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*Also admitted in PA & FL

August 11, 2015

The Honorable Loretta Lynch
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RE: July 26, 2015 Homicide of Zachary Richard Hammond in Seneca, South Carolina

Dear Attorney General Lynch & Director Comey:

In the interest of seeking truth and justice, we hereby request an exhaustive criminal and civil rights investigation into the July 26th killing of Zachary Richard Hammond by Lieutenant Mark Tiller of the Seneca Police Department in Seneca, South Carolina. We believe the investigation will uncover that the actions of Lt. Tiller violated the civil rights of Zachary Hammond.¹ Public trust in our police departments is a matter of the utmost importance. Every time an unarmed suspect is shot and killed by a uniformed officer, it implicates the very integrity of the justice system itself. Zachary was an unarmed 19 year old who was on a first date with his girlfriend when he was shot in the back and killed by Seneca Police Officer Mark Tiller while in the parking lot of a Hardee's restaurant. We believe that this is a case of "*national interest*."²

The reason for this request is plain: to date the purported investigation into Zachary's homicide has been inadequate. For example, we believe a federal investigation will show the following problems surrounding Zachary's homicide:

1. On July 26, 2015, Lt. Tiller shot Zachary twice in the back and killed him. Zachary did not have a weapon. (See the autopsy report attached as Ex. A)
2. Seneca Police Department Police Chief John Covington has made numerous misleading statements which have had a substantial undue prejudicial effect on this investigation. For example he has stated the following:

¹ Please see 18 U.S.C. §241, §242, and §245.

² Please see U.S. Attorney's Manual, Title 8: Civil Rights, 8-3.130.

A. "The officer who shot Hammond was in uniform, assisting an undercover narcotics investigation, and felt threatened when Hammond's car was aimed at him, Covington said." (Emphasis Supplied.)

See the Independent Mail on July 27, 2015.

(<http://www.independentmail.com/news/man-killed-by-seneca-police-officer>)

B. "Seneca Police Chief John Covington says an undercover officer arranged to buy drugs from a woman passenger in Hammond's car. Authorities say Hammond was shot twice in the chest after accelerating toward the officer." (Emphasis supplied.)

See the Bluffton Today on July 27, 2015.

(<http://m.blufftontoday.com/bluffton-news/2015-07-27/sc-police-shooting-rates-15-year-high-after-teen-killed#gsc.tab=0>)

C. "Covington said Tuesday that the car was turning toward the officer and he was in its path. The officer fired through the driver's side window to keep the car from hitting him as it approached from an angle, the chief said. "The car was still coming at him," he said." (Emphasis supplied.)

See the Greenville News on July 28, 2015

(<http://www.greenvilleonline.com/story/news/crime/2015/07/28/parents-teen-shot-police-hire-attorney-investigate-incident/30789613/>)

The independent autopsy of Zachary Hammond which documents the entry points and paths of the bullets that took his life clearly refute these misleading statements. The forensic evidence is the best and most accurate evidence of what occurred on July 26, 2015; *Lt. Tiller shot Zachary twice in the back at a downward angle through the open window of Zachary's vehicle.*

3. On July 29, 2015, Oconee County Coroner Karl Addis stated in front of retired and decorated Greenville Detective J.T. "Buddy" Burgess that Zachary was "murdered." Detective Burgess will testify to this fact under the penalty of perjury. On August 5, 2015, Oconee County Coroner Karl Addis released a statement that, "During the course of my conversations with the Hammond family and their legal representation, I referred to the death of Mr. Hammond as homicide, not murder." (See statement attached as Ex. B.) Oconee County Coroner Karl Addis' statement is false; he did state that Zachary was murdered. Upon information and belief, Oconee County Coroner Karl Addis was pressured to release his false August 5, 2015, statement. *The fact that Lt. Tiller shot Zachary twice in the back at a downward angle through the open window of Zachary's vehicle is why Oconee County Coroner Karl Addis called this a murder.*

4. The Voluntary Witness Statement of [REDACTED] dated July 30, 2015, states that the Officer who opened Zachary's car door and pulled his dead body from the vehicle then went "to the trunk of his police car and pulled (sic) something out. The Officer walked back over to the man on the ground rolled him over to his side, put something underneath his body, and then rolled him back." On August 7, 2015, Lt. Tiller's attorney released a statement that "[a] white powdery substance consistent with powder cocaine was found by the coroner on Mr.

