

1975 WL 28916 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
June 13, 1975

*1 Carrol G. Heath
Staff Superintendent
Aiken Police Department
Post Office Box 4477
Aiken, SC 29801

Dear Mr. Heath:

Attorney General McLeod has referred your letter concerning the Freedom of Information Act to me for reply. This Office has previously rendered the Opinion that police records, such as a 'jail book', most probably come under the purview of the Freedom of Information Act and therefore should be open to the public. This would include those records relating to who has been incarcerated or charged with a criminal offense. Copies of these opinions are enclosed for your inspection.

Please bear in mind that accident reports made by the persons involved in such accidents are made confidential by operation of Section 46-333 and Section 46-335 of the 1962 South Carolina Code of Laws. Also, records relating to juveniles who are before the Family Court are made confidential unless otherwise specified by the Family Court judge. Section 15-1095.40, 1962 South Carolina of Laws, as amended. Other than records of this type which are expressly made confidential, Section 1-20.2 of the South Carolina Code of Laws expressly provides that all public records as defined in the Freedom of Information Act shall be open to inspection and copying during the regular business hours of the custodian of the records.

I hope this will be of some assistance to you, and if additional information is needed, please do not hesitate to call upon this Office.

Very truly yours,

Donald V. Myers
Assistant Attorney General

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