

# OFFICE OF THE ATTORNEY GENERAL

83-00004



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ATTORNEY GENERAL  
STATE OF ALABAMA

OCT 1 1982

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Honorable Fitzhugh A. Burttram  
District Attorney  
Thirtieth Judicial Circuit  
P. O. Box 525  
Oneonta, AL 35121

District Attorneys - Dogs - Funds

District Attorney's Office can use donated contributions to train a marijuana sniffing dog for use in law enforcement purposes. Ownership of said dog should be in District Attorney's Office since the dog is used in law enforcement purposes.

Dear Mr. Burttram:

This office is in receipt of your letter of September 7, 1982, regarding a young German Shepard dog that was given to an investigator in your office. In your letter you requested an opinion from this office on the following two questions:

1. Where should ownership of this dog be, in the office or in the name of an individual?
2. Numerous people in both counties want to contribute to the cost of training this dog. Under Title 12-17-220-C it would appear that we could use contributions to train and maintain this dog.

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In answer to your first question, it is the opinion of this office that the ownership of the dog should be in the office of the District Attorney to possibly preclude any individual from being liable for any actions of the dog.

In response to your second question, it is the opinion of this office that Code of Alabama 1975, §12-17-220(c) allows the District Attorney to use contributions for law enforcement purposes which would certainly include the training of a dog to locate marijuana for law enforcement purposes.

I hope we have fully answered your questions, and if we can be of any further service to you, please do not hesitate to call upon us.

Sincerely yours,

CHARLES A. GRADDICK  
ATTORNEY GENERAL

By-



DONALD G. VALESKA II  
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CAG/DGVII/mr