News Release

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UNITED STATES ATTORNEY'S OFFICE REFERS ALLEGATIONS TO CHIEF DIVISION COUNSEL OF THE FEDERAL BUREAU OF INVESTIGATION IN SOUTH CAROLINA

KEYWORDS: Radio Broadcasting Industry, WCOO, Charleston South Carolina, Equal Employment Opportunity Commission, Federal Communications Commission, Department of Justice, L.M. Communications Inc., Senator Lindsey Graham

Phoenix, Arizona (February 11, 2004) In a letter dated February 9, 2004, the day after receiving an emailed copy of the press release announcing "US Attorney J. Strom Thurmond will not return Hempfling's telephone call", Assistant United States Attorney Nancy C. Wicker has informed Mr. Hempfling that Tom O'Neill, Chief Division Counsel for the FBI in South Carolina has been informed of the 'continued interest in having this matter investigated'.

According to Wicker, the document containing 21 federal felony counts received by Thurmond's office was not forwarded to the FBI as the document indicated a copy was sent to FBI Director Mueller.

Wicker further states that if O'Neill's office has not received the document from Director Mueller the SC United States Attorney's office will 'be happy to funish him with a copy.'

The Plaintiff appreciates the response from Thurmond's office and the manner in which that office's involvement in the case has been resolved.

The United States Department of Justice Criminal Section of the Civil Rights Division responded February 2, 2004 by informing Plaintiff that without a single review of the evidence they were afforded access to: "We have carefully reviewed the information which you furnished. However, we have determined that your complaint does not involve a prosecutable violation of federal criminal civil rights statutes. Accordingly, we are unable to assist you."

The "information which you furnished" consisted of highlights from evidence in a 21 count accusation 'information' document, and a private username and password with direct URL for access to an extensive collection of evidence.

The copy of that document and the cover letter sent to The United States Department of Justice Criminal Section of the Civil Rights Division was returned rejected by the post office due to a 'closed box'. If the The United States Department of Justice Criminal Section of the Civil Rights Division received the document it would have come from R. Alexander Acosta, Assistant Attorney General in charge of the Civil Rights Division. If their failure to access the evidence was because they were not provided the cover letter, with access location and credentials Acosta must answer as to why.

The only access to the secured evidence location came from an AT&T internet dial up access account based in Charlotte SC, originating from Fayetteville SC using private credentials provided only to Cari Dominguez, Chair of the EEOC. Access was not successful as the server carried a misspelled username. Further access by the EEOC credentials has been banned.

Acosta's delivery confirmation is on file, as is Mueller's delivery confirmation.

Response has not been forthcoming from South Carolina Governor Mark Sanford, South Carolina Attorney General Henry McMaster, North Carolina Attorney General Roy Cooper, Department of Justice Attorney General John Ashcroft, FBI Director Mueller, USDOJ Civil Rights Division Assistant Attorney General R. Alexander Acosta, FCC Chair Michael Powell, USDOJ Inspector General Glenn Fine and EEOC Chair Cari Dominguez. All recipient confirmations are on file.

February 9, 2004 US Attorney Letter
February 2, 2004 Civil Rights Division Letter
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