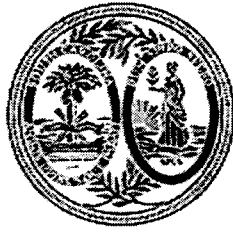


State of South Carolina

Spartanburg County Courthouse
180 Magnolia Street
Spartanburg, S.C. 29306
Phone (864) 596-2575
Fax (864) 596-2386



Cherokee County Courthouse
Floyd Baker Blvd.
Gaffney, S.C. 29340
Phone (864) 487-2576
Fax (864) 487-2753

TREY GOWDY
Solicitor, Seventh Judicial Circuit

COPY

September 23, 2009

The Honorable Mayor Sallie Peake
City of Wellford
Post Office Box 99
127 Syphrit Road
Wellford, SC 29385
(VIA FACSIMILE (864) 439-2437 AND U.S. MAIL)

Dear Mayor Peake:

Attached is a copy of my request to the Attorney General to review the policy implemented September 2, 2009. As I stated to the Attorney General, I am concerned the policy puts law enforcement in the untenable position of choosing between honoring their sworn duties and following administrative policy.

To the extent this policy resulted from an increase in workers' compensation policy rates for Wellford City Police Officers, both the Sheriff and I are happy to help the City of Wellford raise the monies necessary to fully cover your officers.

Wellford is a wonderful community full of caring and industrious people. My fear is that a "no foot chase" policy will not only hamstring officers, but also encourage and embolden criminal elements because of a misplaced sense that law enforcement will not fully and actively pursue criminal conduct.

If I can help address the workers' compensation policy coverage I am happy to try and help. In the mean time, I would respectfully request you rescind your "no foot chase" policy until such time as the Attorney General can address my concerns.

Sincerely,

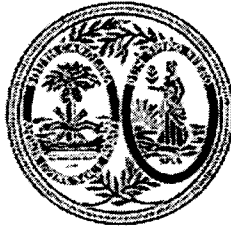
A handwritten signature in black ink, appearing to read "Trey Gowdy".

Trey Gowdy
SOLICITOR

cc: TG:sop
Enclosures:

State of South Carolina

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TREY GOWDY
Solicitor, Seventh Judicial Circuit

COPY

September 23, 2009

Attorney General Henry McMaster
Post Office Box 11549
Columbia, South Carolina 29211
(VIA FACSIMILE (803) 253-6283 & U.S. MAIL)

Dear Attorney General McMaster:

Enclosed is a copy of the Town of Wellford's new "no foot chase" policy as promulgated by Mayor Sallie Peake. I am concerned this policy puts sworn law enforcement officers in a position of potentially not being able to carry out their sworn duties to protect the citizenry. The policy clearly prohibits the chasing and apprehension of "suspects" so it is implied in the Mayor's policy itself that probable cause or an articulable suspicion already exists.

It is worth noting this policy does not cover automobile chases as I fully understand various law enforcement agencies are free to balance the dangers of high speed chases with the desire and duty to apprehend fleeing felons. This policy clearly implicates foot chases and is likely to encourage resisting arrest, fleeing from law enforcement, and in my judgment puts officers at more risk than if they were able to pursue fleeing felons.

We are asking your office for an opinion on whether or not this policy violates the duties sworn law enforcement officers are sworn to uphold and whether or not this policy obstructs the fair administration of justice.

Sincerely,

A handwritten signature in black ink, appearing to be "Trey Gowdy".

Trey Gowdy
SOLICITOR

TG:sop
Enclosure:

City of Wellford
127 Sypbrit Road
P. O. Box 99
Wellford, SC 29385
864-439-4875
Fax: 864-439-2437
Email: administration@cityofwellford.com

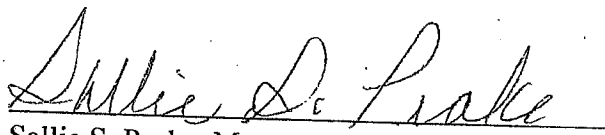


Sallie S. Peake, Mayor
Madison James, Council
Patricia Watson, Council
Lola Jackson, Council
Glenna Holcombe, Council

MEMO

To: All Police Officers
From: Mayor Sallie Peake
Subject: Chasing Suspects
Date: September 2, 2009

As of this date, there are to be no more foot chases when a suspect runs. I do not want anyone chasing after any suspects whatsoever.


Sallie S. Peake, Mayor