



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

August 19, 2019
10:00 a.m.

A meeting of the South Carolina Law Enforcement Training Council (LETC) was held at the South Carolina Criminal Justice Academy on Monday, August 19, 2019. This meeting was advertised in accordance to the South Carolina Freedom of Information Act.

CALL TO ORDER

Agenda Item 1

Chief Mark Keel, Chair of the Law Enforcement Training Council, called the meeting to order at 10:03 a.m.

Members present at the meeting were Chief Mark A. Keel, State Law Enforcement Division (SLED) (Chair); Director Jerry Adger, S.C. Department of Probation, Parole and Pardon Services; Director Robert Boyles, S.C. Department of Natural Resources; Chief Tony Taylor, Williamston Police Department; and Captain Nick Gallam, Aiken County Detention Center.

Members present via conference call were Sheriff Lee Foster, Newberry County Sheriff's Office; and Director John Thomas, North Augusta Department of Public Safety.

Absent members were Attorney General Alan Wilson, Attorney General's Office; Director Leroy Smith, S.C. Department of Public Safety (Co-Chair); Director Bryan Stirling, S.C. Department of Corrections; Sheriff Barry Faile, Lancaster County Sheriff's Office. Attorney General Wilson and Director Smith were represented by proxies, Barry Bernstein and Chief Kenneth Phelps, respectively.

Guest attendees were Executive Director Ryan Alphin, S.C. Law Enforcement Officers' Association, S.C. Police Chiefs' Association; Attorney Marcus Gore, S.C. Dept. of Public Safety; Attorney Ryan Hicks; and Attorney Doug Barfield.

A full list of guest attendees may be obtained upon request.

SC Criminal Justice Academy attendees were Director Jackie Swindler; James Fennell, General Counsel; Florence McCants, Administrative Operations Manager; Lauren Fennell, Standards & Accreditation Manager; Debbie Bryant, Human Resources; Justin Miller, IT; and Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

Agenda Item 2

Upon a motion made by Director Boyles and seconded by Director Adger, Council voted unanimously to adopt the agenda as presented.

APPROVAL FOR MEETING MINUTES

Agenda Item 3

1. A motion to approve the minutes of the July 24, 2019, meeting was made by Director Boyles and seconded by Director Adger. Council voted unanimously to accept the meeting minutes as recorded.

General Counsel – Certification Issues

Agenda Item 4

2. Misconduct Cases

Monica Cockfield: 2019-CJA-07-04 (City of Columbia Police Department)

Summary: Columbia Police Department alleged that Ms. Cockfield “willfully made false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by department policy or by the laws of South Carolina.” Hearing Officer recommended a finding of misconduct and her certification be denied either permanently, or a specific period of time, or some other sanction the LETC deems appropriate.

Director Adger made a motion to accept the recommendation of the Hearing Officer. Captain Gallam seconded the motion. Council voted unanimously to adopt the Hearing Officer’s recommendation to permanently deny Ms. Cockfield’s law enforcement certification.

Joseph Ragsdale: 2019-CJA-01-01 (SC Department of Public Safety)

Summary: The Department of Public Safety alleged that Mr. Ragsdale willfully made false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, a law enforcement agency, or a representative of a law enforcement agency, except as required by department policy or by the laws of South Carolina. The Hearing Officer recommended a finding of misconduct and Mr. Kimbrough’s certification be either permanently denied, or a specific period of time, or some other sanction the LETC deems appropriate.

Mr. Ragsdale was present to answer any questions that Council may have for him in regards to his case.



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Attorney Ryan Hicks was in attendance to represent Mr. Ragsdale and requested that Council seek a less severe action than permanently denying Mr. Ragsdale's law enforcement certification.

Additionally, Attorney Marcus Gore was in attendance to represent the S.C. Department of Public Safety.

Director Adger made a motion to accept the Hearing Officer's recommendation. Captain Gallam seconded the motion.

