

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF HORRY) THE FIFTEENTH JUDICIAL CIRCUIT
)
) Case No:
)
DANNY L. FURR,)
)
Plaintiff,)
) SUMMONS
) (JURY TRIAL DEMANDED)
vs.)
)
HORRY COUNTY, HORRY COUNTY)
POLICE DEPARTMENT, KRIS)
LEONHARDT, LANCE WINBURN,)
BRANDON LEE, RENEE HARDWICK)
)
Defendants.)
_____)

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

Respectfully Submitted,

s/ Stuart M. Axelrod
Stuart M. Axelrod (SC Bar # 14678)

Jonathan "Jonny" McCoy (SC Bar 77540)

Tristan M. Shaffer (SC Bar # 77565)

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ATTORNEYS FOR PLAINTIFF

COURTESY OF AN ANONYMOUS FOIA
AROUND AND FIND OUT SPONSOR

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COUNTY OF HORRY) THE FIFTEENTH JUDICIAL CIRCUIT
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) COMPLAINT
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HORRY COUNTY, HORRY COUNTY)
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LEONHARDT, LANCE WINBURN,)
BRANDON LEE, RENEE HARDWICK)
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Defendants.)
)

The Plaintiff, above named, complaining of the Defendants above named, alleges and says the following:

PARTIES & JURISDICTION

1. Plaintiff Danny Furr ("Furr" or "Plaintiff") is a citizen and resident of Georgetown County, South Carolina.
2. Defendant Horry County, South Carolina ("the County") is a political subdivision of the State of South Carolina, organized and existing under the laws of South Carolina.
3. Defendant Horry County Police Department ("HCPD") is the law enforcement agency that is a political department of Horry County, South Carolina.
4. Defendant Kris Leonhardt ("Chief Leonhardt" or "Leonhardt") is the Chief of Police of the Horry County Police Department. He is being sued in his individual capacity. At all times relevant to this Complaint, he acted under color of state law.

5. Defendant Brandon Lee ("Captain Lee" or "Lee") is a Captain of the Horry County Police Department. He is sued in his individual capacity. At all times relevant to this Complaint, he acted under color of state law.

6. Defendant Lance Winburn ("Deputy Chief Winburn") is a Deputy Chief of the Horry County Police Department. At all times relevant to this Complaint, he acted under color of state law. He is sued in his individual capacity.

7. Defendant Renee Hardwick ("Hardwick") is the Deputy County Administrator of Horry County. She is sued in her individual capacity. At all times relevant to this Complaint, she acted under color of state law.

8. For the purposes of this Complaint, the term "Executive Command" is used to refer to the following personnel at the HCPD: Defendant Leonhardt, Defendant Winburn, Deputy Chief Wyatt, and Deputy Chief Kathman.

9. For the purposes of this Complaint, the term "Command Staff" is used to refer to the Captains, Lieutenants, and Deputy Chiefs in all divisions of the HCPD.

10. Plaintiff submits that all allegations related to this Complaint occurred in Horry County, South Carolina.

11. Therefore, Plaintiff submits that jurisdiction and venue are proper with this Court.

FACTS

12. This case arises from the deliberate and systematic retaliation that Defendants visited upon a nearly thirty-year veteran of the Horry County Police Department for doing precisely

what the First Amendment protects: speaking out to elected officials about government corruption, unlawful commands, and institutional abuse of power by the HCPD police command.

13. Prior to his forced retirement, Plaintiff was a Captain with the Horry County Police Department who served the Horry County Police Department for more than twenty-seven years. He began his employment with the Horry County Police Department in or about February 1999, after previously serving with the Columbia Police Department.

14. Plaintiff's career, professional reputation, and command position were valuable interests. Plaintiff had worked for decades to build a law-enforcement career and to foster relationships with citizens, officers, council members, and command staff.

15. Since the hiring of Chief Leonhardt, Plaintiff became increasingly concerned that HCPD's executive leadership had created low morale and lack of direction among the officers with HCPD.

16. Plaintiff is concerned that there have been instances of misconduct and scandals in the HCPD. Plaintiff believes that many of the officers responsible for the underlying misconduct received no meaningful punishment.

17. In 2024, Plaintiff identified and reported to Chief Leonhardt documented misconduct within HCPD's full-time special operations team. Plaintiff brought evidence that certain parts of the team were engaging in misconduct including time clock inadequacies, harassment of other officers and misuse of county time and pay. The officers who engaged in this conduct received no discipline whatsoever. Rather than address the misconduct, Leonhardt called Plaintiff into a meeting — witnessed by Deputy Chief Justin Wyatt. Plaintiff was placed on probation from the team. Plaintiff was stripped of his training responsibilities for the team. This punishment

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damaged Plaintiff's reputation. Plaintiff was never provided a copy of the disciplinary record, as required by HCPD policy. When Plaintiff requested it on April 9, 2026, he was told the document was missing from his file.

18. Sometime around July of 2025, Sergeant William Dietzel called Plaintiff with concerns related to a federal lawsuit that was filed by Thomas Wade Long. Dietzel anticipated being deposed and feared retaliation by executive command if he was honest during the deposition. The lawsuit concerned the 2022 lawful arrest of Long, the son-in-law of Horry County Councilman Harold Worley. While the Long was being transported to jail, Deputy Chief Winburn called Dietzel and commanded him to release Long and take him home — a violation of South Carolina law. Dietzel complied with Winburn's orders. Dietzel was previously investigated by Internal Affairs and found to be in violation of policy, but Winburn overturned the finding. Overturning this finding also violated the law. *See* S.C. Code § 23-23-150(B), *see also*, S.C. Code Regs. § 37-023. After hearing Dietzel's concerns, Plaintiff immediately called Chief Leonhardt to advise him of the situation. Leonhardt acknowledged he was already aware of the facts surrounding the case. Plaintiff asked why Leonhardt had not reported the incident to the South Carolina Criminal Justice Academy, as required by law. *See* S.C. Code § 23-23-150(B), *see also*, S.C. Code Regs. § 37-023. Leonhardt told Plaintiff to tell Dietzel not to worry. Upon information and belief, Leonhardt only attempted to address Winburn's misconduct after Plaintiff blew the whistle on the misconduct in 2026. Upon information and belief, Plaintiff's questioning of Winburn's misconduct led to Leonhardt's increased scrutiny of Plaintiff.

