



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES

Monday, August 23, 2021
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 23, 2021. This meeting was advertised in accordance with 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 10:01 a.m. Chief Keel called for a roll call of the Council members. The roll was called by Scheri Francois.

Members present for this meeting in-person were Chief Keel, State Law Enforcement Division (SLED); Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; Director Jerry Adger, S.C. Department of Probation, Parole and Pardon Services; Director Robert Woods, S.C. Department of Public Safety; Director Robert Boyles, S.C. Department of Natural Resources; Sheriff Barry Faile, Lancaster County Sheriff's Office; and Chief Tony Taylor, Williamston Police Department.

Members present via video/conference call were Attorney General Alan Wilson, S.C. Attorney General's Office; Director Bryan Stirling, S.C. Department of Corrections; Chief John Thomas, North Augusta Department of Public Safety; and Captain Nick Gallam, Aiken County Detention Center.

Guest attendees were Jarrod Bruder, S.C. Sheriffs Association; Mark Gosnell, S.C Troopers Association; JJ Jones, S.C. Police Chiefs Association/S.C. Law Enforcement Officers Association; Marcus Gore, Esquire, S.C. Department of Public Safety; Major Jim Stewart, Richland County Sheriff's Department; John Mussetto, Esquire; Wesley Vorberger, Esquire, Greenville County Sheriff's Office; Matthew Metrisko; and Timothy Watkins.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Francois, Executive Assistant; James Fennell, General Counsel; Lauren Fennell; Accreditation Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

Agenda Item 2

A motion to adopt the agenda was made by Sheriff Faile. And seconded by Director Woods. Council voted unanimously to adopt the agenda as presented.

APPROVAL FOR MEETING MINUTES

Agenda Item 3

A motion to approve the minutes of the July 21, 2021, meeting was made by Director Boyles and seconded by Sheriff Faile. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4

A. General Counsel Report

- Misconduct Cases

Tomas Santiago: 2020-CJA-10-22 (Andrews PD) -

Summary: Allegations of physical or psychological abuses of members of the public and/or prisoners, and misrepresentation of employment related information. **Request for Final Agency Decision.**

Hearing Officer recommended that Council:

- Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegations of misconduct reported against Tomas Santiago by the Andrews Police Department have not been proven by substantial evidence; and
- Expunge within thirty (30) days of the final agency decision in this matter, pursuant to the requirements of S.C. Code Ann. § 23-23-150 (M), all evidence related to the allegations of misconduct filed against Tomas Santiago by the Andrews Police Department.

Director Woods made a motion to accept the recommendation of the Hearing Officer. Chief Taylor seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to expunge all evidence related to the allegations of misconduct filed against Mr. Santiago by the Andrews Police Department within thirty (30) days of the Final Agency Decision.



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Timothy Watkins: 2021-CJA-01-02 (Batesburg-Leesville PD.)-

Summary: Allegation of willfully making false, misleading, incomplete, deceitful, or incorrect information on a document, report, or form, except when required by departmental policy or by the laws of this State. **Request for Final Agency Decision.**

Hearing Officer recommended that Council:

- A. Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct reported against Timothy N. Watkins by the Batesburg-Leesville Police Department has been proven by substantial evidence; and
- B. Impose such sanction as the Council in its discretion deems appropriate pursuant to its authority set forth at S.C. Code Ann. Regs. 37-108 A.

Timothy Watkins attended this meeting to speak on his own behalf and to answer any questions from Council, if applicable.

After hearing from Mr. Watkins, Director Woods made a motion that misconduct was not proven and to continue law enforcement eligibility for Mr. Watkins. Sheriff Foster seconded the motion.

Prior to the voting process Council had a brief discussion on the allegations against Mr. Watkins. After this discussion, Director Woods amended his motion to include further training to be completed within the first ninety (90) days of hire by a new agency. Council voted unanimously to adopt the motion and granted continued eligibility of law enforcement certification to Mr. Watkins with a requirement of additional training.

