

1978 WL 34845 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 11, 1978

**\*1 RE: Involuntary Manslaughter**

Mr. Francis K. Sullivan  
Executive Secretary  
Office of Charleston County  
Legislative Delegation  
P. O. Box 487  
Charleston, S. C. 29403

Dear Mr. Sullivan:

You have inquired whether the crime of involuntary manslaughter is considered a felony in South Carolina.

Blackstone in his Commentaries on the Laws of England, Book 4, page 193, states that manslaughter, voluntary and involuntary, was a felony at common law. See also, [State v. O'Shields, 163 S.C. 408, 161 S.E. 692 \(1931\)](#). South Carolina Code of Laws, 1976, Section 16-1-10, classifies 'manslaughter', as defined in Section 16-3-50, as a felony. Section 16-3-50 defines manslaughter but makes no distinction between voluntary and involuntary manslaughter. However, the Supreme Court of South Carolina has held that Section 16-3-50 includes both crimes. [State v. Barnette, 218 S.C. 415, 63 S.E.2d 57 \(1951\)](#).

It would therefore appear that involuntary manslaughter is classified as a felony in South Carolina.

I hope that this has been of some assistance to you.

Very truly yours,

Katherine W. Hill  
Assistant Attorney General

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