

**12 NCAC 09E .0103      DEPARTMENT    HEAD    RESPONSIBILITIES:    ANNUAL    IN-SERVICE  
TRAINING**

The state or local law enforcement agency head shall ensure that the annual in-service training is conducted according to specifications as outlined in Rules 09E .0105 and 09E .0106. In addition, the state or local law enforcement agency head or designated representative:

- (1) shall review departmental policies regarding the use of force during the agency's annual in-service training program; and
- (2) shall report to the Criminal Justice Standards Division once each calendar year a roster of all law enforcement officers who fail to successfully complete the annual in-service training and firearms qualification, pursuant to 12 NCAC 09E .0106, and shall certify that all law enforcement officers in the agency not listed did successfully complete the training. This roster shall reflect the annual in-service training and firearms qualification status of all law enforcement officers employed by the agency as of December 31 of each calendar year and shall be received by the Criminal Justice Standards Division no later than the following January 15<sup>th</sup>. Officers having completed Basic Law Enforcement Training and passed the comprehensive state final examination in this same calendar year must complete the annual in-service training for the year if they were sworn in between January 1<sup>st</sup> and June 30<sup>th</sup> of that year. Officers sworn in between July 1<sup>st</sup> and December 31<sup>st</sup> must complete the annual in-service training by June 30<sup>th</sup> of the following year, and
- (3) shall maintain in each officer's file documentation that the officer has completed the annual in-service training requirement; and
- (4) shall, where the officer fails to successfully qualify with any of the weapons specified in Rule 09E .0106(a) and (b), prohibit access to such weapon(s) until such time as the officer obtains qualification; and
- (5) shall, where the officer fails to successfully qualify with any of the weapons specified in Rule 09E .0106(d), prohibit the possession of such weapon(s) while on duty or when acting in the discharge of that agency's official duties, and shall deny the officer authorization to carry such weapon(s) concealed when off-duty, except when the officer is on his own premises; and
- (6) shall, where an officer has access to any specialized or tactical weapon(s) not specifically covered in Rule .0106(a) and (b) of this Section, prohibit the officer's use of the weapon(s) while engaged in the officer's official capacity unless the agency head determines the officer is competent to use the weapon in a lawful and prudent manner based upon the officer's experience, training, education, and disciplinary record.

*History Note: Authority G.S. 17C-6; 17C-10;  
Eff. July 1, 1989;  
Amended Eff. January 1, 2005; January 1, 1995;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;  
Amended Eff. March 1, 2024.*