

12 NCAC 10 B. 2104 is proposed for amendment as follows:

12 NCAC 10B .2104 ~~IN-SERVICE~~ ANNUAL FIREARMS ~~REQUALIFICATION~~ QUALIFICATION
SPECIFICATIONS

(a) All deputy sheriffs and detention officers who are authorized by the sheriff to carry a handgun shall qualify a minimum of once each year with ~~their each individual~~ and department-approved service handgun. ~~The course of fire shall not be less stringent than the "Basic Law Enforcement Training Course" requirements for firearms qualification.~~ For the purpose of this specification, service handgun shall include any semi-automatic pistol or revolver.

(b) The Accuracy Qualification course of fire shall meet the following minimum requirements:

(1) Day Accuracy Qualification:

A. No fewer than thirty (30) rounds

B. Firing from the three (3), five (5), seven (7), ten (10), fifteen (15), and twenty-five (25) yard lines shall consist of no more than the following percentage of shots at each yard line:

1. 3-yard line: 10%

2. 5-yard line: 12%

3. 7-yard line: 30%

4. 10-yard line: 20%

5. 15-yard line: 25%

6. 25-yard line: 20%

C. Firing at least two rounds from each of the following positions:

1. Standing

2. Kneeling

3. Barricade

D. Firing at least two rounds dominant hand only

E. Firing at least two rounds support hand only

F. Fire after drawing from the holster

G. At least one stage that includes a mandatory magazine change

(2) Low-Light Accuracy Qualification:

A. No fewer than thirty (30) rounds

B. Firing from the three (3), five (5), seven (7), ten (10), and fifteen (15) yard lines shall consist of no more than the following percentage of shots at each yard line:

1. 3-yard line: 13%

2. 5-yard line: 26%

3. 7-yard line: 24%

4. 10-yard line: 24%

1 5. 15-yard line: 24%.

2 C. Firing at least two rounds from the following positions:

3 1. Standing

4 2. Kneeling

5 D. Firing at least two rounds dominant hand only

6 E. Firing at least two rounds support hand only

7 F. Firing after drawing from the holster

8 G. At least one stage that includes a mandatory magazine change

9 H. At least one stage that includes the required use of a flashlight or weapon-mounted light

10 I. At least one stage that includes the use of blue lights

11 J. At least one stage that includes the use of low-beam headlights and blue lights.

12 K. At least one stage that includes the use of headlights, blue lights, and all available
13 lighting.

14 (c) All deputy sheriffs and detention officers shall successfully complete a Decision Making Qualification course
15 for both day and low light at least once each calendar year.

16 (d) The Decision Making Qualification course shall meet the following minimum requirements:

17 (1) Day Decision Making Qualification:

18 A. No fewer than three decision points within the course

19 B. Required target discrimination decision (shoot/no-shoot)

20 C. Required articulation by the officer of a minimum of two decisions made during the
21 course

22 D. Shall contain a detailed diagram of the decision making course, with a written
23 explanation of the course, and a scoring matrix outlining what constitutes passing and
24 failing performance, which shall be maintained in an Annual Qualification file by the
25 agency and made available for audit.

26 (2) Low-Light Decision Making Qualification:

27 A. No fewer than three decision points within the course

28 B. Required target discrimination decision (shoot/no-shoot)

29 C. Required use of a flashlight, weapon-mounted light, or other shooter-controlled light
30 source

31 D. Required articulation by the officer of a minimum of two decisions made during the
32 course.

33 E. Shall contain a detailed diagram of the decision making course, with a written
34 explanation of the course, and a scoring matrix outlining what constitutes passing and
35 failing performance, which shall be maintained in an Annual Qualification file by the
36 agency, and made available for audit.

1 (e) If a deputy's or detention officer's handgun is replaced with another service handgun of the same make and
2 model, they shall successfully complete the Day Accuracy Qualification with the new service handgun within 15
3 days of issuance.

4 ~~(b)(f)~~ All deputy sheriffs and detention officers who are issued, or otherwise authorized by the sheriff to carry use a
5 shotgun, rifle, or automatic weapon shall qualify with each weapon respectively, for both day and low-light use a
6 minimum of at least once each calendar year. The course of fire shall not be less stringent than those set out in the
7 "In Service Firearms Qualification Manual" as published by the North Carolina Justice Academy.