19. Plaintiff has also commented on the suspicious timing of the decision to promote Mick Kathman and Greg Lent. Both officers were involved in the investigation concerning the death of Scott Spivey. This high-profile case is known in the HCPD as the Camp Swamp case. There

have been allegations that the HCPD attempted to cover up facts and circumstances surrounding the killing of Spivey. At the time of killing, Kathman was the Captain over investigations. Greg Lent was a Lieutenant over investigations at the time of the death of Scott Spivey. Executive command decided to promote Kathman and Lent in the wake of Spivey's death.

20. Upon information and belief, the timing of Kathman's and Lent's promotions have led some to suspect that executive command expedited their promotions in order to facilitate a cover-up concerning the Spivey case. Upon information and belief, the questions surrounding these promotions have caused morale problems at HCPD.

21. Plaintiff believes that Chief Leonhardt has created and/or allowed an atmosphere of favoritism, selective discipline, and retaliation against critics.

22. Plaintiff has noted that multiple officers in the HCPD have left the agency or are in the process of leaving the agency because of the current leadership environment, fostered by Chief Leonhardt.

23. Plaintiff's concern relating to the direction of the HCPD affected not only his professional life but also his private life. Plaintiff is a prior resident of Horry County. He pays his taxes and believes that his local government should be free from corruption and uphold the law. These are the same concerns of most citizens regardless of their employment status.

24. On March 18, 2026, Defendant Winburn convened a meeting of Patrol Division Command Staff—attended by the Captains and Lieutenants of all five patrol precincts. At that meeting, Winburn advised those assembled that County Administrator Barry Spivey was interfering with the daily operations of the department and directed all patrol commanders to contact their respective county council representatives to voice specific concerns to counsel

members. The concerns that Winburn wanted conveyed were provided to the Patrol Command Staff.

25. Essentially, the directives were to tell the council members that County Administrator Barry Spivey was micromanaging the HCPD. The officers were to convey that the micromanaging was getting in the way of Chief Leonhardt's ability to command the HCPD the way he saw fit.

26. Plaintiff along with Lieutenant Cast met with Councilmen Cam Crawford and Dennis DiSabato. During this meeting Plaintiff and Lt. Cast conveyed the HCPD's official position.

27. Plaintiff had a previous connection with Councilmen Crawford and DiSabato.

28. After the official position was conveyed, Councilmen Crawford and DiSabato inquired about Plaintiff's personal viewpoints.

29. Plaintiff decided that he had had enough of the unchecked corruption and misconduct in the HCPD.

30. Plaintiff sent Lt. Cast out of the room and decided to start expressing his own opinion as a citizen of Horry County who was aware of the problems within HCPD.

31. Plaintiff began to engage in constitutionally protected speech.

32. Plaintiff criticized Chief Leonhardt for the issues he has caused in the department. Plaintiff indicated that problems with morale and confusion began before Barry Spivey became County Administrator. He brought up issues such as:

- a. The suspicious timing concerning the promotion of two of the officers involved in the Scott Spivey case;
- b. Misconduct among the members of the SWAT team;
- c. Retaliation for an inter-agency whistleblower; and
- d. The apparent favoritism shown to Leonhardt's childhood friend, Brandon Lee.

Defendant Lee was hired by HCPD at the rank of Captain despite not meeting the written minimum qualifications to be a Captain. Prior to his hiring by HCPD, Defendant Lee was a Sergeant with the Horry County Sheriff's Office.

33. Plaintiff indicated during this meeting that Leonhardt would likely retaliate against him for making these statements, but Plaintiff had enough of the culture of misconduct that Leonhardt had fostered within the HCPD.

34. As a citizen Plaintiff exercised his First Amendment right and voiced his personal concerns to Councilmen Crawford and DiSabato.

35. Plaintiff was not speaking as an official representative of the HCPD when he voiced his criticism of Leonhardt to Councilmen Crawford and DiSabato.

36. In light of Plaintiff's personal concerns, Councilmen Crawford and DiSabato requested a second meeting set for March 27, 2026. Councilmen Crawford and DiSabato wanted councilmen Danny Hardee and Mark Causey to also hear Plaintiff's concerns.

37. Within two days after the March 18, 2026 meeting, Defendant Leonhardt reassigned Plaintiff's Lieutenant, Kevin Cast, to another precinct. Lieutenant Cast attended Plaintiff's initial meeting with Councilmen Crawford and DiSabato. Defendant Leonhardt made this reassignment

without any stated operational rationale and in direct temporal proximity to the protected speech. Upon information and belief, Leonhardt made this reassignment in an attempt to retaliate against Plaintiff's constitutionally protected speech.

