

1972 WL 25330 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 25, 1972

*1 Captain Cecil Dilworth
District Commander
Traffic Law Enforcement
State Highway Department
P. O. Drawer 191
Columbia, South Carolina 29202

Dear Captain Dilworth:

In response to your request, the opinion of this office issued in 1967 by Assistant Attorney General J. C. Coleman which pertains to the admissibility of statements made to police officers conducting routine investigations of traffic accidents has not been superseded by the courts or by any subsequent opinions of this office.

The warnings required by [Miranda v. Arizona](#), 384 U.S. 436 (1966), apply only to 'in-custody' interrogations and not to 'on-the-scene' statements made during a police officer's investigation. The courts have explicitly excluded 'on-the-scene' statements made to highway patrolmen during investigations of routine traffic offenses. [U.S. v. Chase](#), 414 F.2d 780 (9th Cir. 1969), cert. denied, 90 S. Ct. 247; [Lowe v. U.S.](#), 407 F.2d 1391 (9th Cir. 1969).

I hope this satisfactorily answers your inquiry.

Sincerely,

Hubbard W. McDonald, Jr.
Assistant Attorney General

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