

APR 26 2019

URICCHIO, HOWE, KRELL, JACOBSON, TOPOREK, THEOS & KEITH, P.A.

ATTORNEYS AT LAW
17^{1/2} BROAD STREET
CHARLESTON, SC 29401

PAUL N. URICCHIO, JR. (1922-2000)
ARTHUR G. HOWE (1927-2004)
BARRY KRELL
CARL H. JACOBSON
ALAN D. TOPOREK
JERRY N. THEOS
GREGORY D. KEITH
JONATHAN F. KRELL
JEFF BUNCHER, JR.
MARGARET THEOS GUERRY
J. DEVEAUX STOCKTON

MAILING ADDRESS:
P.O. BOX 399
CHAS., SC 29402-0399

TELEPHONES:
(843) 723-7491
1-800-899-1683
FAX (843) 577-4179

April 26, 2019

VIA HAND DELIVERY

Mr. Eric DeMourna
Mount Pleasant Town Administrator
Town Hall
100 Ann Edwards Lane
Mount Pleasant, South Carolina 29464

RE: Mount Pleasant Police Department Incident Report (OCA #0009427)

Dear Mr. DeMoura:

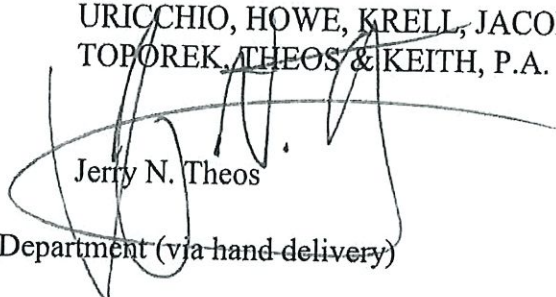
Please be advised that I and my law firm represent the minor referenced as the victim in the above recited Mt. Pleasant Police Department Incident Report. It has been brought to my attention that Town employees, administrators, officials and/or other agents may intend upon publishing, releasing and/or disseminating the above referenced Incident Report. Hopefully, this is not the case.

The purpose of this letter is to place the Town on formal notice that if this Incident Report (the unredacted or the redacted version) is, in fact, published, released or disseminated to any third party, directly or indirectly, the Town as well as the individuals involved will be in violation of the applicable state statutes, South Carolina Rules of Civil Procedure and South Carolina Rules of Court which prohibit the same (including but not limited to SC Code Section 20-7-8505, SCRC Rule 41.2 & SCRC Rule 41.2). As such, the Town and individuals involved will be subject to civil liability.

I have taken the liberty of copying the Town's legal department, as presumably the Town will seek the advice of its own legal department in addressing this matter.

Sincerely,

URICCHIO, HOWE, KRELL, JACOBSON,
TOPOREK, THEOS & KEITH, P.A.



Jerry N. Theos

JNT/jsh

cc: Town of Mount Pleasant Legal Department (via hand-delivery)

Mount Pleasant Police Department
SC0100300

INCIDENT REPORT

INFORMATION ONLY

CASE NUMBER
2018-0009427

NCIC
INQ. No. ENT'D. No.

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. DISTURBANCE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SCHOOL/COLLEGE		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial <input type="checkbox"/> Government <input type="checkbox"/> Rellig. Org <input type="checkbox"/> Soc./Publ <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off
2.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER) 3500 THOMAS CARIO BLVD, MOUNT PLEASANT, SC ZIP CODE 29466- WEAPON TYPE

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	LOCATION NO.
10/18/2018	14:30		10/18/2018	15:20	10/18/2018	15:00	15:05	15:53	

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE) Coleman, Brian RELATIONSHIP TO SUBJECT #1 PA #2 #3 RESIDENT J RACE W SEX M AGE 38 / ETH N DAYTIME PHONE 843-858-4595 EVENING PHONE

ADDRESS 3500 THOMAS CARIO BLVD CITY ACE AREA STATE SC ZIP CODE 29466- LOCATION NO.

VICTIM'S NAME (LAST, FIRST, MIDDLE) RELATIONSHIP TO SUBJECT #1 #2 #3 RESIDENT RACE SEX AGE ETH DAYTIME PHONE EVENING PHONE

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

ADDRESS CITY STATE ZIP CODE LOCATION NO.

VISIBLE INJURY (VICT. 1) YES NO EXPLAIN- COMPLAINT OF ANY NON-VISIBLE INJURIES YES NO

VICTIM (NO. 1) USING: ALCOHOL YES NO UNK. DRUGS: YES NO UNK. TYPE: TWO MAN VEH ONE MAN VEH DETECTIVE PLASMT. OTHER ALONE ASSISTED

*J-This Jurisdiction. S-State. O-Out of State. U-Unknown. SUSPECT NAME (LAST, FIRST, MIDDLE) RACE SEX AGE ETH. DATE OF BIRTH HEIGHT WEIGHT HAIR EYES

RUNAWAY FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC. RELATED OFFENSE(S) DAYTIME PHONE EVENING PHONE

WARRANT ADDRESS CITY STATE ZIP CODE LOCATION NO.