38. On March 26, 2026, Defendant Leonhardt convened a department-wide command staff meeting at the ML Brown Building, attended by all Captains, Lieutenants, and members of Executive Command. Upon entering the room, Leonhardt directed his gaze at Plaintiff and announced, in words to the effect: "Those of you who have aspirations to go above and around me for your agenda, you better cancel your plans." Plaintiff was publicly called out during the meeting. The confrontation was deliberately calculated so as to embarrass Plaintiff in front of his peers and subordinates. This action was designed to chill the rights of Plaintiff and other command staff from engaging in free speech.

39. Defendant Winburn was present at this meeting. He did not disclose to the assembled command staff that he had personally directed Plaintiff to meet with Council. He remained silent. Plaintiff later learned that Winburn's silence was orchestrated by Leonhardt and Winburn to help chill Plaintiff's First Amendment Rights to speak up against misconduct within the HCPD.

40. Multiple members of the command staff voiced concerns about the treatment of Plaintiff during this meeting but were threatened with retaliation.

41. After the command staff meeting on March 26, 2026, Plaintiff requested a private meeting with Defendant Leonhardt. Leonhardt admitted privately that he knew Winburn had given the original directive to go to council. Defendant Leonhardt indicated that neither he nor Winburn will admit that they instructed Plaintiff to talk with council. Leonhardt indicated that Plaintiff would need to take the blame for agreeing to go speak with the councilmen.

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42. In violation of the First Amendment, Leonhardt commanded Plaintiff to cancel his planned meeting with council on March 27, 2026. In light of a direct order telling Plaintiff not to continue to engage in constitutionally protected speech, Plaintiff cancelled the meeting which was set for the following day.

43. Upon information and belief after Plaintiff's private meeting with Leonhardt, Leonhardt received information that the council may attempt to have Leonhardt removed from his position if he prohibited Plaintiff from meeting with Council on March 27, 2026.

44. On the evening of March 26, 2026, Plaintiff received a phone call from Leonhardt. In this phone call, Chief Leonhardt reversed his previous order and told Plaintiff to go to the meeting with Council March 27, 2026.

45. On March 27, 2026, Plaintiff met with the Councilmen. However, the primary focus of this meeting was not the procedural concerns of the Department. Instead, the questions focused on why Leonhardt was attempting to deny County Council the ability to speak with departmental personnel. Plaintiff voiced his concerns of being retaliated against, harassed and intimidated by Leonhardt and the Chief's inner circle. Plaintiff also provided Council with information about his previously raised concerns including:

- a. The suspicious timing surrounding the promotion of two officers involved in the Scott Spivey case;
- b. Misconduct among the members of the SWAT team;
- c. Retaliation for an inter-agency whistleblower; and

- d. The apparent favoritism shown to Leonhardt's childhood friend, Defendant Lee.

When Lee was hired by HCPD at the rank of Captain despite him not meeting the written minimum qualifications to be captain. Prior to his hiring by HCPD, Defendant Lee was a Sergeant with the Horry County Sheriff's Office.

46. Despite being asked to attend the meeting on March 27, 2026, Leonhardt continued to retaliate against Plaintiff for whistleblowing on March 18, 2026, and on March 27, 2026.

47. Upon information and belief, on or about April 6, 2026, Leonhardt and Lee conspired to create false Internal Affairs (IA) allegations against him.

48. Upon information and belief, Lee knowingly published a false statement against Plaintiff alleging that Plaintiff had made a derogatory comment against another HCPD captain.

49. Upon information and belief, Leonhardt ordered Internal Affairs to engage in a clandestine investigation of Plaintiff.

50. Upon information and belief, other members of the HCPD refused to participate in what was an attempt to find a reason for Leonhardt to discredit Plaintiff and terminate Plaintiff's employment.

51. Upon information and belief, the Internal Affairs investigation was done to retaliate against Plaintiff for his whistleblowing free speech.

52. The clandestine Internal Affairs investigation yielded no results.

53. On April 16, 2026, Plaintiff was called in on a second internal investigation case.

54. During this meeting Internal Affairs Investigator Blake Klauder told Plaintiff that Barry Spivey had requested the investigation because Plaintiff had reportedly been “rude” to someone on the phone. However, the Internal Affairs investigation report indicates that this second investigation was done at the request of Chief Leonhardt.

55. Upon information and belief, rudeness is not the basis which justifies an Internal Affairs investigation.

56. This second investigation also failed to uncover any law or policy violated by Plaintiff.

57. Upon information and belief, Investigator Klauder attempted to steer Lieutenant David Reames into stating that Plaintiff had violated policy and prompted Reames to answer in particular ways.

58. Lieutenant Reames refused to lie or support a false narrative.

59. The April 16, 2026 Internal Affairs activity was further evidence that Defendants were using internal investigative machinery to intimidate Plaintiff, create a record against him, and force him out because of his speech to Council and his whistleblowing activities.

60. On or about April 17, 2026, at approximately 1700 hours, Internal Affairs Investigator Van Sissell called Plaintiff.

61. Sissell told Plaintiff that there were strange circumstances surrounding Plaintiff’s case.

62. Sissell advised Plaintiff that the matter was not wholly limited to the April 16 “rudeness” allegation.

63. Sissell advised Plaintiff that an undercover or clandestine case had been started by Chief Leonhardt and Captain Lee on or about April 6, 2026.

64. Plaintiff had not been notified of that investigation and had never been interviewed about it.

65. Policy required that Plaintiff be notified in writing when he was the subject of an Internal Affairs case.

66. Sissell advised Plaintiff that Captain Heather Wilson had been interviewed and had stated that the investigation was an attempt by Chief Leonhardt to “set Captain Danny Furr up.”

67. Wilson refused to participate in the set-up.

68. Wilson later spoke with Sissell about her concerns in what appeared to be attempt to create lies and false complaints against Plaintiff.

