

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: All rules submitted

**DEADLINE FOR RECEIPT: Thursday, June 8, 2017**

***NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On every Submission for Permanent Rule form, you do not list the correct publication date for the Rule. It appears that Rules 09B .0235 and .0236 and 09C .0216 were published in the January 17, 2017 Register. Please update Box 6 of the Form for every Rule with the correct information.*

*For every Rule, the Introductory Statement is required to state that the Rule is amended and include the publication information for each Rule. (See 26 NCAC 02C .0404)*

*For Rules 09B .0235 and .0236, as well as 09C .0216, you can state:*

*"Rule XXXX is amended as published in 31:14 NCR, pp 1387-1388, with changes, as follows:"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: May 24, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0205

**DEADLINE FOR RECEIPT: Thursday, June 8, 2017**

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please update the Submission for Permanent Rule form and the Introductory Statement with the date that you published this amendment to the Rule. Please note, this amendment was not published in the January 17, 2017 Register, and I cannot locate the Register where this amendment was published.*

*In (b), line 6, please change "616" to "632"*

*In (b)(3), line 34, the updated total is now 64 hours. Please show this change in the text.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: May 24, 2017

ORIGINAL

1 **12 NCAC 09B .0205 is proposed for amendment as follows:**

2

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

4 (a) The basic training course for law enforcement officers consists 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) The course entitled "Basic Law Enforcement Training" shall consist of a minimum of 616 hours of instruction  
7 and shall include the following identified topical areas and minimum instructional hours for each:

8 (1) LEGAL UNIT

9 (A) Motor Vehicle Laws 20 Hours

10 (B) Preparing for Court and Testifying in Court 12 Hours

11 (C) Elements of Criminal Law 24 Hours

12 (D) Juvenile Laws and Procedures 8 Hours

13 (E) Arrest, Search and Seizure/Constitutional Law 28 Hours

14 (F) Alcohol Beverage Control (ABC)Laws and Procedures 4 Hours

15 UNIT TOTAL 96 Hours

16 (2) PATROL DUTIES UNIT

17 (A) Techniques of Traffic Law Enforcement 24 Hours

18 (B) Explosives and Hazardous Materials Emergencies 12 Hours

19 (C) Traffic Crash Investigation 20 Hours

20 (D) In-Custody Transportation 8 Hours

21 (E) Crowd Management 12 Hours

22 (F) Patrol Techniques 28 Hours

23 (G) Law Enforcement Communication and Information Systems 8 Hours

24 (H) Anti-Terrorism 4 Hours

25 (I) Rapid Deployment 8 Hours

26 UNIT TOTAL 124 Hours

27 (3) LAW ENFORCEMENT COMMUNICATION UNIT

28 (A) Responding to Victims and the Public 10 Hours

29 (B) Domestic Violence Response 12 Hours

30 (C) Ethics for Professional Law Enforcement 4 Hours

31 (D) Individuals with Mental Illness and Developmental Disabilities 824 Hours

32 (E) Crime Prevention Techniques 6 Hours

33 (F) Communication Skills for Law Enforcement Officers 8 Hours

34 UNIT TOTAL 48 Hours

35 (4) INVESTIGATION UNIT

36 (A) Fingerprinting and Photographing Arrestee 6 Hours

37 (B) Field Note-taking and Report Writing 12 Hours

1	(C)	Criminal Investigation	34 Hours
2	(D)	Interviews: Field and In-Custody	16 Hours
3	(E)	Controlled Substances	12 Hours
4	(F)	Human Trafficking	2 Hours
5		UNIT TOTAL	82 Hours
6	(5)	PRACTICAL APPLICATION UNIT	
7	(A)	First Responder	32 Hours
8	(B)	Firearms	48 Hours
9	(C)	Law Enforcement Driver Training	40 Hours
10	(D)	Physical Fitness (classroom instruction)	8 Hours
11	(E)	Fitness Assessment and Testing	12 Hours
12	(F)	Physical Exercise 1 hour daily, 3 days a week	34 Hours
13	(G)	Subject Control Arrest Techniques	40 Hours
14		UNIT TOTAL	214 Hours
15	(6)	SHERIFF-SPECIFIC UNIT	
16	(A)	Civil Process	24 Hours
17	(B)	Sheriffs' Responsibilities: Detention Duties	4 Hours
18	(C)	Sheriffs' Responsibilities: Court Duties	6 Hours
19		UNIT TOTAL	34 Hours
20	(7)	COURSE ORIENTATION	2 Hours
21	(8)	TESTING	16 Hours
22		TOTAL COURSE HOURS	646 <u>632</u> Hours

