

1975 WL 29500 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 11, 1975

*1 C. David Stone
Sheriff
Pickens County
P. O. Box 491
Pickens, South Carolina 29671

Dear Mr. Stone:

You have inquired as to the legality of commissioning eighteen year olds as police officers. An opinion was issued from this Office on August 6, 1974, to the effect that 'any person otherwise qualified who is at least eighteen years of age,' may be commissioned as a police officer. [Ref. Art. 17, Sec. 1, Constitution of South Carolina, as to reason for minimum age of eighteen.] However, Section 53-44, South Carolina Code of Laws, 1962, as amended provides in part:

'No law-enforcement officer below the level of chief, employed or appointed on or after January 1, 1972, by any public law enforcement agency in this State shall be empowered or authorized to enforce the laws or ordinances of this State or any political subdivision thereof unless he has, within one year after his date of appointment, successfully completed the minimum basic training requirements established pursuant to this Chapter.'

It should be borne in mind that the Criminal Justice Academy (See Section 53-42, Code of Laws of South Carolina, 1962, as amended) has qualifications of its own that must be met before a candidate may be admitted. It is therefore incumbent upon you to contact the Academy before you reach a final decision on this matter. In addition, on the basis of your population, it is clear that the Section 53-47 exception is inapplicable. In any event, please find enclosed a copy of the various sections of the code herein cited and a copy of the opinion of this Office regarding the commissioning of eighteen year olds. Should you need my assistance at a future date, please feel free to contact me at this Office.

Sincerely,

Herman L. Moore
Law Clerk

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