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The State of South Carolina  
**OFFICE OF THE ATTORNEY GENERAL**

CHARLES MOLONY CONDON  
ATTORNEY GENERAL

March 1, 1999

Tounda Smith  
Jail Administrator  
Hampton County Detention Center  
900 Cemetery Road  
Post Office Box 633  
Hampton, S.C. 29924

Dear Ms. Smith,

Thank you for your request for an opinion from this Office, which has been referred to me for a response. You write that a municipality within Hampton County fails to provide the information required by South Carolina Code Section 16-3-1525 during the booking process at the Hampton County Detention Center.

South Carolina Code Section 16-3-1525( C ) says:

A law enforcement agency, upon effecting the arrest or detention of a person accused of committing an offense involving one or more victims, *must* provide to the jail, prison, or detention or holding facility having physical custody of the defendant, the name, mailing address, and telephone number of each victim.  
(emphasis added)

The language of the statute is clear. The law enforcement agency may use no discretion in determining when the above referenced information is to be provided. The name, mailing address, and telephone number of any victim must be given to the detention center during the booking process. Failure to comply is a violation of South Carolina law. Redress for this violation is a writ of mandamus in circuit court.

Should a law enforcement agency have any questions regarding the application of this Code Section to the booking procedure at your detention center, you may refer them to this letter.

*Request Letter*

With kind regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to read 'RDC', written in a cursive style.

Robert D. Cook

Assistant Deputy Attorney General