

12 NCAC 09G .0302 CRIMINAL HISTORY RECORD

(a) Consistent with and subject to the requirements of 12 NCAC 09G .0504, every correctional officer applicant, in North Carolina shall not have been convicted by a local, state, federal or military court of:

- (1) a felony;
- (2) a crime or unlawful act constituting a Class B misdemeanor as defined in 12 NCAC 09G .0102(10), if the conviction took place within three years prior to issuance of certification or if the person was under any corrections supervision imposed by the court as a result of the conviction within three years prior to the issuance of certification; or
- (3) for personnel who are authorized to carry a firearm in the execution of their duties, an offense that, pursuant to 18 USC 922(g) would prohibit the possession of a firearm or ammunition;

(b) Consistent with and subject to the requirements of 12 NCAC 09G .0504, every correctional officer probation/parole officer applicant, and probation/parole officer employed or certified in North Carolina shall not have committed or been convicted by a local, state, federal or military court of:

- (1) a felony;
- (2) a crime or unlawful act constituting a Class B misdemeanor as defined in 12 NCAC 09G .0102(10), if the conviction took place within three years prior to issuance of certification or if the person was under any corrections supervision imposed by the court as a result of the conviction within three years prior to the issuance of certification; or
- (3) an offense that, pursuant to 18 USC 922(g) would prohibit the possession of a firearm or ammunition.

*History Note: Authority G.S. 17C-6;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. January 1, 2015; August 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. May 1, 2023; October 1, 2020.*