

1980 WL 121202 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 1, 1980

\*1 Honorable Frank Powell  
Sheriff  
Richland County  
Post Office Box 143  
Columbia, South Carolina 29201

Dear Sheriff Powell:

In a letter to this Office you referenced a situation involving individuals who have contracted with private security agencies for the installation of burglar alarms in their homes. You indicated that the alarm systems would terminate at the private security company who would then contact the sheriff's department if such alarms were activated. You have specifically asked whether the sheriff's department could be held liable civilly or criminally for entering onto private property in response to a call from an individual other than the owner of the property, e.g., the referenced security agency?

Clearly, the sheriff's department is generally obligated to respond to calls for assistance or to investigate possible criminal activity. As to the situation referenced above, in order to minimize any possible liability, it is suggested that written authorization be obtained from all individuals utilizing the security company's alarm system. Such authorization should expressly state the right of the sheriff's department to investigate calls received from the security company as to possible criminal activity at the residences of such individuals. However, it cannot be said that such authorization would relieve absolutely the sheriff's department from all possible liability arising out of an investigation under such circumstances. Furthermore, it would appear that the sheriff's department should investigate such calls from a security company even if prior authorization has not been obtained. However, obviously any authorization from an individual for the sheriff's department to make such investigations would be advantageous and therefore should be sought.

With best wishes.

Sincerely,

Charles H. Richardson  
Assistant Attorney General

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