

# NEWS RELEASE

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## Columbia SC FBI Covers Up Federal Offenses

**Phoenix, AZ (March 19, 2004)** FBI, Columbia SC, Chief Division Council Thomas O'Neill continues South Carolina Cover Up.

A letter written by Thomas E. O'Neill, Chief Division Council of the FBI in Columbia, SC has been received, (see below) wherein O'Neill refuses investigation of twenty one allegations of federal and state offenses without a single look at the available review evidence and with reference to a prior complaint not involved in this complaint at all. The documents he refers to are available in the public location at <http://www.rollovermartin.com>.

O'Neill, *"In order for the FBI to initiate an investigation of any complaint we receive, specific facts must be present to indicate that a violation of federal law within our investigative jurisdiction has occurred."* The complaint document, available in the public location lists not only the charges alleged, but the reasons for the charges being alleged, which if evidence were to prove true (and it does) the specific facts are not only present, they are outstanding for violations of federal law.

Facts, evidence and proof beyond any doubt of the commission of crimes within the FBI's investigative jurisdiction have been provided to the FBI and the Justice Department through a secure online location. NO law enforcement personnel have ever attempted to gain access to those records. The documents and evidence contained in an open online location have been reviewed by hundreds of persons and media representatives, yet not once has the FBI attempted to review the evidence publicly available.

O'Neill, *"As you recall, in 2002, you provided similar information to our office and were advised that this matter did not warrant investigation by the FBI."*

No, Hempfling was advised that matter was not a 'current threat on your life' and would therefore not be investigated. That complaint had absolutely NOTHING to do with the present complaint. Both complaints are available online in the public location for review by any citizen concerned about the level of law-enforcement ethics in this administration. O'Neill obviously, simply looked up previous correspondence and ruled without looking at any evidence or reading either complaint.

A complaint filed with the FCC in 2002 was likewise excused without reason.

O'Neill, *"Unfortunately, the additional information you provided March 10, 2004, failed to convince me that our earlier decision was made in error."*

The problem is that the current information is NOT AT ALL relevant to the previous complaint. It is not AT ALL the same issue. The current document includes federal offenses of the staff of **Senator Lindsey Graham of SC (R)**, the **EEOC** and the **South Carolina NAACP**. The document "reviewed" by O'Neill is an allegation listing with direct private secure access to the details and facts and documents proving each count alleged. O'Neill failed or refused to look at the evidence and instead, as-

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sumed, which could not have been done had O'Neill actually READ the complaint and would only have been done if the intent was NOT to investigate, regardless of the evidence.

O'Neill, *"Additionally, it would appear that your complaints are being addressed by the Equal Employment Opportunity Commission and , possibly, by the Federal Communications Commission. "*

The complaints are **AGAINST the EEOC** for twenty one counts of FEDERAL AND STATE OFFENSES where it is also being covered up. The FBI's refusal to investigate through assumptions without reading the complaint and without reviewing the evidence and by responding in a blatant lie (comparing the two complaints as one) places O'Neill in complicity with the crimes committed and implicates the Columbia FBI office in a cover up of federal offenses.

The FBI's refusal to investigate FEDERAL OFFENSES within the FEDERAL GOVERNMENT is a travesty of justice.

The South Carolina Governor's office received the complaint, signed for it in certified mail, then promptly failed to log it into their mail log and have never responded to the request for its location.

The South Carolina Attorney General's office representative Robb McBurney, wrote an email to someone within that department and said the following: *"I don't recall this. it could be one of those calls that Marian forwards to me from time to time, but i don't have any record of it. I will call him back and find out what it was that he sent if you like. Let me know."*

That email, obviously not intended to be mailed to Hempfling, was received on March 16, 2004 at 5:07 pm Eastern Time. That is the same day the FBI mailed this letter, dated March 12, 2004.

