

1977 WL 37015 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 13, 1977

\*1 Ms. Alice O. Key  
870 Beacon Hill Road  
Columbia, South Carolina 29210

Dear Ms. Key:

I have spoken with Ms. Catherine Lever of the Society for Prevention of Cruelty to Animals. She has informed me that you left your dog, a white-haired scotty, in your car with the window only slightly cracked for approximately forty (40) minutes in front of the Food Town on Bush River Road. Ms. Lever said that the animal was whining, barking, and trying desperately to get out of the direct sunlight. She said it seemed to be suffering greatly.

Section 6-4, Code of Laws of South Carolina, 1962, as amended, provides as follows:

Whoever overloads, overdrives, overworks, tortures, torments, needlessly mutilates, cruelly kills, ill-treats, deprives of necessary sustenance or shelter, or inflicts unnecessary pain or suffering upon any animal or causes the same to be done, whether such person be the owner of such animal or have the charge or custody of it, shall, for every such offense, be guilty of a misdemeanor and be punished by imprisonment in jail not exceeding thirty days or by a fine not exceeding one hundred dollars.

Moreover, Section 6-5, Code of Laws of South Carolina, 1962, as amended provides as follows:

Every owner, possessor or person having the charge or custody of any animal who:

- 1) Cruelly drives or works it when unfit for labor;
- 2) Cruelly abandons it;
- 3) Carries it, or causes it to be carried, in or upon any vehicle or otherwise in an unnecessarily cruel or inhuman manner; or
- 4) Knowingly or wilfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind:

Shall, for every such offense, be guilty of a misdemeanor and shall be punished for every such offense in the manner prescribed in Section 6-4.

Ms. Lever and I have had several conversations regarding your situation, and we have decided to forego prosecuting your case, if you are willing to allow Ms. Lever to discuss this problem with you at your convenience. If you would like to accept this offer, please call me at 758-3970 by next Friday, June 17, 1977, so that we can make arrangements.

Sincerely,

Carol Connor Murphy  
Staff Attorney

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