

1980 WL 121141 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 2, 1980

**\*1 Re: Police Officer Qualifications: Effect of Conviction of Involuntary Manslaughter**

G. William Thomason, Esquire  
Callison, Dorn & Thomason  
Post Office Box 1115  
Greenwood, South Carolina 29646

Dear Mr. Thomason:

You have asked whether a prior conviction of involuntary manslaughter would prohibit a person from serving as a police officer carrying a firearm in South Carolina. It appears as though an individual with such a criminal record would not be able to serve as a police officer in this state.

No police officer appointed after January 1, 1972 by any public law enforcement agency in this state is empowered to enforce the laws of this state for any political subdivision thereof unless that individual has completed certain basic training at the South Carolina Law Enforcement Academy. [Section 23-23-40 of the South Carolina Code of Laws \(1976\)](#). Section 23-23-50 provides, in effect, that no individual shall be certified as a law enforcement officer if he has a criminal record of one or more felony convictions. Section 16-1-10 provides that manslaughter as defined in Section 16-3-50 is a felony. § 16-3-50 proscribes the offenses of both voluntary and involuntary manslaughter. See [State vs. Barnett, 218 S.C. 415 63 S.E.2d 57 \(1951\)](#). Therefore it would appear that a conviction of involuntary manslaughter is a conviction of a felony.

Therefore, an individual convicted of the felony of involuntary manslaughter would not be subject to certification as a law enforcement officer in South Carolina.

Sincerely,

Scott Elliott  
State Attorney

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