

5219 Liberty

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3970
FACSIMILE: 803-253-6283

August 30, 1993

Robin D. Rucker, Chief of Police
Wagener Police Department
P. O. Box 408
Wagener, South Carolina 29164

Dear Chief Rucker:

In a letter to this Office you questioned the authority of a municipal judge to order community service.

S. C. Code Section 14-25-75 states

Any municipal judge may suspend sentences imposed by him upon such terms and conditions as he deems proper including, without limitation, restitution or public service employment.

While the term "public service employment" is somewhat ambiguous, such could probably be construed as including community service. Moreover, such provision states that a municipal judge may suspend "upon such terms and conditions as he deems proper" including, but not limited to restitution or public service employment. A prior opinion of this Office, Opin. No. 90-24, a copy of which I am enclosing stated that a municipal judge "would be authorized to impose work details or public service work as part of the suspended sentence of a fine imposed ... subject, of course, to ... minimum sentence requirements."



Desmet Letter

Chief Rucker
Page 2
August 30, 1993

If there is anything further, please advise.

Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR/an
Enclosure

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions