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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT: Evaluation of Correctional Training in
the State of Kansas

REPORT NUMBER: 77-038-147 (Part II)

FOR: Kansas Association of Chiefs of Police

CONTRACTOR: Public Administration Service
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Washington, D. C. 20036

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CONTRACT NUMBER: J-LEAA-002-76

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FOREWORD

This report was prepared in response to a request for technical assistance from the Kansas Association of Chiefs of Police concurred in by the Kansas Sheriff's Association in connection with an evaluation of and recommended improvements in correctional training in the State of Kansas. Other aspects of law enforcement training in Kansas will be covered in additional reports.

The consultant assigned was Mr. W. T. Cave; others involved in processing the request were:

Requesting Agency: Mr. Myron E. Scafe
Kansas Association of Chiefs of Police
Topeka, Kansas

State Planning Agency: Mr. Richard Bleam
Police Specialist
Governor's Committee on Criminal
Administration

Approving Agency: Mr. Jeff Peterson
Manpower/Police Specialist
LEAA Region VII (Kansas City)

Mr. Robert O. Heck
Police Specialist
LEAA Office of Regional Operations

1. INTRODUCTION

In 1968, the Kansas State Legislature established the Kansas Law Enforcement Training Center, and set minimum training requirements for all law enforcement officers in the state. The training center was physically located at Hutchinson, Kansas, at the site of a former U.S. Naval Air Station, in Reno County. The academy, together with director and advisory board, was given the responsibility for providing 160^{1/2} hours of basic training to all law enforcement officers in the State of Kansas within their first year of employment. In carrying out this responsibility, it provides training in several different areas for law enforcement agencies that do not have their own training program. In addition, the academy certifies some 12 to 15 training programs in the state, thereby certifying the officers who attend these programs. Correctional training in Kansas is accomplished through three institutional training programs approved by the academy at Hutchinson.

The initial request for technical assistance from the Kansas Association of Chiefs of Police on which this study was carried out indicated that "There has been little progress since the initial statute was passed to improve the quality of training or expand the number of hours offered at the State Academy in Hutchinson." The request also asked that the study investigate the facilities, the consolidation of academics, improvement of present programs, the implementation of new programs, and the development of different programs for the different agencies as well as make recommendations regarding funding of law enforcement training, the present and future organization of the academy, and the administrative placement of the academy under the jurisdiction of the University of Kansas.

In order to study correctional training in the State of Kansas, the following tasks were necessary:

1. Visit and interview training personnel at the central office of the Kansas Department of Corrections in Topeka.
2. Visit and interview personnel at the Kansas Vocational Training Center in Topeka.
3. Visit and interview personnel at the Kansas Industrial Reformatory at Hutchinson.
4. Visit and interview personnel at the Law Enforcement Training Center at Hutchinson.
5. Visit and interview personnel at the Kansas State Penitentiary.

^{1/2} This figure has since been changed to 200 hours.

6. Interview personnel involved with probation and parole training.

During the on-site phase of this assignment, the following personnel were interviewed.

1. Central Office

Wayne Keplin
Departmental Training Specialist

2. Kansas Correctional Vocational Training Center

Derald Brewer
Institutional Training Officer

Ed Clark
Correctional Officer

Joe Atherton
Correctional Officer

D. W. Harmon
Chief of Security

Richard Martin
Assistant Director

Walt Terrel
Director

3. Kansas Industrial Reformatory

Neil Prichard
Institutional Training Officer

Capt. Brown
Shift Captain

Dail Suiter
Correctional Officer

J. F. Hefling
Shift Captain

B. L. Connell
Correctional Supervisor I

4. Kansas Law Enforcement Academy

Glenn Booth
Assistant Director

Maynard Brazeal
Director

5. Kansas State Penitentiary

R. E. Schebor
Institutional Training Officer

Bob Brice
Assistant Training Officer

6. Probation/Parole

Larry Hicks
Probation/Parole Officer (July, 1973 to January 1977)

Otis Burdette
Probation/Parole Officer

Mel Marsh
Probation/Parole Officer

II. ANALYSIS OF THE PROBLEM

The consultant's initial reaction during his on-site investigation of correctional training supported the views of the Kansas Association of Chiefs of Police that there was very little, if any, evidence of progress having been made since the enactment of the Law Enforcement Training Statute and the present status of statewide law enforcement training.

