

1976 WL 30799 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 24, 1976

***1 In Re: Daisy Proctor Little Route 2, Jonesville, S. C. Guardian and grandmother of William Arthur Little, age 13**

The Honorable John D. Long, III
State Senator
Union County
Box 266
Union, South Carolina 29379

Dear Senator Long:

Thank you for your letter of June 21, 1976, inquiring if there is any means of having a sterilization operation performed on a mentally retarded person because of fear that his sexual urge may cause harm.

The only present means of obtaining sterilization procedures is on the petition of the superintendent of an institution of this State who is of the opinion that it would be for the best interest of the inmates of the institution that any inmate who is afflicted with the conditions set forth below to be sterilized. This is presented to the State Board of Health (now the Health and Environmental Commission) who may grant the petition to have sterilization performed. The conditions referred to are:

Any hereditary form of insanity that is recurrent;

Idiocy;

Imbecility;

Feeble-mindedness;

Epilepsy.

Under present law, I do not see how sterilization can be effected in the circumstances recited in your letter unless the young man should be committed to an institution, such as Whitten Village. There is a possibility that, in such circumstances, the superintendent may not see fit to petition for sterilization but that is a matter which can be determined as the need arises.

As always, it is a pleasure to hear from you and if I may be of any service at any time, please feel free to call upon me.

Very truly yours,

Daniel R. McLeod
Attorney General

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