Prior to the voting process, Council allowed Mr. Ragsdale to give his account of the details of the incident that led to his misconduct case. Council also heard additional information from Mr. Hicks and Mr. Gore.

After hearing additional information from Mr. Ragsdale, Mr. Hicks and Mr. Gore, Council voted unanimously to adopt the recommendation of the Hearing Officer to permanently deny Mr. Ragsdale's law enforcement certification.

Marquis Kimbrough: 2017-CJA-12-06 (Lancaster County Sheriff's Office)

Summary: The Lancaster County Sheriff's Office alleged that Mr. Kimbrough was dishonest/untruthful with respect to his employer. The Hearing Officer recommended a finding of misconduct and Mr. Kimbrough's certification be either permanently denied, or a specific period of time, or some other sanction the LETC deems appropriate.

Attorney Ryan Hicks was in attendance to represent Mr. Kimbrough. Mr. Hicks requested that Council reject the Hearing Officer's recommendation to permanently deny Mr. Kimbrough's law enforcement certification.

Attorney Doug Barfield was in attendance to represent Lancaster County Sheriff's Office. Mr. Barfield gave additional information to Council in regards to the incident that led to the allegations of misconduct against Mr. Kimbrough and asked that Council accept the Hearing Officer's recommendation to permanently deny Mr. Kimbrough's law enforcement certification.

Prior to the voting process, Council had questions for Mr. Hicks and Mr. Barfield to gain clarity of some of the information that had previously been provided.

Sheriff Foster made a motion to accept the Hearing Officer's recommendation. Director Adger seconded the motion. Council voted unanimously to adopt the Hearing Officer's recommendation to permanently deny Mr. Kimbrough's law enforcement certification.

Julian Bridges: 2018-CJA-12-11 (SC Department of Public Safety)

Summary: The Department of Public Safety alleged that Mr. Bridges willfully made false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, a law



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enforcement agency, or a representative of a law enforcement agency, except as required by department policy or by the laws of South Carolina. The Hearing Officer recommended a finding of misconduct and Mr. Kimbrough's certification be either permanently denied, or a specific period of time, or some other sanction the LETC deems appropriate.

Mr. Bridges was in attendance to answer any questions Council may have in regards to the details of the allegations against him.

Mr. Hicks was in attendance to represent Mr. Bridges.

Mr. Gore was in attendance to represent the S.C. Department of Public Safety and asked that Council adopt the recommendation of the Hearing Officer.

Director Adger made a motion to accept the Hearing Officer's recommendation. Sheriff Foster seconded the motion.

Prior to the voting process, Council allowed Mr. Bridges to give his account of the details of the incident that led to his misconduct case. Mr. Gore also addressed Council and asked that Council not consider Mr. Bridges account of the details of the incident because he gave testimony to Council that he did not give at his hearing under oath.

Upon completion of statements made by Mr. Bridges and Mr. Gore, Director Adger made a new motion to place Mr. Bridges on probation for a year. Captain Gallam seconded the motion. The motion failed to pass with a vote of five (5) "No" votes – two (2) "Yes" votes.

Director Boyles made a new motion to suspend Mr. Bridges law enforcement certification for two (2) years and once reinstated, Mr. Bridges will attend an 8-hour ethics training prior to being an active officer with an agency. Captain Gallam seconded the motion. With the exception of two (2) "No" votes, Council voted to suspend Mr. Bridges' law enforcement certification for two (2) years and require 8 hours of ethics training before becoming active with a law enforcement agency as an officer.

Matthew Graham: 2018-CJA-10-06 (Myrtle Beach Police Department)

Summary: The Myrtle Beach Police Department alleged that Mr. Graham willfully made false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, a law enforcement agency, or a representative of a law enforcement agency, except as required by department policy or by the laws of South Carolina. The Hearing Officer recommended a finding of misconduct and Mr. Kimbrough's certification be either permanently denied, or a specific period of time, or some other sanction the LETC deems appropriate.