The consultant's objective was to assess the present correctional training programs in relation to the Kansas Law Enforcement Training Center and the legislative mandate for law enforcement training but not to assess or make recommendations as to the specific context of correctional training programs, methods or techniques of classroom instruction, curriculum design, training evaluation design, or personnel involved in the training of correctional officers. The study was directed toward the state correctional training function and not toward local training factors.

Rather, correctional training was assessed in the light of:

- 1) The Kansas Law Enforcement Training Center; 2) the legislative requirement for law enforcement training; 3) national standards and goals; 4) adequacy of facilities; 5) decentralization or consolidation of academies; 6) present and new program; 7) difference in training needs of different agencies; 8) funding of law enforcement training; and 9) the organization of the State Training Academy.

Numerous internal factors influence both the problems encountered and any potential efforts toward improvement. The total governmental and political system in Kansas, as in any other state, is a major factor, of course. Constantly changing political views and administrations cause major problems for any efforts to improve statewide law enforcement training. A well-coordinated statewide training plan will take several years to become a reality, provided that its progress is not hindered by changing policy and administration. Internal agreement and cooperation among the different political subdivisions of the state, as well as among the different state agencies involved in the criminal justice process in Kansas, will be a necessity.

External factors will also have a degree of influence on improvement of training, and there are many national standards of correctional training which Kansas can use as guidelines in the improvement of its training programs, as discussed below under Findings and Conclusions.

Correctional training in Kansas is conducted at three of the state's correctional facilities and coordinated by institutional training officers and one training specialist in the central office. The three programs are totally independent of one another, with the exception of a 56-hour package on human behavior presented by Washburn University. This portion of the correctional training is given at all three facilities. These correctional training programs are reviewed annually by the Law Enforcement

Academy at Hutchinson and approved as certified law enforcement training centers; therefore, the officers trained at these centers are certified under the Law Enforcement Training Statute of Kansas. This annual review of the program in those three facilities is the only link, however, between the State Law Enforcement Academy and the certification of the officers trained through these programs.

The method used to analyze the problems identified by the requesting agency was to conduct on-site visits at correctional training facilities and interview personnel involved in the delivery of this training as well as those who had received the training. These interviews focused on the present training programs and their relationship to the State Academy, opinions as to the relationship of correctional training and other law enforcement training in the state, the needs that existed which an active and progressive State Academy might help satisfy, and opinions of the training requirements set forth in the training statute.

III. FINDINGS AND CONCLUSIONS

As a results of the interviews and observations made during the process described above, the following findings and conclusions were reached:

1. There is very little contact between the Kansas Law Enforcement Academy and correctional training in the state. The opinions and suggestions received from most of the correctional personnel that were interviewed emphasized that the relationship between correctional training program and the State Law Enforcement Academy should be improved and the two programs should be brought closer together.
2. The findings with regard to the legislated requirements for training indicated that the number of hours required in the first year of employment was enough to satisfy the training needs of correctional officers.
3. Based on national standards and goals (National Advisory Commission on Criminal Justice Standards and Goals, American Correctional Association Accreditation Standards), the present Correctional Training Program provides adequate basic training and in-service training for uniformed correctional officers. Some adjustment will have to be made concerning training of nonuniformed supervisory and management personnel in order for the program to meet national training standards, however.
4. The training facilities at the three correctional training centers visited were adequate for correctional training.
5. The present correctional training is very decentralized, with each institution conducting its own program, using its own trainers, and attempting to recruit its own resource people and materials.
6. Current correctional training consists largely of courses for uniformed personnel (basic and in-service); very little is being conducted for management personnel in the institutions.
7. Since the training needs of correctional personnel are definitely different from those of city or county policemen, state highway patrolmen, or other agencies of the criminal justice system, the content of the

training programs are therefore also different. At the present time, an officer who completes basic training in the correctional program is certified by the Law Enforcement Academy and is therefore certified for any law enforcement position. This use of one "certification" for all types of agencies is a problem that must be resolved in the future.

