12 NCAC 10B .0301 is proposed for readoption with substantial changes as follows:

12 NCAC 10B .0301 MINIMUM STANDARDS FOR JUSTICE OFFICERS

Every justice officer employed or certified in North Carolina shall:

(1) be a citizen of the United States;

(2) be at least 20 years of age for all deputies and detention officers or be at least 18 years of age for all telecommunicators;

(3) be a high school graduate, or the equivalent as defined in 12 NCAC 10B .0302;

(4) have been fingerprinted by the employing agency in the manner provided in 12 NCAC 10B .0303;

(5) have had a medical examination as required by 12 NCAC 10B .0304;

(6) have produced a negative result on a drug screen as described in 12 NCAC 10B .0410;

(7) have been administered a psychological screening examination as in accordance with G.S. 17E-7. This psychological screening examination shall be valid for a period of one year from the date on which it was administered;

(8) have been interviewed as described in 12 NCAC 10B .0306;

(9) have a background investigation conducted by the employing agency, including a personal interview as required by 12 NCAC 10B .0305;

(10) not have committed or been convicted of a crime or crimes specified in 12 NCAC 10B .0307;

(11) for personnel who are authorized to carry a firearm in the execution of their duties, satisfactorily complete the employing agency's in-service firearms training program as prescribed in 12 NCAC 10B .2103 and .2104. Such firearms training compliance must have occurred prior to submission of the application for appointment to the Commission and must be completed using the agency approved service handguns and any other weapons that the applicant has been issued or authorized to use by the agency; ~~and~~

(12) be of good moral character. ~~character as defined as defined in: In re Legg, 325 N.C. 658, 386 S.E.2d 174 (1989); State v. Benbow, 309 N.C. 538, 308 S.E.2d 647 (1983); In re Willis, 288 N.C. 1, 215 S.E.2d 771 (1975), appeal dismissed 423 U.S. 976 (1975); State v. Harris, 216 N.C. 746, 6 S.E.2d 854 (1940); In re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); In re Applicants for License 143 N.C. 1, 55 S.E. 635 (1906); and later court decisions.~~ For purposes of this Rule, good moral character means the disposition, demonstrated through a person's pattern of conduct, to be honest and to act with candor, to discharge one's responsibilities, to respect the rights of others and the laws of the State and nation, and to do what is right notwithstanding that it is unpleasant or contrary to one's own interest. and

(13) make the following notifications:

(a) within five business days of the qualifying event, notify the Standards Division and the appointing agency head in writing of all criminal offenses for which the officer is charged, arrested, pleads no contest, pleads guilty or of which the officer is found guilty.

This shall include traffic offenses identified in the Class B Misdemeanor Manual and offenses of driving under the influence (DUI) or driving while impaired (DWI).

(b) within five business days of service, officers shall notify the Standards Division of all Domestic Violence Protective Order pursuant to G.S. 50B and any Civil No Contact Order pursuant to G.S. 50C that are issued by a judicial official against the officer;

(c) within five business days of the date the case was disposed of in court, the agency head, provided he or she has knowledge of the officer's arrests or criminal charges and final dispositions, shall also notify the Standards Division of arrests or criminal charges and final disposition;

(d) within five business days of the issuance of all Domestic Violence Protective Orders pursuant to G.S. 50B and Civil No Contact Orders pursuant to G.S. 50C, the agency head, provided he or she has knowledge of the order, shall also notify the Standards Division of these orders.

(e) The required notifications in this Rule shall be in writing and shall specify the nature of the offense or order, the court in which the case was handled, the date of the arrest, criminal charge, or service of the order, and the final disposition. The notification shall include a certified copy of the order or court documentation and final disposition from the Clerk of Court in the county of adjudication. The requirements of this Item shall be applicable at all times during which the officer is employed and certified by the Commission and shall also apply to all applicants for certification. Receipt by the Standards Division of a single notification, from the officer or the agency head, shall be sufficient notice for compliance with this Item.

(14) The requirements of this Rule shall apply to all applications for certification and shall also apply at all times during which the justice officer is certified by the Commission.

History Note: *Authority G.S. 17E-7;*
Eff. January 1, 1989;
Amended Eff. January 1, 2018; February 1, 2014; January 1, 2006; January 1, 2005; August 1, 2002; January 1, 1996; January 1, 1994; January 1, 1993; January 1, 1992; July 1, 1990; January 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Temporary Amendment Eff. January 1, 2022;
Amended Eff. January 1, ~~2023.~~ 2023;
Readopted Eff. March 1, 2027.