ARREST SUBJECT (NO. 1) USING ALCOHOL YES NO UNK. ARRESTED NEAR OFFENSE SCENE YES NO DATE/TIME OF OFFENSE DATE/TIME OF ARREST

JAIL SUMMONS DRUGS YES NO UNK. TYPE TOTAL # ARRESTED

DAY OF THE WEEK HOW REPORTED A= OFFICER DISPATCHED ON CALL D= COMPLAINT WRITTEN IN DIFF. FACTOR A= RESISTANCE/HOSTILITY E= COMPLAINANT FRE- QUENTLY INTOXICATED B= REPORT TAKEN BY PHONE F= OTHER B= WEAPONS C= UNFOUNDED CALLS D= MENTAL SUBJECT F= DOMESTIC N= NORMAL

In Car Camera Not Activated #630 Body Camera Not Activated

On the aforementioned date and time, Mr. Brian Coleman, an assistant principal, advised this officer (Gilliard) of a disturbance that occurred during 7th period between [redacted] and [redacted]. During the disturbance, [redacted] grabbed a pair of scissors and according to him, pretended as though he was going to cut the hair of [redacted] Mr. [redacted], the father of [redacted] met with Mr. Coleman and Dr. Valente, both assistant administrators, prior to this officer entering the office. Mr. [redacted] expressed his concerns in regard to the matter being a possible assault. I listened to Mr. [redacted] and when he finished, I

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

TYPE (GROUP)	TOTAL VALUE
STOLEN	
DAMAGED	
BURNED	
RECOVERED	
SEIZED	

SUBJECT IDENTIFIED YES NO SUBJECT LOCATED YES NO S.F. ACTIVE ADM. CLOSED UNFOUNDED ARRESTED UNDER 18 ARRESTED 18 AND OVER EX-CLEAR UNDER 18 EX-CLEAR 18 AND OV

REASON FOR EXCEPTIONAL CLEARANCE 1. OFFENDER DEATH 2. NO PROSECUTION PROSECUTION 3. EXTRADITION DENIED 4. VICTIM DECLINES COOPERATION 5. JUVENILE NO CUSTODY.

REPORTING OFFICER(S) Gilliard, Jermaine M DATE 10/18/2018 3:00:00 PM UNIT NUMBER 2027 APPROVING OFFICER Salata, Matthew DATE UNIT NUMBER 9918

FOLLOWUP INVESTIGATION YES NO OFFICER

AGENCY : Mount Pleasant Police
 ORI # : SC0100300
 Report Date/Time : 10/18/2018 14:30
 Incident # : 2018-0009427

**INCIDENT REPORT
 ADDITIONAL OTHERS**

PERSON TYPE COMPLAIN	NAME (LAST, FIRST, MIDDLE) VALENTE, EVANDRO				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT J	RACE W	SEX M	AGE 58 /	D.O.B. 07/26/1960	ETH N
	HEIGHT 507	WEIGHT 160	HAIR BRO	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S)		
	ADDRESS 3500 THOMAS CARIO BLVD			CITY ACE AREA	STATE SC	ZIP CODE 29466-	LOCATION NO.	DAYTIME PHONE 843-856-4595	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

PERSON TYPE COMPLAIN	NAME (LAST, FIRST, MIDDLE) PEEK, CYNTHIA				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT J	RACE W	SEX M	AGE 58 / 59	D.O.B. 07/12/1960	ETH N
	HEIGHT 507	WEIGHT 160	HAIR BRO	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S)		
	ADDRESS 3500 THOMAS CARIO BLVD			CITY MOUNT PLEASANT	STATE SC	ZIP CODE 29466-	LOCATION NO.	DAYTIME PHONE 843-856-4595	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

PERSON TYPE OTHER	NAME (LAST, FIRST, MIDDLE) [REDACTED]				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT J	RACE W	SEX M	AGE /	D.O.B. [REDACTED]	ETH N
	HEIGHT 409	WEIGHT 65	HAIR BRO	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S) 508		
	ADDRESS [REDACTED]			CITY [REDACTED]	STATE SC	ZIP CODE [REDACTED]	LOCATION NO.	DAYTIME PHONE [REDACTED]	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

PERSON TYPE OTHER	NAME (LAST, FIRST, MIDDLE) [REDACTED]				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT J	RACE W	SEX F	AGE /	D.O.B. [REDACTED]	ETH N
	HEIGHT 500	WEIGHT 65	HAIR BRO	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S)		
	ADDRESS [REDACTED]			CITY [REDACTED]	STATE SC	ZIP CODE [REDACTED]	LOCATION NO.	DAYTIME PHONE [REDACTED]	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE /	D.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S)		
	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

PERSON TYPE	NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP SUBJECT #1 #2 #3			RESIDENT	RACE	SEX	AGE /	D.O.B.	ETH
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						RELATED OFFENSE(S)		
	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.	DAYTIME PHONE	EVENING PHONE <input type="checkbox"/> H <input type="checkbox"/> B				
VISBLEINURY <input type="checkbox"/> YES NO <input type="checkbox"/> EXPLAIN-												COMPLANT OF ANY NON-VISBLEINURES: <input type="checkbox"/> YES NO <input type="checkbox"/>	
USING: ALCOHOL <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> DRUGS: <input type="checkbox"/> YES NO <input type="checkbox"/> UNK. <input type="checkbox"/> TYPE:													

ADDITIONAL NARRATIVE

Agency Name: Mount Pleasant Police Department	ORI #: SC0100300	Report Date/Time: 10/18/2018 14:30	OCA #: 2018-0009427
--	---------------------	---------------------------------------	------------------------

Disturbance

Informed him that I understood his concerns on the matter but I was unable pursue any criminal charges against [REDACTED]. I further explained to Mr. [REDACTED] in the presence of both assistant administrators, that since [REDACTED] did not physically touch his daughter and did not intend to cause physical or bodily injury to her person, the incident could only be documented as a disturbance and not an assault. According to Mr. [REDACTED], there are other students that are possibly involved with harassing his daughter. Both administrators stated they are looking into those possible issues. I spoke with [REDACTED] on this date in the presence of Dr. Osborne, another assistant administrator. He stated the issue between he and [REDACTED] extend back to the 6th grade. However, he did admit to pretending to cut her hair because she continued telling him to be quiet as he spoke to other students while in class. The school handled the incident administratively. Nothing further.

ADDITIONAL NARRATIVE

Agency Name: Mount Pleasant Police Department	ORI #: SC0100300	Report Date/Time: 10/18/2018 14:30	OCA #: 2018-0009427
--	---------------------	---------------------------------------	------------------------

Disturbance

THIS SUPPLEMENT IS WRITTEN BY PFC. GILLIARD OF THE MOUNT PLEASANT POLICE DEPARTMENT

Incident: Disturbance
Date: 10-23-2018

On 10-19-2018 during the initial meeting between Mr. [REDACTED] and assistant administrators, Coleman and Valente, Mr. [REDACTED], according to Dr. Valente, was belligerent and stated that he would go through the doors to protect his daughter. This conversation took place in the conference room behind the front office where Dr. Valente stated that he attempted to calm Mr. [REDACTED] down. There, with Mr. Coleman present, Dr. Valente informed Mr. [REDACTED] that if he attempted to enter the school without going through the proper channels, he himself could possibly end up in legal trouble. Additionally, during the meeting but prior to my arrival, Mr. [REDACTED] stated to the administrators that it may be a conflict of interest if he spoke with the School Resource Officer due to him being a Town [REDACTED] because he is my boss, according to Dr. Valente. As Sgt. Salata arrived at Cario Middle School for a separate incident (2018-0009424), I asked Dr. Valente to inform Sgt. Salata on the incident regarding Mr. [REDACTED] on 10-18-2018. Dr. Valente then informed Sgt. Salata, in my presence, that Mr. [REDACTED] stated there may be a conflict of interest with him speaking to the School Resource Officer because he is my boss.

On this date at approximately 10:00hrs, I re-questioned all the parties in regard to the statements pertaining to Mr. [REDACTED]. Mrs. Cynthia Peek was the front office clerk who was present when Mr. [REDACTED] entered the building. She stated that Mr. [REDACTED] was rude to her and demanded to speak with someone stating that he wasn't leaving until he did. Mr. Coleman stated that he entered the front office as Mr. [REDACTED] and Dr. Valente were present. According to Mr. Coleman, he never heard Mr. [REDACTED] state that he was the boss or supervisor of the School Resource Officer but stated that if there was to be a conflict of interest, he would be willing to speak to another law enforcement agency. I again spoke with Dr. Valente and asked him did Mr. [REDACTED] make the statement that he is my boss, or did he insinuate that based on the fact that Mr. [REDACTED] mentioned speaking to me may cause a conflict of interest and that of his political status. Dr. Valente admitted that Mr. [REDACTED] never stated he was my supervisor but insinuated that thought based on his statement of a conflict of interest and that of his political status. The administration was aware that Mr. [REDACTED] was a Town [REDACTED] prior to this incident. Nothing further.