

# **SOUTH CAROLINA RESERVE OFFICER TRAINING PROGRAM**

## **Administrative Guide**



### **SC Criminal Justice Academy Standards and Accreditation**

**2021 Edition**

**7.21**

# South Carolina Reserve Officer Training Program

## The South Carolina Reserve Officer

A reserve officer is a non-paid (with exceptions to approved public activities) volunteer who assists a law enforcement agency in enforcing the laws of South Carolina. The reserve officer is appointed by and serves at the pleasure of the agency head.

A reserve officer candidate must successfully complete the SC Reserve Officer Training Program to include an end of course written examination prepared by the South Carolina Criminal Justice Academy.

Every reserve officer must be in proximate contact, by radio or another device, with the full-time officer to whom he/she is assigned at all times. **Reserve officers cannot supervise or direct activities of class 1 or class 3 law enforcement officers or other reserve officers.**

The following are detailed descriptions of all requirements/responsibilities of host departments and reserve officer candidates. Please read carefully. For questions contact the following:

Information concerning status as a reserve department, scheduling a reserve training class, or scheduling a testing date:

Gracyn Malkiewicz  
Standards, Accreditation, and Testing  
803-896-4249  
GVMalkiewicz@sccja.sc.gov

Information concerning PCS of Hire, PCS of Separation, or transfer of class 1 officer to reserve status or reserve officer back to class 1 officer, or training requirements for reserve officers who have a break in service:

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Certification Unit  
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## **How to Become a South Carolina Reserve Department**

To have a South Carolina Reserve Officer Program, the department must complete and return the Application for Approval as SC Reserve Department form. Once a department has been approved as a South Carolina Reserve Department, it is that department's responsibility to submit a new application by **July 15 each year**. The South Carolina Criminal Justice Academy (Academy) will not send out reminders. Failure to complete the paperwork annually will result in a department's reserve status being withdrawn.

Each department using reserve officers must have one full-time class 1 officer as coordinator-supervisor who must be responsible directly to the Chief/Sheriff. This reserve liaison is responsible for the coordination of training classes and scheduling of the reserve test.

Should any conflict regarding logged service time or training arise, the South Carolina Criminal Justice Academy reserves the right to review all documents maintained by the department on the reserve officers.

**All departments need to submit an email address for the Chief/Sheriff and reserve liaison as correspondence concerning the reserve program will be handled primarily via email.**

The form is located at: <https://appengine.egov.com/apps/sc/CJA/Reserve>

## How to Conduct a South Carolina Reserve Officer Candidate Training Program

Approved reserve departments may apply to conduct a South Carolina Reserve Officer Training Program.

1. To host a South Carolina Reserve Officer Training Program, the department must complete the electronic Application for South Carolina Reserve Officer Training Implementation form. The form must indicate the **beginning and ending** dates for the training.

Form Link: <https://appengine.egov.com/apps/sc/CJA/ROTI>

If candidates from other departments are attending the training, the candidates' employing agencies must complete the registration process to include submission of the Law Enforcement Candidate Training & Certification Application and Document Attestation and in-person registration. This must be done **before** the training program begins.

Any changes in the training program (i.e., changes in instructors, training dates, candidates dropping from training) after an application has been approved **must** be submitted to the Standards Unit immediately for reapproval. Failure to do so may result in delayed testing of candidates or candidates not being allowed to test.

The reserve liaison will be the contact for questions and scheduling of the test. Any change in the reserve liaison must be submitted to the Standards Unit.

2. Reserve candidates must register at the Academy. Before arriving at the Academy, you must complete the Law Enforcement Candidate Training & Certification Application and Document Attestation form. You will need to complete/bring the following documentation to register:

- Law Enforcement Candidate Training & Certification Application and Document Attestation Form

Form Link: <https://appengine.egov.com/apps/sc/CJA/CTC>

- Driver's License (**required to bring in-person**)

Fingerprinting will be done at registration. All charges must show final disposition with NO felony conviction or disqualifying misdemeanor.

3. Once the above steps have been completed and the applications approved, the Academy will send an approval email providing an electronic copy of the South Carolina Reserve Officer Training Manual and the instructions for accessing the course videos in Acadis. This email will include the tentative testing date.

