

J.D. CHAPLIN
SENATOR CHESTERFIELD,
DARLINGTON, LEE, MARLBORO &
SUMTER COUNTIES
SENATORIAL DISTRICT NO. 29



SENATE ADDRESS
GRESSETTE BUILDING
COLUMBIA, SC 29201
TEL: (843) 858-0264
EMAIL: JDCHAPLIN@SCSENATE.GOV

Dear General Wilson,

It has come to my attention that a national non-profit group is sending individuals to a South Carolina municipality to engage in "volunteer patrols" following resignations by the municipality's police chief and police force¹.

Such quasi-law enforcement activity by an out-of-state, non-profit group raises serious legal questions.

According to public reports², the patrols will focus on:

- *Conducting community safety patrols.*
- *Engaging with residents to provide support and encouragement.*
- *Minimizing safety incidents, particularly around schools.*

I strongly believe in the rule of law and keeping our citizens safe.

However, I am concerned about this non-profit's actions because they appear to be an unlawful usurpation of the municipality's police powers.

On several occasions, the Attorney General has opined that government police powers may not be delegated. (See 1980 WL 121077 (S.C.A.G.)) (A public streets and public property) and (2010 WL 3505050 (S.C.A.G.)) (Citing multiple attorney general opinions for the proposition that governmental entities are precluded from delegating their police powers to individuals or private entities.)

Is it the opinion of your office that a non-profit engaging in quasi-law enforcement activities usurps a municipality's police powers?

Thank you for your attention to this important matter. If you have any questions, please do not hesitate to contact me.

Sincerely,
J.D. Chaplin

¹ <https://www.wmbfnews.com/2024/12/03/mccoll-community-uncomfortable-by-national-nonprofit-patrolling-their-community/>

² <https://us.fundsforngos.org/news/national-nonprofit-sends-volunteer-patrols-to-mccoll-amid-community-crisis/>