

1974 WL 27573 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 3, 1974

***1 In Re: 1) Peace Officers, Employment of Persons Under 21 2) Police Academy, Required Attendance Provisions**

E. Fleming Mason, Esquire
Producer
Crime to Court
2712 Millwood Avenue
Columbia, South Carolina

Dear Mr. Mason:

You have made the following requests for opinions of this Office:

I.

MAY PERSONS UNDER 21 YEARS OF AGE BE EMPLOYED AS POLICE OFFICERS?

REPLY:

State law does not provide a minimum age for persons employed as law enforcement officers. Many individual agencies and political subdivisions impose a minimum age of 21 for police officers, but such provision is a policy matter rather than a State statutory limitation.

The Supreme Court of South Carolina has held that when a bond is required of a police officer, the officer, who executes the bond with the surety, must be at least 21 years of age in order for the bond to be binding - - - thus holding, in effect, that any officer who is required by law to furnish a bond must be at least 21 years of age. [McConnell v. Kennedy, 29 S.C. 180, 7 S.E. 76](#). Not all police officers are required by law to furnish bond.

All 'officers' of the State or any political subdivision thereof must be registered electors - - - so a police officer must be at least 18.

II.

WHICH OFFICERS ARE REQUIRED BY STATE LAW TO ATTEND BASIC TRAINING COURSES OF THE CRIMINAL JUSTICE ACADEMY?

REPLY:

Any law enforcement officer appointed on or after January 1, 1972, must have the subject training within one year of his appointment.

Exceptions to this requirement are chiefs of police departments, and officers employed by towns of less than 2500 population or towns who employ less than five law enforcement officers.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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