

12 NCAC 10B .0411 IN-STATE LATERAL TRANSFER OF A DEPUTY SHERIFF

(a) A North Carolina law enforcement officer is eligible to transfer their certification from one law enforcement agency to another law enforcement agency and be certified as a deputy sheriff if the officer:

- (1) has completed basic law enforcement training and holds general or probationary certification from the Commission or the Criminal Justice Education and Training Standards Commission; and
- (2) has not had more than a 12-month consecutive break in service immediately preceding the current application.

(b) Prior to certification being transferred per this rule, the sheriff's office considering the applicant for employment as a deputy sheriff shall complete the following tasks and submit a Lateral Report of Appointment, Form F-4A, to the Division reporting that the employing agency has completed these tasks and provided the requested documents:

- (1) obtained and forwarded the applicant's fingerprints to the North Carolina State Bureau of Investigation, in compliance with the requirements set forth in Rule .0303 of this Subchapter, reviewed the results of the criminal history record check provided as a result, and provided a copy of the results to the Division;
- (2) completed the AOC-CR-280 Law Enforcement Application for Verification of Expunction form and provided the results to the Division;
- (3) submitted to the Division a certified copy of the applicant's oath of office;
- (4) obtained a signed and notarized Authorization for Release of Information from the applicant, pursuant to Rule .0305 of this Subchapter, forwarded the Authorization for Release of Information to the Division, and reviewed the following documents of the applicant maintained by or on behalf of any North Carolina law enforcement agency where the applicant was employed for any part of the five year period preceding the current application:
 - (A) the personnel file including confidential information as defined by G.S. 153A-98, G.S. 160A-168, and G.S. 126-24;
 - (B) Report of Separation, Form F-5, if the applicant has separated;
 - (C) Background Investigation, Form F-8; and
 - (D) any internal investigations.
- (5) verified that the applicant:
 - (A) has not had more than a 12-month consecutive break in service immediately preceding the current application;
 - (B) has completed all mandatory in-service training for the preceding calendar year;
 - (C) has not been charged with or been convicted of criminal offenses that would prohibit certification pursuant to the Rule of this Subchapter;
 - (D) has not been the subject of any internal investigation within the last 18 months that contains allegations of a potential violation of the Rules of this Subchapter; and
 - (E) has qualified with the assigned duty weapon which has been recorded on the Firearm Qualification Record, Form F-9A, and satisfactorily completed the sheriff's office's in-service firearms training program, as prescribed in Rules .2103 and .2104 of this Subchapter. The Firearm Qualification Record shall be submitted to the Division with the Lateral Report of Appointment.

(c) Form F-4A, Lateral Report of Appointment, is completed by the employing agency in which the agency verifies that it has completed the items required in Paragraph (b) of this rule.

*History Note: Authority G.S. 17E-4; 17E-7
Eff. July 1, 2025.*