69. Sissell decided that that the complaint did not warrant the need to interview Plaintiff.

70. The IA case against Plaintiff was unfounded. It was then closed.

71. Upon information and belief, Chief Leonhardt directed or advised that Plaintiff not be told the clandestine case had occurred.

72. Plaintiff exercised his rights under HCPD policy to request the front page of all Internal Affairs reports concerning him.

73. Once Plaintiff received this information and corroborated it with Captain Heather Wilson, he notified Councilmen Cam Crawford and Danny Hardee that the retaliation he had predicted was occurring.

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74. Plaintiff was, in fact, being targeted for speaking to County Council.

75. The intimidation caused by Chief Leonhardt's attempt to end Plaintiff's career caused Plaintiff extreme anxiety, loss of sleep, loss of appetite, fatigue, and marital problems.

76. On or about April 17, 2026, Plaintiff requested entry into Horry County's Employee Assistance Program (EAP) for counseling. This is a free resource for Horry County Employees who are seeking assistance with stress and anxiety. This program is supposed to be confidential.

77. Plaintiff sought EAP assistance because of the stress and emotional distress caused by Defendants' retaliatory conduct and attempts to create false disciplinary charges against him.

78. On April 21, 2026, Plaintiff met with County Council's Public Safety committee. In addition to Councilmen, Deputy County Administrator Renee Hardwick was in that meeting. Plaintiff again exercised his First Amendment right to free speech. Plaintiff addressed corruption and misconduct in the HCPD. Plaintiff also concerns that he was being retaliated against for speaking out.

79. After speaking on April 21, 2026, Plaintiff was asked to step out of the meeting into the hallway. The door to the room was left open. Defendant Hardwick then tried to discredit Plaintiff before Council. She also disclosed to the people in the meeting that Plaintiff had requested assistance from EAP. Upon information and belief this was done to discredit Plaintiff and retaliate against Plaintiff for exercising his First Amendment rights.

80. On or about April 22, 2026, Plaintiff was called to a meeting with Deputy County Administrator Renee Hardwick, Chief Leonhardt, and Horry County Human Resources.

81. Plaintiff was told or led to believe that the meeting was a mediation between Plaintiff and Chief Leonhardt.

82. The meeting, as it turned out, was not a good-faith mediation.

83. During the meeting, Chief Leonhardt admitted there was no basis for Captain Lee's allegations.

84. Despite that admission, Plaintiff was told to retire and never return to county property.

85. Plaintiff was informed by Chief Leonhardt that he could not allow Plaintiff to be around other officers anymore.

86. Upon information and belief, after the April 22, 2026 meeting, Chief Leonhardt told HCPD personnel to prevent Plaintiff from returning to his office or county property.

87. For all practical purposes, the forced retirement, banishment from county property, and the instruction that Plaintiff could no longer be around other officers amounted to a termination.

88. Plaintiff had not voluntarily chosen to resign.

89. Nor had Plaintiff intended to retire at that time.

90. Plaintiff did not leave because he desired to end his career. He was aggressively forced out.

91. Defendants' conduct deprived Plaintiff of his employment, salary, benefits, promotional opportunity, professional reputation, and future law-enforcement career opportunities.

92. Plaintiff was forced out because he spoke to elected county officials about corruption, retaliation, irregular promotions, politically influenced policing, false complaints, and misuse of public authority within HCPD.

93. Plaintiff was also forced out because he reported and opposed false statements, false Internal Affairs activity, and unlawful or improper conduct by police officials.

94. Plaintiff's request for assistance through Horry County's Employee Assistance Program was private and confidential.

95. Plaintiff sought EAP counseling because Defendants' retaliatory conduct caused severe stress, anxiety, loss of sleep, loss of appetite, fatigue, and marital strain.

96. Upon information and belief, Defendant Hardwick intruded into or obtained information concerning Plaintiff's confidential EAP request.

97. Upon information and belief, Hardwick disclosed Plaintiff's EAP information to county council members or other persons who had no legitimate need to know that private information.

98. The disclosure of Plaintiff's EAP information was substantial, unreasonable, intentional, and highly offensive.

99. The disclosure further retaliated against Plaintiff and served to embarrass him, diminish him, and undermine his credibility with the same elected officials to whom he had reported misconduct.

100. Defendants' actions were intentional, reckless, malicious, and in conscious disregard of Plaintiff's constitutional and common-law rights.

101. Plaintiff's First Amendment Right to Free Speech is incorporated to the States through the Due Process Clause of the Fourteenth Amendment of the United States Constitution.

102. The actions of Defendant Leonhardt listed in this complaint were made under the color of state law as he was the Chief of Police. In this role he would have had the authority to institute Internal Affairs investigations, punish subordinates, institute policies, reassign subordinates, institute orders to subordinates, fire subordinates in keeping with policy, and in such other ways as the evidence at trial will show.

103. The actions of Defendant Winburn listed in this complaint were made under the color of state law as he was a Deputy Chief. In that role he could give the authority to punish subordinates, institute policies, reassign subordinates, institute orders to subordinates, and in such other ways as the evidence at trial will show.

104. The actions of Defendant Lee listed in this complaint were made under the color of state law as he was a HCPD Captain. This means that his statements to Internal Affairs investigations would have been taken seriously, he was in a position to make a direct complaint to Internal Affairs, and in such other ways as the evidence at trial will show.

105. The actions of Defendant Hardwick listed in this complaint were made under the color of state law as she was the Deputy County Administrator. In this role she would have had the authority to institute Internal Affairs investigations, punish subordinates, institute policies, reassign subordinates, institute orders to subordinates, fire subordinates in keeping with policy, and in such other ways as the evidence at trial will show.