8 ~~(c)(g)~~ The accuracy Qualifications qualification courses conducted pursuant to required by Paragraphs (a) and (b) of
9 this Rule shall be completed with duty equipment and duty ammunition or ballistic equivalent ammunition to
10 include including lead free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty
11 ammunition, for all weapons.

12 (h) All deputy sheriffs and detention officers who are issued or authorized to use a less-lethal weapon, that may also
13 be classified as a firearm, shall qualify with each weapon, respectively, in compliance with the manufacturer's
14 specifications or certification requirements.

15 (i) The accuracy qualification and decision making qualification courses required by paragraphs (a) through (f) and
16 (j) of this Rule, shall define low light for an outdoor range as beginning 30 minutes after sunset, based on the time
17 provided by the U.S. Naval Observatory chart for the date of qualification, specific to the location of the outdoor
18 range. For an indoor range, transition to low-light environment occurs by cutting off the lighting and is not defined
19 by a specific time.

20 ~~(d)(j)~~ All deputy sheriffs and detention officers who are authorized by the sheriff to carry off duty handguns shall
21 qualify with their off duty handgun a minimum of once each calendar year pursuant to 12 NCAC 10B .2103 and
22 .2104(a) and (b) with each handgun the officer carries off duty using ammunition approved by the sheriff.

23 ~~(e)(k)~~ All deputy sheriffs and detention officers who are issued or have access to any weapons not stated in this
24 Rule must qualify with these weapons once each calendar year using ammunition approved by the sheriff.

25 (l) To satisfy the requirements for all firearms accuracy qualifications, a deputy sheriff or detention officer shall
26 attain a minimum qualification score of 80 percent accuracy with each weapon once in three attempts with no more
27 than three attempts on each course of fire per day.

28 (m) To satisfy the requirements for all decision making qualification courses, a deputy sheriff or detention officer
29 shall attain a passing score as outlined by the specific courses scoring matrix.

30 ~~(f)(n)~~ In cases where reduced-sized targets are used to simulate actual distances, a modified course of fire may be
31 used.

32 (o) Each Day Accuracy Qualification course and Low-Light Accuracy Qualification course:

33 (1) Shall be completed successfully on a single day, once out of three attempts.

34 (2) Failure to qualify within three attempts on a single day is deemed a failure.

35 (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any
36 qualification attempt and fails to complete three attempts in a single day, the officer is deemed to
37 have failed to qualify.

- (4) No practice is allowed once qualification begins. Practice is not allowed until after the officer qualifies successfully or the third qualification attempt is completed.
- (5) Shall be completed with each weapon for which qualification is required
- (6) Each Qualification course may take place on different days; however, all three attempts to qualify for that course shall occur on that day.
- (7) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to complete three attempts to qualify in a single day on any Qualification course, access to the weapon shall be restricted until such time the deputy sheriff or detention officer successfully qualifies with the weapon.
- (p) Each Day Decision Making Qualification course and Low-Light Decision-Making Qualification course:
- (1) Shall be completed successfully on a single day, once out of three attempts.
- (2) Failure to qualify within three attempts on a single day is deemed a failure.
- (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any qualification attempt and fails to complete three attempts in a single day, the officer is deemed to have failed to qualify.
- (4) No practice is allowed once qualification begins. Practice is not allowed until after the deputy sheriff or detention officer qualifies successfully or the third qualification attempt is completed.
- (5) Each qualification course may take place on different days; however, all three attempts to qualify for that course shall occur on that day.
- (6) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to complete three attempts to qualify in a single day on any qualification course, access to the weapon shall be restricted until such time the officer successfully qualifies with the weapon.
- ~~(g) To satisfy the training requirements for all in-service firearms requalifications, a deputy sheriff or detention officer shall attain a minimum qualification score of 70 percent accuracy with each weapon once in three attempts with no more than three attempts on each course of fire per day.~~
- ~~(h) The "In-Service Firearms Qualification Manual" as published by the North Carolina Justice Academy is hereby incorporated by reference, and shall automatically include any later amendments or editions of the referenced materials to apply as a minimum guide for conducting the annual in-service firearms qualification. Copies of the publication may be obtained from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North Carolina 28385. There is no cost per manual at the time of adoption of this Rule.~~

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. January 1, 1994; January 1, 1993; January 1, 1992; January 1, 1991;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. January 1, 2011; January 1, 2006; August 1, 2002; August 1, 1998; March 1, 2026;

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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.