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summary

The State of South Carolina



Office of the Attorney General

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ATTORNEY GENERAL

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April 29, 1985

James R. Metts, Ed. D.
Sheriff of Lexington County
Lexington County Sheriff's Department
Post Office Box 639
Lexington, South Carolina 29072

Dear Jimmy:

In a letter to this Office you questioned whether a private citizen is permitted to carry a nunchaku either on his person or in a vehicle. You questioned whether the result is different depending upon whether the weapon is concealed or in plain view.

In prior opinions dated May 23, 1975 and May 13, 1975 this Office advised that there was no specific statutory prohibition against carrying such a weapon. However, reference was made to the statute presently codified as Section 16-23-460 of the 1976 Code of Laws which prohibits the carrying of a concealed weapon. Such provision states in part:

"(a)ny person carrying a dirk, slingshot, metal knuckles, razor or other deadly weapon usually used for the infliction of personal injury concealed about his person shall be guilty of a misdemeanor...."

In an opinion dated August 25, 1978 this Office further advised that:

"... 'nun-chucks' ... (which I understand to be the same as a nunchaku) ... were designed for the purpose of inflicting serious bodily injury or death upon a person by striking him. In this regard, a 'nun-chuck' would appear to be a weapon sufficiently deadly or dangerous to militate in favor of prohibiting an individual from carrying it concealed about his person."

REQUEST LETTER

Continuation Sheet Number 2
To: James R. Metts, Ed. D.
April 29, 1985

Therefore, in response to your question, there do not appear to be any prohibitions to a person possessing in any manner a nunchaku unless such is concealed as prohibited by Section 16-23-460.

If there are any questions concerning the above, please contact me.

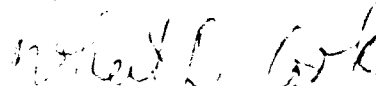
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR:djg

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions