21 NCAC 06C .0913 PREDETERMINATIONS FOR INDIVIDUALS WITH CRIMINAL RECORDS

(a) An individual who wishes to request a predetermination under G.S. 93B-8.1(b6) shall submit a petition with the following:

(1) The person's full name;
(2) The person's social security number;
(3) The person's date of birth;
(4) The person's current address;
(5) A complete and accurate criminal history record from the Federal Bureau of Investigation;
(6) Three character references from individuals chosen by the petitioner;
(7) A notarized affirmation under oath that the information in the petition is accurate and true to the best of the petitioner's knowledge; and
(8) For each offense in the criminal history record, the following information:
    (A) Whether the crime was a felony or misdemeanor;
    (B) The date that the person was convicted of the offense;
    (C) The sentence imposed for the crime;
    (D) If the petitioner has completed the sentence, documentation from the appropriate court showing that the petitioner has met all court-imposed sentencing conditions or that records pertaining to the applicant either do not exist or have been purged;
    (E) If the petitioner has not completed the sentence, either a statement written by the petitioner describing, or documentation from the sentencing court showing, the status of the petitioner's efforts toward meeting the sentencing requirements, including the expected date of completion;
    (F) If applicable, evidence of a Certificate of Relief granted under G.S. 15A-173.2;
    (G) If applicable, evidence of completion of or active participation in rehabilitative measures, such as drug or alcohol treatment, domestic-violence or anger-management counseling, or Drug Court programs; and
    (H) A statement by petitioner that describes the circumstances surrounding the commission of the crime.

(b) The petition shall be accompanied by a non-refundable petition fee of forty-five dollars ($45.00).

(c) The Board delegates authority to make predeterminations to the Executive Director, who shall issue a response as required by G.S. 93B-8.1(b6).

History: *Authority G.S. 93B-8.1;*
Eff. July 1, 2020.