Matthew Metrinko: 2020-CJA-05-06 (Greenville Co. SO) -

Summary: Allegation of willfully making a false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State. **Request for Final Agency Decision.**

Hearing Officer recommended that Council:

- A. Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct reported against Matthew Metrinko by the Greenville County Sheriff's Office has been proven by substantial evidence; and
- B. Impose such sanction as the Council in its discretion deems appropriate pursuant to its authority set forth at S.C. Code Ann. Regs. 37-108 A.

Attorney John Musseto attended this meeting to represent Mr. Metrinko and to answer any questions from Council, if applicable.



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Mr. Metrisko attended this meeting to speak on his own behalf and to answer any questions from Council, if applicable.

Representing the agency, Wesley Vorberger attended this meeting to answer any questions from Council, if applicable.

After hearing from both attorneys and Mr. Metrisko, Director Adger made a motion that misconduct was proven by the Greenville County Sheriff's Office and to permanently deny Mr. Metrisko's eligibility for law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to permanently deny Mr. Metrisko's eligibility for law enforcement certification.

Javon Reynolds: 2020-CJA-12-10 (Spartanburg PD)-

Summary: Allegation of willfully making a false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State. **Request for Final Agency Decision.**

Hearing Officer recommended that Council:

- A. Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D. finding that the allegation of misconduct filed against Javon Reynolds by the Spartanburg Police Department has been proven by substantial evidence; and
- B. Deny Javon Reynolds eligibility for certification as a law enforcement officer in the State of South Carolina, either permanently, for a specified period of time, or pursuant to such other conditions as may be deemed appropriate by Council, pursuant to its authority set forth at S.C. Code Ann. Regs. 37-108 A.

Director Boyles made a motion to permanently deny Mr. Reynolds' eligibility for law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to permanently deny Mr. Reynolds' eligibility for law enforcement certification.

Blake Burton: 2021-CJA-07-04 (Spartanburg County SO) –

Summary: The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that on July 5, 2021, the South Carolina Law Enforcement Division arrested Blake Barton of the Spartanburg County Sheriff's Office and charged him with Domestic Violence 2nd Degree. Information states Barton punched his wife in the presence of their juvenile child. No further information regarding this incident was available at the time of this meeting. **Request for Suspension.**

Sheriff Foster made a motion to temporarily suspend Mr. Burton's law enforcement certification. Director Woods seconded the motion. Council voted unanimously to temporarily suspend Mr.



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Burton's law enforcement certification pending the outcome of criminal charges. *Please note that Chief Keel recused himself from the voting process in this case.*

Da'Juan Shell:2021-CJA-07-05 (Spartanburg PD)-

Summary: The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that on July 7, 2021, the South Carolina Law Enforcement Division arrested De'Juan Shell of the Spartanburg Police Department and charged him with Domestic Violence 2nd Degree. Information states Shell was involved in a physical altercation and shoved the victim in the presence of their juvenile child. No further information regarding this incident was available at the time of this meeting. **Request for Suspension.**

Sheriff Foster made a motion to temporarily suspend Mr. Shell's law enforcement certification. Director Adger seconded the motion. Council voted unanimously to temporarily suspend Mr. Shell's law enforcement certification pending the outcome of criminal charges. *Please note that Chief Keel recused himself from the voting process in this case.*

Gilitra Ruff: 2021-CJA-05-16 (Alvin S. Glenn Det. Ctr.) –

Summary: Documentation was forwarded to the South Carolina Criminal Justice Academy advising the charges against Ms. Ruff were dismissed and expunged from her record. The dismissal and expungement of the charges were as a result of successful completion of Pre-Trial Intervention. **Request for Reinstatement.**

Director Adger made a motion to reinstatement Ms. Ruff's law enforcement certification. Director Stirling seconded the motion. Council voted unanimously to reinstate Ms. Ruff's law enforcement certification.