**Note: Before** a candidate may attend the SC Reserve Officer Training Program, the following must be on file with the employing department. By signing the Law Enforcement Candidate Training & Certification Application you are indicating that these items are **currently on file with the employing department.**

- ✓ Copy of Birth Record or Naturalization Papers which ensure that the Candidate is 21 years of age and a United States Citizen
- ✓ Copy of High School Diploma, G.E.D., Equivalency Certificate (Military or other), Official Transcript accepted by the South Carolina Department of Education or South Carolina special certificate.
- ✓ Report of current medical exam, on CJA preplacement & medical history form, with physician attesting medically suitable for law enforcement employment.
- ✓ The employing department must have conducted a background investigation, including a credit check, and the results must be satisfactory.

- ✓ Candidate must hold a valid/current SC Driver's License with no record for the past five years for suspension as a result of Driving Under the Influence of Alcoholic Beverages or Dangerous Drugs, Driving While Impaired, Reckless Homicide, Involuntary Manslaughter or Leaving the Scene of an Accident. There is no exception for military personnel. All reserve candidates must have a SC Driver's License.

### **South Carolina Reserve Officer Training Program Course Titles**

All lesson plans will be provided by the Academy with the exception of Local Ordinances and Policies. Lesson plans must be taught as structured; modification of performance objectives, instructional content, time required, and support training material is prohibited.

The department must have an Academy certified instructor who is a current class 1 law enforcement officer or an approved attorney **present** during all recorded presentations. Training for other topics which include: DT, Firearms, and Driving must be conducted by Academy certified instructors, who are also current class 1 law enforcement officers using the lesson plans provided. Each agency is responsible for training candidates on the agency's Local Ordinances and Policies. The complete names of instructors and/or attorneys must be listed on the Application for South Carolina Reserve Officer Training Implementation. Any changes to the application or instructors must be approved in advance by email.

The test will cover all content except Local Ordinances and Policies.

Candidates must be present during the entire training program.



# South Carolina Criminal Justice Academy

## RESERVE TRAINING CURRICULUM (eff. JULY 2021)

	Hours		Hours
Introduction to Criminal Law	3	Domestic Violence	13
Courts, Crimes and Courtroom Procedure	2.5	Harassment and Stalking	1.5
First Amendment Issues	1	Juvenile Procedures	4.75
Arrests	2.5	Child Abuse	4.5
Probable Cause	2.5	Vulnerable Adults	3.5
Exclusionary Rule	2.5	Victimology	3.75
Investigative Detention	2.5	Sexual Assault	4.75
Searches I	4.5	Mental Illness	4.5
Searches II	3.5	Prejudice & Personality	4.75
Searches III	4	Officer Survival On and Off Duty	3.75
Ethics & Misconduct in Law Enforcement	2.5	Basic Patrol Operations	6
Specific Crimes - Crimes Against Person	4	Strategies of Arrest	3.5
Specific Crimes - Crimes Against Property	3.5	Defensive Tactics:	
Confessions, Interrogation, Miranda Rule	3.75	Use of Force	4
Evidence	3	Handcuffing and Searching	8.5
Civil Liability	4	Weapon Retention	3.5
Civil Process	1	Weapon Disarming	4
Legally Defensible Use of Force	2	Firearms	22.75
		Emergency Vehicle Operations	2
		Local Ordinances and Policies	10
<b>New classes:</b>			
De-escalation and Conflict Management	4		
Duty to Intervene	2		
Community Relationships & Policing	5.5	<b>Total Hours</b>	<b>185.75</b>
Crisis Communication	6	<b>Total Hours + 2 Hour Test Block</b>	<b>187.75</b>
Fair and Impartial Policing	3		

## South Carolina Reserve Officer Testing Process

Upon completion of the training program the department hosting the training will provide the following forms. **These forms/form links are emailed to the department in the initial approval email:**

1. Departmental Training Verification Form (**please complete, scan, and email back.**)
2. Reserve Firearms, Emergency Vehicle Operations (EVO) and Local Ordinances/Policies Qualification and Training Verification Form (**Submit for each candidate.**)

Form Link: [South Carolina Criminal Justice Academy \(egov.com\)](http://SouthCarolinaCriminalJusticeAcademy.egov.com)

3. DT Proficiency Form (**DT Instructor must complete in its entirety. Submit for each candidate.**)

Form Link: <https://appengine.egov.com/apps/sc/CJA/PPCT>

Upon receipt of the documentation for each candidate, the Standards Unit will review the paperwork and compare the information to the approved Application for South Carolina Reserve Officer Training Implementation form for verification.

**All forms must be completed and submitted prior to the tentative test date. The test date will be rescheduled if all forms are not submitted.**

All forms must also be kept on file at the department.

Once documentation is verified, the Academy will send an email containing the following information:

- Testing Location
- Time of Check-in and Test
- List of Candidates
- Instructions

The reserve examination consists of 100 multiple choice test items; all items are cross-referenced to performance objectives. The passing grade for this examination is 70%. The candidates will have 2 hours to complete the test.

