



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
November 18, 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, November 18, 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 10:02 a.m. Chief Keel called for a roll call of the Council members. Debbie Bryant called the roll.

Members present at the meeting were Chief Mark A. Keel, State Law Enforcement Division (SLED) (Chair); Director Leroy Smith, S.C. Department of Public Safety (SCDPS) (Co-Chair); Director Bryan Stirling, S.C. Department of Corrections; Director Jerry Adger; Sheriff Lee Foster, Newberry County Sheriff's Office; Sheriff Barry Faile, Lancaster County Sheriff's Office; Chief Tony Taylor, Williamston Police Department; Captain Nick Gallam, Aiken County Detention Center.

Members present via conference call were Director Robert Boyles, S.C. Department of Natural Resources; Director John Thomas, North Augusta Department of Public Safety.

Attorney General Alan Wilson, Attorney General's Office, was absent from the meeting but was represented by proxy, Barry Bernstein, via conference call.

Guest attendees were Chief LJ Roscoe, Goose Creek Police Department; Mark Gosnell, S.C. Troopers Association; Robert McCullough, S.C. Department of Natural Resources; Adam Whitsett, General Counsel (SLED); Attorney John O'Leary; Attorney Vance Bettis.

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

SC Criminal Justice Academy attendees were Director Jackie Swindler; Deputy Director Mike Lanier; James Fennell, General Counsel; Lauren Fennell, Standards & Accreditation Manager; Debbie Bryant, Human Resource; Justin Miller, IT; Christopher Brumlow, Investigator.



South Carolina Criminal Justice Academy

APPROVAL OF AGENDA

Agenda Item 2

Upon a motion made by Sheriff Foster and seconded by Captain Gallam, 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 October 21, 2019, meeting was made by Sheriff Faile and seconded by Director Stirling. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT – General Counsel

Agenda Item 4A

Final Agency Decision Requests:

Almon Brown: 2015-CJA-08-11 (SLED) – Allegation that Mr. Brown was dishonest/untruthful with respect to his employer. Hearing Officer recommended the allegation was proven by substantial evidence and Mr. Brown be denied eligibility for certification as a law enforcement officer.

Attorney John O'Leary was in attendance at this meeting to speak on behalf of Mr. Brown. General Counsel for SLED, Adam Whitsett, was in attendance to represent their agency.

Mr. O'Leary asked that Council consider other options besides the recommendation of the Hearing Officer to permanently deny Mr. Brown's eligibility for certification as a law enforcement officer.

Mr. Whitsett spoke on behalf of SLED and asked that Council uphold the recommendation of the Hearing Officer to permanently deny Mr. Brown's eligibility for certification as a law enforcement officer.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Sheriff Foster seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to permanently deny Mr. Brown's eligibility for certification as a law enforcement officer. ***Please note that Chief Keel recused himself from the voting process in this case.***



South Carolina Criminal Justice Academy

Dannie Wicker: 2019-CJA-04-16 (Manning PD) - Allegation that Mr. Wicker was dishonest/untruthful with respect to his employer. Hearing Officer's Recommendation is that there was not substantial evidence to prove the allegation of misconduct, approve his eligibility for certification as a law enforcement officer and to expunge the allegation of misconduct within thirty days of the final agency decision.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Captain Gallam seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to approve Mr. Wicker's eligibility for law enforcement certification and to expunge the allegation of misconduct within thirty - (30) days of the final agency decision.

Chantelle Simmons: 2019-CJA-08-01(Goose Creek PD) – Allegation that Ms. Simmons willfully made false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not. Hearing Officer's Recommendation is that the allegations have been proven by substantial evidence and to permanently deny Ms. Simmons a law enforcement certification in South Carolina.

Ms. Simmons was in attendance at the meeting and addressed Council in regards to the misconduct allegations against her.

Chief LJ Roscoe of Goose Creek Police Department was in attendance at the meeting to speak on behalf of the department and answer any questions Council may have.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Sheriff Faile seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to permanently deny Ms. Simmons' eligibility for certification as a law enforcement officer.

Cortney Harris: 2018-CJA-05-09 (Fairfield Co. Det. Ctr.) - Allegation that Ms. Harris was dishonest/untruthful with respect to her employer. Hearing Officer's Recommendation is that there was not substantial evidence to prove the allegation of misconduct, approve her eligibility for certification as a law enforcement officer and to expunge the allegation of misconduct within thirty days of the final agency decision.

