



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: J
Section: .0600
Title: **Hiring of Ex-Offenders**
Issue Date: 02/17/21
Supersedes: None – new policy

POLICY AND PROCEDURE

References	5 th Edition Standards for Adult Correctional Institutions
	2 nd Edition Standards for Administration of Correctional Agencies
Related ACA Standards	5-ACI-1C-08 2-CO-1C-10
North Carolina Administrative Code:	12 NACA 09G.0206 NC Executive Order 158

.0601 PURPOSE

The purpose of this policy is to outline the circumstances where ex-offenders may be considered for employment into non-certified positions (5-ACI-1C-08, 2-CO-1C-10). The Department of Public Safety, Prisons adheres to the Equal Employment of all persons whenever allowed by law and regulation. The North Carolina Administrative Code does not allow for the hiring of ex-offenders with a felony classification into a certified position. The code does allow for the hiring of misdemeanants if they have completed their correctional supervision and after three years' post-conviction. However, the administrative code does not speak to the hiring of non-certified positions. A list of certified position classifications can be found in the Interpretive Rule of the NC Criminal Justice Education and Training Standards Commission pursuant to NC G.S. 17C-2(3).

.0602 POLICY

If an institution, region office, central office, or Correction Enterprises desires to hire a person who has been convicted of a felony or a misdemeanor into a non-certified position, the institution Warden, Region Director, Central Office Director, or Director of Correction Enterprises shall forward the proposed candidate's file to the Director of Administrative Services. The Director of Administrative Services shall discuss each recommendation with the Commissioner or the Acting Commissioner. The decision will be made on a case by case basis, and consideration will be given to the nature of the crime as it relates to the duties of the position under consideration, the circumstances of the crime, the amount of time elapsed since the commitment of the crime,

the number of previous convictions, and the number and type of misconduct offenses if the person was imprisoned for the offense. Additionally, the age of the offender at the time of the offense and the age of the offender at the time of the request for employment may be considered. If the Commissioner agrees to hire or not hire the proposed applicant, the office who initiated the request will be notified in writing of the decision.

.0603 PROCESS

The office desiring to hire a citizen who has completed a term of supervision or imprisonment for a non-certified position shall forward a request with explanation via a memo to the Commissioner's Office. Included in that packet shall be a copy of the institutional record for the offender, a copy of the community corrections file, if available, along with the official version of the offense, the misconducts and dispositions of the offender while in confinement or on supervision and the rationale for the request.

Once received the Commissioner may consult with others in the Central Office, the Region Director, the Warden, or the Director of Correction Enterprises before rendering a decision.

Upon completion of review, the Commissioner will make the decision to hire or not to hire.



Commissioner of Prisons

February 17, 2021

Date

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