

## Investigative Summary Report

**Date Complaint Received:** 04/16/2024 (Note: The Office of Professional Standard received the complaint on 04/16/2024 and contacted Misty Watson, Human Resources, to assist with the investigation.)

**Complainant:** Sgt. James Francis Ryan, III., North Charleston Police Department

**Accused:** Deputy Chief Karen Cordray, North Charleston Police Department

### General Overview of Complaint:

Sgt. Ryan is accusing Deputy Chief Karen Cordray of engaging in unethical conduct. Sgt. Ryan has alleged that Deputy Chief Cordray requested him to alter his initial incident report and remove what he feels are crucial details regarding his interaction with City Councilman Jerome Heyward during a call he responded to. Sgt. Ryan claims that Deputy Chief Cordray instructed him to remove certain details from the report and place them in the case management system used by detectives to clean up the report. He claims he was directed by Deputy Chief Cordray to only state the following in the report: He copied the call, got to the location, heard the noise himself, and dealt with the issue. Sgt. Ryan expressed concerns that Deputy Chief Cordray did not follow through in her commitment to timely notify the Chief of Police, Legal, and the Mayor regarding his concerns surrounding Councilman Heyward's behavior.

Sgt. Ryan stated that despite being fearful of possible repercussions or retaliation he has decided to come forward with his concerns after being informed that Deputy Chief Cordray was dishonest and had allegedly told at least one other officer that she did not ask Sgt. Ryan to alter his incident report. He is concerned that this type of dishonest statement undermines his credibility with his colleagues and challenges his honor and integrity, even if unintentional, when she did ask him to alter his report.

Furthermore, Sgt. Ryan stated that he has personally witnessed Deputy Chief Cordray defending City Councilman Heyward's behavior in the past, specifically during an incident that had allegedly took place at Riverfront Park. Sgt. Ryan expressed that he is concerned that Deputy Chief Cordray may somehow be beholden to City Councilman Heyward in a way that could be detrimental to the Police Department.

### Witnesses/Completed Interviews:

*The following interviews were completed by Misty Watson and Angela Wimberley:*

- 1.) Sgt. James Francis Ryan, III (Interviewed on 04/19/2024 by Misty Watson and Angela Wimberley)
- 2.) Major James Hill (Interviewed 04/23/2024)
- 3.) Lt. Tireka Wright (Interviewed 04/24/2024)
- 4.) Capt. Andrew Glover (Interviewed 04/24/2024)
- 5.) Sgt. Ruben Potts (Interviewed 04/29/2024)
- 6.) Police Officer Jared Martin (Interviewed 04/30/2024)

- 7.) Sgt. Jamal Foster (Interviewed 05/02/2024)
- 8.) Deputy Chief Karen Cordray (Interviewed 05/15/2024)
- 9.) Sgt. Lavar Simmons (Interviewed 05/20/2024)

*The following interview was conducted by Angela Wimberley:*

- 1.) Chief George "Greg" Gomes (Interviewed 05/07/2024)

#### **Documentation Receipt Log:**

*The following documents were obtained or received during the investigation:*

- 1.) Internal Investigation Officer/Employee Statement of Sgt. James Francis Ryan, III *(Received from the Office of Professional Standard.)*
- 2.) Two sets of printed text message conversations between Sgt. Ryan and D.C. Karen Cordray. Note: First Set is labeled Original 1 and Original 2; Second Set of Text Messaging is labeled Original 1 – Original 13. *(Received from the Office of Professional Standard.)*
- 3.) NCPD Incident Report dated 02/24/2024 by reporting officer James Francis Ryan labeled Incident Type: Noise Complaint/Information. *(Received from the Office of Professional Standard.)*
- 4.) Screenshot of Case Management with indication of a "Case Alert" being placed on a Noise Complaint Case that is notated as being edited on 02/26/2024 at 12:32 PM by Karen Cordray. *(Received from the Office of Professional Standard.)*
- 5.) NCPD Policy # A-26 and NCPD Policy # A-38 *(Received from the Office of Professional Standard.)*
- 6.) VideoManager EL Video Audit Log reflecting Body Cam Footage access for the Body Cam Footage of the incident between Councilman Jerome Heyward and Sgt. James Francis Ryan, III *(Received from the Office of Professional Standard.)*
- 7.) City Cell Phone Records of Chief Gomes and Deputy Chief Cordray for the dates of 02/24/2024 and 02/25/2024. *(Received from Director of Facilities)*
- 8.) E-mailed text message records for conversations between D.C. Karen Cordray and Sgt. Ryan. *(Received from Deputy Chief Karen Cordray)*
- 9.) E-mailed date of previous Food and Wine Event *(Received from Deputy Chief Karen Cordray)*
- 10.) E-mailed text message from Councilman Jerome Heyward to Deputy Chief Karen Cordray regarding the night of the incident. *(Received from Deputy Chief Karen Cordray)*

#### **Conclusion / Findings / Recommendations:**

- ***Regarding the allegation that Deputy Chief Cordray instructed Sgt. James Francis Ryan, III to alter his incident report:***

It has been confirmed that on February 27th, 2024, Deputy Chief Cordray requested Sgt. Ryan to call her, and during this call, they discussed the content of Sgt. Ryan's incident report. Deputy Chief Cordray maintains that she was merely providing feedback that he had requested. Sgt. Ryan adamantly states that Deputy Chief Cordray instructed him to alter his incident report and gave him specific instructions on what should be included and removed and placed in case management.

It has also been confirmed that on March 13, 2024, Deputy Chief Cordray contacted Sgt. Ryan again via text message, stating: "Did you ever clean up the report you did on Montague Room? Put the original in management." Deputy Chief Cordray then replied, "Nevermind. I read it." Sgt. Ryan noted the second inquiry from Deputy Chief Cordray coincided with a FOIA request the City received regarding the incident. Deputy Chief Cordray also indicated she received notice of a FOIA request around March 13, 2024.

- ***Regarding the allegation that Deputy Chief Cordray placed a "FLAG" on Sgt. Ryan's report about the incident involving Councilman Heyward:***

It has been confirmed that Deputy Chief Cordray placed a "Case Alert" on the incident report on February 26, 2024.

- ***Regarding the allegation that Deputy Chief Cordray did not notify the Chief of Police, Legal Department, or the Mayor about Sgt. Ryan's concerns as she had advised:***

It has been confirmed that Deputy Chief Cordray did inform Sgt. Ryan that she would bring up the issue with the Chief of Police, Legal, and the Mayor to make them aware of the concerns surrounding Councilman Heyward's behavior.

Sgt. Ryan claims that the Chief of Police told him that he was not aware of the incident until the City received a FOIA request. Angela Wimberley interviewed Chief of Police, Greg Gomes, who stated that he had no clue about the incident until the FOIA was received. He also mentioned that Deputy Cordray had said she brought it up at a staff meeting, but he doesn't remember that specific conversation, and stated they talk about a lot at staff meetings.

HR asked the City Attorney, Kriston Neely, when he was made aware of the concerns regarding Councilman Heyward's behavior and Sgt. Ryan's interaction. Mr. Neely confirmed that he was made aware of the concerns when a FOIA request was received and denied that Deputy Chief Cordray had a meeting with him on February 26, 2024, to discuss Sgt. Ryan's concerns.

During the interview Deputy Chief Cordray stated that Mr. Neely informed her that the business owner or DJ could be cited for a noise complaint. Mr. Neely confirmed discussing who could be cited during a noise complaint incident. However, Mr. Neely stated he was not informed about the specific incident between Sgt. Ryan and Councilman Heyward prior to receiving the FOIA.

Deputy Chief Cordray claimed that she spoke with David Cheatle on February 26, 2024, to discuss Sgt. Ryan's concerns, and that Mr. Cheatle went downstairs that same day to review the body cam footage himself. However, the VideoManager EL Video Audit log provided by the

Office of Professional Standards showed that no one except for Sgt. Ryan accessed or viewed body cam footage of the incident until March 14, 2024, after a FOIA request was received.

Due to discrepancies between Deputy Chief Cordray's statements and the previous statements of Chief Gomes and Attorney Kriston Neely, Deputy Chief Cordray was asked a second time during the interview for confirmation regarding the dates and details of her conversations with Legal, Mr. Cheatle and the Chief of Police to discuss Sgt. Ryan's concerns, and when body cam footage was reviewed by Mr. Cheatle. Deputy Chief Cordray maintained her original statements.

Phone records revealed a 4-minute phone conversation between Deputy Chief Cordray and Chief Gomes on 02/25/2024 at 12:24 am. Additionally, Chief Gomes placed a 3-minute call to the phone number on file for Councilman Heyward immediately after his call with Deputy Chief Cordray. These phone records conflict with Chief Gomes' statements he made during this investigation. However, additional discrepancies still exist in Deputy Chief Cordray's statements concerning other conversations and video review timelines.

It seems that Deputy Chief Cordray has not been entirely truthful in her responses and has provided false or misleading information during the investigation. Additionally, it is recommended that a separate review and follow-up be conducted regarding Chief Gomes' statements and discrepancies related to phone records and Deputy Chief Cordray's account of events.

- ***In relation to the accusation that Deputy Chief Cordray asked Sgt. Ryan to omit specific information about his interaction with Councilman Heyward, and his concern that she may be trying to conceal information or have a biased connection to Councilman Heyward that could be harmful to the Police Department:***

It has been confirmed that Deputy Chief Cordray did have a discussion with Sgt. Ryan regarding the inclusion of certain details from his incident report in the case management system rather than in the incident report itself. Deputy Chief Cordray maintains that she simply suggested including a reference to a court case in Case Management, while Sgt. Ryan claims that she specifically instructed him to modify his report to only include the following: answered call, copied call, went to the location, heard the noise, and dealt with the issue. He alleges that she asked him to include everything else in case management. Sgt. Ryan's concern was that case management notes cannot be accessed via FOIA, and he felt like some information was about to be buried. He argues that if he provided an accurate report, it would be unethical for a superior officer to ask him to remove anything from the report. Deputy Chief Cordray maintains that she only requested the court case reference to be placed in case management, stating that her reason for this recommendation was that she felt it was a bit much and overboard.

- ***Regarding the allegation that Deputy Chief Cordray has been dishonest with others in the department about asking Sgt. Ryan to alter his incident report:***

Sgt. Ryan did not want to disclose the names of the officers who allegedly informed him that Deputy Chief Cordray had asked them to discuss and make the claim that she never asked him to alter his report. He expressed concerns about bringing forth his own allegations and did not want to involve anyone else.

When Deputy Chief Cordray was asked about the allegation, she mentioned that she may have said something after Sgt. Ryan made his accusation. She stated that she does not recall speaking to anyone specific, but she may have said something to Lavar Simmons. Later, after the initial interview, she returned and requested to add something, mentioning that she may have mentioned something to others after Sgt. Ryan made the comment to her in the hallway outside of staff services because she was offended by the comment. She reiterated that she doesn't recall anyone specifically she may have spoken to.

Lavar Simmons stated that Deputy Chief Cordray did pull him aside and inquire if he had heard about the allegation. He mentioned that she informed him that rumors were circulating that she had asked Jimmy to change his report and she clarified that she had only asked him to clean it up a little bit.

- ***Regarding the allegation that Deputy Chief Cordray defended Councilman Heyward's inappropriate behavior towards an employee previously during an incident at Riverfront Park:***

Sgt. Ryan and Jared Martin both confirm that an incident with Councilman Heyward occurred previously during a festival at Riverfront Park back in 2022. Officer Jared Martin states he was working security detail when the incident occurred. When asked to describe the incident, Officer Martin stated that an event organizer had asked Mr. Heyward to leave. He stated that Mr. Heyward was on a golf cart with three younger girls and seemed intoxicated. He told Mr. Heyward that the event organizers did not want him on the premises, and Mr. Heyward responded with what he perceived to be a threat, saying, "Keep that same energy, fat boy. I'm going to my car, and I will be right back." Officer Martin interpreted this as a threat and claims he reported the incident to Deputy Chief Cordray, who asked him if his body cam was on at the time, which it was not. He shared that he was working off-duty security detail with another officer taking the lead. When asked how the incident was handled, he stated that he doesn't remember all the details, but he believes Deputy Chief Cordray spoke to Councilman Heyward and another Council member and Councilman Heyward tried to smooth it over.

Sgt. Ryan stated that at some point during the incident at Riverfront Park, Councilman Heyward called Officer Martin a "fat fucking piece of shit." Sgt. Ryan stated he witnessed portions of the incident and raised concerns with Deputy Chief Cordray, who was on-site at the time. Sgt. Ryan claims that when he asked Deputy Chief Cordray what she was going to do about the situation, she allegedly stated that Mr. Heyward would apologize later. He then stated there was no further discussion on the matter, and he is not aware if any follow-up on the issue occurred.

When questioned about this incident, Deputy Chief Cordray stated that she did not recall the incident with Officer Martin and only knew what Jimmy had told them. She did recall there was some situation where Councilman Heyward and his guests insisted that they had passes to the festival, and she stated she had an issue with him herself at the gate, but then stated that she is not easily offended or intimidated. She did not provide further clarity or details about her issue with Mr. Heyward at the gate. She later stated that Councilman Heyward comes across as a bully. She stated that she could not confirm if the incident with Officer Martin occurred; she simply doesn't remember it.

- ***Regarding the allegation that it is unethical or against process, policy, or state law for a supervising officer to ask an officer to change or alter their report:***

After speaking to several North Charleston Police Officers with varying ranks and experience, the consensus seems to be that asking an officer to change or alter their incident report is unacceptable and not allowed. This includes asking an officer to place a portion of the information in their report into the case management system. We were unable to determine or locate any specific state law or policy specifically addressing incident reports or rules surrounding a supervising officer requesting that information within a report be edited, altered, or changed. However, it appears to be common, accepted knowledge in the department that this is not allowed and considered a serious issue. Some referenced that other officers in the past have been either demoted or terminated for altering or requesting that a report be altered. We were unable to obtain details of an alleged similarly situated incident for comparison. When Deputy Chief Cordray was asked about this, she did not seem to see an issue and informed us that only certain information needs to be in a police report, including the who, what, when, where, and why. She mentioned that some things shouldn't be included in the report and need to be taken out, including personal opinions.

Some within the department who have conducted training or recall their training have indicated that there is nothing factual that you need to omit from a report. Some shared they have seen case law or an ordinance referenced in a report, while others indicated they have not personally observed this detail in an incident report.

When discussing the case management system and its use within the department, the consensus is that it is primarily used by detectives or when trying to hide sensitive information from the public. For example, witness, informant, or juvenile identifying information, sensitive details regarding a rape or assault incident, or sensitive information related to a suspect, i.e. identifying car information.

**Important Notes:**

- Angela Wimberley, HR Director, notified legal (Kriston Neely) of Sgt. Ryan's request for an outside agency to conduct this investigation. It has been determined that we will handle this investigation in the same manner as prior internal investigations and not outsource it to another agency.

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Interview Summary Notes for Capt. Andrew Glover:

Captain Glover was asked about his knowledge of department policy, practice, or any applicable law regarding whether a superior officer can ask a police officer to alter or change their report. Captain Glover responded, stating that no, they cannot ask that. He added that the report represents the officer's perception of what occurred and that altering it would prevent them from being able to testify. He mentioned that solicitors have advised them not to alter their reports and referenced The Brady Act as the basis for this. Captain Glover emphasized that no one should be forced to change or alter a report.

He was asked if officers are trained on how to properly complete a report, including what should be in the report or omitted from the report. He said that officers are trained to write reports so that they can testify. He says there is nothing you need to omit from the report. He said you can write a 3-page report if you want. He says that prior to approval of a report, the superior can recommend that they take this out or put this in but not ask them to omit their thoughts. He said if change is requested, it should only be on a basis for rewording, flow change, spelling, grammatical issues, or if something is blatantly not relevant to the case. He stated you should never ask them to take anything out or change their thoughts.

Capt. Glover shared that David Fleming was demoted for changing a report. He says he had changed the report to say he had a knife and was demoted from SGT. to Patrolman as a result. He says this occurred around 2006ish. Capt. Glover shared that he personally was the officer asked to alter the report and IA was notified.

When asked about the use of case management in the department, Captain Glover stated that patrol rarely uses it, as the system is primarily for investigations and detectives. He also mentioned that he is a trainer and teaches officers to include their thoughts and feelings in their reports. For example, he says he expressed his fear and feeling of being threatened during a shooting incident he was involved in. He emphasized that he would never include derogatory remarks about individuals in his reports. As an example, he stated, he would not indicate that he believed a lady or man to be stupid.

Regarding the question of whether case law should be included in a report, Captain Glover stated that he has seen it included before. He said it is not common because many officers do not have the necessary career experience to know all the laws. When asked for an example, he mentioned seeing "Terry vs. Ohio" referenced in a stop-and-frisk scenario.

He then mentioned that he considers Sgt. Jimmy Ryan an expert in report writing, noting that he is impeccable in his report writing. He also praised Sgt. Lavar Simmons as a good report writer and shared that Sgt. Simmons is an evening shift supervisor in the North Bureau.



Interview Summary Notes for Sgt. Lavar Simmons:

Sgt. Simmons was asked if he had spoken to Deputy Chief Cordray regarding the allegation of her requesting an officer to change his report. He stated that D.C. Cordray did pull him to the side and ask him if he had heard about the allegation. She informed him that rumors were going around that she had asked Jimmy to change his report, but she informed him she had only asked him to clean it up a little bit.

Sgt. Simmons shared that from their conversation, it is his opinion that she was upset about the case law. When asked if he has any knowledge or experience with the practice of case law being included in a report, he responded stating that he hasn't seen that, and he doesn't reference it. He mentioned that he would reference a state law or an ordinance in a report, and has seen that in a report, but it isn't common practice for state law or an ordinance to be included.

When asked for more details about their conversation, Sgt. Simmons shared that D.C. Cordray seemed concerned about who had said what about her, and he stated he told her he had not heard any of the rumors. He also shared that when he had spoken to Jimmy, Jimmy didn't speak about it. Sgt. Simmons then stated that, to his knowledge, no one is talking about it. He mentioned that while he loves D.C. Cordray, he said she can sometimes make a mountain out of a molehill. He said the only talk he has heard going around is about the video and what was going to happen to Jerome Heyward.

He was asked if anyone else was around or could have overheard their conversation. He stated that D.C. Perry and Cpt. Lewis both passed by, but he doesn't think they heard anything.

When asked what the policy or process is for a superior to request that a report be changed or altered, he stated that it is not okay. He said they had a sergeant demoted years ago for that. He said that if it is a grammatical issue or something has been left out, like a word, they can tell them to check their narrative. He says asking an officer to check their video, if they have left something out, is okay. But it is not okay to ask them to take something out because he wasn't there. The officer was there.

He mentioned that he wouldn't have asked his team to alter or remove case law.

When asked about who uses case management, who receives training on its use, and how it is utilized, he explained that individuals can enter notes into the system that they do not want to appear in the police report. This is done for Freedom of Information Act (FOIA) reasons. He noted that if there was something important that he wanted documented but not subject to FOIA requests, he would use this feature. He said that officers are trained in case management and are instructed to use it only for highly sensitive information. For example, if the details of an incident are too graphic for the police report, such as in a case of rape, they might request that the graphic details be entered into case management. He mentioned that he would not make such a request, but others might ask for notes about the location of the body, etc., to be placed in case management rather than in the report.

He stated that asking someone to edit what they are saying is a no-no.

Sergeant Simmons mentioned that it would have been acceptable to include a reference stating that the officer was called a derogatory term and then include the actual term in the case management system. He explained that this approach would hide the actual word from public view. When asked if this was

considered acceptable, he mentioned that it depends on the context. For example, if the information revealed that the victim was raped, it might be acceptable to include that additional detail in the case management system.

### Interview Summary Notes for Major James Hill:

Major Hill was asked to explain his understanding of the policy, law, or practice of a superior requesting that a police report be changed or altered in some way. Major Hill responded by stating that he doesn't know if there is a law or policy, but he has always been told that you can't alter a police report. He then stated that if there is vulgar language or the report contains information that is not factual, then a superior can ask that it be removed. However, he would not tell his team to change it. He may make grammatical suggestions for them to consider or perhaps give them a different viewpoint, but he would let them write what they saw and not ask them to change it.

When asked what the case management system is utilized for and if it is used to document information from a police/incident report as well, Major Hill stated that case management is used to put things in that you don't want the media to see or be FOIA'd. It's to cover information that is protected. For example, if you are trying to protect a juvenile, you would put their information in case management. He states it is used during investigations so that it will black out the information you don't want to be released. Major Hill also added that not everyone may know about case management. He isn't sure if they are trained on it or if everyone is aware of how to use management for that purpose.

Major Hill was asked how police officers are trained or what information should or should not be contained in a police report. Per Major Hill, you can't put false information in a report. It must be factual information as to what occurred. Supervisors look for violations and not just opinions when reviewing reports.

When asked if there was any issue or if it was customary to reference laws or statutes in a police report, he says he doesn't see any issue with writing in a statute so long as it is accurate. He shared that he hasn't written it in a report, but he has seen that before.

Major Hill then suggested that perhaps we could call an attorney from the S.C. Police Academy to gain a better understanding of why reports should not be changed. He believes it is a huge no-no.

Major Hill then circled back to his belief that a report should state the facts of the time, but inserting personal feelings is okay too. He stated he tells his team to include their emotions because some prosecutors say to write that – write your feelings. For example, "I felt scared," etc. He states he would never tell an officer not to write any facts. He also stated there isn't a right or wrong about what to place in the incident report, so long as it is information that is factual and true to how the officer felt. He says some officers are long-winded and write more, and some are short-winded and write just the basics.

He then shared that he would look up to see if he could find any references to report writing. He says there may be something on incident reports and how they should be titled and completed. He stated he does know, however, that it has always been a common practice that you do not ask an officer to change their report.



Interview Summary Notes for Sgt. James Francis Ryan:

Immediately upon beginning the interview, Sgt. Ryan requested that another police department's internal affairs department review his complaint and handle the investigation. He clarified that this request was not intended to offend anyone and was not personally directed towards HR. He further explained that his concerns and request surround potential repercussions of coming forward with a complaint against Deputy Chief Cordray and that he felt another police department's internal affairs department outside of the City would better understand the seriousness of the situation.

I acknowledged his request but explained that I would still like the opportunity to speak with him today. I then assured him that his request would be passed along to the relevant parties.

I then proceeded to show Sgt. Ryan a copy of his statement and the incident report that was provided to HR. Additionally, Sgt. Ryan was shown the text messages we received with his complaint to ensure their accuracy and completeness. Sgt. Ryan advised that the text messages were out of order and quickly rearranged them into the correct sequence. He then reviewed and confirmed that all documentation we have are accurate and complete.

Sgt. Ryan was asked if the incident had been captured in its entirety on his police body camera system. He confirmed that at the end of the footage, he had turned off his body camera to speak with Deputy Chief Cordray. He advised her that due to the difficult situation he was facing, he was not going to issue a citation to Councilman Heyward.

Sgt. Ryan then went on to state that he started to receive text messages from Deputy Chief Cordray around 6:30 am on Sunday. He stated he concerned about the potential fallout from the incident, as he felt Councilman Heyward was going to complain.

He claims that on 02/27/2024, Deputy Chief Cordray contacted him to direct him to limit his report to only notating the details of the noise complaint itself. He stated she advised him to put the rest of the details regarding the incident and his interaction with Councilman Heyward in the case management system. Sgt. Ryan, however, stated he had drafted a factual report of what transpired, and the information was relevant to the incident and interaction that had transpired. He did not feel he should have been asked to alter his report. He says that D.C. Cordray requested that he whittle down his report and that the request was unethical. He says there was no acceptable basis for her request, and no reason she should have asked him to alter or change any information in a factual report. Sgt. Ryan was asked if he had inquired further regarding the directive for the purpose of seeking clarity or the reasoning of her request. He says he did not ask any questions at that time. He was then asked if he changed the report. He advised that he did not change or alter the report as requested because it was a factual report and account of the incident and interaction that had taken place, and his report was supported by body cam footage. Sgt. Ryan then stated that that he did offer to put the information in a memorandum form for submission to legal and the mayor because he felt something nefarious was afoot and that something was about to be buried. He stated that D.C. Cordray informed him that putting the information in a memorandum form would not be necessary.

On 05/13/2024, Sgt. Ryan states he received a text message from Deputy Chief Cordray asking if he had ever cleaned up the report he had done on Montague Room. He says her additional inquiry about altering the report came in just after the FOIA request had been received. He states that is when he learned the chief had not been informed about the incident, even though D.C. Cordray had assured him she would inform the Chief, legal and the Mayor. Sgt. Ryan was asked how he was certain the Chief had

not been previously informed regarding the incident. He says the Chief informed him that he became aware of the incident when the FOIA request was first received. The Chief informed him on 04/14/24 that the FOIA request was going to be released. He shared that he had also previously spoken to the Chief around March 28<sup>th</sup> or 29<sup>th</sup> about being asked to change his report. He also stated he had spoken to internal affairs about being asked to change his report. He also stated that when speaking to the Chief about being asked to alter his report the Chief advised him that he was not going to influence him one way or the other. He says the Chief also informed him that he knew he would do the right thing.

Sgt. Ryan shared that it is considered unethical and not permitted for someone to request that a report containing factual information be changed or altered. He states this issue is also trained on and addressed in the South Carolina Training Act for Police.

Sgt. Ryan mentioned that he has not had many interactions with D.C. Cordray, apart from when he went to pick up a ball cap from Tami Ankrom. He stated that while he was there to pick up the cap, D.C. Cordray walked up and gave him a fist bump stating, "Great job," and indicating she had watched the video again. He then asked her why she had asked him to change his report then. He says she responded stating she was only wanting him to remove the supreme court ruling notation, since they do not place court ruling notations in reports.

Sgt. Ryan then shared that it is absolutely okay to put court case references in a report, and he has been doing this throughout his career, when it is relevant. He shared that D.U.I. cases are an example of where he has notated a court case ruling. He also stated that after that last interaction with D.C. Cordray he walked away feeling quite disgusted with the whole situation and was a little heated at that point.

He mentioned that he had been informed by others that D.C. Cordray had dragged several officers into her office and told them she had not asked him to change his report. He stated he has struggled with filing a complaint but ultimately decided to come forward because he felt that he was being made to look like a liar by her not being honest.

When asked for the names of the officers whom D.C. Cordray may have spoken to regarding the matter, Sgt. Ryan stated that he did not want to provide their names without their permission. He was concerned about putting them in an uncomfortable situation, as he states he is concerned about coming forward himself. However, he did say that he would consider speaking with them to see if he could provide their names. He said he just doesn't know if he wants to put them in that situation.

Sgt. Ryan also mentioned that prior to him getting hired, there had been several instances where officers had been terminated or demoted for requesting that a police report be changed. He mentioned the names Fleming, Vantline, and Monroe, but could not recall their first names. He also wanted to share that these incidents and actions took place before changes were made to the South Carolina Training Act regarding the issue. He says he feels there is a lot of lying going on, which is terminable, in addition to the serious nature of the request made for him to change his report. He then suggested that HR should speak with internal affairs, Capt. Holt. He also stated that he is now suspicious around the whole situation since nobody seemed to know anything about the incident before the FOIA request came in.

Sgt. Ryan mentioned a similar situation had allegedly occurred in Riverfront Park where he states Councilman Heyward tried to enter the venue without a ticket and made a derogatory statement to Officer Jared Martin. Per Sgt. Ryan, Councilman Heyward called Police Officer Jared Martin "a fat fucking piece of shit." Sgt. Ryan claims to have witnessed portions of the incident and says he raised concerns



with Deputy Chief Cordray, who was on-site at the time. According to Sgt. Ryan, when asked what she was going to do about the issue, Deputy Chief Cordray's response was that Heyward would apologize later. He says there was no further discussion of the matter. He is also not aware of any follow-up on the issue.

Sgt. Ryan then expressed concerns about retaliation again citing Deputy Chief Cordray's involvement in the mayor's campaign and her position in the chain of command. He stated that she is currently #2 in command and may possibly be # 1 in a few short months. He again expressed his request that an outside police agency handle this investigation to avoid any potential conflicts of interest. Sgt. Ryan also stated that he had never had to file a complaint against someone higher up in his 23 1/2 years of service.

When asked about his desired resolution, Sgt. Ryan stated that he wasn't sure but emphasized that Cordray's actions were unacceptable. He then stated that if he did what she has done then he wouldn't be able to get a job at Summerville Police. He says he would have to go do something else. He states that she lied when she stated that she only asked him to remove the Supreme Court decision. He states Deputy Chief Cordray did in fact instruct him to change his report to omit certain information regarding the interaction and to only include that he answered the call, copied the call, got to the scene, heard the noise, and dealt with the issue. Sgt. Ryan personally believes the potential motive for this is that Deputy Chief Cordray may be looking to become the next Chief of Police and wants to stay in good standing with the City Council. He states that it is his opinion that Councilman Heyward knew D.C. Cordray would pick up the phone and that is why he called her. He states that it is his understanding that Council members usually call the Chief of Police directly.

Sgt. Ryan concluded the interview by stating that he hates the fact that he has been put in this position but felt compelled to report the incident. He expressed that the whole situation has been difficult for him. He also mentioned that Councilman Heyward had requested that SLED investigate him. Sgt. Ryan then again confirmed he would take time to determine if he would like to ask the other officers if anyone may feel comfortable talking about what D.C. Cordray has advised them about the incident.



Interview Summary Notes for Sgt. Jamal Foster:

Sgt. Foster was asked about his understanding of the policy, state law (if applicable), or any department rules or process related to a superior making a request for an officer to alter or edit a police report. He stated that after the report is written, you cannot do that. He mentioned that he has never read a policy on that, but he knows you should state the facts. If you are not sure, you should check the body camera to confirm necessary details.

He believes it is the superior's duty to check the incident report for accuracy. If it goes to court, then everyone on the scene can be subpoenaed. As for requesting information to be removed, that should occur only if the information is not related to what occurred. He suggested asking the officer for their reason for including it.

When asked about officers' training for report writing, he stated they are instructed to state the facts of what happened, get all the details, the who, what, when, and where, and check for accuracy. He emphasized sticking with the details and finding out the truth. Checking video, witnesses, etc., and just sticking to the facts of what happened. He stated that policy outlines you must have truth and accuracy.

When asked if the report should contain details on any potential derogatory words or statements made to any officer(s) responding, he said that he tells his guys to put that in the report.

Sgt. Foster explained that the case management system is used by detectives for investigations, and patrol officers do not use it.

When asked about the existence of a policy on the topic of report writing, Sgt. Foster could not recall or locate the policy via his phone. He contacted another officer for the policy number, and he was also able to locate a policy for reference as well. He referenced policy A-38, Subsection G. Additionally, Sgt. Foster shared that every officer who responds to an incident must write a supplemental report.

Sgt. Foster responded to a question about whether case law or state statutes should be included in an incident report by stating that he would refer to state statutes when speaking to his officers. He noted that while some officers include these details in a report, he does not personally believe it is appropriate to include them in the report.



Interview Summary Notes for Sgt. Ruben Potts:

Sgt. Potts was asked about his understanding of the policy, state law (if applicable), or any department rules or process related to a superior making a request for an officer to alter or edit a police report. Sgt. Potts stated that a superior cannot make this request. He mentioned that there is no policy he is aware of, but it is an unwritten rule since the officer is the one obtaining the information and is the one to go to court. He emphasized that being asked to change a report by a superior is wrong and could lead to a personal conflict. He also pointed out that the issue could end up in court and the individual could be held liable for changing a report.

When asked if he is aware of this ever occurring, and if so, what was the outcome, Sgt. Potts recounted an incident from years ago where a Sgt. was demoted for changing an officer's report. He provided additional details about the incident, stating that the Sgt. worked in the South Bureau and was punished in some way for altering the report. He emphasized that it is never acceptable to ask an officer to omit information from a police report. He recalled the Sgt.'s name was Fleming.

Regarding how officers are trained on what should or should not be included in a report and how he became aware that a request to alter a report cannot be made by a superior, Sgt. Potts mentioned that officers receive training from their Field Training Officer (FTO) on the job. He also noted that he has learned from sitting and listening to senior officers. He also shared officers can have their body cameras on. He emphasized that this is the only training he thinks they receive, and it is through this process that he himself became aware that changing a report is not acceptable.

When asked about case management and whether police officers receive training on its use, Sgt. Potts clarified that case management is for officers only and is not accessible to the public. He provided an example of its use, such as for protecting informants or individuals who we do not want to be identified. He also mentioned that officers use it to protect sensitive information, such as witnesses or juvenile names.

When asked about the process of including case law or statutes in a report, he mentioned that some have referenced case law.

Sgt. Potts then stated that he believes everything is political and that certain people have too much control or power and take advantage of it. He feels that some people do not know how to say no. He shared that the people who report to him work for City Council members and sometimes they receive phone calls demanding immediate action, regardless of the situation.

For example, he mentioned a situation where they were instructed to cook during a Clemson game last fall for a neighborhood block party that he says Councilman Heyward wanted to do for his neighborhood, Wando Woods. He stated it was short notice, but the councilman wanted it done. He expressed his frustration about this, stating that he felt it was a waste of time and resources, especially since this was supposed to be the only time his team would get a long weekend and he shared that it was Thanksgiving weekend as well. He stated that Deputy Chief Cordray is the one who gave him the directive for his team to go work the event on the Saturday they were supposed to have off. He also stated that Deputy Chief Cordray is the individual who went to Buffalo Wild Wings to purchase wings

since they did not have enough time to cook any wings. He says only about 20-30 people showed up to the party.

He also mentioned that Councilman Heyward directly contacts Deputy Chief Cordray whenever there is a situation, and he believes that she needs to learn how to say no. He thinks that Mr. Heyward takes advantage of his connections. Sgt. Potts shared that he hears complaints from his team about the last-minute demands they receive from Deputy Chief Cordray for Councilman Heyward's requests. He feels that Councilman Heyward should contact Deputy Perry or a Watch Commander instead of contacting Deputy Chief Cordray directly.

He mentioned that he had seen the incident with Mr. Heyward on the news and recommended that we talk to Sgt. Wright (who had been interviewed previously) or Sgt. Foster as well. Sgt. Potts stated that he was directed by Deputy Chief Cordray to handle Councilman Heyward and Councilman Brown (who, he claims, owns the Blue Note club). He mentioned an incident where Councilman Heyward asked him to be his chauffeur, which he was not obligated to do. When asked what he understood by "deal with them," he explained that each NRO had a different district and at that time there wasn't enough coverage for all the districts. He mentioned that they had to double up and cover multiple districts. He said Deputy Chief Cordray felt that assigning a Sergeant to Councilman Heyward instead of a NRO would make him happy.

**Interview Summary Notes for Police Officer Jared Martin:**

Officer Martin was asked to explain his understanding of the policy, law, or practice of a superior requesting that a police report be changed or altered in some way. Officer Martin explained that if the initial report was not articulate enough, more detailed information may be requested. If asked to change the narrative of the report, the instructions would be to explain what happened, statements made, and what you felt. He mentioned that they have been told by Office Beck that when writing reports you should paint a picture.

When questioned about the training received by officers for report writing, he mentioned that he couldn't recall the specific training, but they were told to tell what happened. When asked whether officers should include case law references or statutes in their reports, Officer Martin responded that they can if what occurred relates to the statute or law. He also mentioned that if an individual were to "cuss" at him, he would document they used profanity.

Officer Martin was also asked if he could recall any previous concerning incidents or interactions with Councilman Heyward. He confirmed that there was an incident in the Summer of 2022, either at the Highwater Festival or the Food and Wine Festival. He stated that his friend, Rivera, was working security and he was there also working security off-duty. He mentioned that Rivera took the lead while he stayed quiet. He also shared that when the incident occurred, he immediately called Deputy Chief Cordray, and she instructed him over the radio to go to the location of the incident.

When asked to describe what he saw happen, he mentioned that one of the event organizers asked Mr. Heyward to leave. Officer Martin stated that Mr. Heyward was on a golf cart with three younger girls and seemed intoxicated. He told Mr. Heyward that the event organizers did not want him on the premises, and he did not know who Mr. Heyward was at the time. Mr. Heyward responded with what he perceived as a threat, saying that he was not going anywhere. Officer Martin claimed that Councilman Heyward then said, "Keep that same energy, fat boy. I'm going to my car, and I will be right back." Officer Martin interpreted this as a threat. He reported the incident to Deputy Chief Cordray, who asked if his body cam had been on at the time, which he stated it was not. He stated Mayor Burgess, who was Police Chief Burgess at the time, also asked him if his camera had been on and told him to turn it on at some point.

Officer Martin was asked about who was present during the incident. He stated that Sgt. Ryan and Sgt. Zimmer, as well as Officer Carlisle, were present. He mentioned that Councilman Heyward came back with Councilman Mike Brown, but he had no further interactions with him. He clarified that Councilman Brown was the father Mike Brown on Council.

When asked about how the incident was handled, Officer Martin stated that he doesn't remember all the details, but he believes Deputy Chief Cordray spoke to Councilman Heyward and Councilman Brown, and he thinks he tried to smooth it over. Additionally, he says he ran into Councilman Heyward at Caribbean Delight after the incident, and the councilman greeted him with a "what's up."

Officer Martin was asked if there were any prior issues or concerns with Councilman Heyward, and he mentioned an incident at the Plaza where The Montague Room is located. He says Councilman Heyward asked them what they were doing there, and they informed him they were working the plaza. He says the Councilman then told them that if they wanted to come in they could eat for free. He says he only

wanted water. He also stated that he had handed him his card and doesn't know if he remembered him. He then stated that he trusts he does.

For the incident at Riverfront Park, Officer Martin states he also informed Sgt. Ryan about what happened, but it was Deputy Cordray who handled the situation. He shared he did recall Zimmer mentioning making a statement when they were talking amongst themselves and indicated that he just wanted an apology. He stated Sgt. Zimmer didn't convey this to anyone else.

When closing the interview, Officer Martin emphasized that it's not acceptable to try to influence an investigation by altering a report. He mentioned that they can only suggest articulating more clearly and avoiding jargon. He also provided an example from his own report writing experience, involving an encounter with a murder suspect at a Walmart location on April 1st. He shared that the murder suspect walked in and Officer Martin went to the back of the store to retrieve his vest and body cam. He says he put that in his report because they would have seen him on camera walking away. He says it's important to explain what happened and to document his actions during the incident. He then stated that no one would tell them to say something didn't happen.



Interview Summary Notes for Lt. Tireka Wright:

Lt. Wright was asked what her understanding of the policy, state law (if applicable), or any department rules or process related to a superior making a request of an officer to alter or edit a police report. Lt. Wright responded that this is a no, no. She also stated it would be absolutely irresponsible for a superior to ask an officer to change or alter their police report and they should never ask this or request that an officer change a report to say what the supervisor wants it to say.

Lt. Wright shared that she was previously in I.A. (Internal Affairs, Office of Professional Standards) and understands that you cannot do this. She says you cannot change what someone says in a report, period.

I then asked Lt. Wright to share how officers are trained and what they are instructed to include or not include for reports. She said they are trained to include victim information for contact reasons, suspect information (if known or a name and description is available). It should include the who / what / when/ where and why in the report, including the reason for the call. What the caller stated and also include next steps or resolution and if any additional contact with others needs to transpire or has transpired. It should also include if the individual was arrested or if additional follow-up actions may be needed. She says then you add victim 1 or victim 2, no names given for victims and no specific vehicle info is listed since this can be subject to FOIA, and they want to protect the identity of the victim. She says FTO's are supposed to show them (police officers) what to put in the report to document each element of importance. She shared that some FTO's will just give officers some dummy report samples to go by. She shared she does not think they are being trained properly on completing reports. She also shared that they have been getting complaints that some info wasn't included in the report and there are allegations that details the caller provided the responding officer are sometimes missing from the report.

She was asked if there are any additional details or information that would be included in a disturbance type scenario. She stated they would need to include the reason why they called, what has been occurring, and what needs to occur / resolution.

Lt. Wright was asked if it is ok or if it is a common practice for statutes or possible references to the law to be included in a report. She responded by stating that she has never personally seen statutes. Sometimes she says the law may be referenced if there is a warrant or affidavit.

Lt. Wright was asked if officers are trained to include or not include details regarding personal attacks, profanity, derogatory statements, or other similarly situated scenarios within a police report. She states that if something inappropriate occurred they can put that in the report. She says if it is a derogatory name then a supervisor could ask for removal but should look at body cam to see if that occurred. She says in that scenario, a supervisor could ask them to alter it but she doesn't take offense to derogatory comments.

When asked how she became aware of the policy or practice, and if there is an actual policy for us to review, she stated that she learned the policy and practice by senior officers telling her issues and things that are considered to be a no-no. Lt. Wright was asked if she is aware or has knowledge of superior ever making a request for an officer to alter or change a report. She says she has heard of two other

instances where this occurred where a supervisor told the officer to change a report and they were terminated. She stated one was Smith (2016, she thinks) and the other was Trask (2015, she thinks). For the Trask incident, she states he told an officer not to put in the report that he (the officer) had missed a gun when searching a suspect that was later found in the floor of the car. She also shared that around 2009-2010 she was aware of an officer getting demoted because they had told someone to change a report by taking something out of the report. She said something had happened and he (superior) had told him to change the report and take it out.

Lt. Wright also stated that previously the Mayor, who was Assistant Chief at the time, had addressed them all and outlined that they cannot lie or alter something. She says that he addressed this issue with the team. She says in the Trask incident, it was Lt. Kathy Stanley who was over the team and Trask told her and she let IA know.

Lt. Wright was asked how Case Management is currently utilized and if police officers are trained on how they should use the system. She stated that detectives use that system mostly. She says the system is used to add to a report, not take anything out of a report. For example, to add a witness. She states this way you do not have to go back into the report and edit. Using case management to add additional details at a later time protects anyone from altering an existing report. She says, as a supervisor, if she wanted something additional notated that was not in the existing report, she would add it to case management.

Lt. Wright was asked if a supervisor could request that some details be placed in case management instead of the report. She replied that she did not see anything wrong with that. She stated that in that scenario, you would be putting facts in case management. She then reiterated that case management is usually only used by detectives and not for incident reports. She mentioned that many people are not familiar with case management and that police officers are not trained on the system or how to use it.

*Interview Summary Notes for Deputy Chief Karen Cordray:*

Deputy Chief Cordray was asked about the current police procedure for a superior officer to request a report to be altered, including possibly removing details provided in the original report. D.C. Cordray responded, stating that only the basics should be included in the report - the who, what, when, where, and why. She mentioned that some things shouldn't be in the report and need to be taken out. When asked to elaborate on what things should not be included, she stated that personal opinions should be omitted and only facts should be included. She explained that an officer can mention if they felt fearful, but no personal opinions should be stated.

She then mentioned that if there is something in the report that should not be included, a supervisor can request its removal. She stated that they can ask for certain items or details to be placed in case management, which is not subject to FOIA and is where certain information goes. When asked who utilizes the case management system and if officers are trained on how to use it, she explained that detectives use the system, but police officers are also trained to use it and know how to input a narrative. She shared that if there is too much detail in the report, they can request that some information be placed in case management. If something is being added, it would be done as a supplement.

Deputy Chief Cordray was informed that Sgt. Ryan stated she contacted him on 02/27/2024 and during their discussion, she allegedly asked him to only note the details of the noise complaint and to place all remaining details in case management. Sgt. Ryan stated that she gave him specific instructions to only notate the following: He answered the call, copied the call, got to the scene, heard the noise, and dealt with the issue. Deputy Chief Cordray was then asked if the description of the conversation and instruction provided by Sgt. Ryan was accurate. D.C. Cordray responded, stating that she never asked Jimmy Ryan to change or alter his report. She clarified that he asked her what she thought of his report, and she then asked him to call her that she)

In response to Sgt. Ryan's statement that she had informed him about addressing the concerns with the Chief, Legal, and the Mayor regarding Councilman Heyward's behavior and showing them the video of the incident, D.C. Cordray mentioned that she called the Chief on the night of the incident to discuss the concerns. She also said that she spoke with Kriston Neely from Legal and David Cheatle, Special Assistant to the Mayor, on the Monday following the incident that occurred on Saturday. When asked how she communicated the concerns to Legal and the Mayor's office, she stated that she talked to them in person after walking upstairs. She mentioned that Cheatle watched the video footage, but Legal did not want to. She also indicated that Francie watched the video, but Kris did not. When asked about the timing of when they viewed the video, she said that it happened on the Monday after the incident, which occurred the prior Saturday evening.

D.C. Cordray was asked to provide further details about her request for Sgt. Ryan to call her on 02/27. She explained that the call was regarding his report. She mentioned that she had told him that they don't normally include Supreme Court rulings in their reports. She states she thought it was a bit much and overboard. She also mentioned that she felt Jimmy's report was written in a way that portrayed the Councilman in a bad light. She stated she understood his reasons but states he even referenced something about Riverfront Park. She reiterated that she thought including the court case in the report

was just overboard. She stated that Jimmy was upset about being called "Boy" and she felt that should have been included in the report.

D.C. Cordray mentioned that on March 13th, a request from Fitsnews for the report was received. She said the request was sent to her by Kris Neely. She stated she then asked Jimmy if he had ever cleaned up the report. She stated she was referring to the case law and emphasized again that she thought it was a little overboard.

When asked why she thought Sgt. Ryan would claim that she had asked him to remove all the additional details in his report, outside of what he claims she specifically outlined for him to include, she stated that she had no idea why he might say that. She then mentioned that Sgt. Ryan was disciplined for failure to supervise a year ago, and the discipline was delivered by Matt Hughes and herself. The conversation returned to her feedback to Sgt. Ryan on that call, and she stated that she only asked that the court case be put in case management. She mentioned that she was concerned about his mention of the Riverfront Park incident being in the report as well, stating that it occurred a year ago. D.C. Cordray then reiterated that her concern was that case law was being placed in the report, which is not normal procedure. She mentioned that she had not seen case law cited in a report before.

When asked how officers are trained on what to document or not document in a report, she stated that the academy teaches a class, and they have FTO training.

Angela Wimberley additionally inquired about the timing of D.C. Cordray's discussions with Cheatle and Kris regarding the incident. D.C. Cordray indicated that the conversations occurred on the Monday following the incident that took place the previous Saturday. D.C. Cordray also noted that another officer had initially responded on the night of the incident before Jimmy Ryan took over.

D.C. Cordray proceeded to mention the occurrence of unwarranted complaints against The Montague Room. She explained that some of the issues were associated with another bar in the complex, while on a few occasions, they were directed at the councilman's bar. She recounted conducting a decibel test at Wando Woods, revealing that the noise was audible but below the acceptable range in a specific location, and became audible upon turning the corner. She stated that Deputy Chief Johnson issued a communication outlining the appropriate course of action upon receipt of a complaint. Furthermore, she recounted Councilwoman Rhonda Jerome's call to discuss the decibel levels and highlighted Mr. Heyward's minimal communication with her, stating that he only contacts her when in need. She also shared an incident where he reached out to her late at night regarding a noise complaint, and his subsequent interaction with Sgt. Ryan. She detailed Mr. Heyward's intoxicated and belligerent state during the call, Jimmy's recommendation to write a report rather than issue a citation, and Mr. Heyward's claim of being unfairly targeted. Subsequently, she clarified her lack of understanding regarding Mr. Heyward's reference to the NCPD's actions against Blue Note.

D.C. Cordray mentioned that there have been some unwarranted complaints against The Montague Room. She explained that some of the issues were linked to another bar in the complex, while a few were directed at the councilman's bar. She also mentioned that she conducted a decibel test at Wando Woods, which revealed that the noise was audible but below the acceptable range in a specific location and became more audible when turning the corner. D.C. Cordray stated that Deputy Chief Johnson issued a communication outlining the appropriate course of action upon receipt of a complaint. She also shared that Councilwoman Rhonda Jerome called her to the mic during a Council Meeting to discuss the

decibel levels, and after that, Mr. Heyward has had minimal communication with her, only contacting her when in need.

She stated that on the night of the incident, he called her and woke her up to inform her that an officer was there on a noise complaint. She told him she needed to speak with the officer. In speaking with Sgt. Ryan, she said he confirmed the noise was loud. She stated that Councilman Heyward wanted to know what Jimmy was going to do after she told him to let the officer do what he needed to do. She stated she told Councilman Heyward that she would find out. She then called Jimmy and asked if she was on Bluetooth because she did not want Councilman Heyward to hear her. Jimmy shared that Councilman Heyward was intoxicated and belligerent. She stated that Jimmy felt issuing a citation would only escalate the situation, so he was going to write a report. D.C. Cordray said she then spoke to Councilman Heyward to share what was going to happen. He told her that they were picking on him and eventually hung up on her. She mentioned that before he hung up, he made some statement that this was the same NCPD who tried to shut down the Blue Note. D.C. Cordray stated she did not know what he was referring to with this statement.

Deputy Chief Cordray said she had shared the "Boy" comment with legal, chief, and Cheatle, but claims Heyward denied it. She said he came in to see the video. She said Councilman Heyward then made a complaint after Fitsnews made a request for the report. She shared that you could not have asked Jimmy to be more professional and his actions were stellar.

When asked if she has spoken to anyone about the incident concerning Councilman Heyward and Sgt. Ryan with anyone else in the department, she stated a little bit. She mentioned that Greg (Chief Gomes) had also spoken to Ryan. When asked if she had talked to anyone about Sgt. Ryan's claim that she asked him to change his report, she said she might have mentioned something after he made that accusation. She couldn't remember if she did and to whom. Then she said she might have said something to Lavar Simmons but couldn't recall if may have said anything to anyone else.

She shared that she knew that someone had made a statement that they were not supporting Sgt. Ryan. She stated that the Chief told her the concern was that he wasn't being backed. She told the Chief that she did 100% support him, and fully backed him and his handling of the situation. She also mentioned that, in her opinion, they couldn't have supported or backed him more.

When asked about her knowledge of a prior incident at Riverfront Park involving Officer Jared Martin with Sgt. Ryan in attendance, she responded that she only knew what Jimmy had told them. She stated she does not recall the incident with Councilman Heyward at the Food and Wine Festival. She said there was some situation where they kept insisting that they had passes and she had her issue with him at the gate, but indicated she is not easily offended or intimidated. She stated that she does not recall the incident involving Officer Martin. She then mentioned the front gate incident and believed that the Fire Department allowed them in through the gate on a golf cart. She then mentioned that she couldn't confirm that the incident with Officer Martin didn't happen, stating that she simply doesn't remember it.

When asked if there have been a lot of incidents with Councilman Heyward, she replied that to her knowledge there have not been. She then shared that Councilman Heyward comes across as a bully. She said she had received word that he was saying she had threw him under the bus at council.

When asked what feedback Kris or Cheadle had provided her when discussing the incident, she said that there was some question about the ordinance and that Kris said that either of them could be cited in that scenario. Either being the owner or the DJ.

Regarding the question of who council members are directed to call if an issue arises, or if a formal process is in place, she stated she answers if they call her. She says she gets calls from some of the others as well, but there is no set process.

She stated she wasn't ordering Sgt. Ryan to alter or change his report, they were just having a discussion. She says she spoke to him at the Police Memorial and there are no hard feelings. She stated she just has concerns when they go overboard, and she knew that his report was going to set Councilman Heyward off. She says she tries to be careful about overkill.

When asked if there is anything else she can think we may want to know or should be aware of, Deputy Chief Cordray shared that she did speak to Luke Cummings about the claim of not supporting Sgt. Ryan. She said this discussion happened in passing, in the hallway right outside of the Chief's office door. She added that if she said anything else to anyone, she just doesn't recall.

She shared that she believes the claim about not supporting Sgt. Ryan may have come from the FOP President. She said they were warned that Sgt. Ryan wasn't being supported because it involved a councilman when they sent a letter to the governor.

She reiterated that she just didn't recall the Martin thing and said that it had to have been two years or more.

She shared that Chief Gomes made the call to release the video, body cam footage. She said the Councilman reviewed it with Mike Brown and Tori Fields. She then shared that it was Councilman Heyward who had prompted the release of the footage. She stated he wanted all of the council to see it, and Chief Gomes said that if they all see it then everyone sees it.

When discussing Sgt. Ryan's claims, she shared that Sgt. Ryan had mentioned to her that he could put the information in a memo or email form, and she said that it was not necessary. She stated that she told him that he had the original report and then case management he could use.

D.C. Cordray then stated that when it comes to redacting reports, Harv was redacting names, and she did not think they should be redacted. She stated she told him not to redact and that names should be fully in the report, and only redact juveniles, DOB, and Apt. #'s.

The interview then concluded.

**\*\* A short time later Deputy Chief Cordray returned to Human Resources and requested to speak additionally.**

Upon her return, she stated that she was unaware of the complaint until Jimmy made the statement about why she wanted him to change his report. She said that comment surprised her, and she may have said something after he said that comment when she fist-bumped him. She said she doesn't recall anyone specific, but she did feel offended by his comment. She said he made this comment in the

hallway right outside of Staff Services. She says there were 3-4 officers standing there but she could not recall specifically who was there.

She also stated that if she had ordered him to change his report, she would have followed up with him, but she didn't.

When discussing the requirement of no retaliation and Sgt. Ryan's concerns about retaliation, or his concerns about any possible repercussions of coming forward with his concerns, Deputy Chief Cordray stated that she has no bad feelings. She stated that should she get to the Chief's spot at any point, Sgt. Ryan had nothing to worry about and her opinion didn't change of Jimmy.





**Chief Gomes 5-7-24**

***What is the current police procedure for a supervising/superior officer to make a request for an incident report to be altered by removing information contained within the original officer's draft?***

Can't ever direct a change. Any good supervisor can make suggestions. Nothing factual unless it is incorrect like it was a green car but says a blue car. They can give their opinion but cannot tell them they must change it.

- Is this type of request ever allowable? If so, under what circumstances would it be acceptable for this type of request to be made?  
Can tell them they should include something or should clarify because it sounds confusing. Can give your opinion cannot tell them they must change it. Can tell them the information is not relevant. Cannot change it or tell them they must remove it.
- If this is never allowable, why?  
Thug life incident. Del Hardee disagreed. Cannot change the report, but can write their own report. Can clarify in another report.
- Is there an applicable policy, procedure, state law or specific local or state police training indicating this practice to not be allowable?  
Not sure?
- If not allowable, what is the severity of this type of action being taken? Are there any examples where this has occurred? If so, what are the specific details involved and what action was taken?  
Fleming demoting for changing the report himself.

***Is case management ever used by police officers to document additional details from a call they have responded to? If so, when, and how would this system be used, and what should be captured in case management vs. the customary incident report?***

Not familiar with the new system since he's never used it. His understanding is that detectives use case management, so it is not accessible in the system to be accessible to media in a FOIA. All officers use case management for supplemental reports. May not put suspect details so public will not be searching for car, etc.

***What training is provided to police officers regarding how to properly complete an incident report, including what should or should not be documented within the report? What should or should not be included?***

Academy & FTO (generally 2 months). Who, what, when, where, why.

- If no detailed training is provided, have police officers ever been advised or instructed to not include any reference to case law? If so, please confirm the details of how they were instructed and where this instruction can be found. If not, is this an acceptable practice?

Unusual, but nothing wrong with it. Terry v. Ohio Terry frisk. Nothing wrong with what Jimmy included It is just not normal business.

***Is it ever a general practice to document details within an incident report if something (verbal or physical) occurred that was directed at an officer when they responded to a call?***

- If so, can you give some examples?

Yes. Directed threats, racial slurs, etc.

- If not, why is this generally not recommended? What would be the proper protocol for an officer to report concerns or document something that occurred during a call?

***When (date/time) and how (notification method and by whom) were you informed regarding the call and incident that occurred on February 25<sup>th</sup>, 2024, at The Montague Room between Sgt. James Francis Ryan III (#61) and City Councilman Jerome Heyward?***

No clue until the FOIA came in. The first time it registered is when the news outlet requested it. That is what he remembers. Karen said she brought it up at staff. He does not recall, but they talk about so much at staff. Chief added that Jerome called him first, but he missed the call.

- What details were provided to you?

FOIA. IA read the report.

- Was proper police protocol followed for this incident? If not, please explain.

Yes

- Do you have any concerns regarding the department's response or handling of this incident? If so, what are your specific concerns? What should have occurred?

None.

***Have you ever received any complaints or concerns about any alleged conflict of interest between any supervising officer of the NCPD, including any concerns or allegations of improper handling of police matters, as it relates to any member of city council or any other member of the community?***

Jerome believes this is racially motivated and thinks Jimmy Ryan is a racist, but there is nothing to back up that allegation. A lot of officers believe Jerome and Mike get passes. No one made an official complaint. An example is the Blue Note which operated as a bar but was zoned as a restaurant. That is zoning, but the cops were talking.

***Are you aware of the complaint made against Deputy Chief Cordray concerning her alleged request for Sgt. Ryan to alter his incident report relating to the Incident I have referenced? Yes***

- How and when were you made aware?

He called Jimmy Ryan when he was going to release the video so he would have a heads up. He alluded that she was trying to make him change the report. He said she just leaned on him and never told him to change it and he said he did not change it. Chief said he asked Jimmy point blank if she asked him to change the report, and he said no she never told him was just leaning on him, putting pressure on him without asking. He specifically mentioned the case talking about boy. The Chief told him to talk to her or go to HR. Chief said the report was written in a way to make Jerome look bad.

- Based on the questions and information we have previously discussed, and the complaint currently being investigated against D.C. Cordray, do you personally have any concerns or additional information to share regarding this incident, police protocol regarding handling city council member requests for assistance, response to calls, or anything else that may be relevant information for this investigation?

It is every supervisor's job to make sure they review the report. Karen had a different view and provided suggestions but did not ask him to change it. Chief doesn't see what she did wrong. The report should be factual and relevant. There are different views on what is relevant. Chief added that he knows there are texts, but he has not seen them. He believes she asked if he made the change and then said it's all good, you did a great job.



# NORTH CHARLESTON POLICE DEPARTMENT

## ADMINISTRATIVE INTERNAL INVESTIGATION OFFICER/EMPLOYEE STATEMENT

ORIGINAL

PROFESSIONAL STANDARDS NO:

STATEMENT OF (RANK, LAST, FIRST, MIDDLE, BADGE) Ryan, James Francis III, SGT, #61		RACE W	SEX M	AGE 49	DATE OF HIRE 14OCT13
ASSIGNMENT Patrol- Central Nights Team #1		IMMEDIATE SUPERVISOR AND BADGE LT L. Cummins, #38			
THIS STATEMENT IS IN REFERENCE TO Internal Complaint		WHICH OCCURS AT (LOCATION) 2500 City Hall Lane, N. Charleston, SC			
ON OR ABOUT (DATE) 24FEB- 13MAR24	AT APPROXIMATELY (TIME)	IN (CITY AND STATE) North Charleston, SC			
THIS STATEMENT IS GIVE ON (DATE) 16 April 2024	AT (TIME) 1111hrs	AT (LOCATION) 2500 City Hall Lane, N. Charleston, SC			

### BRIEF SUMMARY OF INCIDENT/ALLEGATION(S)


I GIVE THIS STATEMENT OF MY OWN FREE WILL AND WITHOUT COERCION, BUT WITH THE UNFORTUNATE TREPIDATION THAT ACCOMPANIES FILING A COMPLAINT AGAINST A SUPERIOR OFFICER, ESPECIALLY ONE THAT IS SECOND IN COMMAND OF THE POLICE DEPARTMENT. IT ALSO PAINS ME GREATLY THAT THE MATTER MUST BE BROUGHT TO THIS LEVEL.

ON SUNDAY, 24FEB24, AT APPROXIMATELY 2338HRS, OFFICERS WERE DISPATCHED TO THE MONTAGUE ROOM, 5060 DORCHESTER ROAD, N. CHS., IN REFERENCE TO A NOISE COMPLAINT FROM A NEARBY RESIDENT. I RESPONDED TO THE SCENE PURSUANT TO CHIEF PERRY'S 30NOV23 DIRECTIVE. UPON ARRIVAL, I DETERMINED THAT PER THE ELEMENTS OF THE ORDINANCE, THERE WAS INDEED A LEGITIMATE NOISE COMPLAINT. I WAS ESSENTIALLY THE SOLE RESPONDENT, AS I DIRECTED THEN-PATROLMAN CARDINALE TO GO BACK TO HIS VEHICLE TO SPARE HIM THE WRATH OF NORTH CHARLESTON CITY COUNCILMAN HEYWARD. THE BODY-WORN CAMERA (BWC) AND INCIDENT REPORT SPEAK FOR THEMSELVES. DEPUTY CHIEF CORDRAY AND I SPOKE TWICE DURING THE INCIDENT, ONCE ON NORTH CHARLESTON CITY COUNCILMAN JEROME SYDNEY HEYWARD'S PHONE, AND ONCE ON MY PHONE WHILST SEATED IN MY PATROL VEHICLE. THE SECOND CALL, NOT CAUGHT ON BWC, WAS OF LITTLE CONSEQUENCE, IN THAT I ONLY ADVISED DEPUTY CHIEF CORDRAY THAT I WAS NOT GOING TO ISSUE A CITATION AND INSTEAD MERELY WRITE A REPORT DOCUMENTING THE INCIDENT. DEPUTY CHIEF CORDRAY STATED THAT THE MATTER, INCLUDING MY INCIDENT REPORT AND BODY CAMERA FOOTAGE, WOULD BE BROUGHT BEFORE THE MAYOR'S OFFICE AND LEGAL DEPARTMENT AS SOON AS POSSIBLE. AT 0024HRS, I ADVISED DEPUTY CHIEF CORDRAY VIA TEXT MESSAGE (843-822-1077) THAT THE DJ WAS BREAKING DOWN HIS EQUIPMENT AND THAT I WAS DEPARTING THE SCENE.

BETWEEN 0630HRS, SUNDAY, 25FEB24, AND 1145HRS, TUESDAY, 27FEB24, DEPUTY CHIEF CORDRAY AND I COMMUNICATED PRIMARILY VIA TEXT MESSAGE (SEE ATTACHED), WITH A NINE MINUTE, FIVE SECOND PHONE CALL AT 0652HRS, SUNDAY, 25FEB24, THE CONTENTS OF WHICH I DO NOT RECALL. AT 1145HRS, TUESDAY, 27FEB24, SHE REQUESTED, VIA TEXT, THAT I CALL HER WORK PHONE. A NINE MINUTE, NINE SECOND CALL TO HER WORK PHONE WAS INITIATED AT 1156HRS, TUESDAY, 27FEB24.

IT WAS DURING THIS CALL THAT DEPUTY CHIEF CORDRAY INSTRUCTED ME TO LIMIT MY INCIDENT REPORT TO JUST THE FACTS OF THE NOISE COMPLAINT, IN THAT I RESPONDED TO THE INCIDENT LOCATION, VERIFIED THAT THERE WAS PROBLEMATIC NOISE IN VIOLATION OF THE ORDINANCE, AND THAT I HANDLED THE MATTER WITH THE SOURCE OF THE NOISE. SHE FURTHER INSTRUCTED ME TO PLACE THE ORIGINAL NARRATIVE DOCUMENTING NORTH CHARLESTON CITY COUNCILMAN HEYWARD'S CONDUCT IN CASE MANAGEMENT. IT WAS MY BELIEF THAT SOMETHING NEFARIOUS WAS AFOOT, AND I IMMEDIATELY OFFERED TO PUT THE ORIGINAL NARRATIVE IN MEMORANDUM FORM THAT I WOULD GLADLY PRESENT TO THE MAYOR'S OFFICE AND LEGAL DEPARTMENT. SHE STATED THAT SUCH AN ACTION WOULD NOT BE NECESSARY AND REITERATED THAT I SHOULD LIMIT MY INCIDENT REPORT TO JUST THE FACTS OF THE NOISE COMPLAINT AND PLACE THE ORIGINAL NARRATIVE IN CASE MANAGEMENT NOTE. THERE WAS NO DOUBT IN MY MIND THAT THIS WAS AN ORDER, ESPECIALLY TAKING INTO ACCOUNT THAT IT WAS COMING FROM THE SECOND IN COMMAND OF THE DEPARTMENT AND DIRECTED TOWARDS A SERGEANT. I CONSIDERED THIS ORDER, AT A MINIMUM, UNETHICAL, AND RECALLED THAT IN TIMES PAST THERE HAVE BEEN LEADERS AT THE NORTH CHARLESTON POLICE DEPARTMENT WHO HAVE BEEN DEMOTED FOR ISSUING IT. FEARING THAT IT WOULD BE CHANGED BY SOMEONE ELSE IF I DID NOT CHANGE IT MYSELF, I SAVED A COPY IN MY EMAIL.

I HAVE READ THE FORGOING STATEMENT OR HAVE HAD IT READ TO ME AND I DO HEREBY AFFIRM THAT THE INFORMATION PROVIDED BY ME IN THIS STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT I AM REQUIRED TO PROVIDE ALL PERTINENT INFORMATION RELATED TO MY DUTIES OR EMPLOYMENT WITH THIS DEPARTMENT. I UNDERSTAND THAT IF I FAIL TO PROVIDE ALL PERTINENT INFORMATION THIS WILL FORM THE BASIS FOR DISCIPLINARY ACTION.

CAPT  #17 4/16/24  
WITNESS SIGNATURE  
Office of Professional Standard

  
SIGNATURE  
J.E. RYAN III  
SGT NCPD

WITNESS SIGNATURE

ORIGINAL

**NORTH CHARLESTON POLICE DEPARTMENT**  
**ADMINISTRATIVE INTERNAL INVESTIGATION OFFICER/EMPLOYEE STATEMENT**

AT ONE POINT I OPENED AND UNAPPROVED THE REPORT TO FIX A MISPELLED WORD. IT WAS AT THIS POINT THAT I NOTICED A "FLAG" ON THE REPORT THAT I HAD NEVER SEEN BEFORE, A FLASHING "CASE ALERT."

I DID NOT HEAR OF THE MATTER AGAIN UNTIL THE AFTERNOON OF WEDNESDAY, 13MAR24. I WOKE UP FROM A NAP AND FOUND A TEXT MESSAGE FROM DEPUTY CHIEF CORDRAY (WORK PHONE) SENT AT 1106HRS THAT STATED, "DID YOU EVER CLEAN UP THAT REPORT YOU DID ON MONTAGUE ROOM?" FOLLOWED BY "PUT THE ORIGINAL IN MANAGEMENT," AND FINALLY "NEVERMIND. I READ IT." (SEE ATTACHED TEXT SCREENSHOTS.) IT IS MY UNDERSTANDING THAT IT WAS ABOUT THIS TIME THAT THE OFFICE OF THE CHIEF RECEIVED A FOIA REQUEST FOR MY ORIGINAL INCIDENT REPORT. AT 1059HRS, THURSDAY, 14MAR24, I RECEIVED A PHONE CALL FROM CHIEF GOMES TO ADVISE THAT MY INCIDENT REPORT, IN ITS ENTIRETY, WAS BEING RELEASED TO THE PRESS PURSUANT TO A FOIA REQUEST.

I HAD NO CONTACT WITH DEPUTY CHIEF CORDRAY FROM THE MOMENT THE 1106HRS, 13MAR24 TEXT ARRIVED UNTIL THE DAY I RECEIVED AND SIGNED FOR MY NEW DEPARTMENT-ISSUED BASEBALL CAP (I CANNOT RECALL THE DATE.) I HAD MY SON WITH ME IN HIS CARRIAGE AND RAN INTO DEPUTY CHIEF CORDRAY OUTSIDE OF TAMI ANKROM'S OFFICE. SHE STATED THAT SHE HAD REVIEWED MY BWC FOOTAGE AND INCIDENT REPORT FROM THE MONTAGUE ROOM INCIDENT, PUT HER HAND UP TO "FISTBUMP" ME, AND CONGRATULATED ME ON DOING A GOOD JOB. I WAS SO TAKEN ABACK BY THIS THAT I, WITH SLIGHT HESITATION, RESPONDED, "THEN WHY DID YOU WANT ME TO CHANGE THE REPORT?" SHE STATED THAT SHE DID NOT WANT ME TO CHANGE MY REPORT, BUT ONLY WANTED ME TO TAKE OUT THE SENTENCE IN WHICH I QUOTED THE UNANIMOUS 2006 ASH V. TYSON FOODS, INC. SUPREME COURT DECISION THAT DECIDED THAT THE WORD "BOY," WITHOUT ANY WORDS MODIFYING IT, CAN BE A RACIAL EPITHET DEPENDING ON THE CONTEXT, INFLECTION, TONE OF VOICE, LOCAL CUSTOM, AND HISTORICAL USAGE. I HAVE NO DOUBT THAT THE LOOK OF DISGUST AND ANGER ON MY FACE WAS EVIDENT, AND I POLITELY LEFT HER.

SINCE THEN SHE AND I HAVE NOT SPOKEN. THAT SAID, I HAVE HAD SEVERAL OFFICERS TELL ME THAT DEPUTY CHIEF CORDRAY HAS PULLED THEM ASIDE TO PRAISE HOW THE MONTAGUE ROOM SITUATION WAS HANDLED, EXPLAIN HER POSITION, AND STATE THAT SHE WAS NOT TRYING TO WORK AGAINST ME. SHE HAS TOLD AT LEAST ONE OFFICER THAT SHE DID NOT TELL ME TO CHANGE MY FACTUAL, BACKED UP BY VIDEO, INCIDENT REPORT. THIS APPEARS TO BE, PERHAPS UNINTENTIONALLY, AN ATTEMPT TO CHALLENGE MY HONOR AND INTEGRITY AS WELL AS UNDERMINE MY CREDIBILITY AMONGST MY COLLEAGUES. REGARDLESS OF HER EGREGIOUS DIRECTIVE TO CHANGE MY INCIDENT REPORT, THERE IS LITTLE DOUBT THAT SHE UNDERMINED MY EFFORTS THAT EVENING. HAVING SEEN HER DEFEND NORTH CHARLESTON CITY COUNCILMAN HEYWARD'S BEHAVIOR BEFORE- THE RIVERFRONT PARK INCIDENT INVOLVING PTL JARED MARTIN (MENTIONED IN THE INCIDENT REPORT)- I AM CONCERNED THAT SHE IS SOMEHOW BEHOLDEN TO HIM IN A WAY THAT COULD BE DETRIMENTAL TO THE POLICE DEPARTMENT.

• END STATEMENT

I HAVE READ THE FORGOING STATEMENT OR HAVE HAD IT READ TO ME AND I DO HEREBY AFFIRM THAT THE INFORMATION PROVIDED BY ME IN THIS STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT I AM REQUIRED TO PROVIDE ALL PERTINENT INFORMATION RELATED TO MY DUTIES OR EMPLOYMENT WITH THIS DEPARTMENT. I UNDERSTAND THAT IF I FAIL TO PROVIDE ALL PERTINENT INFORMATION THIS WILL FORM THE BASIS FOR DISCIPLINARY ACTION.

WITNESS SIGNATURE

Office of Professional Standards

WITNESS SIGNATURE

SIGNATURE

J.R. RYAN III  
SGT NCPD



Karen Cordray



Sunday, Feb 25 • 06:30

Texting with Karen (SMS/MMS)

Jimmy, I am setting  
a meeting up with  
Legal as they  
mentioned the  
other night at  
council he is  
drafting a noise  
ordinance to  
replace ours. At  
the same time, it



Text message



← Karen Cordray ☑ 📞 ⋮

needs to address who we cite - the musician or the bar. Plus our court cannot hear cases involving our council folks as council appoints the judges. That came up before on a traffic accident.



😊 Text message 📎 ⊕ 📶

ORIGINAL

2



← Karen Cordray ☒ 📞 ⋮

So I will get their thoughts on how that gets handled if we cite them.

Finishing up the report now.

#2024005097

Thank you.

I don't like being in the middle of this

😊 Text message ☒ Ⓡ 📶

ORIGINAL

3

I don't like being in the middle of this nonsense, especially considering his track record is that he always gets his way.

Neither do I. I told him you decided to just write "I'm

want to let me




← Karen Cordray ☑ 📞 ⋮

Neither do I. I told him you decided to just write the report to let me take the issue up with the Chief, Legal and Mayor. He is pissed at me because I told him the music should have stopped before 11: ↓ and he

😊 Text message 📎 ⊕ 📶

ORIGINAL





5

← Karen Cordray   

was wrong. He hung up after trying to make it sound like we are picking on him.

There were too many calls previously from at least 2 different areas for us to make this work. ↓

---

 Text message   

ORIGINAL

6



Karen Cordray



SINAD

He called me  
"boy."

I am going to make  
sure they see the  
video of that and  
his behavior



He's an elected  
official. They are  
beyond reproach  
these d↓s.



Text message



← Karen Cordray



GINA

No. His behavior  
will catch up to  
him. Maybe this  
jump starts it

Video cannot lie




True

You did a good job.  
You were the  
bigger person at  
the moment ↓ so



Text message







← Karen Cordray   

that we can go at  
this to end it for  
more than last  
night.

Thank you.

He is going to have  
to comply with the  
ordinances he is  
supposed to  
support as a  
councilman. ↓.

 Text message   



Karen Cordray



SIGNAL Ø

NYC diplomatic  
skills, with a little  
Hostage  
Negotiator thrown  
in for good  
measure.

Report complete

Monday, Feb 26 • 13:02

Any fallout?

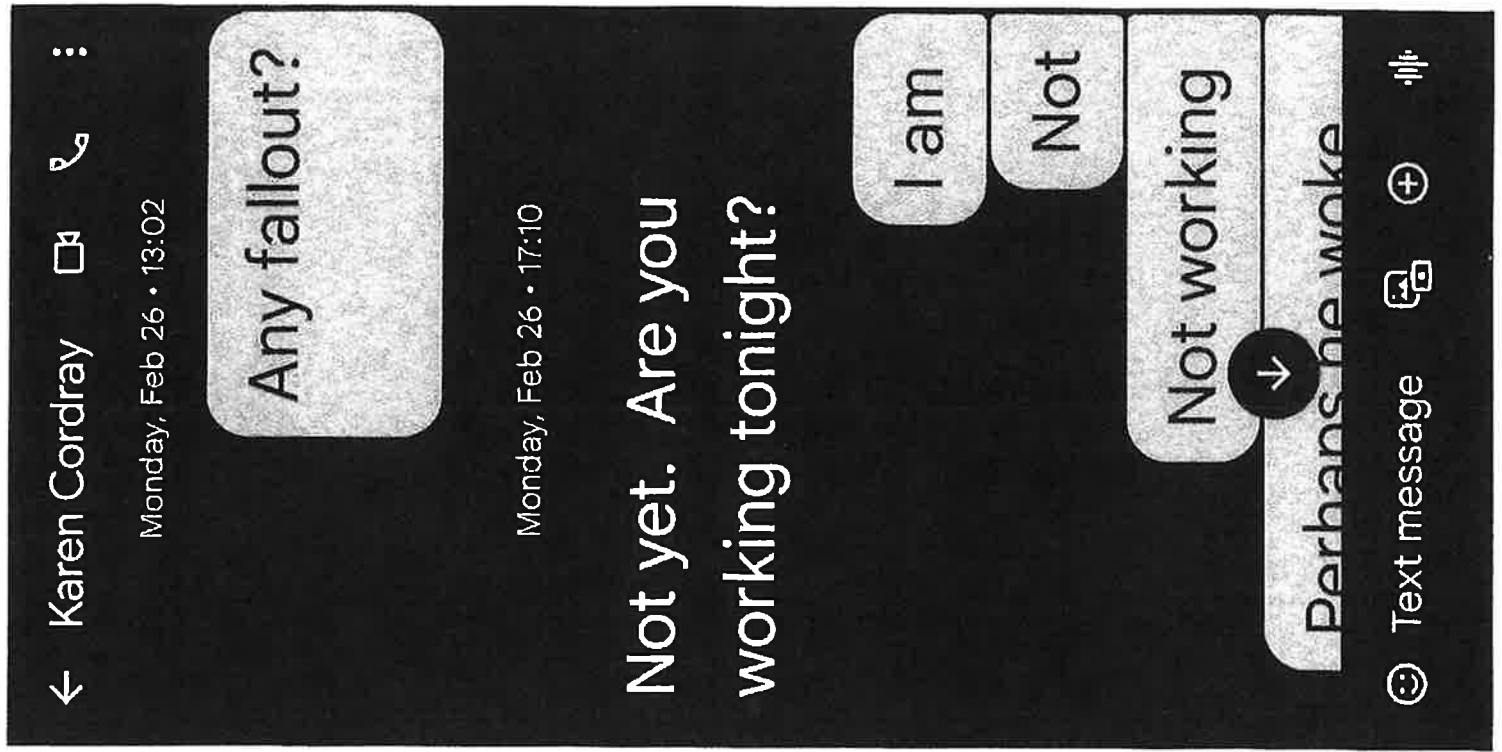


Text message





ORIGINAL //





Karen Cordray



NA/2

I am

Not

Not working

Perhaps he woke  
up and realized he  
was out of line.

I'm optimistic




Tuesday, Feb 27 • 10:32

Anything?



Text message



← Karen Cordray   

NAL3

Tuesday, Feb 27 • 10:32

Anything?

Tuesday, Feb 27 • 11:45

Not yet. - can you  
call me







822-1077 number



Home. Available  
when you are.

11:53 • SMS

 Text message   

← Karen Cordray



Leaving

Wednesday, Mar 13 • 11:06

Did you ever clean  
up the report you  
did on Montague  
Room?

Put the original in  
management

Nevermind. I read  
it

11:47

😊 Text message



ORIGINAL

7

← Karen Cordray ☑ 📞 ⋮

Sunday, Feb 25 • 00:24

Texting with Karen (SMS/MMS)

DJ is breaking  
down.



I'm leaving

Wednesday, Mar 13 • 11:06

Did you ever clean  
up the report you  
did on Montaque

😊 Text message 📎 + 📶

ORIGINAL

2



Note to file:

05/16/2024 – Spoke to Michael Brown in Office of Professional Standard to inquire about potential body cam footage of alleged previous incident at Riverfront Park. In researching, it appears the Food and Wine Festival was held in 2022 from 03/02/22 – 03/06/22. I asked if we had body cam footage for those dates for Officer Martin, Sgt. Ryan, Deputy Chief Cordray, Sgt. Zimmer, or Officer Carlisle. Per Michael Brown, no body cam footage could be located for those individuals on those dates.

I also inquired during the conversation if we have a log of when and who has viewed specific body footage. Per Michael Brown, we do have an audit log that would reflect who logged in and viewed body cam footage and when it was viewed. While on the call, Michael Brown and I viewed the body cam footage audit log to confirm my understand. Per Michael Brown, the footage was viewed by Sgt. Ryan, but no one else viewed the body cam footage until March 14<sup>th</sup>.





## **Investigation Outcome – Sgt. James Ryan August 28<sup>th</sup>, 2024**

I received an Investigative Summary Report in June from the HR Department in reference to an investigation written by Misty Watson and approved by Angela Wimberley. The investigation was a result of a complaint filed by Sgt. James Ryan accusing Deputy Chief Karen Cordray of unethical conduct. He stated that D.C. Cordray failed to follow through with notifying superiors of the incident and also accused her of ordering him to remove information from the report.

The initial incident which started the complaint from Sgt. Ryan was an altercation between himself and Councilman Heyward. The incident occurred on February 24<sup>th</sup>, 2024 at the Montague Room in North Charleston. The event was captured on body worn camera and was released to the media on April 4<sup>th</sup>, 2024.

Sgt. Ryan then filed his complaint with the Office of Professional Standards approximately two months later on April 16<sup>th</sup>, 2024. Chief Gomes then directed the investigation to be handled by the HR Department due to it involving a Deputy Chief of Police.

After reviewing HR's Investigative Summary Report, it was discovered that Chief Gomes, who retired on June 30<sup>th</sup>, 2024, became a focus of the complaint. On April 29<sup>th</sup>, 2024, this supervisor witnessed an altercation between the Chief and Misty Watson that ended with both sides feeling negative toward the other. As a result of this altercation, this supervisor felt that it was necessary to thoroughly review the investigation to ensure absolute fairness.

Listed below are the facts of this supervisor's investigation as to the allegation that Deputy Chief Cordray did not notify her superiors of the incident.

Deputy Chief Karen Cordray contacted Chief Greg Gomes via telephone the night of the incident at 12:24 AM. She advised him of the incident between Sgt. Ryan and Councilman Heyward. Chief Gomes then immediately contacted Councilman

Heyward the same night. Later that morning at 8:53 AM, Chief Gomes texted all of the Deputy Chiefs to let them know that he had a conversation with Councilman Heyward. As a result of these findings, it is clear that Deputy Chief Cordray did in fact contact her supervisor about the incident.

Listed below are the facts of this supervisor's investigation as to the allegation that Deputy Chief Cordray instructed Sgt. Ryan to alter and remove information from his incident report.

Sgt. Ryan was in communication with Deputy Chief Cordray via text on the night and next morning of the incident. All of the texts between D.C. Cordray and Sgt. Ryan about the incident that night were positive and supportive. Sgt. Ryan also texted her and stated he had already finished the report and gave her the case number.

Sgt. Ryan continued to text D.C. Cordray on February 26<sup>th</sup>, 2024, and asked if there was any fall-out from Councilman Heyward. After D.C. Cordray responded "no" he replied "Perhaps he woke up and realized he was out of line. I'm optimistic". Sgt. Ryan then texted again on February 27<sup>th</sup>, 2024, and inquired again about any fall-out and D.C. Cordray texted back "not yet" and to call her.

Approximately two weeks later on March 13<sup>th</sup>, D.C. Cordray texted Sgt. Ryan and asked him "did you ever clean up the report you did on Montague Room". She also texted "put the original in management never mind. I read it".

An interview was conducted with D.C. Cordray in my office on September 6<sup>th</sup>, 2024. I asked D.C. Cordray about the accusation of asking Sgt. Ryan to alter his report. D.C. Cordray was adamant that she never asked him to change or alter the facts of the incident, but did provide a suggestion that the report should only accurately detail the facts and not case law opinions specifically about the term "boy". She stated that Sgt. Ryan wanted to make sure he accurately reflected the encounter with Councilman Heyward so she suggested he could move the case law opinions over to the case management system. She also stated that she saw him in the hallway of City Hall with his baby after the video had been released and complimented him as to how he handled the incident. He then asked her "why did you ask me to change the report then" and she replied I didn't ask you to change it Jimmy, we usually don't put court opinions in incident reports. He stated "he does" and then she stated "that's fine then".

This supervisor interviewed both Administrative Detectives James Walley and Chris Ross of the North Charleston Police Department on August 28<sup>th</sup>, 2024. Det.

Walley has 39 years of law enforcement experience and Detective Ross has 47 years of experience. Both Detectives stated that case notes, supplemental reports, and investigative notes are still to this day entered into the case management system. They stated this started as soon as computers were introduced to the agency. They stated it is not uncommon to place information in this system that may contain more details than is needed in the original report.

This supervisor also spoke to retired Chief Greg Gomes on September 6<sup>th</sup>, 2024. He stated that he spoke with Sgt. Ryan and specifically asked him if D.C. Cordray asked him to change the report. Sgt. Ryan stated that D.C. Cordray never asked him to change the report, but stated that he felt like she leaned on him.

After conducting interviews and reviewing the facts, it is clear that Deputy Chief Cordray did not alter or change Sgt. Ryan's report. As a supervisor she is permitted to suggest placing information in the case management system. She in no way altered the report on her own nor ordered him to change it. In reference to Sgt. Ryan's concern that the case management notes in this case couldn't be available through FOIA is not accurate. There are very few law enforcement exemptions under FOIA, but this instance would have been subject to FOIA and not one of those exemptions.

There are also several accusations by Misty Watson of potential deception by both Chief Gomes and D.C. Cordray. In reviewing the Investigative Summary Report, it is clear to this supervisor that this was not intentional in anyway. Ms. Watson interviewed D.C. Cordray on May 15<sup>th</sup>, 2024, which is two and a half months after the incident. Ms. Wimberley interviewed Chief Gomes on May 7<sup>th</sup>, 2024, which is again almost two months after the incident. To remember specific details two months after an incident is not reasonable. Neither had any intent to not be accurate in their accounts of the incident. Also, in fairness to Ms. Watson, she has only been at our agency for less than a year and a half and has very little experience or exposure to police operations and functions.

This supervisor will take the following actions concerning this investigation.

Meet Sgt. James Ryan and review this supervisor's findings of the investigation. Also commend Sgt. Ryan for how he handled the original incident.

Contact our City Attorney Kris Neely who will reach out to Councilman Heyward and speak to him about his actions toward Sgt. James Ryan and fellow officers.

Meet with D.C. Cordray and caution her as to the perception that her suggestion caused in this particular incident.

A handwritten signature in blue ink, appearing to read "Dave Cheatle". The signature is fluid and cursive, with the first name "Dave" written in a larger, more prominent script than the last name "Cheatle".

Dave Cheatle  
Special Assistant to the Mayor  
City of North Charleston