



U.S. Department of Justice

Office of Justice Programs

*Office for Civil Rights*

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Washington, D.C. 20531

June 3, 2014

Vance J. Bettis, Esq.  
Gignilliat, Savitz & Bettis LLP  
900 Elmwood Avenue, Suite 100  
Columbus, SC 29201

Re: Notice of Closure  
**██████████ v. S.C. Judicial Dep't and Sumter County Sheriff's Office (14-OCR-29)**

Dear Mr. Bettis:

Thank you for the Position Statement that you submitted to the Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice (DOJ) on behalf of your client, the South Carolina Judicial Department (SCJD), in connection with the administrative Complaint that ██████████ (Complainant) filed with the OCR. In her Complaint, the Complainant alleges that on January 8, February 5, and June 17, 2013, three separate bailiffs at the Sumter County Court of Common Pleas told the Complainant, who practices Islam, that she must remove her head scarf in order to enter the courtroom.<sup>1</sup> The Complainant also alleges that on February 5, the head bailiff at the courthouse came to speak to her and verbally harassed her. The Complainant alleges that the bailiffs who tried to prevent her from accessing the courtroom along with the head bailiff discriminated against her based on race and religion.

In a letter dated March 26, 2014, the OCR notified the SCJD of the Complainant's allegations and requested a Position Statement responding to the allegations. In our letter, we noted that it was unclear at that time who the bailiffs are employed by.

The OCR is responsible for enforcing federal civil rights laws that prohibit agencies receiving DOJ financial assistance from discriminating in the delivery of services on the basis of race, color, national origin, religion, sex, disability, or age.

In your April 11, 2014, Position Statement, you stated that the only personnel assigned to the Sumter County Courthouse who are employees or agents of the SCJD are judges, judges' administrative assistants and law clerks, and court reporters. You further stated that in each county in South Carolina, the clerk of court has charge of the county courthouse and may appoint bailiffs, and that the sheriff in each county is also authorized to appoint deputies and bailiffs. You

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<sup>1</sup> On January 8 and February 5, after telling the Complainant that she could not enter the courtroom with her head scarf on, the bailiffs spoke to the presiding judge who ultimately allowed the Complainant to enter the courtroom without removing her head scarf. On June 17, after the bailiff told her she could not enter the courtroom the Complainant immediately left to try to locate the clerk of court.

Vance J. Bettis, Esq.

June 3, 2014

Page 2 .

said that bailiffs and deputies are not agents and employees of the SCJD but rather are agents and employees of the county sheriff or clerk of court who appointed them.

Based on the information that you provided, it appears that the individuals who allegedly discriminated against the Complainant are not employees of the SCJD. Accordingly, the OCR is closing the administrative Complaint against the SCJD.

Thank you for your cooperation in this matter. If you have any questions, please contact OCR attorney Shelley Langguth at (202) 305-2353.

Sincerely,

X *Michael L. Alston*

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Michael L. Alston

Director

Signed by: MICHAEL ALSTON