

1981 S.C. Op. Atty. Gen. 39 (S.C.A.G.), 1981 S.C. Op. Atty. Gen. No. 81-23, 1981 WL 96549

Office of the Attorney General

State of South Carolina

Opinion No. 81-23

March 18, 1981

*1 Honorable Irene K. Rudnick
Member
House of Representatives
310–D Blatt Building
Columbia, South Carolina 29211

Dear Ms. Rudnick:

Thank you for your letter of March 5, 1981, inquiring as to whether persons charged with driving under influence are eligible for the Pretrial Intervention Program. I advise that traffic offenders are specifically excluded from the Pretrial Intervention Program and driving under the influence is a traffic offense. I have instructed Mr. Sullivan, who is in charge of the Pretrial Intervention Program in this Office, to relay this information to the various Pretrial Program Directors through the State and have previously written to Mr. Jerry McCord, Director of the Alcohol and Drug Abuse Program, which received a number of these pretrial offenders, that they should not be accepted in his Program when referred by Solicitors.

I am sending a copy of this letter to the various solicitors for their information. I believe that the entry of DUI offenders into the Pretrial Intervention Program would be detrimental to the success of the Program, itself, and while I oppose any legislation which would permit such entry, I recognize that the Legislature is the ultimate determining authority in this respect.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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