Ms. Harris was in attendance to address Council and answer any questions regarding the misconduct allegation against her.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Captain Gallam seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to approve Ms. Simmons' eligibility for law enforcement certification and to expunge the misconduct allegations within thirty- (30) days of the final agency decision.



South Carolina Criminal Justice Academy

Kelley Loff: 2016-CJA-12-02 (Summerville PD) – Allegation that Ms. Loff engaged in dangerous and/or unsafe practices involving a firearm or vehicle. Prior to the hearing, the agency declined to appear and prosecute the allegations pursuant to an “Authorized Agency Representative Acknowledgment” form submitted to CJA. The Hearing Officer’s Recommendation is that the misconduct file be closed, the contested case hearing be cancelled, and the misconduct allegation be expunged within thirty days of the final agency decision.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to close the misconduct file, cancel the contested case hearing and expunge the misconduct allegation within thirty- (30) days of the final agency decision.

Consent Order Request:

Dewitt Ford 2019: CJA-05-15 (Clemson University PD) – Allegation that Mr. Ford was convicted, entered a plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year or a crime of moral turpitude. Consent to two years’ probation, successful completion of anger management class, a successful psychological examination, and 8 hours of ethics each of the two years.

Attorney Vance Bettis, who represented the Clemson University Police Department, was in attendance at this meeting to address Council and answer any questions they may regarding the allegation against Mr. Ford.

Director Smith made a motion to accept the recommendation of the Hearing Officer. Director Adger seconded the motion. With the exception of “Yes” votes from Directors Smith and Adger, Council voted to deny the Consent Order Request.

Re-Instatement Request:

Peter Forney: 2019-CJA-03-14 (J. Reuben Long Det. Ctr.) – SC Highway Patrol arrested Mr. Forney for DUI and his certification was temporarily suspended. After successful completion of PTI, the DUI was dismissed. 10-year driving record shows no suspension for DUI, which would have been the disqualifying event.

Prior to the voting process there was a brief discussion amongst Council in regards to the case involving Mr. Forney.

Upon conclusion of the discussion, Director Smith made a motion to grant reinstatement to Mr. Forney’s law enforcement certification with the condition of a one (1) year probationary period



South Carolina Criminal Justice Academy

and that Mr. Forney attend an eight (8) hour National Safety Council Defensive Driving Course. Captain Gallam seconded the motion. Council voted unanimously to reinstate Mr. Forney's law enforcement certification with the conditions stated in Director Smith's motion.

Certification Suspension Request:

Robert A. Strickland, Jr.: 2019-CJA-11-11 (Colleton Co.) – SLED arrested and charged Sheriff Strickland for Domestic Violence 2nd Degree. Request for Temporary Suspension.

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

Kevin Schlieben: 2019-CJA-11-12 (Charleston City PD) – SLED arrested and charged Mr. Schlieben with Assault and Battery 3rd Degree. Request for Temporary Suspension.

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

Director's Remarks **Agenda Item 4B**

Director Swindler gave an update on the FBI Tactical Facility. Director Swindler stated that there will be a SWAT Summit in January and the tactical facility will be used by the SWAT members attending the summit. The official ribbon cutting for the FBI Tactical Facility has been scheduled for February 20, 2020. Invitations to attend the ceremony will be extended to dignitaries on the state and national levels.

The Academy received the Dominion Energy Excellence in Law Enforcement Award for 2019. Director Swindler stated how proud he is of the Academy Staff.

Lastly, Director Swindler gave an update on the progress of the new curriculum and stated that the Academy is now seeing smaller numbers in each class. This is attributed to the fact that the wait time for a candidate to be enrolled in the Academy is essentially nonexistent as candidates are now being given immediate placing in an upcoming class the day they complete preliminary testing.



South Carolina Criminal Justice Academy

CLOSING REMARKS AND ADJOURNMENT

Agenda Item 7

Chief Keel thanked Council members for attending the meeting in person or via conference call.

Director Swindler stated that sheriffs and chiefs have been made aware of the new civil penalty as it relates to misconduct hearings against officers of their respective agencies.

The meeting was adjourned at 10:55 a.m.

Respectfully submitted by:

A handwritten signature in blue ink that reads "Scheri E. Francois". The signature is written in a cursive style and is positioned above a horizontal line.

Scheri E. Francois, Executive Assistant