

1983 S.C. Op. Atty. Gen. 62 (S.C.A.G.), 1983 S.C. Op. Atty. Gen. No. 83-41, 1983 WL 142712

Office of the Attorney General

State of South Carolina

Opinion No. 83-41

July 12, 1983

\*1 The Honorable Samuel R. Foster  
Member  
House of Representatives  
532-A Blatt Building  
Columbia, SC 29211

Dear Representative Foster:

You have asked at what point is an arrest warrant releasable under the South Carolina Freedom of Information Act?

An arrest warrant becomes a matter of public record upon its being signed and served on the person charged under the warrant. The arrest warrant remains a matter of public record unless and until the charge under the warrant is expunged, as required by South Carolina Code of Laws (1976), Section 17-1-40, which states as follows:

Any person who after being charged with a criminal offense and such charge is discharged or proceedings against such person dismissed or is found to be innocent of such charge, the arrest and booking record, files, mugshots, and fingerprints of such person shall be destroyed and no evidence of such record pertaining to such charge shall be retained by any municipal, county or state law enforcement agency.

I have also enclosed several prior opinions of this office which may be of further assistance to you in the matter.

With kindest personal regards, I am  
Sincerely yours,

T. Travis Medlock

1983 S.C. Op. Atty. Gen. 62 (S.C.A.G.), 1983 S.C. Op. Atty. Gen. No. 83-41, 1983 WL 142712

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.