23  
24 (c) The "Basic Law Enforcement Training Manual" published by the North Carolina Justice Academy shall be used  
25 as the curriculum for this training course. Copies of this publication may be inspected at the office of the agency:

26 Criminal Justice Standards Division  
27 North Carolina Department of Justice  
28 1700 Tryon Park Drive  
29 Post Office Drawer 149  
30 Raleigh, North Carolina 27602

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

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

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

5 *History Note: Authority G.S. 17C-6; 17C-10;*  
6 *Eff. January 1, 1981;*  
7 *Temporary Amendment Eff. December 14, 1983 for a period of 120 days to expire on April 12,*  
8 *1984;*  
9 *Amended Eff. July 1, 2016; January 1, 2015; February 1, 2014; July 1, 2011; July 1, 2009;*  
10 *January 1, 2006; August 1, 2002; August 1, 2000; November 1, 1998; July 1, 1997; January 1,*  
11 *1995; February 1, 1991; July 1, 1989.*  
12

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0235

**DEADLINE FOR RECEIPT: Thursday, June 8, 2017**

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), line 6, please underline "151"*

*In (b)(1)(J), line 21, consider inserting a comma after "Controls"*

*In (b)(1)(R), line 32, what is "DMC"? Does your regulated public know?*

*In (b)(2), Page 2, line 7, underline "151"*

*In (e), line 21, underline "151"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: May 24, 2017

1 **12 NCAC 09b .235 is proposed for amendment as follow:**

2

3 **12 NCAC 09B .0235 BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT**  
 4 **COUNSELORS**

5 (a) The basic training course for Juvenile Court Counselors and Chief Court Counselors shall consist of a minimum  
 6 of ~~154~~ 151 hours of instruction designed to provide the trainee with the skills and knowledge to perform those tasks  
 7 essential to function as a Juvenile Court Counselor and a Chief Court Counselor.

8 (b) Each basic training course for Juvenile Court Counselors shall include training in the following topic areas:

9 (1) Juvenile Justice Common Core:

10	<del>(A)</del> <u>(A)</u> Juvenile Justice Overview	2 hours
11	<del>(B)</del> <u>(A)</u> Basic Individual Counseling Skills	8 hours
12	<del>(C)</del> <u>(B)</u> Interpersonal Communication Skills	8 hours
13	<del>(D)</del> <u>(C)</u> Working with Families	3 hours
14	<del>(E)</del> <u>(D)</u> Characteristics of Delinquents	4 hours
15	<del>(F)</del> <u>(E)</u> Unlawful Workplace Harassment	2 hours
16	<del>(G)</del> <u>(F)</u> Career Survival: Integrity and Ethics in the North Carolina Department of Public Safety Workplace	2 hours
18	<del>(H)</del> <u>(G)</u> Staff and Juvenile Relationships	4 hours
19	<del>(I)</del> <u>(H)</u> Gang Awareness	4 hours
20	<del>(J)</del> <u>(I)</u> Situational Awareness and Risk Assessment	4 hours
21	<del>(K)</del> <u>(J)</u> Restraints, Controls and Defensive Techniques	28 hours
22	<del>(L)</del> <u>(K)</u> Mechanical Restraints	4 hours
23	<del>(M)</del> <u>(L)</u> Secure Transportation	4 hours
24	<del>(N)</del> <u>(L)</u> Mental Health	8 hours
25	<del>(O)</del> <u>(M)</u> CPR	4 hours
26	<del>(P)</del> <u>(N)</u> First Aid	4 hours
27	<del>(Q)</del> <u>(O)</u> Employee Fitness and Wellness	4 hours
28	<del>(R)</del> <u>(P)</u> Multi-Generational Workforce	3 hours
29	<del>(S)</del> <u>(Q)</u> Understanding Workplace Differences	4 hours
30	<del>(T)</del> <u>(R)</u> Trauma and Delinquents	6 hours
31	<del>(U)</del> <u>(Q)</u> Driver and Secure Transport Safety	8 hours
32	<del>(V)</del> <u>(R)</u> DMC- Addressing DMC within the JJ System	2 hours
33	<del>(W)</del> <u>(S)</u> Verbal De-escalation for Juvenile Justice	4 hours
34	Total Hours	<del>104</del> 111 hours
35	(2) Juvenile Court Counselor Specific:	
36	(A) Roles and Responsibilities	8 hours
37	(B) Juvenile Law	8 hours

1	(C) Intake	8 hours
2	(D) Risk and Needs Assessment	4 hours
3	(E) Report Writing and Documentation	12 hours
4	<del>(F) Interviewing</del>	<del>6 hours</del>
5	<del>(G) Driver Safety</del>	<del>4 hours</del>
6	Total Hours	<del>50</del> 40 hours
7	Total Course Hours	<del>154</del> 151 hours

