



**NORTH CAROLINA DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE STANDARDS DIVISION**

**JOSH STEIN
ATTORNEY GENERAL**

**PO DRAWER 149
RALEIGH
27602-0149
PHONE: (919) 661-5980 • FAX: (919) 779-8210**

**JEFFREY SMYTHE
DIRECTOR**

M E M O R A N D U M

TO: All Police Chiefs and Agency Representatives
FROM: Jeffrey Smythe, CJ Standards Director
DATE: June 2024
SUBJECT: Law Enforcement Officer Application Guidelines

The Criminal Justice Standards Division (CJ Division) has developed this Law Enforcement Officer (LEO) Certification Application Guideline in the hopes of reducing errors and omissions for all application types. Sections in the document include submitting documents, completing forms, documenting prior charges, lateral transfers, break in service, and more. It is the hope of Division staff that this reference will be used by agencies when submitting hiring paperwork to streamline the certification process and improve processing times. The document will be posted on ncdoj.gov and updated periodically to reflect Division rule changes and updates to standard practices.

Submitting Documents to CJ Division

<p>When do I email information to NCLEO@ncdoj.gov?</p>	<ul style="list-style-type: none"> • New hire and lateral applications for employment, containing F-5A and supporting documents. • Report separation F-5B. • Signed and notarized law enforcement certificates. • Notice of officer/applicant criminal charges. • Name or Status Change F-19.
<p>How many documents do I send when submitting a hiring packet?</p>	<ul style="list-style-type: none"> • A hiring packet must be one PDF document of all hiring paperwork per application. • If submitting multiple applications at a time, submit each application packet as a single PDF file that contains all required paperwork. <ul style="list-style-type: none"> • If submitting an agency in-house BLET group, submit a class roster to include intended graduation date.
<p>What do I label my hiring packets when sending to CJ Division?</p>	<ul style="list-style-type: none"> • Each PDF hiring packet and email subject should be labeled in the following manner: • Last Name, First, MI – Agency Name – Type of Document <p>Examples: Smith, Joseph A – Raleigh PD – Application</p> <p style="padding-left: 40px;">Hernandez, Miguel X – Cary PD – Status change</p> <p style="padding-left: 40px;">McIntyre, Rachel R – Apex PD – Separation F5B</p>
<p>What do I label my hiring packets when sending <i>multiple applications</i> to CJ Division?</p>	<ul style="list-style-type: none"> • Emails should be titled in the following manner: • Agency Name – Document Type – Number of applications <p>Example: Raleigh PD – Applications – 25 total</p>
<p>When do I call CJ Division staff?</p>	<ul style="list-style-type: none"> • Phone calls are time consuming and slow progress in evaluating applications across the state, please attempt to email questions or inquiries first. • If needed, please call CJ Division front desk at 919-661-5980.
<p>How long will it take to certify an officer for my agency?</p>	<ul style="list-style-type: none"> • CJ Division staff works diligently to certify officers as quickly as possible. Certification time varies with staffing, application volume, external training, and other Commission required procedures. Please be patient as we will reach out to you when the application(s) is being reviewed. If the submitting agency has not received contact in 30 days, you may email staff to verify status.

<p>What is the one-year deadline for an officer to be certified before their eligibility expires?</p>	<ul style="list-style-type: none"> • CJ Division must receive the hiring packet within one year of the most recent date of separation or the date the applicant passed the State Final Exam. -or- • NCGS 17C-10 allows for probationary officers to be given a new probationary period if they have been separated for more than one year. Contact CJ Division.
<p>Can I submit a hiring packet with an estimated hire or separation date?</p>	<ul style="list-style-type: none"> • An agency may submit an application for a person after they have taken the state exam or who is not currently certified with another agency. On the F-5A, list the date of hire as “Upon Certification”. • Agencies cannot submit a hiring packet or seek certification in a full-time position without the applicant separating from their previous agency. Exceptions exist for officers who intend to be dual sworn. In these cases, it is the policy of the CJ Division to confirm this status with both agencies. • All previous F5-B report of separations must be reviewed by the new hiring agency and CJ Division before certification at the new agency.