8. Law enforcement funding is accomplished through state-appropriated funds and Federal grants, with the corrections training programs being funded largely through Federal grants and state-appropriated funds being used mainly for training personnel salaries.
9. The present organization of the Law Enforcement Academy consist of an Advisory Council which meets once per year, a Director, an Assistant Director, and two or three instructors. For an academy to provide training and certify officers for all the law enforcement agencies identified in the statute, a review of the organization of the academy should be made and changes recommended for improvement. At present, the academy is administratively placed within the Division of Continuing Education of the University of Kansas.

IV. RECOMMENDATIONS

1. Kansas Law Enforcement Training Center

The State Law Enforcement Academy should be so organized, staffed, and equipped as to be able to provide Basic Certification Training for all officers identified in the statute. The present academy is much too small for the training it should be conducting. The cost of training as well as the demands on institutional or agency manpower would be greatly reduced if there were a centralized academy for Basic Certification Training. The existence of a central academy would:

a) provide better training facilities to officers; b) permit the cross-use of instructors; c) provide better and more use of resource materials (films, training aids, etc.); d) provide an opportunity for constructive communication between officers from different agencies; e) enable training to take place away from the officer's work area; f) reduce the strain on institutional and agency manpower--at present, a correctional institution may bring in 60 new officers in a year. Since it can only conduct three basic classes, the institution must place 20 officers in training at one time. A centralized academy could conduct 12 classes per year (200 hours each), a schedule which would require the institution to place only five officers in training at any one time; and g) reduce training costs (instead of providing instructional staff, equipment, etc., for three separate training programs, only one instructional staff, etc., would be required at a central academy).

The State of Kansas should therefore seriously consider the establishment of a centralized training academy that would utilize regional facilities in providing Basic Certification Training for all officers identified in the statute.

2. Legislative requirement for law enforcement training

The State of Kansas and its Legislature should be complimented on the action to establish statutory requirements for Law Enforcement Training. Many states have not taken this step, and Kansas is thus well ahead in its move toward an excellent training program. However, the following changes in the statute should be considered:

- A. Since the definition of "law enforcement officers" includes employees of all criminal justice agencies except the courts, the statute should be called "Criminal Justice Training Center; Training Commission". Judicial Training should be included, at least for misdemeanor court personnel.
- B. The Training Commission should be made up of representatives of all criminal justice agencies

and should be given the authority to set training standards for the different agencies as well as approve certification requirements.

- C. That the "Criminal Justice Academy" be removed from the Division of Continuing Education of the University of Kansas and set up as a separate state agency under the Training Commission.
- D. The statute itself should not set the number of hours but permit the commission to establish this requirement.
- E. The commission should provide certification requirements for different programs (police, highway patrol, correctional officers, probation and parole officers, game protectors, park rangers, etc.). The certification of an employee as a correctional officer, for example, should not be used to certify him/her as a city policeman or vice versa.

3. National standards and goals

After a comparison of the present correctional training program with training standards (National Advisory Commission on Criminal Justice Standards and Goals and proposed accreditation standards from the American Correctional Association), it appears that the basic and in-service training of correctional officers will meet and in some cases surpass present standards. In order for correctional training to progress toward total compliance with National Training Standards, efforts should be made to require and provide 40 hours per year of training for supervisory and management personnel. The present program of 80 hours per year of in-service training for correctional officers exceeds national standards and should be reduced to 40 hours per year.

4. Adequacy of facilities

If correctional training in Kansas remains as it is (three separate programs), the physical facilities are adequate. However, if Kansas decides to work toward a more centralized and active training program, the present Law Enforcement Academy at Hutchinson is totally inadequate. That facility should be discarded and plans developed to build or acquire a more suitable facility.

5. Decentralization or consolidation of academies.

The many academies and programs presently being conducted and funded in the State of Kansas should be consolidated into a centrally located State Criminal Justice Academy (some of the reasons for such a recommendation were discussed under 1, above), even though it may be necessary to utilize some regional facilities in order to provide training to all areas of the state.

6. Present and new programs

The present training for correctional personnel (200 hours in their first year) is adequate, and no increase in the hours required is recommended. The content of the program should be standardized if there is to be a State Correctional Officer Certification Program. The present 80 hours of required in-service training per year is excessive; 40 hours would provide an up-date training experience. This in-service program should consist of new developments within the agency, new policies and procedures, recent court decisions and laws pertaining to corrections, and special emphasis on problem areas. It should not be limited to a repeat of basic training. Serious consideration should be given to planning for required training for supervisors, managers, and nonsecurity personnel in institutions. A job task analysis or needs assessment should be conducted as soon as possible and plans developed to provide the training identified for these three groups of employees.

7. Difference in training needs of different agencies

The training needs of the various agencies are different. Correctional officers, city policemen, highway patrolmen, etc., should be trained in programs designed to meet their specific needs. At the present time an employee certified by one program may transfer that certification to another agency. This should not be permitted. The State Academy should certify a person as a correctional officer or police officer, and that certification should not be transferable, because the duties and responsibilities of the various agencies and their employees are different. In a centralized academy, these different programs can be conducted separately but can overlap when feasible. For example, weapon training should be the same for all, and the weapons instructor or instructors at the academy could handle that portion of the training for all programs.

8. Funding of law enforcement training

There are numerous funding sources which maybe considered for the construction (if necessary) and operation of an academy. A few alternatives are:

1. Construction - State appropriation
Operation - State appropriation
2. Construction - Federal Funds/State Funds^{2/}
Operation - Federal Funds/State Funds
3. Construction - Federal Funds/State Funds
Operations - State Funds

^{2/} The South Carolina Criminal Justice Academy was constructed with 50% State money and 50% Federal grants. The Federal money came from the Highway Safety Act and LEAA.

4. Construction - Federal Funds/State Funds
Operation - Traffic Fines^{3/}
 5. Operation - State funding for personnel, plus a charge to each agency per student to cover room, board, and other expenses.
 6. Operations - State Academy Funds for instructors in classes for city and county policemen but require each state law enforcement agency to furnish its own instructors (state patrol, corrections, fish and game department, etc.)
9. Organization of the State Training Academy

Since the State of Kansas already has a statutory requirement for Law Enforcement Training as well as an academy established by that statute, this milestone should not be discarded but simply altered to permit improvement in law enforcement training in Kansas. The academy should be set up as a separate state agency under the guidance of a State Criminal Justice Training Commission. The commission should have representatives from all criminal justice agencies whose officers are to be trained and certified by the academy and should have the authority to set training standards, see that these standards are met by all officers, and approve all programs of certification. The commission should also have the authority to hire a director whose responsibility it will be to supervise the operation of the academy on behalf of the commission. The academy should provide facilities and staff for the training of all law enforcement officers identified by the Training Act.^{4/}

A recommended organizational chart of the commission is attached (Appendix B).

^{3/} The South Carolina Law Enforcement Training Act provides funding through Traffic Fines, as shown in Appendix A.

^{4/} Due to the geographical size of the State of Kansas and the number of officers to be trained, more than one academy may be necessary. If so, they should still be supervised by one commission, so that the training will be standardized through the state.

SUMMARY OF RECOMMENDATIONS

1. Basic Certification Training of correctional officers should be conducted at a centralized State Criminal Justice Academy.
2. This training should be augmented by employee orientation and on-the-job training at the institution by an institutional training officer.
3. The present 200 hours of Basic Training is sufficient and does not need to be increased.
4. In-service training should be reduced from 80 to 40 hours per year and should be up-date in nature, not a repeat of Basic Training.
5. Plans should be developed now for the training of supervisory, management, and nonsecurity personnel in correctional institutions.
6. Probation and parole officer training should be separate from correctional officer training, as it is presently.
7. Probation and parole training of new officers should be more structured and include a familiarization with all the other agencies with which the probation and parole officer must deal (mental health, drug abuse, alcohol programs, welfare agencies, local police, employment agencies, etc.).
8. Certification by the academy should mean that the officer has met a set of standards and successfully completed certain performance criteria, not that he has spent 200 hours in a classroom.
9. Certification of officers should not be transferable from police to corrections to parole, etc.
10. Correctional officer certification training should be the same for all correctional officers in the state, and consideration should be given to permitting city and county jailers to attend these programs.

