

12 NCAC 02I .0214 SUMMARY SUSPENSIONS

(a) The Company Police Administrator, through designation by the Attorney General, may summarily suspend the commission of the company police officer before the commencement of proceedings for suspension or revocation of the certification when, in the opinion of the Company Police Administrator, the public health, safety, or welfare requires this emergency action of summary suspension. The Attorney General has determined that the following conditions specifically affect the public health, safety, or welfare, and therefore, the Company Police Administrator may utilize summary suspension when:

- (1) the person has committed or been convicted of a violation of the criminal code which would require a revocation or denial of certification;
- (2) the person has been convicted of any felony (unless granted an unconditional pardon of innocence) or any crime for which the authorized punishment could have been imprisonment for more than two years;
- (3) the commissioned company police officer fails to complete the minimum in-service training requirements as prescribed in Title 12, Chapter 09 of the North Carolina Administrative Code; or
- (4) the commissioned company police officer produces a positive result on a drug screening administered as set out in 12 NCAC 02I .0202(7).

(b) A summary suspension is effective on the date specified in the order of the summary suspension or upon the service of the certified copy of the order at the last known address of the person, whichever is later. The summary suspension shall remain in effect during the proceedings.

(c) Upon verbal notification by the Company Police Administrator that the company police commission of any officer is being summarily suspended by written order, the Department Head of the company police agency shall take such steps as are necessary to ensure that the officer does not perform duties requiring a company police commission through the Attorney General.

*History Note: Authority G.S. 74E-4; 74E-10; 150B-3;
Eff. August 2, 1993;
Amended Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*