

1976 WL 30744 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 25, 1976

*1 Mr. George O. Compton
Coordinator of Supportive Services
S. C. Department of Youth Services
P. O. Box 21487
Columbia, South Carolina 29221

Dear Mr. Compton:

This letter is in response to your inquiry of March 10, 1976, concerning the liability of the Department of Young Services for damages to a privately owned vehicle inflicted by a student. It is my conclusion that the Department, as an entity, is not liable.

South Carolina courts continue to recognize the immunity of the State from suit without its consent. In the absence of legislative authorization waiving sovereign immunity, the Department is not liable to an individual citizen in the instances you have outlined. See [Brazell v. City of Camden](#), 238 S.C. 580, 121 S.E.2d 221 (1961); [Morris v. South Carolina State Highway Department](#), 264 S.C. 369, 215 S.E.2d 430 (1975).

I should note that I have not considered instances involving the operation of a motor vehicle by a student.

Trusting this is of some assistance to you, I am
Very truly yours,

Sidney S. Riggs
Assistant Attorney General

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