

To:

Governor Nikki Haley,

My name is Dena Rowan. I am writing to you with this letter of concern. This is a complicated issue and just as complicated to explain. In 2014, I was charged with a DUI. During this time I was homeless and living in my car for the most part. I was sleeping in my car when a person whom I knew ( Jamie Marcengill) got into my car and took my keys out of my purse and proceeded to drive the car. While he was driving, he struck another vehicle on the highway and which was the reason I woke up. Still unsure of what exactly had happened, Jamie had pulled to the shoulder of the road and forced me to drive. He had been under the influence of alcohol and illegal substances, in which later he admitted to S.C. State Patrol. Jamie had a history of physical violence with me and had been reported to authorities numerous times. So I wasn't going to argue with him as I was afraid I would be hurt again. So I got behind the wheel and started driving. Moments later I'm being pulled over. Later I find that it was because someone called in the hit and run. I had never been in any trouble before. Jamie was a known felon. I don't understand but we were both charged in this situation. I performed a field sobriety test and complied with what the officer directed of me. However, now I am the one facing the DUI charge and he was dismissed from all charges. How is this possible.

1. The officer drove up to 111 mph to locate my vehicle once the call came in. I have a copy of the video.
2. The officer asked if he could search my vehicle, I responded no and I wished to have an attorney.
3. Officer searches vehicle anyway, and claims it was an inventory search. By law a warrant has to be issued before a search, and if it is an inventory search, items cannot be used against a person in court.
4. The officer walked me out in the right hand lane of moving traffic to perform test. There was sufficient room in camera view on the shoulder.
5. As the officer/s are searching my car they have the camera turned on me in the front seat of the patrol car, and not on them.
6. The officers find a firearm under the seat and place it back in the car after they conclude inventory. Why would they leave a weapon ( that was not mine ) unsecured by placing it back in the vehicle? Are they not supposed to secure it until it can be verified and given back to the owner?

7. Jamie admitted to everything on video, and he was later charged with resisting, and trying to escape. How was it that a felon was able to get out of all these charges, and leaving me holding the bag?

I was forced into a situation that I had no control over. Still to this day I have made more than a half dozen court appearances, and the DA has not had their case ready. I currently live in Alabama with my husband who has to take time from the Army to bring me to Spartanburg to get this matter settled. My court appointed attorney for the open container charge told me in the beginning that this would be dropped. It has not been dropped. There was no evidence of any open container listed, or found. But I am charged with it and a DUI. I informed the officer of the prescribed medication I had taken, but had not taken in several hours. However, I was not intending on operating my vehicle, as to the reason I was sleeping.

There are several instances in which the state patrol who are to protect the public, " Department of Public Safety" jeopardized not just the general public by their excessive speeds, but to myself during the test, and by placing a loaded weapon back into a vehicle to be towed, and yet I am being charged with two crimes.

My attorney James O'Connell is having a difficult time reasoning with the DA and the Judge. Discovery was not submitted on time by first DA assigned to the case, and yet here I am still faced with a trial date again on August 31<sup>st</sup>.

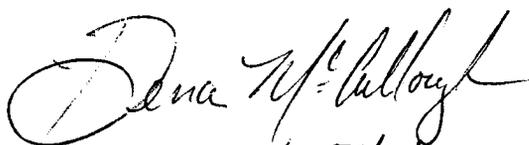
Governor Haley, can you please help me?

Also, one of the arresting officers testified at a divorce hearing from my last marriage of my DUI. How does he have the right to do this? I have not been convicted. His testimony over that lost me custody of my son. This isn't fair. I have never done anything wrong and the ones who have get off. I don't understand this at all.

Thank you very much for your time.

Sincerely,

Dena Rowan McCullough



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