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ACLU disputes sheriff's restriction

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Colleton County Sheriff George Malone might be exceeding his authority by forbidding off-duty employees from frequenting local nightclubs and bars, the executive director of the South Carolina ACLU said Wednesday.



Malone (left), Middleton (right)

Malone this week warned employees that they could be fired if they go inside bars or nightclubs within the county while off the clock. Malone said the restriction has long been department policy and that he reminded employees of the policy Monday night after hearing rumors that some employees have been frequenting area bars and nightclubs.

Victoria Middleton, executive director of the state American Civil Liberties Union in Charleston, said the Sheriff's Office policy and Malone's interpretation of the policy appear to be overly broad.

"It may infringe on (employees') First Amendment right to association," she said.

Malone said Wednesday that the ACLU's stance doesn't change anything.

"I don't have a reaction to it," he said. "They have their opinion and I've got mine."

Colleton's policy, last revised in 2006, reads that: "Except in the line of duty, employees shall not visit any bar, tavern, lounge or other establishment suspected by law enforcement as being a place of actual or probable law violation or a place that is frequented by known criminal elements."

Malone said he interprets the policy to say that employees may not visit any bar or club in the county, but they can still drink at local restaurants and in bars outside of the county. That's how he plans to enforce it, he said.

The sheriff said he doesn't understand why the issue is "a big deal." Many of the county's violent and deadly shootings have either started or occurred at some of the local bars and nightclubs, and many suspected gang members hang out there, he said.

"I thought most people would understand that and agree with it," he said.

Colleton County is the only sheriff's office in the Lowcountry to regulate where employees can drink or hang out while off duty.

The sheriff's offices in Charleston, Berkeley and Dorchester counties do not prohibit employees from drinking at nightclubs or bars, as long as they're not in uniform or on duty.

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