

SECTION .0700 – MILITARY TRAINED APPLICANT

12 NCAC 09B .0701 MILITARY TRANSFEREES

(a) Pursuant to G.S. 17C-10.1, a current or honorably-discharged former military police officer seeking certification as a law enforcement officer shall submit to the Criminal Justice Standards Division a completed Form F-21, Request for Military Evaluation for Basic Law Enforcement Training, and copies of the individual's military law enforcement training and personnel records and Certificate of Release or Discharge documentation from Military Service. Form F-21 is located on the agency's website: http://www.ncdoj.gov/getdoc/f7c44036-d56a-4c12-90a3-d73a8806493f/F-21_Military-EvalCJ_6-8-15.aspx.

(b) Upon receipt of the documentation prescribed in Paragraph (a) of this Rule, the Standards Division shall evaluate the applicant's combined training and experience pursuant to G.S. 93B-15.1 to determine if the applicant's combined training and experience is substantially equivalent to or exceeds the minimum requirements for employment as a law enforcement officer as prescribed in Rules 09B .0101, 09B .0111, and 09B .0403 of this Subchapter.

(c) The Division shall issue probationary certification pursuant to Rule 09C .0303 of this Chapter to an applicant who meets the following requirements:

- (1) has completed a formal military basic training program and been awarded a military police occupational specialty rating;
- (2) has performed military police officer duties in any of the branches of military service, active or reserve, or the National Guard for not less than two of the five years preceding the date of application for certification as a law enforcement officer; and
- (3) whose combined training and experience is determined to be substantially equivalent to or exceeds the minimum expectations for employment as a law enforcement officer as prescribed in Rules .0101, .0111, and .0403(2) of this Subchapter.

(d) Within one year of being issued certification pursuant to Paragraph (c) of this Rule, an applicant shall complete, with passing scores pursuant to Rule .0405(b) of this Subchapter, the following:

- (1) the Basic Law Enforcement Training topics pursuant to Rule .0205(b)(1) and (b)(6)(A) of this Subchapter; and
- (2) the Basic Law Enforcement Training comprehensive written exam pursuant to Rule .0406(d) of this Subchapter.

(e) An applicant certified pursuant to Paragraph (c) of this Rule shall complete the in-service Firearms Training and Qualification course pursuant to 12 NCAC 09E .0106 prior to beginning employment with the hiring agency.

(f) The Division shall issue probationary certification to a current or honorably discharged military police officer whose combined training and experience is not substantially equivalent to or does not exceed the minimum requirements for employment as a law enforcement officer, as specified in Rule .0403 of this Subchapter, if the applicant meets the following requirements:

- (1) completed a formal military basic training program and been awarded a military police occupational specialty rating;
- (2) performed military police officer duties in any of the branches of military service, active or reserve, or the National Guard for not less than two of the five years preceding the date of application for certification as a law enforcement officer; and
- (3) meets the minimum standards for law enforcement officers as prescribed in Rule .0101 and Rule .0111 of this Subchapter;

(g) Within one year of being issued certification pursuant to Paragraph (f) of this Rule, an applicant shall complete, with passing scores pursuant to Rule .0405(b) of this Subchapter, the following:

- (1) the Basic Law Enforcement Training topics pursuant to Rule .0205(b)(1), (b)(2)(F), (b)(3)B), (b)(3)(D), (b)(4)(E), (b)(5)(C), (b)(5)(G), (b)(6)(A), and (b)(7) of this Subchapter; and
- (2) the Basic Law Enforcement Training comprehensive written examination pursuant to Rule .0406(d) of this Subchapter.

(h) The Division shall waive any training topic in Paragraph (g)(1) of this Rule if the applicant provides documentation indicating he or she has completed substantially equivalent combined military training and experience in that topic.

(i) Members of the Air National Guard, Army National Guard, and Military Reserve Components who have performed as a military police officer for not less than 1,040 hours during the five years preceding the date of application for certification shall be deemed to satisfy the requirements of Paragraph (c)(2) and Paragraph (f)(2) of this Rule.

(j) An applicant who, after completing the required training in Paragraph (d)(1) or (g)(1) of this Rule, fails to achieve a passing score on the Basic Law Enforcement Training comprehensive written exam may be retested in each unit the applicant failed. An applicant who fails three or more units must enroll in and complete with passing scores a subsequent delivery of the Basic Law Enforcement Training course in its entirety in order to be eligible for certification.

(k) An active duty military police officer who obtains certification while on active duty may retain the certification under this Rule for the duration of active duty provided the officer continues to perform military police officer duties and complies with the in-service training requirements, as specified in 12 NCAC 09E .0105. An active duty military police officer who is unable to complete annual in-service requirements due to deployment or overseas assignment shall have 12 months from the time the officer returns to the United States in which to complete the in-service training requirements, as specified in Rule .0105 of this Chapter for each year he or she was unable to complete due to overseas assignment. The officer shall retain the certification for a period of one year following separation from active duty.

(1) When completing the required training topics specified in Paragraph (d)(1) or Paragraph (g)(1) of this Rule, the individual shall meet all requirements specified in Rule .0203 and Rule .0405 of this Subchapter.

*History Note: Authority G.S. 17C-2; 17C-6; 17C-10; 93B-15.1;
Eff. July 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. October 1, 2022.*