Reserve testing is held at the Academy located at 5400 Broad River Road, Columbia, South Carolina. The test is administered from 1:00 pm to 3:00 pm. Candidates must check in **before 12:45 pm** and present their South Carolina Driver's Licenses. No one will be admitted after instructions have begun.

Dress code is business casual. Clothing must be appropriate for an office environment. Candidates cannot wear the following: flip-flops, sandals; cut-off or ripped jeans; spandex, halter tops, tank tops, spaghetti-strap tops, or strapless tops and dresses; mini or micro-mini skirts or dresses (more than 3 inches above the knee); sweat pants, spandex or wind suits/pants; any type of exercise attire, leggings, stretch pants, or leotards; see-through blouses, T-shirts or sweat shirts with inappropriate messages; tops that leave midriff bare or are cut too low revealing cleavage; and shorts or skorts (whether dressy or casual).

Weapons and cell phones are not permitted.

All tests and retests must be completed within 60 days of the last day of the reserve training.

Agencies must notify the Standards Unit at 803-896-4249 prior to the test date when candidates are unable to attend.

Tests will be scored and notification **emailed** to the Chief/Sheriff/Agency Head **and** Reserve Liaison (listed on the Application for Approval as SC Reserve Department) within five working days. Test scores will not be released via telephone or fax.

In the event a candidate fails the test, one retest will be offered. The employing department's reserve liaison must contact the Standards Unit at 803-896-4249 to reschedule the test. This test must be taken within 60 days of the last day of the reserve training.

Candidates who fail the retest may apply to repeat the Reserve Officer Training in its entirety no sooner than one year from the date of the retest failure. Candidates who fail twice are not eligible to attend any Academy mandated training (Basic Law Enforcement, Basic Detention, or Limited Duty) or the Constable program for one year from the date of the retest failure.

### **Documentation Required Before Reserve Officers Can Begin Ride-Along Requirement**

For a candidate who successfully completes the reserve test, a Personnel Change in Status Hire Form must be submitted to the Certification Unit **within 60 days** of the test date. This must be done **prior** to a reserve officer commencing his/her duties. Upon receipt of the hire form, Ms. Clark will contact the department with authorization to begin the reserve officer ride-along requirement within 15 working days.

Failure to complete and send in the Personnel Change in Status Hire Form may result in loss of a department's reserve status and the candidate may have to repeat the entire training process.

### **Miscellaneous Facts**

A reserve officer is a non-paid volunteer who assists a law enforcement agency in enforcing the laws of South Carolina. Reserve officers **cannot** be paid for road hours or administrative duties. However, S.C. Code 23-28-20(B) states, in part: "The chief, with the approval of the governing body, also shall allow for the compensation of reserve police officers for work done pursuant to Section 23-24-10 [Extra Duty] when compensation for approved public activities would be paid by a party other than the municipality or county. Reserve officers must be paid for approved public activities the same as off-duty police officers. Work performed for compensation must be in excess of the minimum logged service time required by Section 23-28-70 [20 hours per month/60 hours per 3 months]..." (Emphasis Added) No other compensation is allowed for under South Carolina state law.

Every reserve officer must be in proximate contact, by radio or another device, with the full-time class 1 officer to whom he/she is assigned at all times. **Reserve officers cannot supervise or direct activities of class 1 or class 3 law enforcement officers or other reserve officers.**

**The number of reserve officers cannot exceed the number of regular full-time class 1 law enforcement officers of the department.**

Reserve candidates and reserve officers must have a valid SC Driver's License and be a SC resident with a SC street address. A post office box is not acceptable. There is no exception for military personnel.

Reserve officers must maintain a logged service time of 20 hours each month or 60 hours each quarter. Training hours and commuting time to and from duty do NOT count toward logged service time. Any service performed by a reserve officer for which compensation is received (e.g., providing security at athletic events, parades, or similar events) cannot be counted toward the required reserve logged service time of 20 hours each month or 60 hours each quarter.

A reserve officer who cannot meet the requirements for logged service time and monthly/annual training should be terminated until such time he/she is able to comply with the requirements. A PCS of Separation must be submitted to Certification. If a reserve officer is out over 1 year, he/she will require additional training to return. Reserve officers out over 3 years must complete the entire reserve training program.

