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History: 5302

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- 01/14/2025 Received President of the Senate & Speaker 01/18/2026

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**SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY**

CHAPTER 37

Statutory Authority: 1976 Code Sections 23‑23‑10 et seq.

37‑024. Investigation of Events Requiring Withdrawal of Certification; Notification to Officer.

**Synopsis:**

S.C. Code Section 23‑23‑80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code Section 23‑23‑10 et seq. The proposed regulation will state when the Law Enforcement Training Council may initiate an investigation into misconduct and notification requirements to the Officer.

Section‑by‑Section Discussion:

37‑024. This section explains when the Law Enforcement Training Council may initiate an investigation into reported events which require withdrawal of a law enforcement officer’s certification. The section also states requirements for notification to the Officer.

The Notice of Drafting was published in the *State Register* on May 24, 2024.

**Instructions:**

Print the regulation as shown below. All other items remain unchanged.

**Text:**

37‑024. Investigation of Events Requiring Withdrawal of Certification; Notification to Officer.

 A. Upon receipt of a report pursuant to R.37‑023, or if an officer willfully provides materially false information to the Criminal Justice Academy, the Council may initiate an investigation into reported events which require withdrawal of the law enforcement officer’s certification.

 B. The Director and/or Council may suspend the certification of any law enforcement officer pending the outcome of an investigation initiated pursuant to paragraph (A) above.

 C. A law enforcement officer who is the subject of an investigation shall be notified of its initiation on a form prescribed by the Council, sent by certified mail to the current address on file at the Academy, return receipt requested, as soon as practicable after the investigation is initiated.

 D. Duplicate of such notice shall be sent, in the same manner prescribed in paragraph (C) above, to the current sheriff or chief executive officer of the employing agency or department of the law enforcement officer.

 E. The Council may direct that the investigation, on its behalf, be conducted. The investigation shall be sent to the Council for its confidential use and review.

 F. Where the Council’s investigation indicates that withdrawal of the law enforcement officer’s certification is not warranted, the Council shall notify the law enforcement officer and the sheriff or chief executive officer of the employing law enforcement agency of its finding, in accordance with the notice provisions of paragraphs (C) and (D) above.

 G. Where the Council’s investigation indicates that withdrawal of the law enforcement officer’s certification is warranted, the Council shall proceed in accordance with R.37‑027.

 H. Where the Council’s investigation indicates that withdrawal of the law enforcement officer’s certification is warranted, due to the law enforcement officer willfully providing materially false information to the Criminal Justice Academy, and the officer requests a contested case hearing pursuant to R.37‑101, an attorney from the Criminal Justice Academy shall prosecute the allegation pursuant to R.37‑103 and a member of the Council shall be the hearing officer.

**Fiscal Impact Statement:**

There will be no fiscal impact from this change.

**Statement of Rationale:**

Revisions to this regulation are necessary to ensure potential misconduct is investigated and prosecuted when necessary.