

1974 WL 27732 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 29, 1974

**\*1 Re: Police Dogs**

Honorable M. H. McDonald  
Assistant Chief of Police  
Georgetown Police Department  
Georgetown, South Carolina

Dear Mr. McDonald:

During our recent telephone conversation, you requested that I advise you concerning any legal problem that might arise from one of your officers using a police dog during routine city patrols.

There are no State laws or statutes which have any bearing on this question and as far as I can determine, the use of police dogs by a City Police Department is a matter of internal policy of that particular Department.

As I indicated on the telephone, the individual police officer who uses a dog on patrol would be subject to civil liability in the event that the dog were to bite or molest a member of the general public, while being used on the patrol. Additionally, whether or not the dog could or should be used in apprehending a criminal suspect is a factual question, and would depend entirely upon the circumstances involved.

I hope this sufficiently answers the questions which we discussed on the telephone and if I can be of any further assistance in this matter, please do not hesitate to contact me.

Very truly yours,

Ellison D. Smith, IV  
Assistant Attorney General

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