Forms

<p>Where do I find the most current forms required by CJ Division?</p>	<ul style="list-style-type: none"> • The NC Department of Justice operates a detailed web page and online presence at www.ncdoj.gov. Current forms can be found in the “Forms & Publications” section. • We recommend you never save CJ documents on a local computer as the documents are subject to change. Staff is unable to accept out-of-date forms and these forms will be rejected. • Accessing the forms page of NCDOJ.gov will ensure only up to date documents are used.
<p>In what order do I submit the hiring paperwork to CJ Division?</p>	<ul style="list-style-type: none"> • F-5A Probationary/General • SBI Fingerprint Return • F-9A of hiring agency (both sides) • AOC-CR-280 • Authorization to Release Information • Additional as required. <ul style="list-style-type: none"> • See below sections if applicant is a lateral or has prior criminal charges. • Do not attach additional documents unless specifically required.
<p>What name needs to be listed on the F5A?</p>	<ul style="list-style-type: none"> • An applicant’s full legal name must be listed on all hiring paperwork. This includes full first, middle, last name, and suffix. <p style="text-align: right;">(Continued)</p>

	<ul style="list-style-type: none"> • This may not be the name listed on their Social Security Card if it is different from their birth certificate. The birth certificate should be the primary • document used to establish their name, supplemented by court documents for a marriage or name change.
When do I use an F-5A Probationary?	<ul style="list-style-type: none"> • New hires directly after BLET graduation. • Out of state or federal transfers. • Previous NC certified officers still in their probationary period. • Previous NC certified officers with more than 1 year break in service.
When do I use an F-5A General?	<ul style="list-style-type: none"> • In-State lateral transfers with less than 1 year gap in service.
When must the F1, F2, F3, and F8 be completed?	<ul style="list-style-type: none"> • The F1, F2, F3, and F8 are part of an applicant’s hiring packet. Each must be completed in their entirety before the hiring packet is submitted to CJ Division. • All Division forms shall be completed, but only submitted to CJ Division staff upon request. These forms are required to be kept in agency personnel records for auditing purposes even if they are not requested during application.
When do I need to provide additional documentation of high school completion or equivalency?	<ul style="list-style-type: none"> • If the applicant attended a private school, home school, or earned an equivalency diploma. • Hiring packet must include applicant’s certified transcript and documentation of accreditation during years applicant attended.
When is a psychological exam required?	<ul style="list-style-type: none"> • A psychological exam is only required when submitting an application for <i>initial</i> employment in North Carolina.
Where can an applicant receive a drug test?	<ul style="list-style-type: none"> • Drug tests must be performed at a certified Health and Human Service lab. • Test results must be dated within 90 days of submission to CJ Division. • A list of approved Health and Human Services labs can be found here (approved list is updated monthly): https://www.samhsa.gov/workplace/drug-testing-resources/certified-lab-list
What format must an applicant’s name be listed on SBI fingerprint return letter?	<ul style="list-style-type: none"> • Response from SBI must include applicant’s full first name, middle name, last name, suffix, and date of birth. • This should be the exact same full name as listed on the F-5A. • SBI fingerprint return must be dated within one year of submission to CJ Division.

<p>What format must applicant's name appear on AOC CR 280?</p>	<ul style="list-style-type: none"> • Response from AOC staff must include applicant's full name, middle name, last name, suffix, address, date of birth, SSN and DL number. • Any former names must be listed in "Previous Names" box on page 1. If necessary, submit additional forms to AOC to document all former names. • AOC CR 280 must be dated within one year of submission to CJ Division.
<p>What sections must be completed on the F9?</p>	<ul style="list-style-type: none"> • In Section I, check box "Certified by: Criminal Justice..." when the hiring agency is a municipal or state agency. The Sheriff's Standards box should only be used when applying to a Sheriff's Office. • Probationary and general applicants are required to successfully pass the qualification section, prior to employment. • If not completed at the time of hiring, classroom courses must be completed within the calendar year to comply with in-service.