106. As a direct and proximate cause of the actions of Defendants which are listed in this Complaint, Plaintiff was suffered a variety of damages including but not limited to: economic

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loss; loss of promotional opportunity, reduction in benefits, damage to reputation, emotional distress, limitations on Plaintiff's right to free speech, and such other damages as the evidence at trial will show.

FIRST CAUSE OF ACTION
(Wrongful Termination in violation of Public Policy)
(Against Defendants Horry County, HCPD, Leonhardt, and Hardwick)

107. Plaintiff incorporates all prior paragraphs as if fully set forth herein.
108. For the purposes of the first cause of action, the term "These Defendants" means Defendants Horry County, HCPD, Leonhardt, and Hardwick.
109. Under S.C. law an "employee has a cause of action in tort for wrongful termination where there is a retaliatory termination of the at-will employee in violation of a clear mandate of public policy." *See Barron v. Labor Finders of S.C.*, 393 S.C. 609, 614, 713 S.E.2d 634, 636 (2011); *See also Donevant v. Town of Surfside Beach*, 414 S.C. 396, 407, 778 S.E.2d 320, 326 (Ct. App. 2015), *aff'd*, 422 S.C. 264, 811 S.E.2d 744 (2018).
110. Some of the S.C. public policies which indicate a police officer should report false statements include the following:
 - i. SC Code § 23-23-150;
 - ii. S.C. Code Regs. § 37-023;
 - iii. S.C. Code Regs. § 37-026;
 - iv. SC Common Law of Misconduct in Office. *See State v. Lyles-Gray*, 328 S.C. 458, 466, 492 S.E.2d 802, 806 (Ct. App. 1997) (upholding a conviction for misconduct in office and common law obstruction when she used her position as an officer to help hide evidence of her child's shoplifting); and
 - v. Such other public policies that the evidence at trial will show.

111. South Carolina public policy prohibits law-enforcement officers from making false statements, falsifying information, engaging in misconduct in office, misusing official authority, obstructing justice, and/or concealing misconduct.

112. South Carolina public policy encourages and requires law-enforcement officers to report misconduct, false statements, and conduct that undermines the integrity of law enforcement.

113. Allowing and/or directing an officer to falsify information to elected officials violates public policy.

114. Plaintiff was forced out because he reported and opposed police corruption, false Internal Affairs activity, retaliation against whistleblowers, politically influenced law-enforcement decisions, and misuse of public authority.

115. Terminating a police officer because he reports corruption and false statements by police officials violates a clear mandate of public policy.

116. Plaintiff's speech and opposition to misconduct were a substantial and motivating cause of his forced retirement.

117. As a direct and proximate result of the wrongful discharge, Plaintiff suffered lost wages, lost benefits, lost promotional opportunity, damage to reputation, emotional distress, and other damages.

118. Plaintiff maintains that defendants Leonhardt, and Hardwick were employees of Horry County and/or HCPD when they forced Plaintiff to retire. For the purposes of this First Cause of Action, Plaintiff also states that defendants Leonhardt, and Hardwick. were acting in the course and scope of their employment when they forced Plaintiff to retire.

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119. Plaintiff is entitled to an award of compensatory damages in an amount to be determined by a jury for the wrongful discharge in violation of public policy against defendants Horry County and HCPD.

120. In the event this court finds that this First Cause of Action is not properly brought pursuant to the South Carolina tort claims act, Plaintiff is entitled to an award of compensatory damages and punitive damages in an amount to be determined by a jury for the wrongful discharge in violation of public policy against defendants Leonhardt, and Hardwick.

SECOND CAUSE OF ACTION

**(42 U.S.C. § 1983 – First Amendment Violation Concerning the March 18, 2026, Discussions with Councilmen Crawford and DiSabato)
(Against Defendants Leonhardt, Winburn, Lee, and Hardwick)**

121. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

122. For the purposes of this Second Cause of Action, the term “these defendants” means Defendants Leonhardt, Winburn, Lee, and Hardwick.

123. The First Amendment to the United States Constitution, made applicable to the States through the Fourteenth Amendment, protects a public employee who speaks as a citizen on matters of public concern.

124. On March 18, 2026, after asking Lieutenant Plaintiff to step out of the meeting with Councilmen Crawford and DiSabato, Plaintiff engaged in constitutionally protected speech. Plaintiff candidly told elected County Council members about corruption, retaliation, irregular promotions, politically influenced policing, misuse of public authority, and morale problems within HCPD.

125. Plaintiff’s constitutionally protected speech on March 18, 2026, addressed matters of public concern and of a political nature.

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126. Plaintiff's interest, as a citizen, in speaking on these matters outweighed any legitimate governmental interest any Defendant may claim in suppressing this speech.

127. These Defendants had no adequate justification for treating Plaintiff differently from any other member of the public because he reported misconduct to elected officials.

128. These Defendants took adverse action against Plaintiff because of his protected speech on March 18, 2026.

129. These adverse actions included, but were not limited to, publicly blaming and humiliating him at a command staff meeting; falsely portraying him as insubordinate; directing Deputy Chief Winburn not to tell the truth; reassigning those connected with him; and initiating or advancing false Internal Affairs activity; using Lee's false allegations to target Plaintiff; forcing Plaintiff to retire; barring him from county property; and ending Plaintiff's career with HCPD.

130. The conduct of these Defendants would deter a person of ordinary firmness from engaging in First Amendment activity.