In-service training shall be held periodically **but not less than once a month**. Consecutive absences of more than three sessions may be grounds for dismissal. In-service training does not count towards the logged service time requirement. Reserve officers and constables are NOT allowed to attend classes taught at the Academy. They may attend Academy sponsored classes at local departments, but cannot be included on Academy registration forms or tested. The only exception is that reserve officers may attend and test for RADAR, LIDAR, and SMD at a local department sponsored class, not at the Academy.

Annual training must include Legal Update, DV Update, Firearms Qualification, and Agency Policy Updates.



The Academy strongly encourages reserves to view the mental health training as required by Class 1 officers.

Annual training does NOT count toward logged service time requirement.

Reserve officers must complete 240 duty hours with a certified class 1 officer before working alone.

Reserve officers who transfer to full time employment must complete all the requirements as set forth by law as appropriate for the class certification. For example, if a reserve officer is hired as a full time Class 1 law enforcement officer, he/she must complete the entire Basic Law Enforcement training program.

Class 3 officers who leave their position must complete the entire SC Reserve Officer Training Program and pass the examination in order to become a reserve officer.

Currently certified Class 3 officers cannot serve as reserve officers.

A reserve officer can only work for the agency to which he/she is assigned. Reserve officers can only work for one law enforcement agency at a time.

Individuals who work for a law enforcement agency in a **non-law enforcement capacity** may serve as reserve officers upon successful completion of the SC Reserve Officer Training Program and examination. They may **not** count regular work hours towards reserve logged service time of 20 hours each month or 60 hours each quarter.

Reserve status is not covered by military leave. The department should separate the reserve officer from reserve status, unless he/she is able to continue doing in-service and logged service time each month. A separation of over one year is considered a break in service.

A Personnel Change in Status Report of Separation / Termination must be submitted when a reserve officer is no longer employed.

Any currently certified full-time class 1 law enforcement officer who leaves his/her position under honorable conditions (**except for reasons of disability**) may, within 12 months, at the request of the chief and with the concurrence of the SC Criminal Justice Academy, be issued a registration card identifying him/her as a member of the reserve. Any such officer shall not be required to undergo the preliminary training but shall be required to have a current physical exam. All certifications (except RADAR, LIDAR or SMD) obtained by a class 1 law enforcement officer will be withdrawn when the officer transfers to reserve officer status. To transfer to reserve status, the agency must submit a PCS of Separation from class 1 and a PCS of Hire for reserve.

A class 1 law enforcement officer who transfers to “reserve” status can remain in that status for a period of 3 years from the date of the separation from class 1 law enforcement. During the 3-year period from the date of separation from class 1 law enforcement, the officer could transfer back to class 1 without additional training at the SC Criminal Justice Academy provided there is no break in service (one year or more) before or during this time. While in reserve status the officer must be in compliance at all times as a reserve officer (one in-service training per month and 20 road hours per month/60 road hours per quarter). Reserve officers can complete the same training as class 1 law enforcement officers; however, this training would be maintained at the Agency and would **not** be reported to CJA on an MRN form during the time the officer is in reserve status. This would, however, be helpful to the officer if he/she should decide to return to class 1 certification at some time during the three years. Should a reserve officer continue to train with the class 1 law enforcement officers he/she **MUST** do some type of in-service training each month and his/her road hours. Questions regarding this type of transfer should be addressed to Theresa Clark at 803-896-7804 or thclark@sccja.sc.gov.

## **Reserve Officers with a Break In Service**

### **Over one year but less than three years:**

1. Candidate must complete **lines 1-21 and lines 32-37 on page 2** of the Application for South Carolina Reserve Officer Training Implementation. The department must contact the Standards Unit (803-896-4249) **prior** to training the candidate and submit an Application for South Carolina Reserve Officer Training Implementation, then complete registration at the Academy for each candidate attending the training. Once approved the training can be provided.
2. Upon completion of training, a Departmental Training Verification, Reserve Firearms, EVO and Local Ordinances/Policies Qualification and Training Verification Form and DT Proficiency Exam must be completed for each candidate. The DT Instructor must complete the DT Proficiency Exam in its entirety and the department must keep the DT Proficiency Exam on file at their department.
3. Upon receipt of the forms, the Standards Unit will schedule a test date to administer a 50 item, multiple choice examination. All testing must be completed within 60 days of the completion date of the training.
4. A Personnel Change in Status Hire Form must be submitted within 60 days of the test date for candidates who successfully complete the test. Please allow 15 working days to process paperwork.
5. Complete any additional paperwork required by the Certification Unit.
6. Candidate must have a current physical.

### **Three year break in service:**

Candidate must complete entire South Carolina Reserve Officer Training Program.