CHAPTER 2.2

TRAINING PROGRAM FOR LAW ENFORCEMENT OFFICERS

- Sec.
- 53-41 Purpose and construction of chapter; definitions.
 - 53-42 Central training facility established, director.
 - 53-43 South Carolina Law Enforcement Training Council; membership, organization, etc.
 - 53-44 Law enforcement officers to complete basic training requirements; exceptions.
 - 53-45 Diplomas, etc.; promotion of efficient program of police training, recommendations of Council; information regarding candidates.
 - 53-46 General powers of Council.
 - 53-46.1 Designation of portion of fines, etc., for financing of programs.
 - 53-47 Certain municipalities excepted from application of chapter.

§53-41. Purpose and construction of chapter; definitions.-

(A) In order to insure the public safety and general welfare of the people of this State, and to promote equity for all segments of society, a program of training for law enforcement officers and other persons employed in the criminal justice system in this State is hereby proclaimed and this chapter shall be interpreted so as to achieve such purposes principally through the establishment of minimum standards in law enforcement selection and training.

(B) It is the intent of this chapter to encourage all law enforcement officers, departments and agencies within this State to adopt standards which are higher than the minimum standards implemented pursuant to this chapter, and such minimum standards shall in no way be deemed sufficient or adequate in those cases where higher standards have been adopted or proposed. Nothing herein shall be construed to preclude an employing agency from establishing qualifications and standards for hiring or training law enforcement officers which exceed the minimum standards set by the Council, hereinafter created, nor shall anything herein be construed to affect any sheriff, constable or other law enforcement officer elected under the provisions of the Constitution of the State of South Carolina.

(C) It is the intent of the legislature in creating a facility and a governing council to maximize training opportunities for law enforcement officers and criminal justice personnel, to coordinate training, and to set standards for the law enforcement and criminal justice service, all of which are imperative to upgrading law enforcement to professional status.

(D) Whenever used in this chapter, and for the purposes of this chapter, unless the context clearly denotes otherwise:

(1) The term "law enforcement officer" shall mean an appointed officer or employee hired by and regularly on the payroll of the State or any of its political subdivisions, who is granted statutory authority to enforce all or some of the criminal, traffic, and penal laws of the State and who possesses, with respect to those laws, the power to effect arrests for offenses committed or alleged to have been committed.

(2) The term "Council" shall mean the Law Enforcement Training Council created by this chapter. (1970 (56) 2564).

Editor's note.-This chapter is effective July 1, 1970. As to designation and use of part of fines and forfeitures collected between January 1, 1971, and January 1, 1972, for law enforcement training program, see 1970 Act No. 1186 [1970 (56) 2564], §7.

§53-42. Central Training facility established; director.-

There is hereby created and established a central training facility which shall be located near the geographical and population center of the State, and which shall provide facilities and training for any and all officers from state, county, and local law enforcement agencies and for other designated persons in the criminal justice system. Administration of this Academy shall be vested in a director who will be responsible for selection of instructors, course content, maintenance of physical facilities, recordkeeping, supervision of personnel, scheduling of classes, enforcement of minimum standards for certification (as will be hereinafter set forth) and such other matters as may be agreed upon by the Council. The director shall be hired by and responsible to the Council. (1970 (56) 2564).

§53-43. South Carolina Law Enforcement Training Council; membership, organization, etc.- (A) There is hereby created a South Carolina Law Enforcement Training Council consisting of the following twelve members:

- (1) The Attorney General of South Carolina.
- (2) The Chief of the South Carolina Law Enforcement Division
- (3) The Commanding Officer of the South Carolina Highway Patrol.
- (4) The Executive Director of the South Carolina Wildlife Resources Department.
- (5) The Director of the South Carolina Department of Corrections.
- (6) The Dean of the University of South Carolina School of Law.
- (7) One chief of police from a municipality having a population of less than ten thousand; this person to be appointed by the Governor for a term of four years.

(8) One chief of police from a municipality having a population of more than ten thousand; this person to be appointed by the Governor for a term of four years.

(9) One county sheriff engaged in full-time performance of duties as a law-enforcement officer; this person to be appointed by the Governor for a term of four years.

(10) One person employed in the administration of a municipality, or holding a municipal elective office; this person to be appointed by the Governor for a term of four years.

(11) One person employed in the administration of county government or elected to a county governing body; this person to be appointed by the Governor for a term of four years.