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Captain Gallam made a motion to accept the Hearing Officer's recommendation. Director Boyles seconded the motion. Council voted unanimously to adopt the Hearing Officer's recommendation to permanently deny Mr. Graham's law enforcement certification.

Cody Carroll: 2019-CJA-08-06

Summary: The South Carolina Criminal Justice Academy was notified that Cody Carroll of the Fairfax Police Department was arrested by the South Carolina Law Enforcement Division and charged with Assault and Battery, 3rd Degree. No further details regarding the facts and circumstances surrounding his arrest are available at this time. Request for Suspension of Law Enforcement Certification.

Director Boyles made a motion to accept the request to temporarily suspend Mr. Carroll's certification. Director Adger seconded the motion. Council voted unanimously to approve the temporary suspension of Mr. Carroll's law enforcement certification pending the outcome of the criminal charges. *Please note that Chief Keel abstained from the voting process in this case.*

Derek Vandenharm: 2019-CJA-08-07)

Summary: The South Carolina Criminal Justice Academy was notified that the Richland County Sheriff's Office arrested Derek Vandenharm of the Richland County Sheriff's Office and charged him with one (1) count of Attempted Criminal Sexual Conduct with a Minor, 2nd Degree and one (1) count of Solicitation of a Minor. No further details regarding the facts and circumstances of this arrest are available at this time. Request for Suspension.

Chief Taylor made a motion to temporarily suspend Mr. Vandenharm's certification. Captain Gallam seconded the motion. Council voted unanimously to approve the temporary suspension of Mr. Vandenharm's law enforcement certification pending the outcome of the criminal charges.

Cully Delacruz: No assigned case number (Richland County Sheriff's Office)

Summary: The Richland County Sheriff's Office has petitioned the South Carolina Law Enforcement Training Council for a determination of Mr. Delacruz's eligibility to attend training to become certified as a law enforcement officer in South Carolina.

Mr. Delacruz was arrested in 1998 by police in Statesboro, Georgia and charged with Theft by Shoplifting. Mr. Delacruz has no other NCIC involvements.

Mr. Delacruz has recently applied for an expungement through the State of Georgia.

Captain Gallam made a motion to allow Mr. Delacruz to obtain law enforcement certification. Director Adger seconded the motion.

Prior to the voting process there was a brief discussion amongst Council in regards to the possibility of Mr. Delacruz getting the criminal charge expunged from his criminal history.



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After the discussion, Captain Gallam withdrew his motion to allow Mr. Delacruz to obtain his law enforcement certification in South Carolina.

Council decided to table Mr. Delacruz's case to allow him an opportunity to obtain or attempt to obtain expungement of the shoplifting charge received in Georgia. Council will revisit this case once advised that Mr. Delacruz took every measure to have the criminal charges expunged from his criminal history.

NEW BUSINESS

Agenda Item 5

3. Discussion on Model Video Interrogation Policy

Council received a draft of a proposed model video interrogation policy. The sample policy was drafted by the Criminal Justice Academy at the request of Chief Keel. Chief Keel is a member of a study committee formed for the purpose of putting in place a model video interrogations policy for law enforcement agencies in the State. While not mandatory, agencies can use this model policy as a guideline in the event that they choose to incorporate a video interrogation policy within their respective agencies' policies.

Chief Keel asked Council members to be prepared to discuss this model policy at the next quarterly meeting. Chief Keel would like to have a model policy completed before the Legislature begins its next session so that he can report back to the study committee that there is a policy in place, and it has been distributed to the law enforcement agencies in the state.

CLOSING REMARKS AND ADJOURNMENT

Agenda Item 7

There were no closing remarks. Director Adger made a motion to adjourn the meeting, and Director Boyles seconded the motion.

The meeting was adjourned at 11:08 a.m.

Respectfully submitted by:

Scheri E. Francois
Executive Assistant