## **Transfer of Reserve Officer to Another Department**

For a reserve officer to transfer to another department, the department the reserve officer is leaving must submit a Personnel Change in Status Report of Separation / Termination indicating the date of resignation and that the reserve officer is in good standing with work hours and training.

**Note:** If the reserve officer is not in good standing with work hours and/or training, the department must indicate how long the reserve officer has not been in compliance. If the reserve officer has a break in service because of the noncompliance, additional training may be required.

The receiving department must furnish the following documentation:

1. Personnel Change in Status Hire Form for the new department.
2. Reserve Firearms, EVO and Local Ordinances/Policies Qualification and Training Verification Form indicating that the reserve officer has:
  - a. Qualified with firearm at the new department.
  - b. Completed 2 hours on the new department's Emergency Response Driving policy.
  - c. Completed 10 hours on the new department's Local Ordinances and Policies.
3. Complete any additional paperwork required by the Certification Unit.

## Transfer of Basic or Advanced Constable to a Reserve Officer

### 1. Basic Constables

For a basic constable to be a reserve officer, the basic constable must complete the **entire** SC Reserve Officer Training Program and pass the required examination.

In addition, the basic constable must:

- a. Surrender credentials to SLED in writing after passing the reserve examination. SLED must provide a letter to the Academy indicating that constable is in good standing.
- b. Complete any additional paperwork required by the Certification Unit.
- c. Have a current physical.
- d. Complete 240 hours of ride along with the department (like a new reserve officer prior to riding alone.)

### 2. Advanced Constables

- a. Advanced constables who were trained and tested as basic constables prior to July 1, 2005, must complete the **entire** SC Reserve Officer Training Program and pass the required examination.

In addition, the constable must surrender credentials to SLED in writing after passing the reserve examination. SLED must provide the Academy with a letter indicating that the constable is in good standing.

- b. For advanced constables who were trained and tested as basic constables after June 30, 2005, the following will be required:
  - (1) Constable must surrender credentials to SLED in writing.
  - (2) SLED must provide the Academy with a letter indicating that constable is in good standing.
  - (3) Department must complete a Personnel Change in Status Hire Form. Please allow 15 working days to process paperwork.
  - (4) Department must complete Registration and bring a copy of the letter from SLED.
  - (5) Department must complete a Reserve Firearms, EVO and Local Ordinances/Policies Qualification and Training Verification Form indicating that the constable has:
    - (a) Qualified with firearm at the department as a reserve officer.
    - (b) Completed Emergency Vehicle Operations and Local Ordinances and Policies.
  - (6) Complete any additional paperwork required by the Certification Unit.
  - (7) Complete 240 hours of ride along with the department (like a new reserve officer prior to riding alone).

## **When a Personnel Change in Status Report Form is Necessary**

Personnel Change in Status Report of Separation / Termination is required:

1. When a reserve officer is no longer appointed by your department for the following reasons:
  - a. Reserve officer voluntarily resigns. Indicate whether or not reserve officer was in compliance with training and work hours.
  - b. Termination due to involuntary separation (specify reason).
  - c. Termination due to disqualification (specify nature of disqualification).
  - d. Misconduct resulting in termination (specify reason).
2. When a class 1 law enforcement officer transfers to reserve status within your agency.
3. When a class 1 law enforcement officer voluntarily resigns (in good standing, except for reasons of disability) and is appointed please indicate on the form the date of transfer from class 1 law enforcement to reserve status.

**NOTE:** A class 1 law enforcement officer can remain a reservist up to three years. If the officer goes over three years and desires class 1 law enforcement certification, he/she must complete the entire Basic Law Enforcement Training program.

## **Maintaining Reserve Officer's Training File**

The following documentation **MUST** be kept in the reserve officer's training file at the employing department:

1. All documentation required by South Carolina law:
  - a. A photocopy of reserve officer's birth certificate.
  - b. High School diploma or GED certification.
  - c. Report of current medical exam, on CJA preplacement & medical history form, with physician attesting medically suitable for law enforcement employment.
  - d. Reserve officer must hold a valid/current SC Driver's License with no record for the past 5 years for suspension as a result of Driving Under the Influence of Alcoholic Beverages or Dangerous Drugs, Driving While Impaired, Reckless Homicide, Involuntary Manslaughter or Leaving the Scene of an Accident.
  - e. A background investigation, including a credit check, has been conducted, and the results are satisfactory.
  - f. A recent photograph.
  - g. A copy of Departmental Training Verification form and firearm qualification.
2. Copy of Personnel Change in Status Hire Form.
3. Time sheet: Hours Reserve Officer worked = 20 hours each month or 60 hours each quarter.
  - a. Duty time consists of:
    - (1) routine patrol and response activities,
    - (2) special events (non-paid), and
    - (3) administrative duties at law enforcement agencies.
  - b. Duty time does NOT consist of:
    - (1) training (monthly, annual, etc.),
    - (2) commuting to and from duty,
    - (3) or working in a paid non-law enforcement position, special events when paid, or at reserve officer's regular employment.
4. Copies of all training attended.
  - a. Annual training for reserve officers must include Legal Update, DV Update, Firearms Qualification, and Agency Policy Updates.
  - b. In-service training must be held periodically but not less than once a month.
5. SC Criminal Justice Academy Reserve/Constable Training Defensive Tactics Proficiency Exam from training.

