

The State of South Carolina

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Office of the Attorney General

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February 19, 1988

Timothy E. Meacham, Esquire
Florence City Attorney
City-County Complex
Drawer AA
Florence, South Carolina 29501-3456

Dear Mr. Meacham:

In a letter to this Office you requested an update on the question of the authority of municipal police officers to make arrests outside their jurisdiction. This Office had earlier issued an opinion, 1986 Op. No. 86-79, a copy of which is enclosed, which you referenced which is responsive to your question.

Based upon my review, the response provided in the referenced opinion remains the opinion of this Office. I am enclosing a copy of another opinion dated March 18, 1987 which dealt with the same question and referred also to the 1986 opinion. I would note additionally that in 1987 the General Assembly enacted a provision, codified as Section 23-1-215 of the Code, which provides for agreements between multiple law enforcement jurisdictions for the purpose of criminal investigation. Such statute states in part:

(A) (i) In the event of a crime where multiple jurisdictions, either county or municipal, are involved, law enforcement officers are authorized to exercise jurisdiction within other counties or municipalities for the purpose of criminal investigation only if a written agreement between or among the law enforcement agencies involved has been executed. This limitation on law enforcement activity shall not apply to any activity authorized by § 17-13-40.

Mr. Meacham
Page 2
February 19, 1988

(B) (a)ny law enforcement officer working under this agreement is vested with equal authority and jurisdiction outside his resident jurisdiction for the purpose of investigation, arrest, or any other activity related to the criminal activity for which the agreement was drawn.

I would also refer you to the remaining provisions as set forth in the Code.

With best wishes, I am

Very truly yours,

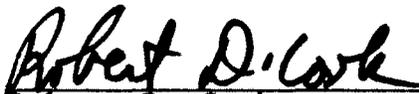


Charles H. Richardson
Assistant Attorney General

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Enclosures

REVIEWED AND APPROVED BY:



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