

4768 Liberty

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3970
FACSIMILE: 803-253-6283

March 10, 1992

O. T. Watts, Chief of Police
Town of Pine Ridge
1015 Fish Hatchery Road
West Columbia, South Carolina 29169

Dear Chief Watts:

In a letter to this Office you questioned whether off-duty deputies of the Lexington County Sheriff's Department may wear uniforms of the Town of Pine Ridge while patrolling the Town pursuant to an agreement between the Town and the Sheriff's Department.

It is my understanding that the deputies even while patrolling the Town would be acting as deputy sheriffs and deriving their law enforcement authority from their commissions as deputy sheriffs. A prior opinion of this Office dated March 20, 1985 commented that

A police officer is generally acting under color of his office by "... actually holding himself out as a police officer, either by wearing his uniform or in some other manner openly advertising his official position in order to observe the unlawful activity involved...."

In your situation, inasmuch as the deputies involved derive their law enforcement authority while patrolling the Town from their commissions as deputy sheriffs, it appears that they should continue to wear their deputy uniforms.

Chief Watts
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Inasmuch as they are not Pine Ridge police officers, it would be misleading to wear Town uniforms while patrolling.

With kind regards, I am

Very truly yours,



Charles H. Richardson
Assistant Attorney General

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REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions