

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211-1549
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

June 21, 1994

John G. Frampton, Esquire
Attorney at Law
Post Office Box 430
Summerville, South Carolina 29484

Dear Mr. Frampton:

You requested whether S.C. Code Section 23-1-215 would authorize agreements between law enforcement agencies in different jurisdictions for purposes of combatting illegal drug activity. Such provision states in Subsection (A).

In the event of a crime where multiple jurisdictions, either county or municipal, are involved, law enforcement officers are authorized to exercise jurisdiction within other counties or municipalities for the purpose of criminal investigation only if a written agreement between or among the law enforcement agencies involved has been executed... (emphasis added)

Subsection (B) grants an officer working outside his jurisdiction law enforcement authority "for the purpose of investigation, arrest or any other activity related to the criminal activity for which the agreement was drawn." (emphasis added). Subsection (D) states "(t)he agreement shall terminate at the conclusion of the investigation for which it was executed." In State v. Harris, 299 S.C. 157, 382 S.E.2d 925 (1989) the State Supreme Court referenced Section 23-1-215 as providing a means of extending the jurisdiction of a law enforcement officer beyond the territorial limits of his jurisdiction.

John G. Frampton, Esquire

Page 2

June 21, 1994

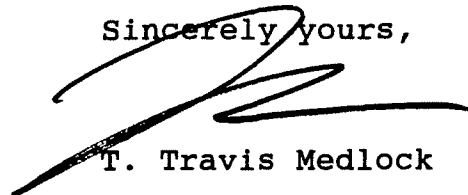
It is generally recognized that illegal drug activity requires enhanced law enforcement efforts. See, e.g., S.C. Code Section 14-7-1610 (authorization for the state grand jury to investigate drug offenses). In many cases drug offenses have significance in more than one jurisdiction. Cooperation between law enforcement agencies is a means of responding to illegal drug activity. Moreover, we have been informed that several law enforcement agencies in this State have entered into multi-jurisdictional drug enforcement agreements pursuant to Section 23-1-215.

CONCLUSION

Drug dealers have no respect for jurisdictional lines. Where the drug trade is involved, law enforcement must have every tool available at its command. Multi-jurisdictional drug enforcement agreements are thus essential. Counties must work with cities and adjoining counties must work together. Accordingly, Section 23-1-215 may be construed to authorize agreement between multiple law enforcement agencies for drug enforcement purposes.

With kindest regards, I am

Sincerely yours,



F. Travis Medlock

TTM:kws