

1979 S.C. Op. Atty. Gen. 130 (S.C.A.G.), 1979 S.C. Op. Atty. Gen. No. 79-93, 1979 WL 29098

Office of the Attorney General

State of South Carolina

Opinion No. 79-93

July 17, 1979

*1 Offenses set forth in [Title 21, USC § 841 \(a\)\(1\)](#) (knowingly distribute drugs) and 843(b) (use of mails in aid of felony) each involves moral turpitude.

The Honorable Richard W. Riley
Governor
The State House
Columbia, South Carolina 29211

Dear Governor Riley:

You have inquired whether or not the crime with which Mr. J. D. Jones, a member of the County Council of Chesterfield County, is charged under an indictment rendered by a federal grand jury (Criminal No. 79-166) involves moral turpitude.

Hr. Jones and two other defendants are charged in the indictment with violation of [Title 21, United States Code, Sections 841\(a\)\(1\)](#) and [843\(b\)](#).

[Section 841\(a\)\(1\)](#) makes it unlawful for any person, except as authorized by law, to knowingly or intentionally manufacture, distribute, dispense or possess with intent to distribute a controlled substance. [Section 843\(b\)](#) makes it unlawful for any person to knowingly or intentionally use the mails in facilitating an act constituting a felony under the provisions of [Title 21](#). The offenses involved constitute a felony under federal law. The drugs involved are Schedules II; and IV, which warrant a lesser penalty under federal law than do Schedules I and II, but the offenses charged are, in my opinion, offenses involving moral turpitude.

Mr. Jones is charged in other counts of the indictment with violation of other provisions of the Federal Code, but these are primarily of a related nature and have not been further considered herein.

Very truly yours,

Daniel R. McLeod
Attorney General

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