

WORDS

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dismissed the case, citing freedom of speech and lack of a license plate. But after viewing the video himself, Police Chief T.J. Chaudoin discussed the incident with Brown and wrote up a report.

Regarding the freedom of speech comment, the chief's incident report reads: "After reviewing the video, I disagree with that assessment. I believe the statement constitutes a hate crime involving fighting words, which is a violation of the law."

"The way I look at that is what he said was totally uncalled for. I look at it as part of a hate crime and fighting words," Chaudoin said.

The case was then turned over to the Greenwood County Sheriff's Office based on jurisdiction as the incident happened in the county.

The investigation

Greenwood County Sheriff Dennis Kelly said the investigation began with reviewing video footage from multiple locations, including Emerald High and a store along the bypass, to determine if reckless driving occurred.

"We specifically looked for signs of reckless driving — swerving, speeding, or any erratic behavior. After careful analysis, we found no evidence to suggest either party was driving aggressively. The footage shows the vehicles traveling normally, with no indication of a dangerous situation," Kelly said.

Brown said she gave her phone to the sheriff's office, along with the video and photos taken, for evidence collection.

"The investigators from Greenwood County were very helpful in gathering and receiving information

regarding the suspect," Brown said.

Kelly said investigators spoke with both drivers. The man has been identified by the sheriff's office as Dennis Allen, a resident of McCormick County.

A different account

According to Kelly, Allen told investigators a different story about what happened and who began the harassment.

"He stated that the other driver (Brown) was tailgating him so closely that he could even see her headlights. He said that when they reached the four-lane road on Highway 225, she pulled up beside him," Kelly said.

As for Allen's racist statement, Allen told investigators he didn't know that Brown was a Black woman.

"He insisted that his words were not meant as a direct attack on the driver, as he allegedly could not see who was in the car due to its tinted windows. He expressed regret over the situation and even said he would be willing to apologize," Kelly said.

After weeks of investigation, Brown was told the sheriff's office dismissed the case.

"I was very disappointed when I was told that the case was dismissed and that the suspect would not be issued a warrant for arrest," Brown said.

Although investigators were professional, she does not think justice was served.

"I was harassed by a white man, and now I haven't been able to get any sleep. I'm constantly looking over my shoulder. They failed me, my family and the community," Brown said.

No charges, no case

Kelly clarified this was never an official case because no charges were ever filed.

"We didn't dismiss the case because it was never officially a case to begin with. We had an incident that was reported, and we conducted a thorough investigation, but at no point were charges filed," Kelly said. "We looked at all available evidence, gathered statements and reviewed video footage before determining that no crime had occurred."

While Kelly agreed the suspect's language was offensive, he said there are no grounds for charges of a hate crime.

"The words used were absolutely offensive and inappropriate. However, under the law, for something to be classified as a hate crime, there has to be more than just words. In this case, there were no threats, no physical actions and nothing in the evidence that met the legal threshold for a hate crime," Kelly said.

Kelly also said there are no other crimes Allen could be charged with.

"We examined every possible charge that could apply in this situation. As far as reckless driving goes, we reviewed video footage from multiple locations, and there was no evidence of erratic or dangerous driving. The only thing we had was the statement he made, and while it was offensive, it didn't meet the threshold for a hate crime, nor did it qualify as harassment or a threat under the law," Kelly said.

Kelly went on to explain that South Carolina does not have specific hate crime statutes that would apply in this case.

"I even consulted with the FBI and our solicitor's office to determine whether any state or federal laws were violated. Their conclusion aligned with ours, no applicable hate crime statute was violated,"

Kelly said.

The video of this incident has gained attention beyond Greenwood County, with many across multiple communities expressing outrage, Brown included.

"It's a big thing, and people all over know about it," she said. "This could have been your daughter, your wife, or your mother," Brown said.

Kelly acknowledged the incident caused significant public concern and urged people to remain calm.

"We understand this situation has upset a lot of people in the community. Let me be clear: we do not condone or accept the use of offensive language toward anyone. However, we have to follow the law. If there had been evidence of a threat or an act of violence, we would have pursued charges. But we can only act within the bounds of the law," Kelly said.

Kelly didn't explicitly state what precedent this situation sets for the community surrounding hate speech, racism or hate crimes, but rather acknowledged the frustration and reinforced the law as it stands now in the state.

"At the end of the day, laws and legislation can't change how people feel, but what we can do as a community is choose to show love instead of hate. Our hope is that Greenwood remains a place where people respect one another, even when tensions run high," Kelly said.

Although Allen faces no criminal charges, Brown said this is nowhere near over.

"I am a strong woman. This story will not be brushed under the rug," Brown said.

Contact Renee Ortiz at 864-943-5643. Follow her on X at: [IJReneeOrtiz](#)

LAWS

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Bill 247.

These two bills were introduced as the result of a mass shooting that occurred in June 2015. Dylann Roof, a 25-year-old self-avowed white supremacist from Columbia, walked into the church, joined a Bible study at Emanuel AME Church in downtown Charleston and opened fire.

He was charged with 33 counts of federal hate crimes, obstruction of religious exercise and firearms charges for gunning down nine Black attendees. Roof was the first federal inmate in South Carolina to be sentenced to death in close to two decades.

The bills were named after Clementa C. Pinckney, who at the time was a state senator and pastor who died at the hands of Roof at Emanuel AME Church.

Efforts to pass these bills have repeatedly stalled in the state Legislature. Both bills would create a hate crime penalty enhancement, which means, if someone commits a violent crime and it's proven they targeted the victim based on bias, they can face additional fines and prison time on top of their original sentence.

What triggers the en-

hanced penalties is if the crime was committed because of the victim's race, color, religion, sex, gender, national origin, sexual orientation, or physical/mental disability, even if the offender was mistaken about the victim's identity.

State Rep. John McCravy said these bills are "too woke" to pass.

"I'm against any kind of crime, especially hate crimes. I'm for enhancing the penalties for all hate crimes, not just a few," McCravy said. "If you have a hate crime against one group that maybe is not as popular as another group, why would you have a greater enhancement against them?"

Asked whether lawmakers would support a more comprehensive approach to hate crime legislation, McCravy agreed that broader protections could make a difference, but did not specify what that would look like in the eyes of the law.

"If it was all-encompassing, I'd be all for it. The problem is it's not. The people that are pushing for hate crime laws want to isolate certain groups and give them more protections than others," McCravy said.

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