8 (c) The "Juvenile Court Counselor Basic Training Manual" as published by the North Carolina Department of  
9 Public Safety shall be applied as the curriculum for delivery of Juvenile Court Counselor basic training courses.  
10 Copies of this publication may be inspected at or purchased at the cost of printing and postage from the office of the  
11 agency:

12 The Office of Staff Development and Training  
13 North Carolina Department of Public Safety  
14 2211 Schieffelin Road  
15 Apex, North Carolina 27502

16 (d) Upon completion of a Commission-certified training course for Juvenile Court Counselors and Chief Court  
17 Counselors, the Director of the school conducting the course shall notify the Commission of training completion by  
18 submitting a Report of Training Course Completion for each trainee. The Report of Training Completion Form is  
19 located on the agency's website: [http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-](http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx)  
20 [11-Form\\_10-2-14.pdf.aspx](http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx).

21 (e) Employees of the Division of Adult Correction and Juvenile Justice who have completed the minimum ~~152~~ 151  
22 hour training program accredited by the Commission pursuant to Rule .0236 of this Section after January 1, 2013  
23 who transfer from a Juvenile Justice Officer position to a Juvenile Court Counselor position shall be required to  
24 complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Court  
25 Counselor under Subparagraph (b)(2) of this Rule.

26

27 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*  
28 *Temporary Adoption Eff. April 15, 2003;*  
29 *Eff. April 1, 2004;*  
30 *Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014.*

31



REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0236

**DEADLINE FOR RECEIPT: Thursday, June 8, 2017**

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(1)(R), line 32, what is "DMC"? Does your regulated public know?*

*In (b)(2), Page 2, line 11, underline "151"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: May 24, 2017

1 **12 NCAC 09B .0236 is proposed for amendment as follow:**

2

3 **12 NCAC 09B .0236 BASIC TRAINING - JUVENILE JUSTICE OFFICERS**

4 (a) The basic training course for Juvenile Justice Officers shall consist of a minimum of ~~452~~ 151 hours of  
5 instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function  
6 as a juvenile justice officer.

7 (b) Each basic training course for Juvenile Justice Officers shall include training in the following identified topic  
8 areas:

9 (1) Juvenile Justice Common Core:

10	<del>(A)</del> <u>Juvenile Justice Overview</u>	<u>2 hours</u>
11	<del>(B)</del> <u>(A) Basic Individual Counseling Skills</u>	8 hours
12	<del>(C)</del> <u>(B) Interpersonal Communication Skills</u>	8 hours
13	<del>(D)</del> <u>(C) Working with Families</u>	3 hours
14	<del>(E)</del> <u>(D) Characteristics of Delinquents</u>	4 hours
15	<del>(F)</del> <u>(E) Unlawful Workplace Harassment</u>	2 hours
16	<del>(G)</del> <u>(F) Career Survival: Integrity and Ethics in the North Carolina</u>	
17	Department of Public Safety Workplace	2 hours
18	<del>(H)</del> <u>(G) Staff and Juvenile Relationships</u>	4 hours
19	<del>(I)</del> <u>(H) Gang Awareness</u>	4 hours
20	<del>(J)</del> <u>(I) Situational Awareness and Risk Assessment</u>	4 hours
21	<del>(K)</del> <u>(J) Restraints, Controls and Defensive Techniques</u>	28 hours
22	<del>(L)</del> <u>(K) Mechanical Restraints</u>	4 hours
23	<del>(M)</del> <u>Secure Transportation</u>	<u>4 hours</u>
24	<del>(N)</del> <u>(L) Mental Health</u>	8 hours
25	<del>(O)</del> <u>(M) CPR</u>	4 hours
26	<del>(P)</del> <u>(N) First Aid</u>	4 hours
27	<del>(Q)</del> <u>(O) Employee Fitness and Wellness</u>	4 hours
28	<del>(R)</del> <u>Multi-Generational Workforce</u>	<u>3 hours</u>
29	<del>(S)</del> <u>Understanding Workplace Differences</u>	<u>4 hours</u>
30	<u>(P) Trauma and Delinquents</u>	<u>6 hours</u>
31	<u>(Q) Driver and Secure Transport Safety</u>	<u>8 hours</u>
32	<u>(R) DMC-Addressing DMC within the JJ System</u>	<u>2 hours</u>
33	<u>(S) Verbal De-escalation for Juvenile Justice</u>	<u>4 hours</u>

34

35 Total Hours 404 111 hours

36 (2) Juvenile Justice Officer Specific:

