

1983 WL 181862 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 26, 1983

*1 The Honorable Alex Harvin III
The Majority Leader
Post Office Box 266
Summerton, SC 29148

Dear Representative Harvin:

In a recent letter to the Attorney General, you requested that we advise you as to whether or not this Office has issued any guidelines concerning the utilization of police informants. We have not.

Your letter also outlined a particular factual situation involving the use of a police informant and you asked for our comments thereabout.

An 'informant,' of course, is one who is a witness to a crime, one who is an accomplice to a crime, or one who actually observed the fruits or instrumentalities of the crime. [People v. Mitchell](#), 292 N.Y.S.2d 968, at 971. As is true with other witnesses, an informant's credibility is always subject to challenge; consequently, we feel that the better practice by law enforcement authorities when using a police informant is to provide, where appropriate and when circumstances permit, corroboration in some form whether by testimony from another witness, documentary evidence, or a recording device.

Kindest personal regards,

C. Tolbert Goolsby, Jr.
Chief Deputy Attorney General

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