

1981 WL 157846 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 1, 1981

*1 The Honorable Richard W. Riley
Governor of South Carolina
Post Office Box 11450
Columbia, South Carolina 29211

Dear Governor Riley:

In response to your letter to the Attorney General dated today this is to advise that, based upon prior opinions of this Office, copies attached, a member of the State Highways and Public Transportation Commission is considered a State Officer.

The indictment against Mr. Alan H. Schafer charges violations of Title 18, U.S. Code Sections 2, 371, 1341, and 1503. These Sections essentially charge conspiracy to commit offenses against the United States, to use the mails to defraud persons, and to obstruct justice. The charges and the facts alleged, including 'vote buying' are similar to those involved in the opinion of the Attorney General dated February 5, 1981, copy attached. The Commission or the attempt to commit a fraud is a crime involving moral turpitude and it is our opinion that the indictment against Mr. Schafer so charges.

Sincerely,

Frank K. Sloan
Deputy Attorney General

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