



HOUSE BILL 595: Military Experience/LEO Cert. Requirements

2015-2016 General Assembly

Committee:		Date:	May 14, 2015
Introduced by:	Reps. Whitmire, McNeill, Cleveland, G. Martin	Prepared by:	Bill Patterson Committee Counsel
Analysis of:	Third Edition		

SUMMARY: *House Bill 595 would establish procedures to be followed by the Criminal Justice Education and Training Standards Commission in certifying current or former military police officers and would increase the Commission's membership from 31 to 34 voting members by adding the SBI Director, the State Highway Patrol Commander and a juvenile justice officer appointed by the Governor.*

CURRENT LAW: Criminal justice officers in North Carolina must meet minimum educational and training standards established by the North Carolina Criminal Justice Education and Training Standards Commission ("the Commission") under Chapter 17C of the General Statutes.

The Commission has 31 voting members appointed to staggered three-year terms, appointed to represent the following designated categories: police chiefs, police officers, departments, at-large groups, citizens and others, and correctional officers. G.S. 17C-3(a).

Under current law, the Attorney General, the Director of Public Safety, and the President of the North Carolina Community Colleges System are the Commission members designated to represent departments. G.S. 17C-3(a)(3).

BILL ANALYSIS: **Section 1** of the PCS would enact new G.S. 17C-10.1, which would require the Commission to waive the requirement of completing a Commission-accredited training course and issue probationary certification to an applicant who:

1. is a current or honorably discharged former military police officer having combined training and experience that meet or exceed minimum requirements for employment of a law enforcement officer;
2. was awarded a military police occupational specialty rating;
3. performed military police officer duties for not less than two of the five years preceding the date of the application; and
4. meets the minimum standards for law enforcement officers as set out in 12 NCAC 9B. 0101 and NCAC 9B. 0111

Before employment, a person issued probationary certification would be required to complete the employer's in-service firearms training. The certification would be probationary for a period of one year, during which time the applicant would be required to complete the Legal Unit and 24 hours of training in the service of civil process in a Commission-accredited course and to pass the State Comprehensive Basic Law Enforcement Training (BLET) Exam.

A current or honorably discharged former military police officer who was awarded a military police occupational specialty and who performed military police officer duties for at least two of the five years preceding the application date, but whose combined training and experience did not meet or exceed the

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House Bill 595

Page 2

minimum expectations for employment as a law enforcement officer, would be required to be certified by the Commission if the applicant:

- meets minimum standards set forth in 12 NCAC 9B. 0101 and NCAC 9B. 0111
- successfully completes the Legal Unit and at least 24 hours of training in the service of civil process in a Commission-accredited BLET course
- successfully completes any supplementary high-liability training, as deemed necessary by the Commission, not to exceed 180 hours
- passes the State Comprehensive BLET Exam

An applicant who, as a member of the Air/Army National Guard and Military Reserve Components, served as a military police officer for at least 1,040 hours in the five years prior to the date of the application would be deemed to have satisfied the requirement of having performed such duties for at least two of the five years preceding the date of the application.

Applicants completing the required training but failing no more than two units of the comprehensive exam could be retested in the failed units, but applicants failing three or more units would be required to successfully complete a subsequent BLET course in its entirety to be eligible for certification.

An active duty military police officer who is certified would retain certification for as long as he or she (1) is on active duty, (2) is serving as a military police officer, and (3) complies with the Commission's in-service training requirements. The officer would retain certification for one year after separation from active duty. If unable to complete annual in-service training requirements because of deployment or overseas assignment, the officer would have 12 months from return to the United States to complete that training.

The Commission would be required to adopt rules to implement the provisions of this section.

Section 2 of the PCS would amend G.S. 17C-3 to add three members to the Commission: the Director of the State Bureau of Investigation, the Commander of the State Highway Patrol, and a juvenile justice officer employed by the Section of Juvenile Justice appointed by the Governor.

EFFECTIVE DATE: This act is effective when it becomes law.