



# South Carolina Criminal Justice Academy

## SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Wednesday, April 27, 2022  
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 Wednesday, April 27, 2022. 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 10:02 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); Director Robert Woods, S.C. Department of Public Safety; Director Jerry Adger, S.C. Department of Probation, Parole, and Pardon Services; and Director Robert Boyles, S.C. Department of Natural Resources.

Members present via video/conference call were Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; Attorney General Alan Wilson, S.C. Attorney General's Office; Sheriff Barry Faile, Lancaster County Sheriff's Office; Chief John Thomas, North Augusta Department of Public Safety; Chief Tony Taylor, Williamston Police Department; and Captain Nick Gallam, Aiken County Detention Center.

Director Bryan Stirling, S.C. Department of Corrections, was absent from this meeting but was represented by proxy, Chris Voll.

Guest attendees were Jarrod Bruder, S.C. Sheriffs Association; JJ Jones, S.C. Police Chiefs Association/S.C. Law Enforcement Officers Association; Mark Gosnell, S.C. Troopers Association; Deputy Attorney General Barry Bernstein, S.C. Attorney General's Office; Sheriff Kenneth Bamber, Bamberg County Sheriff's Office; Chief Charles Austin, Orangeburg Public Safety; Deputy Chief Jim Stewart, Richland County Sheriff's Department; Joanna McDuffie, Richland County Sheriff's Department; Marcus Gore, Esquire, S.C. Department of Public Safety; Erica Wright, S.C. Municipal Association; and James Hess.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Francois, Executive Assistant; James Fennell, General Counsel; Florence McCants, Administrative Operations Manager; Lauren Fennell; Accreditation Manager; John Yarborough, Facilities



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Operation Manager; Tom McQueen, Finance Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.

## **APPROVAL OF AGENDA**

### ***Agenda Item 2***

A motion to adopt the agenda was made by Director Boyles 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 March 21, 2022, meeting was made by Director Boyles and seconded by General Wilson. Council voted unanimously to accept the meeting minutes as recorded.

## **DIRECTOR'S REPORT**

### ***Agenda Item 4***

#### **A. General Counsel Report**

- