



To: All Chiefs and Sheriffs

From: Robert Schurmeier, Director, State Bureau of Investigation *RS*  
Richard Squires, Director, Sheriffs' Standards Division *RS*  
Jeffrey Smythe, Director, Criminal Justice Standards Division *JS*

Date: December 7, 2022

Re: New Rap Back fingerprinting process for all certified positions and updated fingerprinting process for criminal justice applicants

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In Session Law 2021-138, the NC General Assembly enacted a process for North Carolina to participate in the FBI's Next Generation Identification System and Criminal Justice Record of Arrest and Prosecution Background Service, commonly referred to as Rap Back. This legislation and conforming administrative code changes become effective **January 1, 2023**, and impact your agency in the following ways:

1. N.C.G.S. § 143B-972.1 requires that after January 1, 2023, but prior to June 30, 2023, all individuals holding certification as a criminal justice officer or justice officer, shall electronically submit fingerprints to the North Carolina State Bureau of Investigation for a State and National criminal history record check and enrollment in the FBI's Rap Back service.
  - a. Once enrolled in the Rap Back service, any subsequent employee arrest will result in automated notification to Criminal Justice and/or Sheriffs' Standards.
  - b. If an employee works for multiple agencies, they will need to be fingerprinted/enrolled for each agency where they have certified employment.
  - c. If an employee is certified by both Criminal Justice and Sheriffs' Standards, they will need to be fingerprinted/enrolled for each Commission.
  - d. To allow time for processing, fingerprints shall be submitted prior to May 31, 2023, as opposed to June 30th.
2. All criminal justice applicants for employment shall electronically submit fingerprints to the North Carolina State Bureau of Investigation for a State and National criminal history record check. The results of these checks will be provided directly to the submitting law enforcement agency. These results are currently sent to Criminal Justice or Sheriffs' Standards. This is a different process than the Rap Back process mentioned above. Initial employment and Rap Back enrollment will require separate fingerprint submissions.
3. N.C.G.S. § 143B-972.1 requires the SBI to forward a request to the FBI to remove an individual's fingerprints from the Rap Back Service within 15 business days of receiving notification by either Commission that an application for certification has been withdrawn or the employee has separated from an agency. The FBI has a more stringent requirement that these fingerprints are removed within 5 business days from the date the application for certification was withdrawn or employee separation. The SBI is required to adhere to all FBI requirements for Rap Back. This requirement reinforces the need for agencies to complete and submit a separation form in a timely manner.

Additional process related details can be found in the Frequently Asked Questions.

Questions concerning the SBI's receiving, processing, and storing of fingerprints, should be directed to:

Jenni Apilli – SBI ID Services Coordinator at [japilli@ncsbi.gov](mailto:japilli@ncsbi.gov) or 919-582-8620