(12) The Special Agent in Charge of the Federal Bureau of Investigation, Columbia Division; this person to serve as ex-officio, non-voting member.

(B) (1) The members provided for in (1) through (6) above shall be ex officio members with full voting rights.

(2) The members provided for in (7) through (11) above shall serve terms as stipulated beginning with July 1, 1970.

In the event that a vacancy arises it shall be filled for the remainder of the term by appointment by the Governor on the basis of the abovementioned criteria.

(C) This Council shall meet for the first time within ninety days after July 1, 1970, and shall then elect one of its members as Chairman and one as Vice-chairman; these shall serve a term of one year in such capacity and may be re-elected. After the initial meeting, the Council shall meet at the call of the Chairman or at the call of a majority of the members of the Council, but it shall meet no fewer than four times each year. The Council shall establish its own procedures with respect to ~~quorum~~, place and conduct of meetings.

(D) Members of the Council shall serve without compensation.

(E) Any Council member who terminates his holding of the office or employment which qualified him for appointment shall immediately cease to be a member of the Council; the person appointed to fill the vacancy shall do so for the unexpired term of the member whom he succeeds.
(1970 (58) 2564; 1971 (57) 523).

Effect of amendment.- The 1971 amendment substituted "twelve" for "eleven" in the introductory language and added subdivision (12) in subsection (A).

§53-44. Law Enforcement officers to complete basic training requirements; exceptions.- 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. Should any such person fail to successfully complete such basic training requirements within one year from his date of employment, he shall not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until he has successfully completed such basic training requirements. He shall not be eligible for employment or appointment by any other agency in South Carolina as a law enforcement officer, nor shall he be eligible for any compensation by any law enforcement agency for services performed as an officer; provided, however, that after a lapse of two years following the date of the failure to achieve certification, the head of a local law enforcement agency may petition the Council for reinstatement of temporary or probationary employment of such individual, such reinstatement to rest solely with the discretion of the Council. The provisions of this chapter shall not apply to any law enforcement officer appointed prior to January 1, 1972, but the Council shall encourage present law enforcement officers throughout the state to qualify themselves for certification by the Council. Exceptions to the one-year rule may be granted by the Council in these cases: (a) military leave or injury occurring during the first year which would preclude the receiving of training within the usual period of time, or (b) in the event of the filing of application for training, which application, under circumstances of time and physical limitations, cannot be honored by the training academy within the prescribed period, or (c) upon presentation of documentary evidence that the officer-candidate has successfully completed equivalent training in one of the other states which by law regulate and supervise the quality of police training and which require a minimum basic or recruit course of duration and content at least equivalent to that provided in this chapter or by standards set by the South Carolina Law Enforcement Training Council. (1970 (56) 2564).

§53-45. Diplomas, etc.; promotion of efficient program of police training; recommendation of Council; information regarding candidates.-
(A) The Council is hereby authorized to issue or to authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to law-enforcement officers or other persons trained under the provisions of this chapter. Members of the Council may and should individually or collectively visit and inspect any training school, class or academy dealing with present or prospective law enforcement officers, and will be expected to promote the most efficient and economical program for police training, including the maximum utilization of existing facilities and programs for the purpose of avoiding duplication. The Council may, in its discretion, or upon request, make recommendations to the General Assembly or to the Governor regarding the carrying out of the purposes, objectives and intentions of this chapter or other acts relating to training in law enforcement.

(B) All city and county police departments, sheriffs' offices, State agencies or other employers of law enforcement officers having such officers as candidates for certification after January 1, 1972, shall furnish to the Council, for its confidential information and subsequent safekeeping, the following;

(1) Evidence of the candidate's completion of high school as shown by a copy of high school diploma, equivalency certificate (military or other) or South Carolina special certificate.

(2) Evidence of the candidate's physical fitness as shown by submission of a copy of his medical history form signed by the city or county physician or other physician or medical examiner approved by the employer.

(3) Evidence of successful completion of a course of police training as established and approved by the Council, and conducted at an academy or institution approved by the Council, such evidence to consist of certificate granted by the approved institution.