Hempfling's response asked, *"If no record was kept of the phone call, which took place as indicated in the letter copied below, then what was the purpose of telling me I would receive a return phone call with an update as to where the case document was?"*

McBurney is the person Hempfling spoke with on the phone who promised to follow up and find the complaint.

On March 17, 2004 at 12:42 Eastern Time, 'Amy' of the SC AG office called Hempfling and left a message. The return call resulted in this *"...was trying to find if she had the documents in her office...wondered what it was about...she was told about the <http://www.rollovermartin.com> site and she said she would have one of their attorneys review the site contents but most likely they would refer*

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*such a thing to the FBI for investigation as well."*

Of course they would. The FBI Columbia is **COVERING UP** the SCNAACP, the EEOC and **Senator Lindsey Graham** in a landmark reverse discrimination case that should scare the life out of every citizen.

*"If this letter was the result of the inability to review the documents I would call it simple incompetence." Said Hempfling. "But it is much worse than that." He said.*

*"O'Neill purposely mixed two completely different complaints, both serious in nature, in order to excuse the second complaint without a single look at the available public evidence, let alone the private secured evidence. O'Neill knowingly is excusing high federal crimes in the destruction of civil rights by the EEOC, the SCNAACP and their members and middle management and the staff of SC Senator Lindsey Graham. O'Neill is knowingly thwarting justice in what can only be a continuation of the cover up of this case by South Carolina politics."*

Mr. O'Neill's office was given this case through U.S. Attorney J. Strom Thurmond's office but did not reply from that referral. The complaint was therefore faxed to O'Neill. His response came from the fax, not from the referral. And now, the SC Attorney General's office can continue the cover up by referring to O'Neill's refusal to investigate.

Mr. Thomas E. O'Neill has committed the worst infraction of his office he ever could. He has refused evidence in a continuation of the cover up a series of federal offenses.

Federal Rules of Evidence: Rule 401 Definition of "Relevant Evidence": "Relevant evidence" means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. The FBI failed to review the "Relevant Evidence" and just as the USDOJ Civil Rights Division, ruled against the evidence without ever viewing it.

Although Rule 1002. Requirement of Original: requires the original writing, recording, or photograph, except as otherwise provided in these rules or by Act of Congress, the information provided to the FBI was scanned copies of originals in a secured online location as providing originals to the FBI would be detrimental to the case and no assurance of the return thereof would be justified and review of the evidence for investigation does not require originals. The failure of the FBI to even look at the evidence provided shows prejudice in refusing to honor the charge allegations and continuing the cover up of these crimes by South Carolina and federal officials.

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U.S. Department of Justice

Federal Bureau of Investigation

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In Reply, Please Refer to  
File No.

Columbia, SC 29210-3857  
March 12, 2004

Lee Kent Hempfling  
P.O. Box 6932  
Apache Junction, AZ 85278

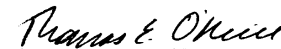
Dear Mr. Hempfling:

I have received the communications you sent via facsimile to the Federal Bureau of Investigation (FBI) on March 10, 2004.

In order for the FBI to initiate an investigation of any complaint we receive, specific facts must be present to indicate that a violation of federal law within our investigative jurisdiction has occurred. As you will recall, in 2002, you provided similar information to our office and were advised that this matter did not warrant investigation by the FBI. Unfortunately, the additional information you provided on March 10, 2004, failed to convince me that our earlier decision was made in error. Additionally, it would appear that your complaints are being addressed by the Equal Employment Opportunity Commission and, possibly, by the Federal Communications Commission. Therefore, I regret that we are unable to provide any assistance to you.

You may, however, wish to consult an attorney of your own choice to determine what, if any, legal options you may have concerning this matter. If you do not have an attorney, you may want to contact your local chapter of the American Bar Association or Legal Aid Society for possible assistance.

