

1981 WL 158201 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 24, 1981

*1 Mr. Richard P. Ruonala
Chief of Police
City Police Department
P. O. Box 236
Goose Creek, SC 29445

Dear Chief Ruonala:

In a letter to this Office you referenced an arrest warrant issued by a probation agent which the Goose Creek Police Department was requested to execute. You questioned whether a probation agent could issue such a warrant and whether the warrant was in the proper form inasmuch as it was not numbered.

Enclosed please find a copy of a previous opinion of this Office which states that a probation agent is authorized to issue an arrest warrant charging a probationer with the violation of the terms and conditions of his probationary sentence. Therefore, the individual signing the arrest warrant which you referenced in your letter was authorized to issue such warrant.

As to your remaining question concerning whether such warrant should have been a numbered arrest warrant, which is the form of the typical arrest warrant mandated for use in this State, in the opinion of this Office, an arrest warrant issued by a probation agent charging an individual with the violation of his probationary sentence is not required to be a numbered arrest warrant. Such warrants are distinguishable from typical arrest warrants used to charge other criminal law violations and therefore do not have to be in the numbered form.

If there are any questions concerning the above, please contact me.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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