(4) Evidence of the candidate's good moral character, as shown by a statement from the head of his department or supervisory official indicating that:

(a) A background investigation has been conducted with satisfactory results,

(b) That the candidate holds a valid current South Carolina driver's license with no record during the previous ten years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, or leaving the scene of an accident.

(c) That a local credit check has been made with favorable results,

(d) That candidate's fingerprint records as received from F.B.I. and S.L.E.D. indicates no record of felony convictions.

(5) Copy of candidate's photograph.

(6) Copy of candidate's fingerprints.

(7) Copy of candidate's birth certificate or other acceptable and valid document, indicating candidate's present age to be not less than twenty-one (*) years.

(C) Law enforcement officers already serving under permanent appointments prior to December 31, 1971, shall not be required to meet any requirements set out in subsection (B), items (1), (2), or (3) (supra) of §53-45 as a condition of tenure or continued employment, nor shall failure of any such officer to fulfill such requirements make him ineligible for any promotional examination for which he is otherwise eligible. Nevertheless, all such exempted officers shall comply with items (4), (5), (6) and (7) of subsection (B) of §53-45; submission of this material to the Council shall be completed on or before the end of the fiscal year June 30, 1973. Mailing address of the Council, unless or until advised to the contrary, shall be c/o South Carolina Law Enforcement Division, Columbia, South Carolina (1970 (56) 2564).

(*)Other legislation covering age-requirements generally has superseded this requirement, so that applicants under age 21 may now receive favorable consideration.

§53-46. General powers of Council.- The Council is hereby authorized

to:

(A) Receive and disburse funds; including those hereinafter provided in this chapter.

(B) Accept any donations, contributions, funds, grants or gifts from private individuals, foundation, agencies, corporation, or the State or Federal Governments, for the purpose of carrying out the programs and objectives of this chapter.

(C) Consult and cooperate with counties, municipalities, agencies or official bodies of this State or of other states, other governmental agencies, and with universities, colleges, junior colleges, and other institutions, concerning the development of police training schools, programs or courses of instruction, selection and training standards, or other pertinent matters relating to law enforcement.

(D) Publish or cause to be published manuals, information bulletins, newsletters, and other materials to achieve the objectives of this chapter. (1970 (56) 2564).

§53-46.1 Designation of portion of fines, etc., for financing of program.- Beginning on January 1, 1971, every fine levied on a criminal or traffic violation in this State shall have a portion thereof designated, set apart, and used for the Council's program of training in the fields of law enforcement and criminal justice, and every bond forfeiture for such violations shall likewise be apportioned according to the same scale, as follows:

(a) Fines or forfeitures from \$5.00 up to but not including	
\$15.00 _____	\$1.00
(b) Fines or forfeitures from \$15.00 up to but not including	
\$50.00 _____	2.00
(c) Fines or forfeitures from \$50.00 up to but not including	
\$100.00 _____	3.00
(d) Fines or forfeitures \$100.00 and over _____	5.00

In addition to the apportioned amounts set forth in items (a) through (d) above, twenty-five cents on each fine or forfeiture shall be paid over to the South Carolina Law Enforcement Training Council which shall in turn transfer all funds so collected to the South Carolina Law Enforcement Hall of Fame Committee to defray the cost of erecting and maintaining the Hall of Fame. At any time when funds collected pursuant to this paragraph exceed the necessary costs and expenses of the Hall of Fame operation and maintenance as determined by the Committee, the Council may retain the surplus for use in its law enforcement training programs.