Teresa Mims: No assigned case number (McCormick Co. Det. Ctr.) –

Summary: Teresa Mims is a Class 2 Law Enforcement Officer candidate for the McCormick County Detention Center. The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that Mims has two (2) convictions for Fraudulent Check; both of which occurred in 1999. Further information was requested regarding these incidents. Ms. Mims provided a letter providing the facts and circumstances surrounding these convictions which is attached herein. The McCormick County Detention Center Administrator also provided a letter of Character on Mims' behalf which is also attached. Mims has provided documentation that she is in the process of having these convictions expunged. **Eligibility Request.**

Sheriff Foster made a motion to grant Ms. Mims eligibility to receive law enforcement certification upon expungement of criminal charges. Sheriff Faile seconded the motion. Council voted unanimously to grant Ms. Mims eligibility to receive law enforcement certification upon expungement of criminal charges.



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B. Director's Comments

Director Swindler

Director Swindler gave updates on classes, training and upcoming events at the Academy.

UNFINISHED BUSINESS

Agenda Item 5

There was no unfinished business to discuss.

NEW BUSINESS

Agenda Item 6

Director Swindler stated that a donor would like to give books to the Academy for staff and students for research and informational purposes and asked for approval from Council. Sheriff Foster made a motion that Academy could accept this donation. Director Boyles seconded the motion. Council voted to approve the acceptance of this donation.

Next, Director Swindler asked Council to consider approving the requirement of psychological examinations for new Reserve and Advanced Class 3 officers. Sheriff Faile made a motion to approve the requirement. Sheriff Foster seconded the motion. Council voted to approve the requirement of psychological examinations for new Reserve and Advanced Class 3 officers hired on or after September 1, 2021. **The notification to law enforcement agency heads is included with these minutes.**

CLOSING REMARKS/AJOURNMENT

Agenda Item 7

When there were no more comments, Sheriff Foster made a motion to adjourn the meeting.

The meeting was adjourned at 11:10 a.m.

Respectfully submitted by:

Scheri E. Francois
Executive Assistant



South Carolina Criminal Justice Academy

August 24, 2021

To: South Carolina law enforcement agency heads and training officers

RE: Psychological evaluations for Reserve Officers and Advanced Class 3 Officers

Dear Agency Heads:

On August 23, 2021, the South Carolina Law Enforcement Training Council voted to make it mandatory that the Guidelines for Psychological Evaluation and Reimbursement, dated September 24, 2020, be applicable to candidates for the Reserve Officer program and candidates for Advanced Class 3 certification, who are hired on or after September 1, 2021. For your convenience, I have attached those guidelines. This requirement does not apply to Basic Class 3 candidates.

If you have any questions, please contact James M. Fennell, General Counsel, at 803-896-7722.

Sincerely,

Lewis J. Swindler, Jr.
Director



An Accredited Law Enforcement Training Agency

5400 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29212-3540/ PHONE: (803)896-7777/ FAX: (803)896-7776

South Carolina Criminal Justice Academy
Guidelines for Psychological Evaluation and Reimbursement
September 24, 2020

The South Carolina Criminal Justice Academy, under the direction of the Law Enforcement Training Council, has received legislative funding to implement psychological evaluations and screenings for all Basic Law Enforcement Class 1 candidates beginning January 1, 2018. The hiring agency sponsoring a candidate will be responsible for having the evaluation administered during the pre-employment phase of the hiring process. The Academy will reimburse the agency up to a maximum of \$350.00 for each valid evaluation. The Academy will only pay for one evaluation to be administered per individual. The Academy will not pay for evaluations for tenured Class 1 certified employees. **All candidates registering for Class 1 certification training after January 1, 2018 must have a valid psychological evaluation in order to register if the hire date on their PCS is after October 1, 2017. The academy will begin funding evaluations October 1, 2017. Agencies submitting a PCS of hire form after October 1, 2017 must use the new PCS form which will have an attestation section for Psychological Evaluation Information.**

The South Carolina Training Council and the Academy hopes that this initiative will be used by all Chiefs, Sheriffs and Directors of law enforcement agencies within the State as another tool during the selection and evaluation process of new law enforcement candidates.

Listed below are the minimum guidelines and procedures to be used with this process:

Psychological Evaluation Guidelines: Minimum Criteria for ensuring standard practice is maintained with acknowledgement to the 2014 IACP "Pre-employment Psychological Evaluation Guidelines."

