

1974 WL 28047 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 11, 1974

*1 The Honorable William G. Callow

Judge

County Court, Branch #2

Waukesha County

515 West Moreland Boulevard

Waukesha, Wisconsin 53186

Dear Judge Callow:

Thank you for your letter of February 5, 1974, raising the following questions:

1. Is your bail act in need of revision?

The answer to this in South Carolina is yes.

2. Do you feel a Uniform Bail Act should be drafted?

I am inclined to think that this question may be answered in the affirmative, although there are undoubtedly special requirements in the various states, such as South Carolina, relating to release on bail, and which are not common to other states. At the same time, I feel that exceptions, such as those not infrequently made in Uniform laws by the various states, may be interposed to provide for unique applications of state law. Moreover, a Uniform Act would serve as an impetus to the states to undertake reappraisal of their bail release procedures. I believe also that a Uniform Act would tend to lessen the likelihood of federal interference and criticism of an irrational state by state approach to a fundamental constitutional right.

3. If a Uniform Bail Act were drafted, that you approved, would you support its passage in your state?

Yes.

Very truly yours,

Daniel R. McLeod

Attorney General

1974 WL 28047 (S.C.A.G.)