



ALAN WILSON
ATTORNEY GENERAL

March 26, 2024

Dear Solicitors,

I am writing to draw renewed attention to new changes in our bail bond system and important provisions that already existed in our current laws.

As I'm sure you have seen in the news, Laken Riley was a college student in Georgia killed, allegedly, by Jose Ibarra, an illegal immigrant. Before he murdered Riley, Ibarra was arrested and released several times for allegedly shoplifting in Georgia and felony child endangerment in New York. He failed to appear for his Georgia court appearance, and there was a bench warrant for his arrest at the time of the murder.

Last year, the South Carolina General Assembly passed serious, meaningful bond reform. All of us worked very hard to bring about that reform, and now is the time to ensure that it is implemented properly.

H.3532 amended the South Carolina code to provide desperately needed reform to the bond system. It created an additional criminal charge for someone who commits a violent crime while on bond, created an automatic bond revocation process for someone who commits a violent offense or firearm offense while out on bond, and established electronic monitoring standards (GPS monitoring).

Sections 17-15-30 and 22-5-510 of the S.C. Code relate to conditions of release with bail and recognizance. Importantly, South Carolina requires lawful immigration status as a consideration for the court when determining to deny bond. A new provision in this section arose from H.3532 last year. Now, another consideration for the court to make is if the person who committed the crime was currently out on bond for another offense, such as repeated shoplifting.

In the last five years, my office has prosecuted four major drug trafficking rings with unbelievable amounts of fentanyl, methamphetamine, heroin, and other drugs directly from Mexican drug cartels being sold and distributed in South Carolina. To those affected circuits, we appreciate your ongoing partnership and work in those cases.

Fortunately, we have laws that should prevent catch and release of repeat criminals and hold illegal immigrants charged with a crime. It's up to us to ensure they're properly enforced. If Ibarra were held and denied bond in Georgia, Laken Riley would still be alive.

I'm respectfully asking that as you continue your hard work to get justice and support our state, you continue to remind your prosecutors about the above provisions and call the courts' attention to it when necessary and applicable.

As always, I appreciate your commitment to protecting your respective communities and stand ready to support you whenever needed. If I can ever be of any help, please do not hesitate to ask.

Sincerely,

A handwritten signature in blue ink that reads "Alan Wilson". The signature is written in a cursive, flowing style.

Alan Wilson