37 (A) Treatment Program Operations 4 hours

1	(B)	Maintaining Documentation of Activities and Behaviors	<del>6</del> <u>8</u> hours
2	(C)	Basic Group Leadership Skills	8 hours
3	<del>(D)</del>	<del>Crisis Intervention Techniques</del>	<del>8 hours</del>
4	<del>(E)</del> (D)	Effective Behavior Management	<del>12</del> <u>10</u> hours
5	(F) (E)	Health Services Overview	2 hours
6	<del>(G)</del>	<del>Trauma and Delinquents</del>	<del>6 hours</del>
7	<del>(H)</del> <u>(F)</u>	Contraband and Search Techniques	2 hours
8	<u>(G)</u>	<u>Suicide Prevention and Response</u>	<u>6 hours</u>
9			
10		Total Hours	<del>48</del> <u>40</u> hours
11		Total Course Hours	<del>152</del> 151 hours

12 (c) The "Juvenile Justice Officer Basic Training Manual" as published by the North Carolina Department of Public  
 13 Safety shall be applied as the curriculum for delivery of Juvenile Justice Officer basic training courses. Copies of  
 14 this publication may be inspected at or purchased at the cost of printing and postage from the office of the agency:

15 The Office of Staff Development and Training  
 16 North Carolina Department of Public Safety  
 17 2211 Schieffelin Road  
 18 Apex, North Carolina 27502

19 (d) Upon completion of a Commission-certified training course for Juvenile Justice Officers the Director of the  
 20 school conducting the course shall notify the Commission of the training completion by submitting a Report of  
 21 Training Course Completion for each trainee. The Report of Training Completion Form is located on the agency's  
 22 website: [http://www.ncdoj.gov/getattachment/xbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form\\_10-2-14.pdf.aspx](http://www.ncdoj.gov/getattachment/xbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx).  
 23

24 (e) Employees of the Division of Adult Correction and Juvenile Justice who have completed the minimum ~~154~~ 151  
 25 hour training program accredited by the Commission under Rule .0235 of this Section after January 1, 2013 who  
 26 transfer from a Juvenile Court Counselor position to a Juvenile Justice Officer position shall be required to complete  
 27 only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Justice Officer  
 28 pursuant to Subparagraph (b)(2) of this Rule.  
 29

30 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;  
 31 Temporary Adoption Eff. April 15, 2003;  
 32 Eff. April 1, 2004;  
 33 Amended Eff. July 1, 2017; July 1, 2016; August 1, 2015; May 1, 2014.  
 34

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0216

**DEADLINE FOR RECEIPT: Thursday, June 8, 2017**

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*I recommend breaking this into a two paragraph rule. Paragraph (a) would be lines 4-6. Paragraph (b) would be lines 6 through 9.*

*On line 4, while it appears that Rule 09B .0303 is the correct cross reference, there is no (b)(1) in that Rule. Why not state "pursuant to Rule 12 NCAC 09B .0303," instead?*

*I take that lines 6-7 are the contents of the F-12 form?*

*On lines 6-7, please state "In the form, the official shall recommend that the instructor receive... and certify that ..."*

*On lines 6-7, why is "general instructor" lowercase here, when it is capitalized on line 4? Whichever is correct, please be consistent with your capitalization.*

*On line 7, define "teaching professional"*

*On lines 7-8, I recommend stating, "The F-12 form used for this recommendation..."*

*In the History Note, line 10, G.S. 150B-11 was repealed in 1991. Please remove it from your History Note.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: May 24, 2017

1 **12 NCAC 09C .0216 is proposed for amendment as follows:**

2

3 **12 NCAC 09C .0216 RECOMMENDATION FOR GENERAL INSTRUCTOR CERTIFICATION**

4 The ~~Recommendation~~ recommendation for General Instructor ~~Certification, certification,~~ pursuant to Rule 9B .0303(b)(1) is  
5 shall be completed by a ~~school director~~ School Director or ~~agency head~~ In-Service Training Coordinator after an instructor  
6 has finished the required probationary year. In the form the official recommends that the instructor receive general instructor  
7 certification and certifies that the official has observed and evaluated the instructor to be a teaching professional. The form  
8 (F-12) used for this recommendation is located on the agency's website: [http://www.ncdoj.gov/getdoc/f2ea275c-187d-4d7e-](http://www.ncdoj.gov/getdoc/f2ea275c-187d-4d7e-825d-98a8662f7443/F-12.aspx)  
9 825d-98a8662f7443/F-12.aspx.

10 *History Note: Authority G.S. 17C-6; 150B-11;*  
11 *Eff. July 1, 2017; January 1, 1981.*

12