

From: Adams, Chaney <ChaneyAdams@gov.sc.gov>
To: Gross, Rachelrachel.gross@slate.com
Date: 6/18/2015 3:04:19 PM
Subject: Re: Urgent Slate Reporter Query on Confederate Flag in Capitol Complex

See bolded language below.

Title 1 - Administration of the Government

CHAPTER 10

Removal and Placement of Confederate Flag

SECTION 1-10-10. Flags authorized to be flown atop State House dome, in chambers of Senate and House of Representatives and on grounds of Capitol Complex; members' offices as "chambers"; private individual wearing, carrying or displaying flag on capitol grounds.

(A) As of 12:00 noon on the effective date of this act, and permanently thereafter, the only flags authorized to be flown atop the dome of the State House, in the chambers of the Senate and House of Representatives, and on the grounds of the Capitol Complex shall be as authorized in this section.

The flags authorized to be flown atop the dome of the State House and in the chambers of the Senate and House of Representatives are the United States Flag and the South Carolina State Flag. As of 12:00 noon on the effective date of this act, the flag authorized to be flown at a designated location on the grounds of the Capitol Complex is the South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee's Army) the South Carolina, Georgia, Florida Department version]. This flag must be flown on a flagpole located at a point on the south side of the Confederate Soldier Monument, centered on the monument, ten feet from the base of the monument at a height of thirty feet . The flagpole on which the flag is flown and the area adjacent to the monument and flagpole must be illuminated at night and an appropriate decorative iron fence must be erected around the flagpole.

The South Carolina Infantry Battle Flag of the Confederate States of America is square measuring fifty-two inches on each side, inclusive of the white border, with a St. Andrews Cross of blue, edged with white, with thirteen equal five-pointed stars, upon a red field, with the whole banner bordered in white. The blue arms of the cross are 7.5 inches wide and the white border around the flag proper is 1.5 inches wide. The stars are five-pointed, inscribed within a circle six inches in diameter, and are uniform in size.

From any funds appropriated to the Budget and Control Board, the Division of General Services of the Budget and Control Board, or its successor in interest, shall ensure that the flags authorized above shall be placed at all times as directed in this section and shall replace the flags at appropriate intervals as may be necessary due to wear.

(B) The provisions of this section may only be amended or repealed upon passage of an act

which has received a two-thirds vote on the third reading of the bill in each branch of the General Assembly.

(C) The term "chambers" of the House or Senate for the purposes of this section does not include individual members' offices. The provisions of this section do not prohibit a private individual on the capitol complex grounds from wearing as a part of his clothing or carrying or displaying any type of flag including a Confederate Flag.

HISTORY: 2000 Act No. 292, Section 1.

SECTION 1-10-20. Confederate Flags from above rostrums of Senate and House of Representatives chambers to be placed and displayed in State Museum.

The actual Confederate Flags (Naval Jack) removed from above the rostrum in the chambers of the House of Representatives and the Senate must be placed and permanently displayed in a suitable location in the State Museum.

HISTORY: 2000 Act No. 292, Section 1.

SECTION 1-10-30. Confederate Flag from dome to be placed and displayed in State Museum.

The actual Confederate Flag (Naval Jack) which is flying on the effective date of this act and which is removed from the dome of the State House must be placed and permanently displayed in a suitable location in the State Museum.

HISTORY: 2000 Act No. 292, Section 6.

On Jun 18, 2015, at 2:48 PM, Gross, Rachel <rachel.gross@slate.com> wrote:

Chaney, we also have sources that cite that in the past, Governor Haley has directed, ordered, and requested that flags be flown at half-staff. How can that be, if she does not have authority to alter the flag? If she can only request that the General Assembly do so, has she requested that they do so in this case? A quick response would be greatly appreciated.

Sources citing times when Governor Haley directed or requested flags be flown at half-staff:

<http://sc.halfstaff.org/>

<http://www.governor.sc.gov/News/September2013/Pages/default.aspx>

-Rachel

On 6/18/15, 2:23 PM, "Adams, Chaney" <ChaneyAdams@gov.sc.gov> wrote:

Quote from Haley press secretary, "In South Carolina, the governor does not have legal authority to alter the flag. Only the General Assembly can do that."

On Jun 18, 2015, at 1:51 PM, Gross, Rachel <rachel.gross@slate.com> wrote:

Hello Chaney and Brian,

This is Rachel Gross, a reporter at Slate. I know you're both swamped, but we're writing on the question of why the Confederate flag flown on the grounds of the Capitol Complex and I wanted to make sure I get my facts correctly. I had a few questions. My deadline is 2:30 p.m. today, and I'd greatly appreciate if you could get back to me so I don't misstate anything in the article. Please feel free to call me at 714.932.0595. Thank you so much!

Questions:

1. Is this flag treated the same as South Carolina state flags in the Capitol Complex? (Lowered at the same times, etc)

2. What past tragedies, if any, has this flag been flown at half-staff for since its location moved in 2000? If none, then why not?

3. Is it typically flown at half-staff on holidays such as Memorial Day and Veteran's Day? If not, then why not?

4. Are there any plans for this flag to be flown at half-staff in response to the shooting tragedy? If not the governor, who would have to authorize this?

5. Are there any plans to remove this flag in the near future, given the controversy over the symbolism of the Confederate flag in 2000 and the dwindling number of people in the state who support its use?

Thank you so much for any and all information!

Best,

Rachel