

The State of South Carolina



Office of the Attorney General

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July 26, 1985

J. P. Strom, Chief
S. C. Law Enforcement Division
ATTENTION: Mrs. Pat Murphy
Post Office Box 21398
Columbia, South Carolina 29221

Dear Chief Strom:

In a letter to this Office you requested an opinion relative to the training requirements under this State's Private Detective and Private Security Agencies Act as outlined in Section 40-17-50(6) of the 1976 Code of Laws. You questioned whether or not an officer who is duly registered, employed, and certified as a private security training officer by your Division may train other private security officers at the facilities of technical colleges or other type campuses throughout the State. It is our understanding that the individuals to be trained at such college facilities would be those individuals who typically receive training from a company training officer who has previously received training at SLED. Such training would not be provided for individuals who intend to serve as company training officers. Also, I am assuming that the utilization of the facilities of technical colleges or other such schools would be with the express approval of such schools.

Section 40-17-50(6) provides that SLED may license any person or corporation to carry on a detective business or private security business if

"... he has satisfied the Division that his private detective business or private security business has a competent training officer and an adequate training program with a curriculum approved by the Division or that adequate training will be obtained from another source."

REQUEST LETTER

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Other provisions relevant to your inquiry are Section 40-17-30(5) of the Code which authorizes the Chief of SLED "... (t) o conduct training seminars for the purposes of training individuals to be training officers and to train employees of or applicants for employment with licensees to insure that they have requisite knowledge and skills...." Also Section 40-17-30(a) of the Code includes in the requirements for registration by employees of licensees the requirement that such employees complete an "acceptable training program". The Rules and Regulations of SLED include provisions for the Chief of SLED to require such training for security officers and companies as he determines necessary. Reg. 73-40(18). Also, pursuant to Regulation 73-40(19) SLED is authorized to conduct training seminars to which licensed security companies may send representatives. Such regulation further provides that

"(o)nce a representative has completed the forty hour seminar, he shall be considered the company training officer and he shall then train each of the companies guards as is required by the Division."

Regulation 73-40(20), which requires certain minimum training in arrest procedure and use of handguns, states that "such training shall be done by a company training officer who has successfully completed the SLED seminar".

A review of the above provisions indicates that typically individuals who have received training by SLED return to their companies or businesses to later serve as company training officers and thereafter provide the training required of employees of persons or corporations who carry on a private detective or private security business. However, in the opinion of this Office, such a procedure is not the only means by which such other employees may receive their required training. As referenced in Section 40-17-50(6) a company or person may be licensed to carry on a private detective or private security business if they satisfy SLED that they either have their own competent training officer or "that adequate training will be obtained from another source." Also, as stated above, pursuant to Regulation 73-40(18) the Chief of SLED is authorized to require such training for private security officers and companies "as he deems necessary". Consistent with such, it appears that if SLED approves of the type training to be offered at technical colleges and other such campuses as outlined in your letter, such would meet the requirements of the mandated training. However, as discussed above, such training would not qualify an individual to later serve as a company training officer. As provided in Section 40-17-30(5) and Regulation 73-40, such company training

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officer must receive the training that qualifies such individuals to serve in such positions at SLED.

If there are any questions, please advise.

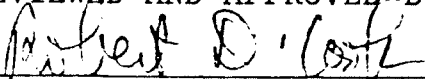
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR:djg

REVIEWED AND APPROVED BY:



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