131. The conduct of these Defendants had a chilling effect on Plaintiff's constitutionally protected speech.

132. Additionally, the conduct of these Defendants was in retaliation to Plaintiff's protected speech on March 18, 2026.

133. Plaintiff's protected speech was a substantial or motivating factor in these Defendants' actions.

134. The timing of the retaliation establishes the motives of these Defendants.

135. These Defendants acted under the color of state law in violating Plaintiff's First Amendment Rights concerning Plaintiff's exercise of free speech on March 18, 2026.

136. These Defendants acted intentionally, knowingly, willfully, maliciously, and in reckless disregard of Plaintiff's clearly established Constitutional Rights.

137. As a direct and proximate result of These Defendants' conduct, Plaintiff suffered loss of employment, loss of income, loss of benefits, loss of promotional opportunity, damage to reputation, humiliation, emotional distress, anxiety, loss of sleep, loss of appetite, marital strain, and other damages.

138. Concerning this Second cause of action Plaintiff is entitled to compensatory damages, punitive damages against these Defendants, attorney's fees and costs pursuant to 42 U.S.C. § 1988, and all other appropriate relief.

THIRD CAUSE OF ACTION

**(42 U.S.C. § 1983 – First Amendment Violation Concerning the March 27, 2026, Discussions to Councilmen)
(Against Defendants Leonhardt, Winburn, Lee, and Hardwick)**

139. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

140. For the purposes of this Third Cause of Action, the term "these defendants" means Defendants Leonhardt, Winburn, Lee, and Hardwick.

141. The First Amendment to the United States Constitution, made applicable to the States through the Fourteenth Amendment, protects a public employee who speaks as a citizen on matters of public concern.

142. On March 27, 2026, Plaintiff engaged in constitutionally protected speech. Plaintiff candidly told elected County Council members about corruption, retaliation, irregular

promotions, politically influenced policing, misuse of public authority, and morale problems within HCPD.

143. Plaintiff's constitutionally protected speech on March 27, 2026, addressed matters of public concern and of a political nature.

144. Plaintiff's interest, as a citizen, in speaking on these matters outweighed any legitimate governmental interest any Defendant may claim in suppressing the speech.

145. These Defendants had no adequate justification for treating Plaintiff differently from any other member of the public because he reported misconduct to elected officials.

146. These Defendants took adverse action against Plaintiff because of his protected speech on March 27, 2026.

147. The conduct of these Defendants was in retaliation to his speech on March 27, 2026.

148. The conduct of these Defendants did in fact have a chilling effect on Plaintiff's constitutionally protected speech.

149. These adverse actions included but were not limited to: initiating or advancing false Internal Affairs activity; using Lee's false allegations to target Plaintiff; forcing Plaintiff to retire; barring him from county property; and ending Plaintiff's career with HCPD.

150. The conduct of these Defendants would deter a person of ordinary firmness from engaging in First Amendment activity.

151. Plaintiff's constitutionally protected speech was a substantial and/or motivating factor in these Defendants' actions.

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152. The timing of the retaliation establishes the motives of these Defendants.

153. These Defendants acted intentionally, knowingly, willfully, maliciously, and in reckless disregard of Plaintiff's clearly established constitutional rights.

154. These Defendants acted under the color of state law in violating Plaintiff's First Amendment rights concerning Plaintiff's exercise of free speech on March 27, 2026.

155. As a direct and proximate result of these Defendants' conduct, Plaintiff suffered loss of employment, loss of income, loss of benefits, loss of promotional opportunity, damage to reputation, humiliation, emotional distress, anxiety, loss of sleep, loss of appetite, marital strain, and other damages.

156. Concerning this Third Cause of Action, Plaintiff is entitled to compensatory damages, punitive damages against the these Defendants, attorney's fees and costs pursuant to 42 U.S.C. § 1988, and all other appropriate relief.

FOURTH CAUSE OF ACTION

**(42 U.S.C. § 1983 – First Amendment Violation Concerning the April 21, 2026, discussions to Councilmen)
(Against Defendants Leonhardt, Winburn, Lee, and Hardwick)**

157. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

158. For the purposes of this Fourth Cause of Action, the term "these defendants" means Defendants Leonhardt, Winburn, Lee, and Hardwick.

159. The First Amendment to the United States Constitution, made applicable to the States through the Fourteenth Amendment, protects a public employee who speaks as a citizen on matters of public concern.

160. On April 21, 2026, Plaintiff engaged in constitutionally protected speech. Plaintiff candidly told elected County Council members about corruption, retaliation, irregular promotions, politically influenced policing, misuse of public authority, and morale problems within HCPD.

161. Plaintiff's constitutionally protected speech on April 21, 2026, addressed matters of public concern that were political in nature.

162. Plaintiff's interest, as a citizen, in speaking on these matters outweighed any legitimate governmental interest any Defendant may claim in suppressing the speech.

163. These Defendants had no adequate justification for treating Plaintiff differently from any other member of the public because he reported misconduct to elected officials.

164. These Defendants took adverse action against Plaintiff because of his protected speech on April 21, 2026.

165. These Defendants' conduct were in retaliation to his speech on April 21, 2026.

166. These adverse actions included but were not limited to: forcing Plaintiff to retire; barring him from county property; and ending Plaintiff's career with HCPD.

167. Plaintiff's protected speech was a substantial or motivating factor in these Defendants' actions.

168. The conduct of these Defendants would deter a person of ordinary firmness from engaging in protected First Amendment activity.

169. The timing of the retaliation establishes the motives of these Defendants.

170. These Defendants acted intentionally, knowingly, willfully, maliciously, and in reckless disregard of Plaintiff's clearly established Constitutional Rights.

171. These Defendants acted under the color of state law in violating Plaintiff's First Amendment rights concerning Plaintiff's exercise of free speech on April 21, 2026.

