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# Urgent FAX

FROM: Alonzo R. Brinkley, Sr.  
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TO: The Honorable Nikki R. Haley  
Office of the Governor  
1205 Pendleton Street  
Columbia, SC 29201  
Phone: 803.734.2100  
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Director Bryan P. Stirling  
South Carolina Department of Corrections  
4444 Broad River Road  
Columbia, SC 29210

DATE: February 27, 2015

PAGE #: 3 including fax cover

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RE: Abuse of Power by State Public Officials and Employees / Public Corruption

February 26, 2015

Alonzo R. Brinkley, Sr.  
5713 Barham Crossing Drive  
Wake Forest, NC 27587

The Honorable Nikki R. Haley  
Office of the Governor  
1205 Pendleton Street  
Columbia, SC 29201

**RE: Abuse of Power by State Public Officials and Employees / Public Corruption**

Dear Governor Nikki Haley,

I would like to inform you of what I consider an abuse of power by public employees under your authority and possible public corruption for failure to mitigate the abuse by senior officials at the South Carolina Department of Corrections (SCDC). In short, when an inmate has SCDC Warden (Tyger River) prior approved text books and curriculum materials from a SCDC approved University (i.e. University of Ohio – College Program for the Incarcerated), and then charged with an 832 Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (STG) or STG Activity for having said material, something is fundamentally wrong. Factually, there were 5 written items that SCDC based the charge. Three (3) of the 5 items are questions taken verbatim from the SCDC/ Warden prior approved Astronomy text book from Ohio University College Program for the Incarcerated. One (1) question was about religious history. The final written item was a poem. *(Note: My son Alonzo Brinkley is registered and attending Ohio University College Program for the Incarcerated. He is in pursuit of a bachelorette degree and one of the elective courses he has to take was Astronomy. All course material is approved for distribution to the inmate by the Warden upon delivery to the institution from the University.)*

Although this sounds implausible and you may feel like dismissing it out-of-hand as a complaint from someone who is just generally upset with SCDC, this is exactly what happened. My son committed a crime which is why he is incarcerated. There are a number of things that one has to overlook because it is just the environment that he is in. However, this is such a blatant overreach that it just has to be brought to light. I absolutely believe that this is an abuse of power by a public official (i.e. the SCDC Disciplinary Hearing staff who refused to look at the text book as proof presented at the hearing.) I did bring this to the attention of Director Bryan P. Stirling and his staff in writing prior to the Disciplinary Hearing (aka DHO) and requested their intervention. However, there was no response back from him or his staff and there was no intervention. I believe I am correct that it is considered public corruption when a senior governmental official is aware of but does not intervene and stop an offense committed by his or her staff. Your website instructs citizens to make you aware of both which is why I am reaching out to you.

In this interest of government transparency and fact checking, please have your staff listen to the tape recorded Disciplinary Hearing held Wednesday, February 25, 2015 at 10:00 AM EST at Tyger River Correctional Institute, 200 Prison Road, Enoree SC for inmate Alonzo Brinkley II (SCDC # 271143). The hearing is supposed to be recorded in accordance with section 12 of the SCDC Policy / Procedure Manual dated July 1, 2012. Hence, the recording by policy should be available to you ... unedited, un-redacted ... for your staff to review and evaluate. Governor Haley, I truly regret having to escalate this up to you as the CEO of the State of South Carolina. It seem foolish to have to do so especially since it seems so obvious that one should not receive a STG charge for having

materials approved and distributed to the inmate by the same governmental agency that is bringing the charge. I tried to resolve this at a lower level by sending a letter before the hearing as I stated above. Also I would have come to South Carolina to have a sit down with Director Stirling to walk through this and other matters. However I was previously told by his staff that Director Stirling does not verbally communicate or meet with citizens when I tried to schedule a meeting before. Hence, the reason I am appealing to you.

I would like to close with a few thoughts. First, this is so out of bounds it begs the question of whether or not there is some other underlying motive. I believe it has to do with religion although the SCDC personnel profess, almost too much, otherwise, which you will notice on the tape recording of the hearing. My son is Baptist which is clearly indicated in the SCDC database. He is not Rastafarian. However, he teaches business, economics and history to the Rastafarian class. Every member of the Rastafarian religion class received the same charge on the same day ... same exact wording ... with nothing distinguishing one person from another ... painted with a broad brush. I would also like to point out that Rastafarian religion is a recognized religion and approved by SCDC. And even though my son is not a Rastafarian, this appears to be religious discrimination *prima facie* particularly since everyone in the Rastafarian class was charged with the same offense. In addition, the charges were brought by the Chaplains. Further there was a state employee who lied on the record that it was not all of the Rastafarians. There are only eight and they all got charged with the exact same violation. This is easily verifiable by looking at SCDC electronic records. Please check the date and time stamping on the electronic audit trail just to make sure there are no changes. It is my understanding that Tyger River Correctional Institution has a history of shutting down or interfering with the Rastafarian religion class which is in violation of the First Amendment right of the US Constitution and upheld by the appeals court in a challenge of this right being applicable to incarcerated individuals.

Second, my son received a 225 day disciplinary privilege restriction which means he cannot have visitation, phone, and canteen and perhaps other items in which I am unaware. This should be removed immediately without an appeal. I plan to do everything I can to have this squashed and I am asking for your help.

Third, I am requesting a meeting with you or your appointee. I would like to take you through a number of obvious items that should cause SCDC and the State of South Carolina concern. These include the non uniform application of penalties impose by hearing officers. All the data needed to make the point is available on the SCDC website. The data is there if you care to use it and it is easy enough to write an algorithm and apply analytics to uncover the disparities. And, then the only question is why? Perhaps the underlying problem is the self policing of the disciplinary hearings with no or limited executive oversight or review. You have employee hearing officers who are friends with or reporting to or who are dating the employees who are the complainants. This is an obvious conflict which should put the entire DHO process under suspicion. SCDC employees do not feel that they are at any risk in false reporting because it is extremely rare that the charge is overturned even when patently false as is the case here.

Please let me know who I should contact to schedule a meeting with your office as soon as possible. I am very flexible.

Respectfully,



Alonzo R. Brinkley, Sr., MBM

(m) 203 671 1101 / (h) 919 263 1042

*sent via fax and certified mail return recipient required to Governor Haley and SCDC Director Stirling*