

1979 WL 42762 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 16, 1979

*1 Mr. Ray O. Isgett
Crime Prevention Specialist
Office of Criminal Justice Programs
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Sir:

You have inquired as to whether or not you come within the definition of 'police officer' as that term is used in the statute relating to the South Carolina Police Officers' Retirement System. The definition is set forth in [Section 9-11-10\(6\) of the Code of Laws, 1976](#), which reads as follows:

'Police officer' shall mean any person who receives his salary from an employer and who is required by the terms of his employment, either by election or 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. In all cases of doubt the Board shall determine whether any person is a police officer as defined herein.'

The job description for the position which you hold identifies your duties as follows:

'To study/analyze crime prevention efforts in South Carolina and to provide technical assistance upon request for program development. Serves as principal representative of OCJP to state and local law enforcement agencies in South Carolina. Must interact with local, state and federal authorities in developing and understanding crime prevention efforts in the criminal justice system.'

In my opinion, the duties described above meet the requirements of [Section 9-11-10\(6\)](#) and you are therefore a 'police officer' as defined in the statute.

The basic duties encompassed within the foregoing definition were performed by you, according to information submitted to me, as Vice Commander of the Regional Crime Prevention Unit, which comprised three counties under a program funded by LEAA, the only difference being that while in that capacity you were a commissioned officer of the Sumter Police Department. During this period, you were recognized and continued as a member of the South Carolina Police Officers' Retirement System.

I suggest that you make application to the Budget and Control Board, which is the governing authority of the Police Officers' Retirement System, for affirmance of the conclusions expressed in this opinion. Pursuant to the statute set forth above and in its concluding sentence, that Board has the authority to determine whether or not the duties now exercised by you constitute you a police officer as that term is defined in the organic act.

Very truly yours,

Daniel R. McLeod
Attorney General

1979 WL 42762 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.