

1984 WL 250010 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 14, 1984

*1 The Honorable James R. Metts, Ed.D.
Sheriff of Lexington County
Post Office Box 639
Lexington, South Carolina 29072

Dear Jimmy:

In a letter to this Office you questioned whether a full-time deputy sheriff who retires would be able to maintain his commission for purposes of working special events or working in situations where extra personnel are needed.

It appears that the situation you referenced could best be accomplished by having the particular deputy become a reserve officer. By [Section 23-28-90, Code of Laws of South Carolina](#), 1976, as amended, Any currently certified full-time law enforcement officer who leaves his position under honorable conditions may, within twelve months, at the request of his chief and with the concurrence of the South Carolina Law Enforcement Training Council, be issued a registration card identifying him as a member of the reserve. Any such officer shall not be required to undergo the preliminary training for reserves but shall be required to have a current physical exam.

As a reserve officer, the particular deputy would be subject to the same requirements and limitations of authority of other similar reserve officers. Such are set forth in [Section 23-28-10, Code of Laws of South Carolina](#), 1976, as amended.

As to your remaining question concerning liability to the County or yourself, I can only comment that it would appear that the same responsibility would be here as with other reserve officers. In keeping with such, as stated above, the deputy here as a reserve must maintain the same status of reserve officers generally.

If there is anything further, please advise.
Sincerely,

Charles R. Richardson
Assistant Attorney General

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