For more information, contact Theresa Clark, Certification Unit, at (803) 896-7804 or THClark@sccja.sc.gov.

## **Constables**

The Group 3 Constable Training Programs, both Basic and Advanced, are regulated by SLED.

The responsibilities of South Carolina Criminal Justice Academy:

1. Verify instructors for SLED.
2. Email SC Basic Constable Training Manual to SLED Regulatory, with the reminder of how to access the training videos in Acadis.
3. Review records to ensure individuals who have failed in the past year are not allowed in the program.
4. Schedule examination, prepare roster, prepare test, and test candidates.
5. Send test score notification letter to SLED Regulatory, and organization that which the officer was trained.

The responsibilities of SLED Regulatory:

6. Administer and oversee the SC Constable Program for the state.
7. Authorize individuals to attend training.
8. Authorize Technical Colleges and Training Entities to provide training using Academy materials.
9. Maintain records of training, testing, and in-service.
10. Answer all questions concerning Constable program.

Direct all questions regarding constables and requests for constable training or testing to Ashley Weisman, SLED Regulatory, at (803) 896-7029 or aweisman@sled.sc.gov.

## **Reserve Officers to Class 1 LEO:**

For a reserve officer to become a class 1 officer they must:

1. Be an active reserve officer (completed the SC Reserve Officer Training Program to include passing the written examination);
2. have at least 2 years' experience as a reserve officer (the time begins once the individual completes the SC Reserve Officer Training Program and passed the written examination. The two years' experience must be continuous and current);
3. successfully complete a psychological test;
4. successfully complete the Physical Abilities Test;
5. register for class;
6. attend and complete Special Basic Law Enforcement test;
7. pass the Special Basic Law Enforcement test (administered by CJA); and
8. attend and successfully complete the firearms and driving training at CJA, as a Special Basic Law Enforcement Student.



South Carolina Code of Laws  
Title 23 - Law Enforcement and Public Safety  
CHAPTER 28  
Reserve Police Officers

**SECTION 23-28-10.** Definitions.

For the purposes of this chapter:

(A) "Reserves" means persons given part-time police powers without being assigned regularly to full-time law enforcement duties.

(B) "Chief" means the chief law enforcement officer of a state agency, municipality, county, county sheriff, or other entity of the State having police powers.

**HISTORY:** 1978 Act No. 481, Section 1; 2007 Act No. 44, Section 1, eff June 4, 2007.

Effect of Amendment

The 2007 amendment, in subsection (A), substituted "assigned regularly" for "regularly assigned"; and, in subsection (B), added "state agency," and ", county sheriff," and deleted "political" preceding "entity".

**SECTION 23-28-20.** Appointment of reserve police officers authorized; powers and duties.

(A) The chief, with the approval of the governing body or its chief operating officer, may appoint the number of reserve police officers as may be needed but not exceeding the number of regular full-time officers of his department. The number of full-time officers may not be decreased because of the institution or expansion of a reserve force. Each period of time reserves serve must be determined and specified by the chief in writing. The powers and duties of reserves must be prescribed by the chief and they are subject to removal by him at any time.

(B) The chief, with the approval of the governing body, also shall allow for the compensation of reserve police officers for work done pursuant to Section 23-24-10 when compensation for approved public activities would be paid by a party other than the municipality or county. Reserve officers must be paid for approved public activities the same as off-duty police officers. Work performed for compensation must be in excess of the minimum logged service time required by Section 23-28-70. Additional training, beyond what is required for reserve police officers, is not required for reserve police officers who receive compensation.

(C) Before assuming their duties, reserves must:

- (1) take the oath of office required by law;
- (2) be bonded in an amount determined by the governing body of the state agency, county, municipality, or other entity which may not be less than one thousand five hundred dollars;
- (3) successfully complete a course of training specified pursuant to Chapter 23, Title 23 and endorsed by the chief who appoints them.