172. As a direct and proximate result of These Defendants' conduct, Plaintiff suffered loss of employment, loss of income, loss of benefits, loss of promotional opportunity, damage to reputation, humiliation, emotional distress, anxiety, loss of sleep, loss of appetite, marital strain, and other damages.

173. Concerning this Fourth Cause of Action, Plaintiff is entitled to compensatory damages, punitive damages against these Defendants, attorney's fees and costs pursuant to 42 U.S.C. § 1988, and all other appropriate relief.

FIFTH CAUSE OF ACTION
(42 U.S.C. § 1983 – Monell Municipal Liability)
(Against Defendant Horry County and HCPD)

174. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

175. Under *Monell v. Department of Social Services*, a local government may be held liable under § 1983 when execution of government policy, custom, or practice causes a Constitutional violation.

176. A municipality may also be liable when unconstitutional action is taken by an official whose edicts or acts may fairly be said to represent official policy.

177. Deputy County Administrator Hardwick and/or Chief Leonhardt functioned as final policymaker(s) for Horry County and HCPD with respect to HCPD command personnel,

discipline, Internal Affairs referrals, employment actions, access to police facilities, and officer assignments.

178. Chief Leonhardt and/or Deputy County Administrator Hardwick acts and edicts therefore constituted official policy for purposes of municipal liability.

179. As stated previously, Chief Leonhardt and/or Deputy County Administrator Hardwick personally participated in and/or directed the retaliation against Plaintiff for exercising his right to free speech. Chief Leonhardt and/or Deputy County Administrator Hardwick did this while acting under the color of state law.

180. The acts of Chief Leonhardt and/or Deputy County Administrator Hardwick essentially became the policy, custom and practice of the HCPD and Horry County.

181. Horry County and HCPD had actual or constructive knowledge of this policy, custom, or practice through prior retaliation against those who spoke out against county leadership.

182. Horry County and HCPD had actual notice that Chief Leonhardt had previously employed exaggerated Internal Affairs investigations to punish officers who spoke out against county leadership.

183. Upon information and belief, Horry County also previously retaliated against employees for speaking out against county leadership.

184. Horry County and HCPD were deliberately indifferent to the known and/or obvious consequences of the policies of Chief Leonhardt.

185. The policy, custom, practice, and final policymaker decisions described above were the moving forces behind the violation of Plaintiff's First and Fourteenth Amendment rights.

186. Based on this *Monell* Cause of Action, Plaintiff is entitled to compensatory damages, and punitive damages against Horry County in an amount to be determined by a jury.

187. Plaintiff is also entitled to attorney's fees and costs, and all other relief allowed by law for this cause of action.

SIXTH CAUSE OF ACTION
(Defamation)
(Against Defendant Brandon Lee)

188. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

189. Captain Lee made or caused to be made false statements concerning Plaintiff.

190. Upon information and belief, Captain Lee falsely reported that Plaintiff made a derogatory statement about Captain Gregory Hutchins.

191. Upon information and belief, Captain Lee caused those false statements to be published to Internal Affairs personnel at HCPD personnel.

192. The statements were false.

193. These false statements were intended to injure Plaintiff in his profession as a law-enforcement officer and command staff member.

194. The statements tended to impeach Plaintiff's fitness for police command.

195. Captain Lee knew the statements were false or acted with reckless disregard for their truth or falsity.

196. Captain Lee made the statements for the purpose of discrediting Plaintiff, initiating or supporting Internal Affairs activity, and providing justification for Plaintiff's removal from HCPD.

197. The statements caused Plaintiff reputational harm, humiliation, emotional distress, loss of employment, loss of income, and other damages.

198. Plaintiff is entitled to actual and compensatory damages against Defendant Lee.

SEVENTH CAUSE OF ACTION
(Invasion of Privacy – Wrongful Intrusion into Private Affairs)
(Against Defendant Renee Hardwick)

199. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

200. Plaintiff's request for assistance through Horry County's Employee Assistance Program was private.

201. Plaintiff sought EAP counseling because of severe stress, anxiety, loss of sleep, loss of appetite, fatigue, and marital strain caused by Defendants' retaliatory conduct.

202. Hardwick intentionally intruded into, obtained, accessed, used, and disclosed information concerning Plaintiff's EAP request.

203. The intrusion was into that which was private.

204. The intrusion was substantial and unreasonable.

205. The intrusion was intentional.

206. Upon information and belief, Hardwick disclosed Plaintiff's private EAP information to County Council members or others who had no legitimate need to know it.

207. The disclosure exposed private information Plaintiff sought to keep confidential, and was the type of unwanted disclosure recognized by South Carolina law as an actionable invasion of privacy.

208. The disclosure of such information in a professional environment is outrageous and should not be tolerated.

209. Defendant Hardwick's conduct exceeded all possible bounds of decency and should be regarded as atrocious and utterly intolerable in a civilized community, particularly because it involved senior law-enforcement officials misusing police disciplinary processes to destroy the career of a subordinate officer who reported misconduct.

210. As a direct and proximate result, Plaintiff suffered humiliation, embarrassment, emotional distress, anxiety, reputational harm, and other damages.

211. Plaintiff is entitled to actual damages, punitive damages to the extent allowed by law, and all other relief allowed by law.

EIGHTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress / Outrage)
(Against Defendants Leonhardt and Lee)

212. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

213. Defendants Leonhardt and Lee intentionally or recklessly inflicted severe emotional distress upon Plaintiff or were certain or substantially certain that severe emotional distress would result from their conduct.

214. Defendants Leonhardt's and Lee's conduct included conspiring to initiate or advance false Internal Affairs complaints.

