

1981 WL 157971 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 21, 1981

*1 L. W. Griffin
Chief of Police
Law Enforcement Center
Sumter, South Carolina 29150

Dear Chief Griffin:

Attorney General McLeod has referred your letter of September 15, 1981, to me for reply. As I understand your question, you want to know if the provisions of the South Carolina Code dealing with reserve police officers (Section 23-28-10, et seq.) would prohibit police agencies from using reserve trainees for traffic control and parking of vehicles at ball games and other public events.

[Section 23-28-20 of the South Carolina Code](#) provides in pertinent part:

The powers and duties of reserve shall be prescribed by the chief . . . Before assuming their duties reserve shall: . . . C) successfully complete a course of training specified by the South Carolina Law Enforcement Council and endorsed by the chief who appoints them.

Further, Section 23-28-30 provides in relevant part:

No reserve shall assume any police function until he has successfully completed a course of training of at least sixty hours and passed a comprehensive test prepared by the South Carolina Criminal Justice Academy and administered by the local law enforcement agency.

As you can see from the foregoing provisions, reserve police officers can neither assume their duties nor any police function until the training as outlined in the statute is completed. Thus, with this clear and unambiguous language of the statute, it is the opinion of this office that if traffic control and parking of cars at ball games and other public events is a police function, the reserve police officers cannot undertake this duty until the statutory training is completed.

I hope you will find this opinion of help to you, and if I can be of any further assistance, please do not hesitate to contact me.
Sincerely,

John M. Barton
Assistant Attorney General

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