**HISTORY:** 1978 Act No. 481, Section 2; 1995 Act No. 85, Section 1; 1996 Act No. 304, Section 2; 1996 Act No. 459, Section 43; 2007 Act No. 44, Section 1, eff June 4, 2007; 2008 Act No. 335, Section 7, eff June 16, 2008.

Effect of Amendment

The 2007 amendment deleted "or sheriff" following "chief" and "chief operating officer" throughout; in subsection (B) in the third sentence substituted "Additional" for "No additional" and added "not"; in paragraph (C)(2), deleted "political" preceding "entity"; and, in paragraph (C)(3), substituted "Chapter 28" for "Chapter 6".

The 2008 amendment, in paragraph (C)(3), substituted "Chapter 23" for "Chapter 6".

**SECTION 23-28-30.** Training course; subjects of study.

(A) A reserve officer may not assume a police function until he has successfully completed a course of training of at least sixty hours and passed a comprehensive test prepared by the Law Enforcement Training Council and administered by the local law enforcement agency. The sixty hours of training must be

promulgated by the Law Enforcement Training Council, endorsed by the appointing official and must include, but not be limited to:

- (1) Firearms training-twelve hours
- (2) Laws of arrest-three hours
- (3) Searches and seizure-three hours
- (4) Evidence-six hours
- (5) Crisis intervention-three hours
- (6) Officer survival-two hours
- (7) Ethics-two hours
- (8) Constitutional law-two hours
- (9) Local ordinances and policies-ten hours
- (10) Radio communications-one hour
- (11) Handling prisoners-one hour
- (12) Handling juveniles-one hour
- (13) Human relations-two hours.

(B) Nothing in this chapter prevents the entity having a reserve unit from prescribing additional training, subject to the approval of the Law Enforcement Training Council.

**HISTORY:** 1978 Act No. 481, Section 3; 1996 Act No. 459, Section 44; 2006 Act No. 317, Section 3, eff May 30, 2006; 2006 Act No. 336, Section 2, eff June 2, 2006; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The first 2006 amendment, in the second sentence of the introductory paragraph, substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Academy Division of the Department of Public Safety”.

The second 2006 amendment added the undesignated paragraph at the end relating to reserve unit training.

The 2007 amendment designated subsections (A) and (B) and redesignated items (A) to (M) as paragraphs (A)(1) to (A)(13); in subsection (A), in the introductory paragraph substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Academy”; in subsection (B), substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Academy Division of the Department of Public Safety”; and made nonsubstantive language changes.

**SECTION 23-28-40.** Manner in which training provided; in-service training.

(A) The training described in Section 23-28-30 may be provided locally or regionally, but must be subject to approval of the Law Enforcement Training Council. If disapproved, the training council shall designate a representative to confer with the chief to make acceptable program changes. Within reason, and subject to academy schedules, academy staff may assist in the training.

(B) In addition to the sixty hours of preliminary training, classes of in-service training must be held periodically but not less often than once a month. Consecutive absences of more than three sessions may be grounds for dismissal.

**HISTORY:** 1978 Act No. 481, Section 4; 1979 Act No. 39, Section 1; 1996 Act No. 459, Section 45; 2006 Act No. 317, Section 4, eff May 30, 2006; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2006 amendment, in the first undesignated paragraph, in the first sentence substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Division Academy Division of the Department of Public Safety” and in the second sentence deleted “Advisory” preceding “Council”.

The 2007 amendment designated the first two paragraphs as subsections (A) and (B) and deleted the third undesignated paragraph exempting auxiliary or reserve officers on the force prior to April 19, 1978 from the high school diploma requirement for participating in training programs; in subsection (A), added “described in Section 23-38-30”; and made nonsubstantive language changes throughout.

**SECTION 23-28-50.** Physical examination; applicability of other minimum selection standards.

Before final acceptance as a reserve each candidate shall, at his own expense or through the offices of the doctor of his entity, submit to the chief a summary of the results of a current physical examination for the satisfaction of the chief concerning physical competence and capability. Other minimum selection standards recognized by law as applicable to full-time law enforcement officers also shall apply to reserves.

**HISTORY:** 1978 Act No. 481, Section 5; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment in the first sentence deleted “political” preceding “entity” and made nonsubstantive language changes throughout.

**SECTION 23-28-60.** Additional requirements; identification cards.

(A) Additional requirements beyond those set out in this chapter may be imposed by the chief.

(B) Identification cards registering a reserve’s status may be issued by the Law Enforcement Training Council upon request by the chief and assuring the council that all minimum requirements have been met.

