

STATE OF SOUTH CAROLINA



S.R. HUBBARD III

SOLICITOR, ELEVENTH JUDICIAL CIRCUIT

December 27, 2019

Sheriff John C. Perry
Saluda County Sheriff's Office
100 Law Enforcement Drive
Saluda, South Carolina 29138

Dear Sheriff Perry,

It has recently come to my attention matters of great concern involving Saluda County Deputy Charles A. Browder. These incidents involved SUSTAINED findings conducted by an Internal Affairs investigation of violating Officer Code of Conduct (Conduct Unbecoming and Treatment of Persons in the Performance of Duty) while he was employed by the Lexington County Sheriff's Department (LCSD). As a result of his actions, Deputy Browder's employment with the Lexington County Sheriff's Department was terminated on December 5, 2017. I am uncertain if you are aware of this investigation and its results; therefore, I am providing you a copy of the 82 page report that was sent to me.

LCSD Internal Affairs Report Number 17IA061, initiated on December 3, 2017 involved Deputy Browder's responding to a suicidal person call. Without getting into all the details of the facts, I will cite the LCSD's IA Investigative Summary:

"On Friday, December 1st at approximately 0800hrs, Deputy Charles A. Browder responded to a call for service at ... in the Gaston/Swansea area for Lexington County, which entailed a female...threatening to kill herself with a firearm stemming from ongoing domestic issues, and her children were present. ...recorded Browder's actions with her cell phone. During the service call, Browder's interactions with...became agitated raising his voice to the point of yelling at her, using profanity (words such as 'fuck' 'fucking' 'damn' 'shit' etc.), as well as, belittling and degrading her mental health

and current marital situation. The video clearly captures these unprofessional actions of Deputy Browder, which he admitted to doing the above acts prior to seeing the video.”

The other LCSD Internal Affairs Investigation was initiated on October 27, 2017 with Internal Affairs Report Number 17IA060. The initial context of this investigation began with an allegation of Deputy Browder having inappropriate contact via social media with a minor child. Again, I will cite the LCSD’s IA Investigative Summary:

“This investigation revealed that Deputy Charles A. Browder had been texting a...and sent...a ‘provocative’ picture of himself. As well, Browder attempted to entice the minor to sneak out of...home to meet with him while he was on-duty; some of this incidents occurred in the early morning hours. There was no evidence discovered that either had actually met or sent sexually explicit images to one another. Browder admitted to the above, and stated it was a ‘mistake and stupid.’

Additionally, during the course of this investigation it was discovered that Browder was texting in a sexually explicit or sexually inappropriate manner while on service calls. He admitted to the following concerning this activity: while on-duty he sent and received these text messages, which included nude or explicit photos of himself (some included him in uniform) and of the other party, meeting with individuals while on-duty and engaging in sexual activities with them. Browder cannot recall how many times these events occurred, as well he cannot remember the last time such activities have taken place.”

Also included was a summary of a December 5th 2017 interview with Browder who admitted the following concerning his text messaging and sexual activities while on-duty:

- While on calls for service he has texted others via multiple social media applications.
- While on duty has sent and received sexually explicit or sexually inappropriate messages.
- Sent nude or explicit pictures of himself (some while he was in his LCSD uniform) to others while on-duty. Does not recall sending any videos.
- Received nude or explicit pictures of others while on-duty. Does not recall receiving any videos.
- Meeting individuals while on-duty after texting in a sexually explicit or inappropriate manner with them while on-duty.
- Meeting with the aforementioned individuals while on-duty, and engaging in sexual acts. Once it occurred roadside.
- Cannot recall when was the last time he met with others while on-duty or uniform for sexual relations.
- Browder advised none of his actions involved persons under the age of 18.

Based on the foregoing, it is my opinion pursuant to **Brady** and **Giglio** that such behavior reflects directly upon Deputy Browder’s ethics, integrity and honesty as a law enforcement officer. I further consider this evidence as exculpatory, impeachable and as

adversely affecting his credibility to testify under oath. As such, my office cannot and will not prosecute any case that may require Deputy Browder's testimony in the prosecution of criminal charges.

If you have any questions or concerns regarding this matter, please do not hesitate to call me at (803) 606-2599.

Sincerely,

A handwritten signature in blue ink, appearing to read "S.R. Hubbard III". The signature is stylized and written in a cursive-like font.

S.R. Hubbard III
Solicitor