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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY MCMMASTER
ATTORNEY GENERAL

August 26, 2003

The Honorable Ted Shehan
Mayor, City of Pickens
P. O. Box 217
Pickens, South Carolina 29671

Dear Mayor Shehan:

In a letter to this office you indicated that the City of Pickens would like to contract its victim services with the Pickens County Behavioral Health Services for the provision of victim services. You asked whether such contract is authorized.

This State's Victim and Witness Service Program is established pursuant to the provisions of S.C. Code Ann. Sections 16-3-1505 et seq. (2003). Responsibilities for law enforcement agencies as to victims are clearly established. For instance, Section 16-3-1525 requires law enforcement agencies to notify victims upon the arrest or detention of a person accused of committing an offense involving one or more victims. Such duties are consistent with the intent of the legislature as expressed in Section 16-3-1505 in enacting the provisions to ensure that "...the rights and services extended in this article to victims of and witnesses to a crime are honored and protected by law enforcement agencies, prosecutors, and judges in a manner no less vigorous than the protections afforded criminal defendants."

While numerous duties are imposed on law enforcement agencies in protecting victims' rights, I am unaware of any provision that would allow the City of Pickens to contract its victim services with the Pickens County Behavioral Health Services. Instead, such duties outlined in the referenced provisions are clearly law enforcement responsibilities.

If there are any questions, please advise.

Sincerely,

A handwritten signature in cursive script that reads "Charles H. Richardson".

Charles H. Richardson
Senior Assistant Attorney General