

Session 113 - (1999-2000)

S 0718 General Bill, By Wilson

Summary: Law enforcement officer under investigation for improper conduct, administrative process; Public Safety Department

A BILL TO AMEND CHAPTER 6, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING ARTICLE 12 SO AS TO PROVIDE AN ADMINISTRATIVE DUE PROCESS PROCEDURE FOR A LAW ENFORCEMENT OFFICER WHO IS UNDER INVESTIGATION FOR ALLEGED IMPROPER CONDUCT, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER IS NOT REQUIRED TO DISCLOSE HIS OR A MEMBER OF HIS HOUSEHOLD'S FINANCIAL RESOURCES AND EXPENDITURES, TO PROVIDE THAT WHEN CERTAIN PERSONNEL ACTIONS ARE BROUGHT AGAINST A LAW ENFORCEMENT OFFICER, THE OFFICER MUST BE NOTIFIED OF THE ACTION AND GIVEN AN OPPORTUNITY TO PREPARE A RESPONSE TO THE ACTION, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS FOUND GUILTY OF AN OFFICIAL DEPARTMENTAL CHARGE MAY APPEAL THE DECISION TO THE COURT OF GENERAL SESSIONS, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MUST NOT BE PENALIZED FOR PURSUING HIS RIGHTS AS CONTAINED IN THIS ARTICLE, TO PROVIDE THAT AN OFF-DUTY LAW ENFORCEMENT OFFICER MAY ENGAGE IN POLITICAL ACTIVITY, AND TO PROVIDE THAT A SHERIFF, CHIEF OF POLICE, OR CHIEF OF PUBLIC SAFETY SHALL NOT IMPOSE A PENALTY GREATER THAN A PENALTY RECOMMENDED BY A DEPARTMENTAL DISCIPLINARY COMMITTEE.

04/14/99 Senate Introduced and read first time SJ-9

04/14/99 Senate Referred to Committee on Judiciary SJ-9