

1982 WL 189444 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 27, 1982

*1 Mr. Gerald L. Haulbrooks
1565 Sam Rittenberg Boulevard
Charleston, South Carolina 29407

Dear Mr. Haulbrooks:

Your letter of September 3, 1982, to Mr. McLeod has been referred to me for response. We have re-examined the opinion issued to Ms. Elsie Kirby on July 21, 1981, in which we found that it would be a violation of the dual office holding provisions of the South Carolina Constitution for a person to serve concurrently as a member of the St. Andrews Parks and Playground Commission and as probation officer, and have concluded that the decision reached in that opinion was correct. We initially had some concern with the correctness of the portion of the opinion concerning probation officers, but our review of the case of [State v. Crenshaw](#), 266 S.E.2d 51 (1980), which held that a policeman is an officer in the context of [§ 16-9-220, Code of Laws of South Carolina](#), 1976, has reaffirmed our conclusion in that regard.

We suggest that you contact the attorney for the St. Andrews Parks and Playgrounds Commission about taking action on this since it is a local matter. You can pass along a copy of our opinion and this letter, or we will be happy to send them to him if you will provide us with his name and address. We feel that he should take the appropriate action on this matter.

Very truly yours,

Helen T. Zeigler
Assistant Attorney General

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