HCPD

Professional Standards Unit

Office of Professional Standards

Internal Investigation Report

Cover Sheet

CASE NUMBER: 2023111009	DATE OF INCIDENT: 09/09/2023
EVT NUMBER: EVT-00000919	OPS NOTIFICATION DATE: 03/07/2025
CASE SUBJECTS: Sgt. Paul Vescovi, Sgt. Mark Johnson, DC Brandon Strickland, Pfc. Kerry Higgs, Capt. Chuck Powell, Lt. Randall Ghent	

APPLICABLE POLICIES:

D. Vescovi

- Crime Scene Reporting Procedures 21-5 (B-1, B-9, B-12)
- Code of Conduct 3-1 (J-1, J-4, M-1, N-1, T-1b)
- Code of Ethics 3-2 (A)

M. Johnson

- Responding to Emergency and Non-Emergency Calls 17-1 III (C-1) (b), and (C-2)
- Use of In-Car Video 17-3. (IV-A) (5-g)

B. Strickland

- Code of Conduct 3-1 (F-1, J-4, L-1, N-1, T-1C, Q-1F))
- Code of Ethics 3-2(A)

K. Higgs

- Crime Scene Reporting Procedures 21-5 (B-8)

C. Powell

- Supervisor Duties, HCPD GO 1-4 IV. (A-5) Supervisor Responsibilities
- Use of In-Car Video Systems HCPD GO 17-3 IV. (A) General Operations, (6-a) and (6-c) Supervisor Responsibilities

R. Ghent

- Supervisor Duties, HCPD GO 1-4 IV. (A-5) Supervisor Responsibilities

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➢ Use of In-Car Video Systems HCPD GO 17-3 IV. (A) General Operations, (6-a) and (6-c) Supervisor Responsibilities
REPORT PREPARED BY: Sgt. Van Sissell

SECTION I Allegations

On 03/07/2025, Sgt. J. Kelly and I met with Chief Leonhardt and Deputy Chief Wyatt regarding HCPD case 2023111009. Chief Leonhardt advised of approximately 10 recorded audio conversations that he had received between Deputy Chief Brandon Strickland and Charles Weldon Boyd, which allegedly occurred on or about the time of a criminal investigation that Boyd was involved in related to a road rage shooting that had happened in September 2023.

Chief Leonhardt stated that due to the nature of the calls between Strickland, a Bureau Commander over Criminal Investigations, and Boyd, the subject of a criminal investigation, having occurred during an investigation involving Boyd, he was requesting that the Office of Professional Standards conduct an administrative investigation to review for any possible policy or procedure violations. Chief Leonhardt also advised that the matter would be referred to SLED and the FBI due to the possibility of criminality. Deputy Chief Justin Wyatt, then-Lieutenant Greg Lent, and then-Captain Michael Kathman were also present during this briefing.

SECTION II Summary of Findings

This administrative investigation was conducted by Sgt. Van Sissell, with the Horry County Police Office of Professional Standards, who used investigative steps to complete a thorough investigation. During this investigation, violations of HCPD policy and procedure were observed.

SECTION III Disposition

Deputy Chief Brandon Strickland Policy Violations

1) Code of Conduct, HCPD GO 3-1 Untruthfulness (F-1) **(NOT SUSTAINED)**

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2) Code of Conduct, HCPD GO 3-1 Courtesy, Responsiveness, and Impartiality (J-4) **(SUSTAINED)**

3) Code of Conduct, HCPD GO 3-1 Unlawful Conduct (L-1) **(SLED INVESTIGATING)**

4) Code of Conduct, HCPD GO 3-1 Conduct Unbecoming (N-1) **(SUSTAINED)**

5) Code of Conduct, HCPD GO 3-1 Interference in Investigations (T-1C) **(SUSTAINED)**

6) Code of Conduct, HCPD GO 3-1 Conflict of Interest and Misuse of Official Position (Q-1F) **(SUSTAINED)**

7) Code of Ethics, HCPD GO 3-2 Law Enforcement Code of Ethics (A) **(SUSTAINED)**

Sergeant Damon Vescovi Policy Violations

1) Crime Scene Reporting Procedures, HCPD GO 21-5 (B-1d), (B-9b), (B-12a) On-Scene Responsibilities (SCLEA 19.4) **(SUSTAINED)**

2) Code of Conduct, HCPD GO 3-1 Courtesy, Responsiveness, and Impartiality (J-1), (J-4) **(SUSTAINED)**

3) Code of Conduct, HCPD GO 3-1 Improper Conduct (M-1) **(SUSTAINED)**

4) Code of Conduct, HCPD GO 3-1 Conduct Unbecoming (N-1) **(SUSTAINED)**

5) Code of Conduct, HCPD GO 3-1 Interference in Investigations (T-1b) **(SUSTAINED)**

6) Code of Ethics, HCPD GO 3-2 Law Enforcement Code of Ethics (A) **(SUSTAINED)**

