

12 NCAC 09B .0204 is amendment with changes as published in Vol. 31, Issue 6; Pages 480-482:

12 NCAC 09B .0204 TRAINING COURSE ENROLLMENT

(a) Any school offering a Basic Law Enforcement Training Course shall have enrolled 10 trainees in the offering.

(b) Any school may make written request to the Director of the Standards Division to deliver the Basic Law Enforcement Training Course with no fewer than 8 eight enrolled trainees. The Director shall approve the {written} request [shall include] if it includes a summary of the efforts the school has made to notify its respective community of the availability of the course, course and the reasons supporting the school's need to enroll fewer than 10 trainees.

~~(b)~~(c) The school may not enroll any trainee later than the initial day of delivery of a certified training course unless the trainee's enrollment is pursuant to an authorization of limited enrollment in a subsequent course pursuant to Rule .0405 of this Subchapter or pursuant to prescribed supplementary or remedial training required pursuant to Rule .0402 of this Subchapter.

~~(c)~~(d) The school may not enroll more than 16 trainees in a presentation of the "Criminal Justice Instructor Training Course" as constituted under Rule .0209 of this Section.

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

Eff. January 1, 1981;

Amended Eff. April 1, 2017; August 1, 2005; August 1, 2000; January 1, 1985; November 1, 1981.

12 NCAC 09G .0206 is amendment with changes as published in Vol. 31, Issue 6; Pages 480-482:

12 NCAC 09G .0206 MORAL CHARACTER

Every person employed as a correctional officer or probation/parole officer by the Department of Public Safety, Division of Adult Correction and Juvenile Justice shall demonstrate good moral character as evidenced by the following:

- (1) not having been convicted of a felony;
- (2) not having been convicted of a misdemeanor as defined in 12 NCAC 09G .0102(9) (10) for three years or the completion of any corrections supervision imposed by the courts whichever is later;
- (3) not having been convicted of an offense that, under 18 U.S.C. 922 (1996), which is hereby incorporated by reference and all subsequent amendments (<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title18-part1-chap44-sec922.pdf>), would prohibit the possession of a firearm or ammunition;
- (4) having submitted to and produced a negative result on a drug test within 60 days of employment or any in-service drug screening required by the Department of Public Safety, Division of Adult Correction and Juvenile Justice that meets the certification standards of the Department of Health and Human Services for Federal Workplace Drug Testing Programs. A list of certified drug testing labs that meet this requirement may be obtained, at no cost, at http://workplace.samhsa.gov/DrugTesting/Level_1_Pages/CertifiedLabs.html.
- (5) submitting to a background investigation consisting of the following:
 - (a) verification of age;
 - (b) verification of education; and
 - (c) criminal history check of local, state, and national files; ~~and~~
- (6) being truthful in providing information to the Department of Public Safety, Division of Adult Correction and Juvenile Justice and to the Standards Division for the purpose of obtaining probationary or general ~~certification.~~ certification:
- (7) ~~not having pending or outstanding felony charges as defined~~ criminal charges which, if convicted of, would disqualify the applicant from holding such certification, pursuant to North Carolina General Statute 17C-13; this Subchapter; and
- (8) ~~Any~~ any conduct that brings into question the truthfulness or credibility of the officer, reflects poorly on the officer's profession, or conduct that involved "moral turpitude." "Moral Turpitude" is conduct that is contrary to justice, honesty, or morality. This conduct ~~could~~ may include ~~but is not limited to~~ conduct as defined in: re Willis, 299 N.C. 1, 215 S.E. 2d 771 appeal dismissed 423 U.S. 976 (1975); in re State v. Harris, 216 N.C. 746, 6 S.E. 2d 854 (1940); in re Legg, 325 N.C. 658, 386 S.E. 2d 174(1989); in re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); in re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E. 2d 647 (1983); and their progeny.

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History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. April 1, 2017; January 1, 2015; June 1, 2012; April 1, 2009; August 1, 2004.

12 NCAC 09H .0102 is amendment with changes as published in Vol. 31, Issue 6; Pages 480-482:

12 NCAC 09H .0102 MINIMUM TRAINING SPECIFICATIONS

(a) Each qualified retired law enforcement officer ~~must~~ shall qualify with each handgun ~~he/she~~ he or she will carry in accordance with the standards outlined in 12 NCAC 09E .0105(1) .0105(a)(1) and 12 NCAC 09E .0106(a), (c), (e), (f) and (g), which shall ~~be incorporated~~ incorporate in classroom instruction and firearms qualification on the firing range utilizing the course of fire from the "Specialized Firearms Instructor Training Manual."

(b) In addition to the standards set out in Rules 09E .0105 and ~~.0106~~, .0106 of this Chapter, each qualified retired law enforcement officer shall also receive a minimum of two hours of instruction on the North Carolina laws of self defense and the use of force by private citizens, detention of persons by private persons, and assistance to law enforcement officers by private persons.

(c) ~~Individuals~~ Qualified retired law enforcement officers meeting the requirements ~~pursuant to~~ of Paragraphs (a) and (b) of this Rule, ~~and who have submitted an application to the Commission~~ and have met the requirements of Rule .0105 of this Subchapter, shall be certified for a period of 12 months from the date the application is approved by the Commission. Upon application for ~~renewal~~ renewal, the certification may be renewed by the Commission for 12 month periods, provided the qualified retired law enforcement officer meets the ~~requirements~~ rules specified in this Subchapter.

~~(e)(d)~~ Qualified retired law enforcement officers shall qualify ~~with each handgun that will be carried concealed at least once every 12 months, during each certification period.~~ each certification period with each handgun that will be ~~carry~~ carried concealed. For the purpose of this Rule, handgun shall include semi-automatic pistols or revolvers.

History Note: Authority G.S. 17C-6; 14-415.10; 14-415.25; ~~14-415.2;~~ 14.415.26;
Eff. April 1, 2017; May 1, 2009.

12 NCAC 09H .0105 is amendment with changes as published in Vol. 31, Issue 6; Pages 480-482:

12 NCAC 09H .0105 FILING AND FEES

Each applicant for firearms qualification certification under the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program shall submit the following to the Commission:

- (1) ~~An original Commission approved~~ **A a** Commission application form (Form F-9R) containing the applicant's notarized signature which attests that the applicant meets the definition of qualified retired law enforcement officer set forth in G.S. 14-415.10 and is eligible to receive or possess firearms under federal and state law. The ~~application form~~ Form F-9R, available on the agency's website at <http://www.ncdoj.gov/getdoc/23af3614-2aa2-4416-bbae-25cbe9441e06/1F-9R-8-09.aspx>, ~~must also~~ shall include the signature of a Commission certified Specialized Firearms Instructor attesting that the applicant has met the training and qualification standards as specified in Rule 09H .0102 and lists the handguns with which the qualified retired officer qualified;
- (2) **A a** copy of the qualified retired officer's photographic identification indicating retirement status issued by the law enforcement agency from which the applicant retired; and
- (3) **A a** fee of fifty dollars (\$50.00) for the initial one-year qualification and a fee of twenty-five dollars (\$25.00) for the annual renewal thereafter. Applications and fees shall be submitted to:

Criminal Justice Standards Division
North Carolina Department of Justice
Post Office Drawer 149
Raleigh, NC 27602.

All fees shall be paid by certified check or money order made payable to the North Carolina Department of Justice.

*History Note: Authority G.S. 17C-6; 14-415.10; 14-415.25; 14-415.26;
Eff. April 1, 2017; April 1, 2009.*