

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

The Department 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 Department head or designated representative:

- (1) shall review departmental policies regarding the use of force during the agency's annual in-service training program. The Department head or designated representative shall certify that this review has been completed by submitting a Commission form to the Criminal Justice Standards Division; 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 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 15th; and
- (3) shall maintain in each officer's file documentation on a Commission form 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 the officer has access to any specialized or tactical weapon(s) not specifically covered in Rule 09E .0106(a) and (b), use industry accepted practices and procedures to ensure that officers authorized to use such weapon(s) are qualified. Where the officer fails to qualify, the agency head or designated representative shall restrict access to such weapon(s).

*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.*