Examiner Qualifications:

- South Carolina licensed doctoral level Psychologist or other licensed mental health professional qualified to administer and interpret clinical psychological assessments of public safety or law enforcement personnel.
- Professionally competent in clinical assessment as well as the assessment of normal personality characteristics, skills, and abilities relevant to personnel selection.
- Trained and experienced in the provision of pre-employment psychological evaluation for public safety / law enforcement positions, and maintains continuing education and professional training.
- Familiar with the research literature available on psychological evaluation for public safety / law enforcement positions.
- Familiar with pertinent employment law impacting the conduct of pre-employment psychological evaluations (i.e. ADA, EEOC, GINA, etc.).
- Familiar with the minimum responsibilities, duties, working conditions and other psychologically relevant job requirements for public safety / law enforcement based along with specific requirements for the position of hire.
- Must adhere to profession's ethical principals and standards of practice.

Evaluation Process:

- The psychological evaluation should include a human reliability interview with the candidate for a minimum of 30 minutes to provide relevant interpersonal and mental status information and to confirm and/or clarify psychological assessment scores, personal history, and other relevant information.
- The psychological evaluation should include a psychological assessment related to mental health stability and suitability factors. This assessment should have documented reliability, validity and other empirical evidence supporting their use in pre-employment evaluation of public safety / law enforcement applicants.
- The testing instrument should be a qualified test battery relevant to the client population which can be utilized to evaluate the suitability of the candidate and provide for relevant discussion during the interview process of the evaluation.

- Detailed personal history to include family background, school, previous work, legal issues, finances, interpersonal relationship or substance use should be integrated into the test data in a standardized manner.
- Methods used to detect deception should be incorporated to validate the personal integrity of the candidate.

Evaluation Content:

- The human reliability interview should cover developmental milestones, academic history, work history, psychological and substance use history, interpersonal relationships, legal history, coping skills, and management of financial responsibilities.
- The psychological evaluation should specifically address the following individual factors related to public safety / law enforcement employment:
- Freedom from any emotional or mental condition that might adversely affect the performance of law enforcement duties and responsibilities.
- Stress resilience and emotional stability to withstand the psychological demands in the position of a law enforcement officer.
- Interpersonal effectiveness
- Self-control /impulse control
- Decision-making ability
- Respect for rules and authority
- Judgement
- Threat immunity
- Reasonable courage
- Self-awareness
- Self-confidence
- Empathy and social awareness
- Integrity
- Adaptability
- Lack of personal bias
- Motivation and drive for public safety
- Dependability and reliability
- Initiative
- Ability to project appropriate assertiveness and authority
- Ability to exert influence
- Ability to deal with supervision and follow policy

Evaluation Report:

- The final psychological report should contain clear determination of the candidate's suitability and stability for public safety employment. The findings should be based on an integration of the test battery results, the psychological interview, background information and any agency specific requirements relevant to the pre-employment assessment. Clinical diagnosis or psychiatric labeling should be avoided unless pertinent information is discovered. In all cases. The findings should focus on the candidate's ability to safely and effectively perform the essential job duties of public safety in law enforcement.

Records:

- Tests instruments, protocols, summary and final written reports are considered medical records and should be securely maintained in accordance with Federal, State and professional standards.
- Any final reports or information received by an agency through this process should be maintained by the agency in the individual's personnel file in accordance with the local records retention policy.

Reimbursement Process:

- The Academy will reimburse the municipality, county or State entity that has paid for a law enforcement candidate's pre-hire psychological evaluation upon proper request. The maximum amount for reimbursement will be \$350.00. Only one reimbursement per individual.
- In order to receive a reimbursement the agency or governmental entity must complete a Psychological Reimbursement Form (located on the SCCJA Web site), attach the examiner's bill and mail to:
South Carolina Criminal Justice Academy
5400 Broad River Road
Columbia, S.C. 29212
Attn: Finance Section
- If the agency has the capability, these documents can be scanned and sent as attachments to the following email address: Finance@sccja.sc.gov
- All reimbursements will be processed within 30 days.