

1974 WL 27683 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 27, 1974

*1 Mr. William F. Able
Acting County Attorney for Richland County
2020 Hampton Street
P. O. Box 4069
Columbia, South Carolina 29240

Dear Mr. Able:

You have requested this Office to provide an opinion concerning Section 55-8.1 of the Code of Laws of South Carolina, 1962, as amended. You ask whether the Director of the Department of Corrections may make the Service time Credit for prisoners who work seven (7) days a week applicable to prisoners confined in county jails and prison camps.

As you are aware the entire area of allowing good time credits in order to reduce sentences to be served by prisoners in this State is governed solely by statute. There is no other authority for reducing a sentence imposed by the Court. I am enclosing a copy of Opinion No. 3407 dated November 9, 1972, and found in 1971-72 Ops. Atty. Gen. at page 278. As you can see this Office has previously concluded that the provisions of Section 55-8.1 are not available to prisoners in custody in county jails and prison camps.

In this connection I would also call your attention to the recent decision of the South Carolina Supreme Court in [McLawore v. State](#), 257 S.C. 413, 185 S.E.2d 250, concerning allegations of denial of equal protection of law due to difference in conditions between county prisons and the State Department of Corrections. I hope this has answered your questions and if there is anything further that I can do, please let me know.

With kind regards,
Yours very truly,

Emmet H. Clair
Assistant Attorney General

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