

1980 WL 120713 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 13, 1980

**\*1 RE: Opinion requests dated April 21 and June 10, 1980**

Mr. Clifford A. Moyer  
Executive Director  
State of South Carolina  
Law Enforcement Training Council  
Criminal Justice Academy  
5400 Broad River Road  
Columbia, South Carolina 29210

Dear Mr. Moyer:

You have requested of this office an opinion as to whether a person convicted of a felony may be certified as a law enforcement officer under [S.C. Code, Section 23-23-50](#) by obtaining a pardon for his offense. [Section 23-23-50](#), prescribing the qualifications for law enforcement officer candidates, provides, among other things, that the candidate exhibit the following:

(4) Evidence of the candidate's good moral character, as shown by a statement from the head of his department or supervisory official indicating that:

(d) That candidate's fingerprint record as received from F.B.I. and S.L.E.D. indicates no record of felony convictions.

This office has very recently issued its opinion indicating that a pardon is intended to relieve a person of the consequences of his punishment, and restores to him certain civil rights. However, the pardon does not nullify the fact of one's conviction, nor does it serve to obliterate the conviction record of the pardoned offense. Op. Atty. Gen. No. \_\_\_, June 12, 1980. Consequently, the existence of a pardon for a felony conviction will have no effect on a conviction record appearing on F.B.I. and S.L.E.D. fingerprint records which show the conviction.

If you have any questions or comments concerning the above, please do not hesitate to contact the undersigned at this office.

Think you.

Very truly yours,

Lindy P. Funkhouser  
Assistant Attorney General

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