Documenting Prior Charges

<p>When do I have to document an applicant's prior charges on F-5A?</p>	<ul style="list-style-type: none"> • If an applicant has been <i>charged</i> with a felony or any misdemeanor, the box labeled "charges" must be checked on page 2 of F-5A. • If an applicant has had any charges expunged, by request or automatically, box labeled "expunctions" must be checked on page 2 of F-5A • ALL prior charges, excluding minor traffic, must be included on the F-5A. <p>*Minor traffic violations do not need to be claimed on an F-5A. However, Class B misdemeanors that result from a traffic offense must be indicated. It is the agency's responsibility to determine what qualifies in most current Class B Misdemeanor Manual.</p> <p>Note that CJ Division staff will evaluate the date of each charge and evaluate any historic changes to the Class B Manual.</p>
<p>If I checked 'Yes' to being charged with a criminal offense on F-5A, what else do I need to include?</p>	<ul style="list-style-type: none"> • Complete F3 Personal History Statement • Notarized statement from applicant describing the circumstances of all charges. • Certified court documents of all charges received out of state. <ul style="list-style-type: none"> • Must include official seal or stamp from the issuing court.
<p>Do I need to provide certified court documents of charges received in North Carolina?</p>	<ul style="list-style-type: none"> • No, unless requested by CJ Division staff. In-state certified court copies shall be provided upon request only.

Do I need to indicate old charges on my application?	<ul style="list-style-type: none"> • Yes. All prior charges, excluding minor traffic, must be included in the above documentation. • It is the agency’s responsibility to determine what qualifies in most current Class B Misdemeanor Manual.
What charges must be investigated by CJ Division?	<ul style="list-style-type: none"> • Any Felony. • Any Class B misdemeanor committed within the past five (5) years. • Any Class B misdemeanor committed while employed in a certified position or by a person who has received a conditional offer of employment. • A combination of four (4) or more Class A and Class B misdemeanors. There is no time limit when considering this ‘combination’ rule.
What happens if an applicant needs to be investigated for prior criminal charges?	<ul style="list-style-type: none"> • Application will be forwarded to a CJ Division Investigator. Additional processing time will be needed. If charges go to the Probable Cause Committee, this could be up to six months.

Lateral Transfers

Is a psychological exam required for an officer who already has a probationary or general certification in North Carolina?	<ul style="list-style-type: none"> • No, but one is encouraged as a hiring practice. • A psychological exam is only required when submitting an application for <i>initial</i> employment in North Carolina.
If an applicant is applying to a Police Department after working with a Sheriff’s Office, what additional documentation is required?	<ul style="list-style-type: none"> • Verification with the Sheriff’s Office or Sheriff Standards that applicant was certified during employment. • A complete F5A hiring packet. • Documentation of prior two years of in-service, 24 hours each year. Documentation must be a certificate of completion or in-service roster with instructor signature. <ul style="list-style-type: none"> • Inservice must include 4 hours of firearms training including classroom, combat, and qualification per year. • Additional 20 hours of non-repetitive in-service per year. • If an officer is using “chief’s choice” or “sheriff’s choice” in-service course, a letter from agency head or training director must be included indicating those in-service hours were selected.
What is required if an officer has been separated from their	<ul style="list-style-type: none"> • A reduced hiring packet may be submitted if an officer has earned a general certificate and been separated for 30 days or less according to 12 NCAC 09C .0306 (c). The hiring packet shall include: <ul style="list-style-type: none"> • F-19 name/status change form.

