

12 NCAC 10B .0303 FINGERPRINT CRIMINAL HISTORY RECORDS CHECK

- (a) Each applicant for certification, pursuant to Rules .0301 and .0401 of this Subchapter, shall submit electronic fingerprints in the Statewide Automated Fingerprint Identification System (SAFIS).
- (b) The employing agency shall forward the applicant's fingerprint record to the North Carolina State Bureau of Investigation for a criminal history record check utilizing fingerprints against state and federal files.
- (c) The employing agency will receive a report of the results of the criminal history record check utilizing fingerprints against state and federal files from the North Carolina State Bureau of Investigation. The employing agency shall retain the results of the criminal history records check utilizing fingerprints in compliance with the North Carolina Department of Natural and Cultural Resources Retention Schedule established pursuant to G.S. 121-4 and G.S. 132-8.1. The employing agency shall include the results of the fingerprint criminal history record check with the applications submitted to the Commission.
- (d) Each applicant for certification and certified justice officers shall also submit electronic fingerprints, other identifying information required by the State and National Repositories of Criminal Histories, and any other information required by the State Bureau of Investigation for their enrollment in the Federal Bureau of Investigation's Next Generation Identification (NGI) System and Criminal Justice Record of Arrest and Prosecution Background (Rap Back) Service. Those individuals seeking justice officer certification shall submit the required electronic fingerprints, along with the required documentation pursuant to Rule .0408 of this Subchapter, and other information prior to being issued certification. Those individuals certified as justice officers prior to July 1, 2023 shall submit the required electronic fingerprints and other information no later than June 30, 2023.
- (e) Pursuant to Rule .0301(4) of this Section an applicant for certification as a justice officer shall not perform any action requiring certification by the Commission prior to the date on which the employing agency receives the report of the result of the criminal history record check utilizing fingerprints.

*History Note: Authority G.S. 17E-7; 143B-972.1;
Eff. January 1, 1989;
Amended Eff. August 1, 2000; January 1, 1993; January 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Amended Eff. February 1, 2024; January 1, 2023.*