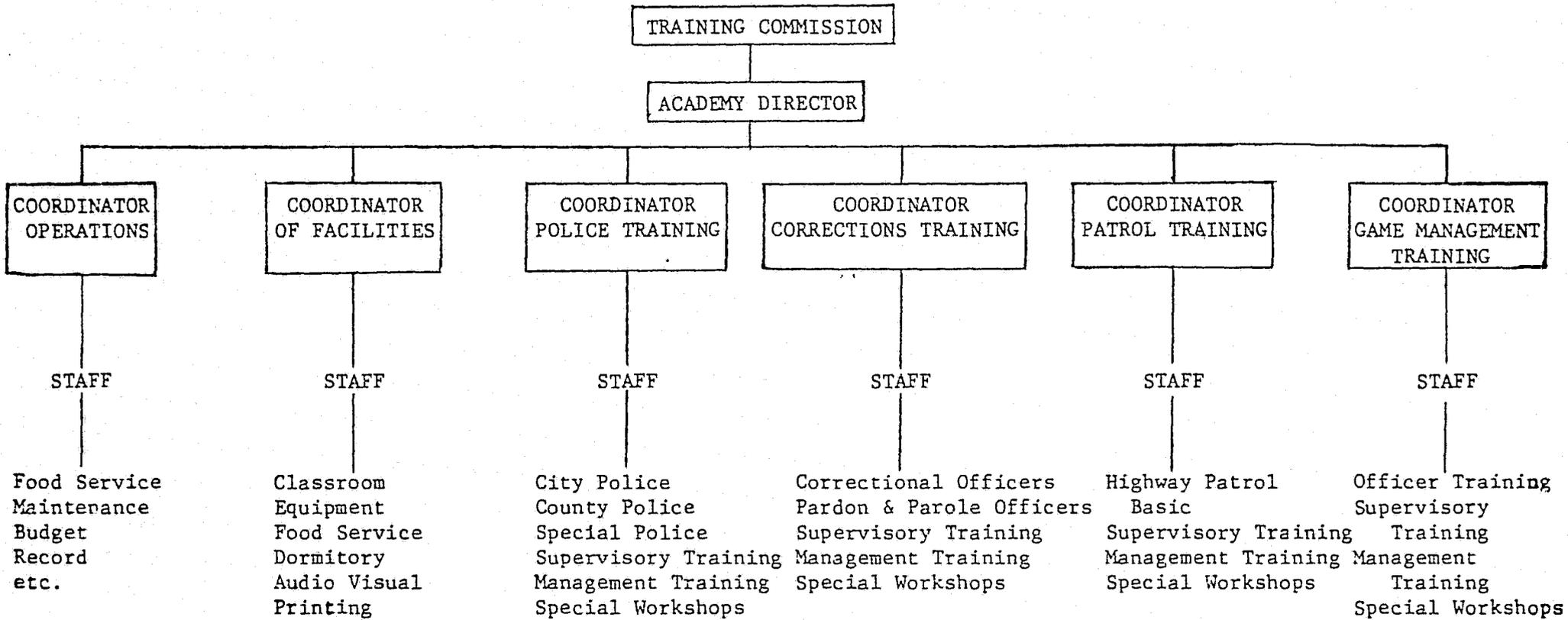
Each and every magistrate, recorder, judge, mayor, clerk of court or other person who receives moneys from fines or bond forfeitures in criminal or traffic cases shall transmit same to the city treasurer of the incorporated city where he performs his official duties, or to the county treasurer of his county in which he performs his official duties, making such transmittal no less frequently than once each month, and doing so on or before the tenth day of the month following the month being reported. The city treasurer or county treasurer shall make a computation on the basis of the scales of fines and forfeitures set out heretofore in this chapter, and this

computed sum shall be forwarded to the State Treasurer on or before the twentieth day of that month. Any incorporated municipality in this State may enter into a mutual agreement with the county in which it is located, to provide for joint collections, computations and transmittals under such terms and conditions as the respective bodies may agree; in such cases, receipts and transmittals required by this chapter shall reflect, in the report of transmittal to the State Treasurer, the collection and forwarding of all such moneys from the named sources. The State Treasurer shall record, before the last day of that same month, the total monthly submissions of moneys from the respective county treasurers and city treasurers, and shall deposit such moneys in the account and to the credit of the Law Enforcement Building and Maintenance Fund, advising the Law Enforcement Training Council of such receipts and deposits for fiscal and administrative purposes. (1970 (56) 2564; 1971 (57) 523; 1974 (58) 2759.)

Effect of amendments.- The 1971 amendment deleted "and until January 1, 1972" following "January 1, 1971" near the beginning of the section. The 1974 amendment, effective September 7, 1974, deleted "\$100.00" following "over" in subdivision (d) of the first paragraph and added the second paragraph.

§53-47. Certain municipalities excepted from application of chapter.- The provisions of this chapter shall not apply to any municipality having a population of less than two thousand five hundred persons or which does not have at least five full-time police officers. (1970 (56) 2564.)

APPENDIX B





END