215. Defendants Leonhardt's and Lee's conduct was extreme and outrageous.

216. Defendants Leonhardt's and Lee's conduct exceeded all possible bounds of decency and should be regarded as atrocious and utterly intolerable in a civilized community, particularly

because it involved senior law-enforcement officials misusing police disciplinary processes to destroy the career of a subordinate officer who reported misconduct.

217. Defendants Leonhardt's and Lee' actions caused Plaintiff severe emotional distress.

218. Plaintiff's emotional distress was severe, including extreme anxiety, loss of sleep, loss of appetite, fatigue, marital problems, humiliation, fear of losing his career, and the need to seek counseling through EAP.

219. As to this cause of action, Plaintiff is entitled to an award of compensatory and punitive damages against Defendants Leonhardt and Lee.

NINTH CAUSE OF ACTION

(Civil Conspiracy)

(Against Defendants Leonhardt, Winburn, Lee, and Hardwick)

220. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

221. Defendants Leonhardt, Winburn, Lee, and Hardwick combined, agreed, or acted in concert to injure Plaintiff.

222. Their agreement or concerted action included allowing Plaintiff to be blamed for a meeting Winburn directed; concealing Winburn's role; publicly portraying Plaintiff as insubordinate; threatening discipline against officers who objected; initiating or advancing false Internal Affairs complaints; concealing clandestine investigations; using baseless allegations to justify forcing Plaintiff out; and obtaining, using, or disclosing private information to undermine Plaintiff.

223. The purpose and effect of the conspiracy was to punish Plaintiff for speaking to County Council, chill further protected speech, discredit Plaintiff, end Plaintiff's command career, and prevent Plaintiff from continuing to expose misconduct within HCPD.

224. Defendants committed overt acts in furtherance of the conspiracy, including the acts alleged throughout this Complaint.

225. The conspiracy caused damages to Plaintiff, including loss of employment, loss of income, loss of benefits, loss of promotional opportunity, reputational harm, emotional distress, humiliation, and other damages.

226. As to this cause of action, Plaintiff is entitled to compensatory damages and punitive damages in an amount to be determined by a jury.

TENTH CAUSE OF ACTION

(Gross Negligence)

(Against Defendant Horry County and HCPD)

227. Plaintiff incorporates all prior paragraphs as if fully set forth herein.

228. For the purposes of this Tenth Cause of Action, Plaintiff alleges that Defendants Leonhardt, Winburn, Lee, and Hardwick were all employees of Horry County and/or HCPD at all times relevant to this Complaint.

229. For the purposes of this Tenth Cause of Action, Plaintiff alleges that Leonhardt, Winburn, Lee, and Hardwick were all acting within the course and scope of their employment with Horry County and/or HCPD at all times relevant to this Complaint.

230. Horry County and HCPD owed Plaintiff the duty to act with at least slight care in administering employment policies, Internal Affairs procedures, EAP confidentiality policies, discipline policies, and requirements to not make statements with reckless disregard for the truth.

231. Horry County and HCPD owed Plaintiff duty to act with at least slight care in training and supervising its employees to be sure they do not act in ways to violate Plaintiff's right to free speech.

232. Horry County and HCPD owed Plaintiff duties to act with slight care in training and supervising its employees to be sure they do not wrongfully retaliate against employees.

233. Based on the aforementioned conduct, Horry County breached those duties in a grossly negligent manner.

234. Horry County was grossly negligent in allowing confidential EAP information to be accessed, used, or disclosed by people who had no legitimate need to know it.

235. Additionally, Horry County was grossly negligent for failing to properly train county officials on how not to disclose information concerning the EAP.

236. Furthermore, Horry County and HCPD were grossly negligent in allowing Chief Leonhardt to use or manipulate the Internal Affairs process to retaliate against officers who opposed him or reported misconduct.

237. Additionally, in the alternative to the previous causes of action which have been alleged in this complaint, HCPD and Horry County would be grossly negligent in the following particulars:

- a. Allowing Brandon Lee to make statements in reckless disregard for the truth;
- b. Allowing Leonhardt to use the Internal Affairs process to exact revenge on officers that oppose him and his allies;
- c. In failing to properly train officers on protected First Amendment speech;

- d. Violating its own policy on not disclosing Plaintiffs request for EAP;
- e. In failing to adopt policies that allow officers to properly make complaints to County Council about improper actions by the HCPD executive command;
- f. In failing to train, supervise, and discipline HCPD leadership concerning protected First Amendment speech by public employees;
- g. In failing to enforce its own policies requiring notice to officers who are the subject of Internal Affairs investigations; and
- h. In such other ways as the evidence at trial will show.

238. Horry County was grossly negligent in failing to prevent retaliation against command staff who communicated with elected county officials about police misconduct.

239. Horry County was grossly negligent in allowing Leonhardt and Hardwick to force Plaintiff into retirement.

240. Horry County's and HCPD's gross negligence directly and proximately caused Plaintiff's damages.

241. Plaintiff is entitled to an award of compensatory damages against Horry County and HCPD in an amount to be determined by a jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Danny Furr prays that this Honorable Court enters a judgment in his favor and grants the following relief: a trial by jury; an award of compensatory damages as to all defendants; an award for punitive damages for the First through Ninth Causes of Action; prejudgment and post-judgment interest; attorney's fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable authority; and such other and further relief as this Court deems just and proper.

Respectfully Submitted,

s/ Stuart M. Axelrod
Stuart M. Axelrod (SC Bar # 14678)

Jonathan "Jonny" McCoy (SC Bar 77540)

Tristan M. Shaffer (SC Bar # 77565)

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