

1975 WL 29720 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 15, 1975

\*1 Mr. Edward J. Kiernan  
President  
International Conference of Police Associations  
1239 Pennsylvania Avenue, S.E.  
Washington, D. C. 20003

Dear Mr. Kiernan:

We are in receipt of your letter in which you requested information as to whether or not South Carolina had enacted legislation which would prohibit police officers from political activity. There is no South Carolina statute which would prohibit a police officer from seeking elective office, campaigning for political candidates, or joining a political organization.

However, the police department may promulgate its own rules and regulations to prohibit political activity and these guidelines would control the police officer's activity. In the absence of any regulation or policy by the agency employing the individual which would prohibit political activity, a police officer would not be restricted in his political activity.

In addition, if the officer is paid in whole or in part by federal funds, or if his job is related to an activity which receives federal funds, he would come within the provisions of the Hatch Act and determinations of permissible political activity must be made by the Office of General Counsel for the United States Civil Service Commission in Washington, D. C.

Very truly yours,

Treva G. Ashworth  
Assistant Attorney General

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