<p>previous agency for 30 days or less?</p>	<ul style="list-style-type: none"> • The hiring agency must review F5B report of separation from previous agency. • Verification of applicant’s certification with Criminal Justice or Sheriff’s Standards. • New SBI fingerprint return. • Complete agency’s full firearms in-service.
<p>What is required if an officer has been separated from their agency for more than 30 days?</p>	<ul style="list-style-type: none"> • A hiring packet with completed F-5A (probationary) or F-5A (general) with all required documents listed above, according to 12 NCAC 09C .0306 (a) & (b).
<p>What is required if an officer is seeking dual certification?</p>	<ul style="list-style-type: none"> • A hiring packet with completed F-5A (probationary) or F-5A (general) with all required documents listed above, according to 12 NCAC 09C .0306 (a) & (b).
<p>What additional documentation needs to be submitted for an out of state applicant?</p>	<ul style="list-style-type: none"> • Application must be submitted on an F5A (probationary). • Documentation of minimum two years full time, sworn, out of state law enforcement experience. • Applicant cannot have a break in service of more than three years. • A copy of basic law enforcement academy hourly curriculum and any advanced law enforcement training certificates. Training hours must be compared to North Carolina training requirements-completed by CJ staff. • A letter from most recent out of state agency that includes: <ul style="list-style-type: none"> • Verification applicant was a “full time sworn” officer. • Verification applicant separated agency “in good standing”. • Verification of beginning and end dates of employment.
<p>What additional documentation needs to be submitted for a Federal LEO applicant?</p>	<ul style="list-style-type: none"> • Application must be submitted on an F5A (probationary). • Documentation of minimum two years Federal 1811 classified law enforcement service. • A copy of basic law enforcement academy hourly transcript. Training hours must be compared to North Carolina training requirements. • A letter from most recent federal agency that includes: <ul style="list-style-type: none"> • Verification applicant was a “full time sworn” officer. • Verification applicant left agency “in good standing”. • Verification of beginning and end dates of employment.
<p>What should I expect during the certification process for an out of state or federal LEO applicant?</p>	<ul style="list-style-type: none"> • Additional out of state training evaluation will be completed by Division staff to compare academy training hours to North Carolina requirements. • Upon successful evaluation, a probationary certificate will be issued to the hiring agency along with a training letter detailing what additional BLET hours must be completed during the probationary certification period. <p style="text-align: center;">(Continued)</p>

	<ul style="list-style-type: none"> • All required training must be completed within one year and before a general certificate can be issued, or the officer’s certification will be suspended.
--	---

Break in Service

<p>Can an applicant be certified if they have been separated for more than one year?</p>	<ul style="list-style-type: none"> • An applicant who has been separated from a certified position for more than one year may be re-certified in certain circumstances. This is called a “break in service”. • In certain circumstances NCGS 17C-10 allows for probationary officers to be given a new probationary period if they have been separated for more than one year. Contact CJ Division.
<p>How does an applicant become re-certified after a break in service of more than one year but less than three years?</p>	<ul style="list-style-type: none"> • A break in service applicant of greater than one year but less than three years may be re-certified in one of two ways. Training requirements must be approved by the Director’s Office and are subject to compliance with 12 NCAC 9B .0403(a)(3) and NCGS 17C-10. <ul style="list-style-type: none"> • Must have had two years of previous full time sworn experience in North Carolina and earned a general law enforcement certificate. • Must apply and be hired in a certified position by an NC law enforcement or criminal justice agency. • Must be processed as a probationary applicant on F5A (probationary). • Must include successful completion of full firearms classroom, qualification, and combat course in hiring packet. • Upon successful certification, applicant will be issued a probationary certificate and will be sworn in immediately. • During the one-year probationary period, applicant will be required to complete the 96hr legal block with an approved BLET course and successfully pass the <u>full</u> BLET state exam. • After completing the probationary period and meeting training requirements, applicant will be issued a general certificate. <p>-or-</p> • Must have had two years of previous full time sworn experience in North Carolina and earned a general law enforcement certificate. • Must apply and be hired in a certified position by a NC law enforcement or criminal justice agency. • Must include successful completion of full firearms classroom, qualification, and combat course in hiring packet. • Prior to certification, applicant must complete all previous years’ in-service, except for firearms, and successfully pass the <u>full</u> BLET state exam. • Once training requirements are met, a probationary certificate will be issued with no additional requirements for one year period.

