

12 NCAC 09C .0307 AGENCY RETENTION OF RECORDS OF CERTIFICATION

(a) Each criminal justice agency shall place information with respect to employment, education, retention, and training of its criminal justice officers in the criminal justice officer's personnel file as listed in Subparagraphs (a)(1) and (a)(2) of this Rule. The files shall be available for examination in five days by representatives of the Commission for verifying compliance with these Rules.

- (1) Criminal Justice Officer with probationary certification:
 - (A) the officer's Personal History Statement (Form F-3), pursuant to 12 NCAC 09C .0201;
 - (B) the officer's Medical History Statement and Medical Examination Report (Form F-1 and F-2), pursuant to 12 NCAC 09B .0104;
 - (C) documentation of the officer's drug screening results, pursuant to 12 NCAC 09C .0310;
 - (D) the Commission's Mandated Background Investigation Form as completed by the agency's investigator, (Form F-8), pursuant to 12 NCAC 09B .0102;
 - (E) a summary of the officer's Qualifications Appraisal Interview, (Form F-4), prepared by the agency's interviewers, pursuant to 12 NCAC 09C .0204. The Form F-4 identifies the officer candidate interviewed, the position interviewed for, and the interviewer(s)' comments regarding the applicant's appearance, manner, and bearing, ability to present ideas, social adaptability, alertness and judgment, and interviewer(s) recommendation for employment;
 - (F) a copy of all certificates or diplomas obtained, pursuant to 12 NCAC 09B .0106;
 - (G) course listing(s) and completion date(s) of all criminal justice training completed by the officer;
 - (H) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
 - (I) a written summary of the officer's psychological examination results, pursuant to 12 NCAC 09B .0101(7);
 - (J) for the law enforcement officer, records of all in-service training received by the officer, as set forth in 12 NCAC 09E .0103(3) and .0110(5) that the officer has completed the minimum in-service training as required;
 - (K) certified copy of proof of age, citizenship, and educational requirements required in 12 NCAC 09B .0101;
 - (L) copy of Report of Appointment/Application for Certification (Form F-5A), pursuant to 12 NCAC 09C .0205;
 - (M) oath of office, pursuant to 12 NCAC 09C .0303;
 - (N) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
 - (O) once separated, a copy of the Affidavit of Separation, Form F-5B), pursuant to 12 NCAC 09C .0208; and
 - (P) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for Verification of Expunction under G.S. 15A-151.
- (2) Criminal Justice Officer with general certification:
 - (A) the officer's Medical History Statement and Medical Examination Report (Form F-1 and F-2), pursuant to 12 NCAC 09B .0104;
 - (B) documentation of the officer's drug screening results, pursuant to 12 NCAC 09C .0310;
 - (C) a copy of all certificates or diplomas obtained, pursuant to 12 NCAC 09B .0106;
 - (D) course listing(s) and completion date(s) of all criminal justice training completed by the officer;
 - (E) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
 - (F) for the law enforcement officer, records of all in-service training received by the officer, as set forth in 12 NCAC 09E .0103(3) and .0110(5) that the officer has completed the minimum in-service training as required;
 - (G) certified copy of proof of age, citizenship, and educational requirements required in 12 NCAC 09B .0101;
 - (H) copy of Report of Appointment/Application for Certification (Form F-5A), pursuant to 12 NCAC 09C .0205;
 - (I) oath of office, pursuant to 12 NCAC 09C .0303;
 - (J) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
 - (K) once separated, a copy of the Affidavit of Separation, Form F-5B), pursuant to 12 NCAC 09C .0208; and

- (L) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for Verification of Expunction under G.S. 15A-151.
- (3) Law Enforcement Officer hired as a lateral officer with probationary or general certification under the provisions of 12 NCAC 09C .0306;
 - (A) the results of the officer's fingerprint record check, pursuant to 12 NCAC 09B .0103;
 - (B) records of all in-service training received by the officer, as set forth in 12 NCAC 09E .0103(3) and .0110(5) that the officer has completed the minimum in-service training as required;
 - (C) copy of Change of Name (Form F-19) or Application for Lateral Certification (Form F-5D) pursuant to 12 NCAC 09C .0306;
 - (D) a copy of the electronic response for the AOC-CR-280, Law Enforcement Application for Verification of Expunction under G.S. 15A-151;
 - (E) copy of firearms qualification (Form F-9A), pursuant to 12 NCAC 09E .0106;
 - (F) once separated, a copy of the Affidavit of Separation (Form F-5B), pursuant to 12 NCAC 09C .0208;
 - (G) basic law enforcement training certificate or record of completion;
 - (H) copy of the signed authorization to release records form; and
 - (I) the agency may have performed additional screening and selection tasks, and records for those optional tasks are required to be maintained in the employee's file for audit by the division.
- (b) These records shall be maintained by the criminal justice agency in compliance with the North Carolina Department of Natural and Cultural Resources Retention and Disposition Schedule established pursuant to G.S. 121 and G.S. 132.

History Note: Authority G.S. 17C-2; 17C-6;
 Eff. January 1, 1981;
 Amended Eff. August 1, 1998; January 1, 1995; July 1, 1990; July 1, 1989; June 1, 1986;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
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