

1977 WL 37308 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 13, 1977

**\*1 In Re: Bonds for Officers Section 17-259**

Honorable J. L. Altman, Jr.  
Chief of Police  
City of Beaufort  
Post Office Box 889  
Beaufort, South Carolina 29902

Dear Chief Altman:

Your letter of March 18 addressed to the Attorney General has been referred to me for reply.

I am sure that it is only reasonable to construe Section 17-259 as requiring a bond that would be responsive to the claim of a member of the public who might be injured or damaged by the action of a police officer and that the section does not refer to what is commonly called an 'honesty' bond.

Section 17-259 does not state the amount of the bond required. The least bond that I have ever heard of is in the amount of \$500, and I seriously doubt if any bonding company would now be interested in issuing such bond. However, in answering your question, the law does not specify a minimum, and I know of no case law that sets a minimum.

In reply to your next to last paragraph, it is my opinion that service of a search warrant by an officer who is not bonded would constitute an invalid search.

Yours very truly,

Joseph C. Coleman  
Deputy Attorney General

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