



Office of the Attorney General

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August 29, 1986

Chief J. P. Strom
S. C. Law Enforcement Division
P. O. Box 21398
Columbia, South Carolina 29221

RE: Columbia College (#2411)

Dear Chief Strom:

Attorney General Medlock has referred your letter of August 26, 1986, with the attached letter from Columbia Chief Wilbur dated July 13, to me for inquiry and reply.

It appears that Chief Wilbur recently met with Joe Mitchell, Vice President for Business Affairs at Columbia College. One problem was that city streets run through the campus, and at times when college is in session, according to Chief Wilbur, individuals will park on the street adjacent to the dormitories and shout obscenities to the students that reside therein.

Columbia College is currently licensed under the Private Detective and Private Security Agencies Act, Sections 40-17-10, et seq., and their security guards are granted arresting authority and the power of sheriffs as provided for therein. Section 40-17-130 provides as follows:

Any person covered by the provisions of § 40-17-90 or properly registered or licensed under this chapter who is hired or employed to patrol, guard or render a similar service on certain property shall be granted the authority and power which sheriffs have to

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make arrest of any persons violating or charged with violating any of the criminal statutes of this State, but shall have such powers of arrest only on the aforementioned property.

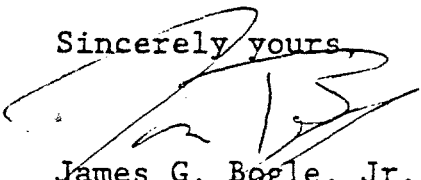
From the above, it would appear that the authority of the private security officers is limited to, in this case, property owned by the College. See also, 1976-77 Opinion of the Attorney General, No. 77-234, page 175. Officers employed by the College would have to seek assistance from the City Police for offenses occurring on public streets, or other places not owned by the College.

If they observed an offense occurring off College property, they could make an arrest within the same constraints placed upon any other private citizen. For example, Section 17-13-10 allows a private citizen to arrest a felon or thief upon view of a felony committed, certain information that a felony has been committed, or view of a larceny committed. Further, Section 17-30-20 allows any citizen to make an arrest of any person in the nighttime where the latter has committed a felony, has entered a dwelling house with evil intent, has broken or is breaking into an outhouse with a view to plunder, has in his possession stolen property, or is under circumstances which raise just suspicion of his design to steal or commit some other felony, and flees when he is hailed.

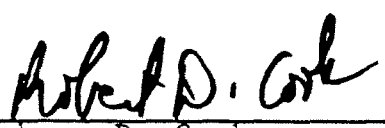
The only alternative of which I am aware to upgrade the arrest authority of private security guards licensed through SLED would be to amend the statute.

If further information is needed, please do not hesitate to contact me.

Sincerely yours,


James G. Bogle, Jr.
Assistant Attorney General

JGBJr/fc
APPROVED BY:


Robert D. Cook
Executive Assistant for Opinions