Hammond's person and was taken into evidence by SLED." Upon information and belief the "Officer" who "put something" under Zach's body was his killer, Lt. Tiller. *Zachary's family has reason to be concerned that if cocaine was "found" on Zach's body it may have been planted there by the Seneca Police Department.* (See statement of [REDACTED] attached as Ex. C and the statement of Lt. Tiller's attorney attached as Ex. D.)

5. In February 2014, SLED investigated and then arrested a Seneca Police Department reserve officer, Adam Covington, who is also the son of Police Chief John Covington. He was arrested for misconduct in office and for the alleged theft of a controlled substance. Warrants stated that Covington stole drugs from the Oconee County Detention Center. SLED issued a written report on this matter. *Also, upon information and belief, the passenger in Zachary's car, Tori Martin, had additional criminal information concerning Adam Covington.*

6. Upon information and belief, a police officer with a neighboring police force has confirmed to SLED that member(s) of the Seneca Police Department celebrated the killing of Zachary by desecrating his corpse. *After Zachary had been shot and killed, member(s) of the Seneca Police Department lifted his dead hand and "high fived" Zachary Hammond.* Furthermore, Zachary's body was not properly taken care of at the crime scene. His body was left uncovered for an extended time and was riddled with ant bites. This image is Zachary's family lasting memory of their son.

7. On Friday evening August 7, 2015, Zachary's home was burglarized. The perpetrator was captured on surveillance video. The perpetrator stole juvenile records related to Zachary Hammond. Under South Carolina law, juvenile records are confidential and cannot be released absent a Court order.³ The Seneca Police Department arrested the burglar, but have only returned Zachary's juvenile records piecemeal. Zachary's family believes that this burglary is highly unusual and warrants a thorough investigation .

8. The State of South Carolina has taken actions that the Hammond family believes are an attempt to smear the reputation of their deceased son. Nothing that occurred in Zachary's past can explain why on July 29, 2015, Lt. Tiller shot Zachary twice in the back.

9. After a lengthy delay and after initially refusing to release the name of the officer involved in the shooting, Lt. Tiller's name was finally released publicly as was his Seneca Police Department's personnel file. His file is interesting for what it does not contain. Upon information and belief, the following incidents occurred while Lt. Tiller was employed by the Seneca Police Department and have not been included in his personnel file:

A. Lt. Tiller left his police issued handgun on the trunk of his vehicle and drove off. His handgun was found by a member of the public and returned to the Seneca Police Department;

³ See S.C. Code §63-19-2010.

B. Lt. Tiller lost his K-9 dog for approximately 36 hours; and,

C. While married, Lt. Tiller had an affair with a married female dispatcher in the Seneca Police Department and her husband came to the police station and threatened physical violence against Lt. Tiller.⁴

The failure to document these matters in Lt. Tiller's personal file, if true, show a lack of institutional control and due diligence over this police force. Also, it appears that the Seneca Police Department has a policy of accepting officers who have been "allowed" to resign from other neighboring police forces. The Post & Courier has extensively reported on this strange South Carolina policing phenomenon.

10. The unusual circumstances surrounding the July 26, 2015 shooting:

A. Zachary was unarmed;

B. The Seneca Police Department supposedly has a policy to have guns drawn during minor drug arrests;

C. Zachary was not the target of the drug sting;

D. Zachary had no outstanding warrants, there was no arrest warrant, and there was no suspicion of a weapon being present;

E. The Seneca Police Department did not know Zachary was in the vehicle;

F. The Seneca Police Department did not wait until the purported drug buy took place before making the arrest;

G. The shooting violated national police standards for shooting at allegedly fleeing vehicle;

H. The lengthy delay in releasing Lt. Tiller's name and personal file; and,

I. No dash cam or body cam footage of the July 26th shooting has been released to date.

Based on the above referenced list of concerns, we respectfully request that the Department of Justice investigate the facts and circumstances surrounding the death of Zachary Hammond and the policies, practices and procedures of the Seneca Police Department. We are deeply troubled by the information we have learned concerning the leadership of Chief of Police John Covington. We urge the Department of Justice to swiftly conduct all necessary investigations. The people of South Carolina and Zachary's family need the facts to restore their confidence in their safety from rouge police forces.

⁴ Under South Carolina law adultery is a crime see S.C. Code §16-15-70.

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We look forward to meeting with your prosecutors and the FBI to discuss in detail the numerous issues surrounding the homicide of Zachary. Zachary's family thanks you in advance for your time and assistance. If you have any questions, concerns, or require more information please call.

Sincerely,

s/ Eric S. Bland

s/ Ronald Richter

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(lml)

cc: William "Bill" Nettles, United States Attorney for the District of South Carolina
Mr. & Mrs. Hammond
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