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Sergeant Mark Johnson Policy Violations

1) Responding to Emergency and Non-Emergency Calls, HCPD GO 17-1 III (C-1b), (C-2) Rules and Procedure **(SUSTAINED)**

2) Use if In-Car Video, HCPD GO 17-3 IV (A-5g) Officers' Responsibilities (SCLEA 16.10 A&B) **(SUSTAINED)**

Pfc. Kerry Higgs

1) Crime Scene Reporting Procedures 21-5 (B-8) **(SUSTAINED)**

C. Powell

1) Supervisor Duties, HCPD GO 1-4 IV. (A-5) Supervisor Responsibilities **(SUSTAINED)**

2) Use of In-Car Video Systems HCPD GO 17-3 IV. (A) General Operations, (6-a) and (6-c) Supervisor Responsibilities **(SUSTAINED)**

R. Ghent

1) Supervisor Duties, HCPD GO 1-4 IV. (A-5) Supervisor Responsibilities **(SUSTAINED)**

2) Use of In-Car Video Systems HCPD GO 17-3 IV. (A) General Operations, (6-a) and (6-c) Supervisor Responsibilities **(SUSTAINED)**

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REPORT PREPARED BY: Sgt. Van Sissell

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SECTION I INVESTIGATIVE SUMMARY

On 03/07/2025, Sgt. J. Kelly and I met with Chief Leonhardt regarding HCPD case 2023111009. Chief Leonhardt advised of approximately 10 recorded audio conversations that he had received between Deputy Chief Brandon Strickland and Charles Weldon Boyd, which allegedly occurred on or about the time of a criminal investigation that Boyd was involved in related to a road rage shooting that had happened on September 09/09/2023.

Chief Leonhardt stated that due to the nature of the calls between Strickland, a Bureau Commander over Criminal Investigations, and Boyd, the subject of a criminal investigation, having occurred during an investigation involving Boyd, he was requesting that the Office of Professional Standards conduct an administrative investigation to review for any possible policy or procedure violations. Chief Leonhardt also advised that the matter would be referred to SLED and the FBI due to the possibility of criminality. Deputy Chief Justin Wyatt, then-Lieutenant Greg Lent, and then-Captain Michael Kathman were also present during this briefing.

After notification of the pending administrative investigation, it is worth noting that Sgt. J. Kelly disclosed to Chief Leonhart that during his secondary employment as an independent musician, he had business dealings with Weldon Boyd's restaurant, Buoy's on The Boulevard. Sgt. Kelly stated that he did not directly conduct his business with Boyd but rather exclusively scheduled his bookings with a manager of the business, Stephanie Booth McDuffie. Sgt. Kelly made it clear that he had only met or seen Boyd in person once when Boyd had introduced himself at a St. Patrick's Day Parade event, but that was the extent of their interaction. Sgt. Kelly also canceled any future bookings with Boyd's business, pending the outcome of the investigation. It is also noteworthy to state that Sgt. Kelly had no involvement in the original criminal investigation related to Boyd and that he had been assigned to the training division at the time of the incident. It was determined that I, Sgt. Van Sissell would be the primary investigator solely assigned to this administrative investigation, while Sgt. Kelley handled the day-to-day duties of the OPS office. Chief Leonhardt also determined that due to the magnitude of information and documentation related to this investigation, Lt. Steve Phillips and Sgt. King Hemingway would be temporarily reassigned to the Office of Professional Standards in a team effort to complete an administrative investigation related to any policy or procedure violations concerning the incident above.

During this investigation, investigators employed investigative steps to conduct a thorough examination, utilizing all available incident reports, body-worn camera video, in-car video, uploaded case investigation documents, and personnel interviews to complete a comprehensive review and findings.

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SECTION II | INVESTIGATIVE PREDICATE

Crime Scene Reporting Procedures HCPD GO 21-5

Policy 21-5 (B-1) (d)

B. ON-SCENE RESPONSIBILITIES (SCLEA 19.4)

1. Rendering aid to victims and identifying the signs of death

d. Members are to direct the movement of any medical personnel or others assisting while they are within the crime scene. This direction will be solely for the purpose of preserving evidence.

Policy 21-5 (B-8)

8. A crime scene Entry Log of all persons entering/exiting the crime scene will be started by the first member arriving, and, if necessary, transferred to any relief member or the on-scene Detective. The log will include the person's name, ID#, and time of arrival/departure. Members will utilize the HCPD Crime Scene Entry Log form.

Policy 21-5 (B-9) (b)

9. Isolating and preserving the crime scene

b. Once protective measures are in place, all persons will be removed from the scene and no one will be allowed to enter unless authorized.

Policy 21-5 (B-12) (a)

12. Identification and interview of witnesses (SCLEA 19.4.B)

a. Members are responsible for conducting initial interviews of the victim and/or witnesses. Witnesses must be isolated from one another and advised not to discuss the event with others.

