



State of North Carolina
General Court of Justice
Tenth Prosecutorial District

P. O. BOX 31
RALEIGH, N.C. 27602-0031

TELEPHONE:
(919) 792-5000

COLON WILLOUGHBY
DISTRICT ATTORNEY

March 20, 2013

Sheriff Donnie Harrison
Wake County Sheriff's Office
330 South Salisbury Street
Raleigh, NC 27602

Dear Sheriff Harrison:

Following the recent North Carolina Supreme Court decision in the *Hest Technologies v. State* that became final in January 2013, we met with you to talk about the impact of that case. The case dealt with the use of internet and video devices to facilitate transactions that the Court ruled were illegal in North Carolina. At our request, you had deputies observe some of the activities that are being conducted as "sweepstakes." Based on our conversations after those observations, we have reason to believe that these activities are illegal and in violation of North Carolina law.

Beginning April 1, 2013, if we are aware of these activities being conducted in Wake County, we may be asking you, and other agencies with appropriate jurisdiction, to conduct investigations into these questionable activities. If the results of these investigations reveal violations of the law, we intend to enforce the law and prosecute the businesses and individuals engaged in this activity.

We are aware that some of these "sweepstakes" operators may be relying on the opinions of their lawyers who have been retained by the operators and the parent companies in their desire to continue in this business. Those opinions do not control the North Carolina Supreme Court or the enforcement of the law. Nevertheless, some of these operators have told you that they do not wish to engage in a business that is in violation of the law. With that in mind, we encourage you to inform those persons in your jurisdictions who are engaged in these activities of our intentions to begin enforcement of the law in this area beginning April 1, 2013. If those persons chose to remain in this business after April 1, 2013 they are subject to being prosecuted if they are in violation of North Carolina law.

With kind regards,

Colon Willoughby
District Attorney

April Flythe Taylor
Assistant District Attorney