

Alamance County

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Clyde B. Albright
County Attorney
August 19, 2010

Samantha Trepel, Esq.
Special Litigation Section, Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Re: Investigation and Public Records Request

Dear Ms. Trepel,

I have received your letter and Mr. Saucedo's letter.

I deny interfering with the DOJ investigation.

Both you and Mr. Saucedo have made it clear that this matter is headed to litigation. Your letters are signed with your title, "Trial Attorney" and are sent under the letterhead of the "Special Litigation Section". Since you are conducting a pre-litigation investigation, I have a duty to represent the Sheriff and deputies and a duty to investigate the allegations of the DOJ under Rule 11. I also have a right to request documents under Chapter 132 of the North Carolina General Statutes and under the Federal Freedom of Information Act in order to conduct a complete and thorough investigation. North Carolina law allows me to ask for public records and I find it extremely odd that you would see this as an interference with your investigation or an attempt to "chill speech".

I believe you have completely misread North Carolina 2005 FEO 5. I represent the County and the Sheriff. The deputies are also my clients because of the authority they have to bind the Sheriff through their acts or omissions. Therefore, since I represent the Sheriff I also represent the deputies and you are barred by Rule 4.2 from communicating with them unless I am present for the interviews.

I am also a bit puzzled why you accuse me of violating the federal antitrust statutes which have absolutely nothing to do with your investigation.

In any event, you may recall that the reason the earlier visit was postponed was due to questions raised by a local newspaper article which referenced an e-mail from the political advocacy group "Fairness Alamance". It now appears that several weeks before your scheduled visit with the Sheriff, Fairness Alamance had actually visited the Alamance Community College and attended four English as a Second Language classes allegedly looking for "witnesses" to manufacture a case against the Alamance County Sheriff and informed the students at these classes of your 1-800 number and e-mail address. Leaflets were passed out and were posted on the campus bulletin boards.

Under these new and changed circumstances I insisted that the schedule proposed by you be postponed and rescheduled until a later time. Local political advocacy groups should not, in my opinion, be a part of such an investigation.

The original records have been available in the Sheriff's conference room at 109 South Maple Street since your visit of June 15th, 2010. The copies of the records have been available since June 20th, 2010. Please send to my attention a signed original of your latest draft of the Confidentiality Agreement along with your Fed Ex number and desired delivery address. Upon receipt I will have the 11,000 pages of documents and the electronic copy of the computer records shipped to you.

Again, I deny delaying your investigation. My goal in responding to your investigation in this manner is to allow the matter to proceed in a more ordered fashion and protect the rights of all concerned, including my clients and other local law enforcement now working under the cloud of your investigation.

After your review of the records perhaps you can tell us if a law enforcement officer has done something wrong in Alamance County. We can perhaps then agree to a schedule that will better manage the investigation from this point forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Clyde B. Albright", with a long horizontal flourish extending to the right.

Clyde B. Albright
Alamance County Attorney