Code of Conduct HCPD GO 3-1

Policy 3-1 (F-1)

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F. UNTRUTHFULNESS

1. Members will not intentionally make false statements or fail to disclose information in connection with their performance of official duties. This includes when in the purpose is to conceal suitability or non-suitability for hire or selection, during an administrative or supervisory investigation involving an internal or external complaint, or to gain improper personal advantage.

Policy 3-1 (J-1 & J-4)

J. COURTESY, RESPONSIVENESS, AND IMPARTIALITY

1. Members will exercise reasonable courtesy in all interactions with the public. Members will remain professional toward all individuals during the performance of their duties.

4. Members will not permit their personal opinions, associations or friendships to influence their decisions and will remain impartial in the performance of their duties.

Policy 3-1 (L-1)

L. UNLAWFUL CONDUCT

1. Members will not engage in any conduct, whether on or off duty, which is in violation of any state, federal, local law or ordinance. Criminal conduct, in and of itself, is sufficient grounds for disciplinary action regardless of whether or not the member has been cited, charged, indicted, arrested, prosecuted, and/or convicted for an offense. **(SLED Investigating)**

Policy 3-1 (M-1)

M. IMPROPER CONDUCT

1. Members will not steal, duplicate, manufacture, conceal, falsify, destroy, tamper with, convert to personal use, remove or withhold any property, evidence, police record, report or other document obtained or held in connection with an investigation or other official department business, except by process of law or directed by a supervisor or Chief of Police.

Policy 3-1 (N-1)

N. CONDUCT UNBECOMING

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1. All members are prohibited from engaging in any conduct, on and/or off-duty that brings the department into disrepute, reflects unfavorably upon the employee as a member of the department, damages or affects the reputation of that employee, or impairs the operation or efficiency of the HCPD or any of its personnel.

Policy 3-1 (Q-1) (f)

Q. CONFLICT OF INTEREST AND MISUSE OF OFFICIAL POSITION

1. Members will not:

f. Access, obtain, disseminate or use any confidential or other official department information, for any financial, personal or private gain or interest for themselves or another.

Policy 3-1 (T-1) (b)

T. INTERFERENCE IN INVESTIGATIONS

1. HCPD personnel will not:

b. Conduct or intervene in any investigation or other official action outside the scope of their assignment or assigned to another member, without authorization from a superior officer, unless the exigencies of the circumstances require immediate police action.

Code of Ethics HCPD GO 3-2

Policy 3-2 (A)

A. LAW ENFORCEMENT CODE OF ETHICS

Sworn members of the HCPD will abide by the Law Enforcement Officer's Code of Ethics.

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint and to be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the

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land and regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duties.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

Supervisor Duties HCPD GO 1-4 IV

(A-5) Supervisor Responsibilities – Accountability for the performance of personnel under their immediate control. **(SCLEA 3.13)**

Responding to Emergency and Non-Emergency Calls HCPD GO 17-1

Policy 17-1 III (C-1) (b) & (C-2)

III. RULES AND PROCEDURES

C. USE OF AUTHORIZED EMERGENCY EQUIPMENT (SCLEA 16.3)

1. Authorized emergency equipment – installed on department vehicles includes emergency lights and a siren. Other installed authorized equipment may include hazard warning lights, spotlights, public address systems, and in-car video recorders.

   b. *Siren* – officers will use the vehicle's siren for a Code 2 or Code 3 emergency level response. Use of a siren is also permitted to signal a traffic violator when initiating a traffic stop.

2. *Deactivation of emergency equipment* – officers engaged in a Code 2 or Code 3 response may deactivate their emergency equipment at a distance from the scene in order to avoid detection of their approach. This technique may be employed at the officer's discretion; however, the responding officer must drive thereafter in a manner that is consistent with a Code 1 response.

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Use of In-Car Video HCPD GO 17-3

Policy 17-3 IV (A-5) (g)

IV. PROCEDURES

A. GENERAL OPERATION

5. Officer's Responsibilities (SCLEA 16.10.A & B)

g. Once an event has ended, officers will enter all related information into the MVR system to include but not limited to:

1) Case Number (when applicable)
2) Event type
3) Ticket # -if applicable
4) Suspect information –if applicable
5) Notes - if applicable

6. Supervisor Responsibilities (SCLEA 16.10A)

a. Supervisory personnel will ensure that all officers follow established procedures for the use and maintenance of MVR and Body Worn Camera equipment and handling of video/audio recordings.

b. Supervisors will ensure personnel upload recordings in accordance to this policy. Supervisors may extend the time requirement associated with recordings of critical or high-profile incidents or investigations, where the video may be pertinent to a complaint a newsworthy event, when it involves prominent, important, or distinguished complainants, victims, suspects, or witnesses; however, such recordings will be uploaded prior to the end of shift.

[redacted]

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