



ASHLEY HORNSBY WELCH
DISTRICT ATTORNEY
PROSECUTORIAL DISTRICT 43

HAYWOOD COUNTY
285 N. MAIN STREET
WAYNESVILLE, NC 28786

JACKSON COUNTY
401 GRINDSTAFF COVE RD.
SYLVA, NC 28779

MACON COUNTY
5 WEST MAIN STREET
FRANKLIN, NC 28734

SWAIN COUNTY
PO BOX 1397
BRYSON CITY, NC 28713

CHEROKEE COUNTY
75 PEACHTREE ST.
MURPHY, NC 28906

GRAHAM COUNTY
PO BOX 1179
ROBBINSVILLE, NC 28771

CLAY COUNTY
261 COURTHOUSE DR.
HAYESVILLE, NC 28904

January 28, 2026

Sheriff Dustin Smith
577 Regal Street
Murphy, NC 28906

Dear Sheriff Smith:

The purpose of this correspondence is to formally request that you resign your position as the elected sheriff of Cherokee County. For three years, citizens have come to me to complain about several instances where you have been willful or habitually negligent and/or refused to do your duties of the office of Sheriff. Citizens have also complained of misconduct or maladministration in office. You may not believe this, but for years, I have given you the benefit of the doubt.

Recently, I received all the discovery in the Kloepper shooting including the SBI criminal investigation and civil discovery. Before then, I did not have the complete file. I am gravely concerned about the inactions and statements made by you surrounding the shooting. In addition, we have had the evidence room catastrophe, the inactions surrounding Sport Teasdale, and the tragic murder of Detention Officer Flattes by a violent inmate who had escaped from your jail just months before he committed murder and carjacked a citizen of Cherokee County. It has also been brought to my attention that you have not followed the requests of Judges to only bring a certain number of inmates to the courthouse at a time due to safety concerns.

The continuous negligence has resulted in the loss of confidence, trust, and respect for the office of Sheriff by a significant number of the residents of Cherokee County and the district. Moreover, the repeated negative attention surrounding the Office of the Sheriff of Cherokee County negatively impacts court cases in our criminal justice system. All of this is prejudicial to the administration of justice which brings the Office of Sheriff into disrepute. I also have grave concerns that the loss of confidence put law enforcement at risk in an already very dangerous profession. You have several officers who are very good, work hard, are honest, and do the right things for the right reasons. The lack of trust and confidence has the possibility to spread to the entire department and that is not fair. I see fear and very low morale in your department.

My hope is that you will recognize the harm that is being done and that you will make the decision to resign. Your oath requires you to put the needs of your community above yourself. Resigning allows you to do the right thing and prevent a removal petition that lists all the evidence and proof into the public record.

It brings me incredible sadness to write this letter. I have never written a letter like this to the head of a law enforcement agency before today. I have always looked to law enforcement as heroes. I am responsible as the elected District Attorney to make this request on behalf of the citizens of Cherokee county and the criminal justice system. My oath of office and duty to the citizens of Cherokee County compel me to take this extraordinary action, as much as it hurts.

Sincerely,



Ashley Hornsby Welch
District Attorney