

1983 WL 181712 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 17, 1983

***1 RE: Detention Officers; County of Charleston**

Purvis W. Collins
Director
South Carolina Retirement System
Sol Blatt Building
Second Floor
Columbia, South Carolina

Dear Mr. Collins:

You have requested an opinion as to the eligibility of Charleston County Detention Officers to join the Police Officers' Retirement System.

Section 9-11-10(6) defines 'police officer' as 'any person who receives his salary from an employer and who is required by the terms of his employment, either by election or by appointment, to give his time to the preservation of public order, the protection of life and property and the detection of crimes in the State.' As noted in prior opinions (see, e.g., opinion dated April 3, 1980), the General Assembly intended that a person meet all three of the requirements quoted above. From the job description which you enclose, it appears that the Charleston County Detention Officers may reasonably be said to be involved in all three activities in the normal course of their duties. The only possible question might be as to whether they 'detect crimes in the State,' but there is really no doubt as to that, because they routinely search for contraband, the detection of which would constitute evidence of a crime. Accordingly, it is the opinion of this office that Charleston County Detention Officers are 'police officers' within the meaning of § 9-11-10(6) and therefore are eligible for coverage under the South Carolina Police Officers' Retirement System. Sincerely yours,

Kenneth P. Woodington
Senior Assistant Attorney General

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