

1974 WL 27641 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 21, 1974

***1 In Re: Drug Law, Forfeited Vehicles**

Detective K. Dale Strong
Narcotics Division
Charleston County Police Department
Charleston, South Carolina 29405

Dear Mr. Strong:

You have inquired generally as to the proper course of action that should be taken by police officers when a vehicle is seized in connection with the unlawful transportation of drugs under Act 346 of 1973—particularly when the seized vehicles is owned by someone other than the occupants at the time of seizure.

It appears to me that such vehicle should be impounded in every case by the police, and a petition prepared and filed with the court of common pleas—with the required notice to all parties of interest. It is the statutory duty of the court—not that of the police—to make a finding of fact relative to the forfeiture of the impounded car.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

1974 WL 27641 (S.C.A.G.)

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.