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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

January 25, 2005

James A. Preacher, Jr., Chief of Police
Norway Police Department
P. O. Box 127
Norway, South Carolina 29113

Dear Chief Preacher:

In a letter to this office you questioned whether Class 3-SLE certified police officers may be used for duties such as sporting events, crowd control, traffic at fairs, football games, court room security and transportation of prisoners.

Based upon my review, there are no State statutes that comment on or prescribe the duties of the referenced officers. Department of Public Safety Regulation 38-007(c) provides that

Class 3 Certifications. Candidates for basic certification as law enforcement officers with limited powers of arrest or special duties shall successfully complete a training program as approved by the Department and will be certified as Class 3-SLE.

I discussed your question with Kevin Stogner with the Department and he informed me that the Department considers Class 3-SLE police officers as having the authority to perform the duties set out by you as referenced above when they are commissioned by their local chief. This office would defer to the Department's interpretation since they are the agency that generally oversees the training requirements for these officers. As Mr. Stogner noted, by the

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referenced Regulation, these officers while having limited powers of arrest do in fact have custodial arrest authority. These officers undergo training at the Criminal Justice Academy but are generally considered as having duties which are more limited in scope, such as those outlined above, than regular law enforcement officers such as deputies or State troopers.

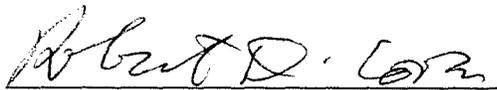
With kind regards, I am,

Very truly yours,



Charles H. Richardson
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Assistant Deputy Attorney General

cc: Mr. Kevin Stogner
Criminal Justice Academy
Certification Unit
P. O. Box 1993
Blythewood, South Carolina 29016