 Best Practices for Officers During Community Dissent (2 credits);  
15 (6) 2019 Law Enforcement Intelligence Update: Gangs and Divisive Groups (2 credits);  
16 (7) 2019 Domestic Violence: Law and Procedure Update (2 credits);  
17 (8) 2019 Opioid Awareness and Response (2 credits).

18 (b) All sworn law enforcement officers shall complete a minimum of 4 in-service credits, in topics identified by their  
19 respective agency heads. The **Department agency head** may choose any topic, provided the lesson plan is written in  
20 Instructional Systems Design format and is taught by an instructor who is certified by the Commission. Topics  
21 delivered pursuant to Rule .0104(1) of this Section and National Certification Programs administered by the  
22 International Association of Directors of Law Enforcement Standards and Training (IADLEST) completed during the  
23 mandated in-service year, shall satisfy in part or in whole the topic requirements set forth by the agency head. ~~to~~ To  
24 satisfy this requirement **these topics** shall not be required to be written in Instructional Systems Design format or  
25 delivered by an instructor certified by the Commission.

26 (c) The "Specialized Firearms Instructor Training Manual" published by the North Carolina Justice Academy shall  
27 be applied as a guide for conducting the annual in-service firearms training program. Copies of this publication may  
28 be inspected at the office of the:

29 Criminal Justice Standards Division  
30 North Carolina Department of Justice  
31 1700 Tryon Park Drive  
32 Raleigh, North Carolina 27610

33 and may be obtained at the cost of printing and postage from the Academy at the following address:

34 North Carolina Justice Academy  
35 Post Office Drawer 99  
36 Salemburg, North Carolina 28385

1 (d) The "In-Service Lesson Plans" published by the North Carolina Justice Academy shall be applied as a minimum  
2 curriculum for conducting the annual in-service training program. Copies of this publication may be inspected at the  
3 office of the:

4 Criminal Justice Standards Division  
5 North Carolina Department of Justice  
6 1700 Tryon Park Drive  
7 Raleigh, North Carolina 27610

8 and may be obtained at the cost of printing and postage from the Academy at the following address:

9 North Carolina Justice Academy  
10 Post Office Drawer 99  
11 Salemburg, North Carolina 28385

12 (e) Lesson plans are designed to be delivered in hourly increments. A student who completes an online in-service  
13 training topic shall receive the number of credits that correspond to the number of hours of traditional classroom  
14 training, regardless of the amount of time the student spends completing the course.

15 (f) Completion of training shall be demonstrated by passing a written test for each in-service training topic, as follows:

- 16 (1) A written test comprised of at least five questions per credit shall be developed by the agency or the  
17 North Carolina Justice Academy for each in-service training topic requiring testing. Written courses  
18 that are more than four credits in length shall include a written test comprising of a minimum of 20  
19 questions. The Firearms Training and Qualifications in-service course and topics delivered pursuant  
20 to Rule .0104(1) of this Section shall be exempt from this written test requirement;
- 21 (2) A student shall pass each test by achieving 70 percent correct answers; and
- 22 (3) A student who completes a topic of in-service training in a traditional classroom setting or online  
23 and fails the end of topic exam shall be given one attempt to re-test. If the student fails the exam a  
24 second time, the student shall complete the in-service training topic in a traditional classroom setting  
25 before taking the exam a third time.

26  
27 *History Note:* Authority G.S. 17C-6; 17C-10;  
28 Eff. July 1, 1989;  
29 Amended Eff. January 1, 2005; November 1, 1998;  
30 Temporary Amendment Eff. January 1, 2005;  
31 Amended Eff. January 1, 2019; January 1, 2018; January 1, 2017; July 1, 2016; January 1, 2016;  
32 January 1, 2015; February 1, 2014; June 1, 2012; February 1, 2011; January 1, 2010; April 1,  
33 2009; April 1, 2008; February 1, 2007; January 1, 2006.