<p>How does an applicant become re-certified after a break in service of more than three years but less than five years?</p>	<ul style="list-style-type: none"> • A break in service applicant of greater than three years but less than five years may be re-certified in the following way. Training requirements must be approved by the Director’s Office and are subject to compliance with 12 NCAC 9B .0403(a)(4) and NCGs 17C-10. • Must have had two years of previous full time sworn experience in North Carolina and earned a general law enforcement certificate. • Must apply and be hired in a certified position by a NC law enforcement or criminal justice agency. • Must include successful completion of full firearms classroom, qualification, and combat course in hiring packet. • Must have completed all years’ in-service training during the year it was required, except for firearms. • Prior to certification the applicant shall <ol style="list-style-type: none"> 1. Achieve a passing score on the practical skills testing for the First Responder, Law Enforcement Driver Training, and 2. Compliance and Control Tactics (SCAT) in either an approved BLET course or with a specialized instructor for the topic. 3. Successfully complete the POPAT in an approved BLET course or with a specialized instructor for the topic. • A probationary certificate will be issued, and the officer will be sworn in. • During the one-year probationary period the officer must complete the BLET legal unit either in an approved BLET course or with a certified instructor for the topic. • After completing the probationary period and meeting training requirements, applicant will be issued a general certificate.
<p>How does an applicant become re-certified after a break in service of more than five years?</p>	<ul style="list-style-type: none"> • An applicant who had been separated from a certified position for more than five years must re-attend a full BLET course and successfully pass the state exam.

Miscellaneous

<p>When must a certified officer or conditional hire applicant notify CJ Division of a criminal charge?</p>	<ul style="list-style-type: none"> • 12 NCAC 09B .0101 requires written notification to the Division of all criminal offenses for which the officer or applicant is charged. • Includes traffic offenses listed in the Class B misdemeanor manual. • Includes any Domestic Violence Protection Order (50-B) or Civil No Contact Order (50-C). • Must be submitted via written email to NCLEO@ncdoj.gov within five business days. Failing to do so is a violation of 12 NCAC 09B .0101 (13).
--	--

<p>What must be included in a notification of criminal charges?</p>	<p>Include in a <i>written</i> email to NCLEO@NCDOJ.GOV</p> <ul style="list-style-type: none"> • Full name and date of birth • The court in which the case was charged. • The date of arrest. • The criminal charge(s). • A copy of the court order, citation, or warrant. • A statement detailing the circumstances of the charge. • When the case is disposed of, the officer will need to submit certified court copies indicating the disposition. <p style="text-align: right;">(continued)</p> <ul style="list-style-type: none"> • These documents must be submitted to the Division via written email to NCLEO@ncdoj.gov within 5 business days. Failing to do so, could result in an investigation. YOU MAY NOT CALL TO INFORM STANDARDS OF THE CHARGE
<p>If an applicant has submitted an F3 to the hiring agency and they provide a positive drug test during the hiring process, what is required?</p>	<ul style="list-style-type: none"> • The hiring agency must report the positive drug test to CJ Division according to 12 NCAC 09C .0310.
<p>If an applicant has received a conditional offer from agency but that conditional offer is then withdrawn, what is required?</p>	<ul style="list-style-type: none"> • Notify CJ Division in writing by emailing NCLEO@ncdoj.gov. • Notification should include the date of withdrawn offer, the reason for the withdrawal, and if there were any concerns of misconduct, untruthfulness, or criminal violations.
<p>An officer is retiring from my agency but wants to remain certified as a part-time or reserve officer. What paperwork is required?</p>	<ul style="list-style-type: none"> • An officer moving from full-time to part-time status shall submit a Status Change F-19, regardless of retirement or other employment status. • If an agency submits an F-5B report of separation, CJ Division must fully separate them. An F-5B cannot be retracted.
<p>Whose signature needs to be notarized on the F5-B report of separation?</p>	<ul style="list-style-type: none"> • The agency head or authorized representative must have their signature notarized. • If submitting F5-B for a Chief of Police, the form must be signed by the person that oversees their position (Town Manager, Chancellor, Mayor, etc.)
<p>Can an officer hold dual appointments while being a notary?</p>	<ul style="list-style-type: none"> • No, a notary public is considered an official office. NCGS 128-1.1 only allows for two public offices to be held concurrently. <ul style="list-style-type: none"> • An officer can be sworn at Agency A and be a notary. <p style="text-align: center;">-or-</p> <p style="text-align: right;">(Continued)</p>

	<ul style="list-style-type: none">• An officer can be sworn at Agency A and sworn as a reserve deputy at Agency B, but NOT be a notary at the same time.
When must an officer be fingerprinted within the Rap Back System?	<ul style="list-style-type: none">• A newly certified officer must be fingerprinted within the Rap Back system parameters within ten business days of the oath being administered.