Sincerely,

  
Thomas E. O'Neill  
Chief Division Counsel

**Keywords:** Radio Broadcasting Industry, WCOO, Charleston, South Carolina, Equal Employment Opportunity Commission, Governor Mark Sanford, Richard Perry, Jean Price, Senate Staff, Federal Communications Commission, Department of Justice, L. M. Communications Inc., Senator Lindsey Graham, Cari Dominguez, FBI .

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### About The Case

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During February to March, 2002: a white program director (Hempfling) tried to promote a part-time, black female disk jockey, (Patricia 'Trish' Thompson), to a full time job at WCOO, Charleston SC (an urban oldies radio station): then from March through July of 2002: tried to hire her back to a full time job, after she resigned because of the radio station's prior discrimination. Station management refused promotion and hire. Hempfling was harassed for it and eventually fired by the station for agreeing with and supporting her rights under Title VII of the Civil Rights Act of 1964, as amended.

Thompson filed a complaint with the EEOC through the NAACP. Hempfling filed a complaint with the EEOC directly. Thompson's case was settled in May of 2003. Hempfling's case was ignored, then destroyed by the EEOC in order to: A: Secure her preferential settlement from the radio station, and B: Protect the radio station's license renewal filing.

The radio station filed fraudulent license renewal and EEO forms with the FCC claiming Hempfling's case to be for a charge it was not; listed an incorrect case number and informed the FCC that his case had not had further action by the EEOC. L.M. Communications Inc., owner of WCOO also swore to the statement that no complaints were pending before the FCC. A complaint to the FCC for seven rule and law violations was filed with the FCC on August 13, 2002 and resubmitted February 11, 2004. That complaint is now in the hands of Daryl Duckworth of the FCC Enforcement Bureau and has been accessed by Ed Gauthier of FCC. A subsequent complaint challenging the authenticity of the station license renewal and EEO form submissions was acknowledged by the FCC on February 11, 2004.

Hempfling's case had indeed seen further action as the EEOC Program Manager who handled both cases met with him in August of 2003 to discuss the case, after months of correspondence in government email. Graham's office's inquiry caused an instant contact, followed shortly thereafter by a meeting in a hotel lobby with the EEOC Program Manager.

Nearly five months after the inquiry, Senator Graham's office, having been asked twice to forward the case to the Justice department, sent the complaint letter follow up (not the original complaint) outside of official government mail to the EEOC Charlotte office. That document contained records of the evidence in the case and witness contacts and was confidential information. Ac-

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### About The Case

ording to staffer Ms. Price, in her words, she "used my own money" to send the document to EEOC. Although in public record, former prosecutor Graham should have known better.

In January 2004 Hempfling filed a formal complaint with numerous federal and state officers showing 21 federal felony violations. The Criminal Department of the Civil Rights Division of the Department of Justice did not look at the evidence (which was provided to all recipients through an Internet secure server) yet ruled the filing did not violate Hempfling's civil rights. United States Attorney J. Strom Thurmond's office referred the case to Tom O'Neill, Chief Division Counsel for the FBI in Columbia SC who is now covering up the case.

The secure username and password given only to Cari Dominguez of the EEOC wound up in the hands of an unauthorized person, who attempted to gain access to the secure server, but was caught and stopped.

The EEOC advised Hempfling that the very person who committed most of the felonies in the case had been put back in charge of his case. They blamed the reason for any 'delay' in the supporting documents provided to them. Those documents weighed over two pounds, including a CD with an audio recording and showed beyond any intelligent review that the radio station had committed a clear-cut series of violations.

A cover-up appears to be underway in South Carolina politics. All letters, documents and FOIA's can be viewed at: [http:// www.rollovermartin.com](http://www.rollovermartin.com) Detailed evidence remains secured online for law enforcement and legal access only.

Access to a PDF copy of the fax sent to O'Neil is available to the media, as is O'Neill's private access username and password to review the secured location for what O'Neill decided was not worthy of his attention.

#### **For Additional Information, Contact:**

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<http://www.civilrightsfordummies.com>

\*All calls are returned.