

1973 WL 27072 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 21, 1973

\*1 The Honorable Allen P. Carter  
State Senator  
Post Office Box 487  
Charleston, South Carolina

Dear Senator Carter:

The bill creating the Charleston County Substance Abuse Commission prohibits membership thereon of persons who are directly involved in any current or proposed substance abuse treatment or educational programs or in law enforcement—. The general meaning of the phrase 'directly involved' can appropriately be considered to be: in a direct manner without anything intervening; not by secondary but by direct means.

In practical application, this would appear to preclude membership of a teacher who instructs in an educational program involving substance abuse. The extent of the teacher's participation in this activity may vary and thus it would be difficult, if not impossible, to precisely state in what circumstances the teaching of a substance abuse course or program would prohibit the teacher from being a member of the Commission. Thus, a public school course may occasionally concern substance abuse, but if this activity is so random or sporadic that it is only on occasions included in the entire course, it is my view that the teacher, in these circumstances, would not be precluded from membership.

The same thing is true with respect to law enforcement. At some point, the degree of participation would cease to be direct involvement, but it is impossible to state with precision when that point is reached. In each of these instances, it is my suggestion that a separate treatment of each factual case should be presented for consideration.

With respect to COPRA, it is my information that this is a loose-knit militant organization which some individuals have characterized as the same general type as the Black Panthers and the Weathermen.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

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