**HISTORY:** 1978 Act No. 481, Section 6; 1996 Act No. 459, Section 46; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment designated subsections (A) and (B); in subsection (A), deleted “local political entity through the” preceding “chief”; and, in subsection (B), substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Academy Division of the Department of Public Safety”.

**SECTION 23-28-70.** Duties of officers; appointment of coordinator-supervisor.

(A) Reserves shall serve and function as law enforcement officers only on specific orders and directions of the chief. To maintain status, reserves shall maintain a minimum logged service time of twenty hours each month or sixty hours each quarter.

(B) Each reserve must be in proximate contact, by radio or another device, with the full-time officer to whom he is assigned.

(C) A person appointed as an auxiliary or reserve police officer after January 1, 1996, shall perform his duties while accompanied by a full-time, certified South Carolina police officer for a minimum of two hundred forty hours and receive the approval of the chief before he may work as provided in subsection (B). Reserve or auxiliary officers serving before January 1, 1996, and who have at least two hundred forty hours of logged service time are exempt from this provision.

(D) Reserves may not assume full-time duties of law enforcement officers without complying with all requirements for full-time officers.

(E) Each department utilizing reserves shall have one full-time officer as coordinator-supervisor and who must be responsible directly to the chief.

**HISTORY:** 1978 Act No. 481, Section 7; 1995 Act No. 85, Section 2; 1996 Act No. 304, Section 1; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment deleted references to sheriffs and deputy sheriffs throughout.

**SECTION 23-28-80.** Additional training for reserve officers desiring to become full-time officers.

A reserve who has been in active status for at least two years who desires to become a full-time law enforcement officer, upon application and completion of other existing requirements, may be accepted at the Law Enforcement Training Council for such additional hours of training as considered necessary.

**HISTORY:** 1978 Act No. 481, Section 8; 1996 Act No. 459, Section 47; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment substituted “Law Enforcement Training Council” for “South Carolina Criminal Justice Academy” and made nonsubstantive language changes.

**SECTION 23-28-90.** Former full-time officer becoming member of reserve.

A currently certified full-time law enforcement officer who leaves his position under honorable conditions, within twelve months, and at the request of his chief and with the concurrence of the Law Enforcement Training Council, may be issued a registration card identifying him as a member of the reserve. That officer must not be required to undergo the preliminary training for reserves but must be required to have a current physical exam.

**HISTORY:** 1978 Act No. 481, Section 9; 1996 Act No. 459, Section 48; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment substituted “Law Enforcement Training Council” for “Department of Public Safety” and made nonsubstantive language changes.

**SECTION 23-28-100.** Uniforms and equipment.

The uniforms and equipment issued by the political entity shall remain the property of the entity but, in the discretion of the chief, may be entrusted to the care and control of the reserves. Reserves shall wear uniforms which shall identify them as law enforcement officers. However, in the discretion of the chief, a reserve may wear plain clothes or another uniform that is consistent with his duties as a law enforcement officer. Handguns, if issued, shall be of a caliber approved by the chief.

**HISTORY:** 1978 Act No. 481, Section 10; 2007 Act No. 44, Section 1, eff June 4, 2007; 2008 Act No. 321, Section 7, eff 6 months after approval (approved June 16, 2008).

**Effect of Amendment**

The 2007 amendment deleted “political” preceding “entity” in the first sentence and made nonsubstantive language changes throughout.

The 2008 amendment added the third sentence relating to wearing plain clothes.

**SECTION 23-28-110.** Workers’ compensation.

(A) Workers’ compensation benefits may be provided for reserves by the governing body in the same manner as benefits are provided for full-time officers.

(B) For purposes of compensation or benefits arising from duty-related injury or death, reserves must be considered employees of the entity for which they were appointed and must be included with regular duty officers in the assigned responsibility for prevention, suppression, and control of crime.

**HISTORY:** 1978 Act No. 481, Section 11; 1978 Act No. 599, Section 1; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment designated subsections (A) and (B); and, in subsection (B), deleted “political” preceding “entity” and made nonsubstantive language changes.

**SECTION 23-28-120.** Exemptions.

This chapter does not apply to deputy enforcement officers of the Natural Resources Enforcement Division of the South Carolina Department of Natural Resources.

**HISTORY:** 1978 Act No. 612, amending 1978 Act No. 481 to add Section 11A; 1993 Act No. 181, Section 359; 2007 Act No. 44, Section 1, eff June 4, 2007.

**Effect of Amendment**

The 2007 amendment substituted “This chapter does not” for “The provisions of this chapter shall”.