

South Carolina Department of Public Safety



Office of the Director

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POLICY	300.47
EFFECTIVE DATE	AUGUST 1, 2017
SUBJECT	RESIDENCY REQUIREMENTS FOR COMMISSIONED LAW ENFORCEMENT OFFICERS
REPLACES POLICY DATED	JULY 2, 2014
APPLICABLE LEGAL AUTHORITIES	S.C. Code §§ 7-1-25(D) and 8-17-320
APPLICABLE STANDARDS	N/A
APPLICABLE STANDARD OPERATING PROCEDURES (SOP)	N/A
FORMS	N/A
DISTRIBUTION	TO ALL EMPLOYEES

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I. PURPOSE

To provide guidelines for the South Carolina Department of Public Safety's (SCDPS or department) commissioned law enforcement personnel regarding the location of his/her residence relative to his/her duty station.

II. POLICY

The department is committed to providing timely responses to each call for service. Therefore, the availability of commissioned officer personnel is essential to the mission of the department. Provisions for residency provide management flexibility in delegating duty assignments, including requested and non-requested transfers.

III. DEFINITIONS

For the purpose of this policy, the following definitions shall apply:

Duty Station/Duty Assignment – Primary location where the commissioned officer performs his/her law enforcement duties to include post, troop, region, or headquarters.

Division Director - The Chief Financial Officer; Bureau of Protective Services Chief; Human Resources Director; Office of Professional Responsibility Chief; Office of Strategic Services, Accreditation, Policy and Inspections Major; General Counsel; Communications Director; Office of Highway Safety and Justice Programs Director; Office of Information Technology Director; Legislative Liaison; Immigration Enforcement Unit Lieutenant; Colonel for Highway Patrol and Colonel for State Transport Police.

Residence – The fixed or permanent domicile of a person where he/she has an intention of returning when absent. SCDPS may consider the factors identified in S.C. Code § 7-1-25(D) and any other matter(s) deemed relevant in determining the location constituting an officer's domicile under this policy.

IV. RESIDENCY REGULATIONS

- A. All commissioned law enforcement officers shall reside in South Carolina.
- B. Within 120 days of initial assignment or transfer, troopers/officers shall establish their residence in accordance with this policy. In extenuating circumstances, up to a 60-day extension may be granted by the Troop/Region/Division/Unit Commander. However, the extension period shall not exceed 6 months. The affected Troop/Region/Division/Unit Commander shall submit a written report to the appropriate Colonel, Chief, or Commander stating the reason granting or denying any requested extension and describing the progress being made to solve the problem.
- C. Troop/Region/Division/Unit Commanders are responsible for determining compliance with this policy and shall approve or deny requests to reside outside of the area of assignment.
- D. Before establishing or changing a residence, troopers/officers wishing to reside outside their area of assignment shall seek approval from their immediate supervisor by notification of the physical address at which they wish to reside. If necessary, response time will be verified by the Troop/Region/Division/Unit Commander or his/her designee physically driving the route. The following guidelines shall be met when establishing a residence:

Highway Patrol

1. Field Personnel

- a. Troopers (Trooper – First Sergeant) assigned to a Post shall establish residence in their assigned Post or, if residing outside of the Post, at a location that will allow them to respond to the county in which the assigned Post office is located within 45 minutes.
- b. Troopers (Administrative Sergeant – Captain) assigned to a Troop shall establish residence in their assigned Troop or, if residing outside of the Troop, at a location that will allow them to respond to the county in which their assigned Troop office is located within 45 minutes.

2. Personnel assigned to a specialized unit (MAIT, ACERT, etc.)

Troopers assigned to a specialized Troop or Unit shall establish a residence within the Troop or Unit of their assigned area of responsibility or, if residing outside of the Troop or Unit of their assigned area of responsibility, at a location that will allow them to respond to the county in which their assigned Troop or Unit office is located within 45 minutes.

3. SCDPS Headquarters

Law enforcement personnel assigned to SCDPS Headquarters shall establish a residence within Richland County or at a location that will allow them to respond to Richland County within 60 minutes.

State Transport Police

1. Field Personnel

Officers (Officer – Sergeant) assigned to a Region shall establish residence in their assigned Region or, if residing outside their assigned Region, at a location that will allow them to respond to the county in which the Region office is located within 45 minutes.

2. Personnel assigned to a specialized unit

Officers assigned to a specialized Region shall establish a residence within the Region of their assigned area of responsibility or, if residing outside of the Region of their assigned area of responsibility, at a location that will allow them to respond to the county in which the Region office is located within 45 minutes.

3. SCDPS Headquarters

Law enforcement personnel assigned to SCDPS Headquarters shall establish a residence within Richland County or at a location that will allow them to respond to Richland County within 60 minutes.

Bureau of Protective Services (BPS)

1. Division Officers

Division Officers assigned a state-owned vehicle shall establish a residence within Richland County or at a location that will allow them to respond to Richland County within 45 minutes.

2. Division Headquarters

BPS officers assigned to Division Headquarters shall establish a residence within Richland County or at a location that will allow them to respond to Richland County within 60 minutes.

Immigration Enforcement Unit (IEU)

1. Field Personnel

All field personnel within IEU shall establish residence in their assigned Region or, if residing outside of their assigned Region, at a location that will allow them to respond to their assigned Region within 45 minutes.

2. SCDPS Headquarters

IEU personnel assigned to SCDPS Headquarters shall establish a residence within Richland County or at a location that will allow them to respond to Richland County within 60 minutes.

- E. The trooper/officer's supervisor will then determine whether the proposed location is within the designated response time of the assigned duty station. Approval must be granted prior to the trooper/officer establishing the new residence.
- F. Troopers/Officers shall report any change of address and/or telephone number in writing to their immediate supervisor within 24 hours. A trooper/officer's supervisor is responsible for ensuring that each trooper/officer has submitted the correct address and telephone number.
- G. A trooper/officer shall establish residence, as defined by this policy, upon the effective date of his/her transfer, promotion, or as outlined above.

V. RESIDENCY REGULATION EXCEPTIONS

- A. Based on his/her job duties and at the discretion of his/her respective Division Director, a commissioned law enforcement officer may be permitted to reside beyond the aforementioned residency requirements.
- B. The applicable Division Director may approve exemption to this policy on a case-by-case basis when, at the discretion of the Division Director, such an exemption is necessary to prevent hardship or to benefit the law enforcement division.
- C. Troopers/Officers residing in an approved location outside of the county of their assigned duty station and within the designated response time from the county line of his/her assigned duty station must be in his/her assigned duty station at the beginning of his/her assigned shift. Travel time outside the trooper/officer's assigned duty station is not compensatory.
- D. Should the need arise to make an enforcement contact or provide assistance while traveling to and from the county of assignment, troopers/officers should take the appropriate action.
- E. All troopers/officers shall remain in their assigned duty station until the end of their assigned shift. Troopers/Officers are not permitted to leave their assigned duty station for meal hour or otherwise

unless doing so in accordance with their Division's operations manual or as otherwise approved by their supervisor.

- F. Personnel who have received prior approval for residence locations beyond the limitations of this directive may not be required to relocate. Any trooper/officer who changes residences subsequent to this policy becoming effective shall adhere to the residence requirements provided herein.

By Order of the Director Date: August 1, 2017
<i>Leroy Smith</i>
Director S C Department of Public Safety
The Original Signed Copy of this Policy is on File in the Office of Strategic Services, Accreditation, Policy, and Inspections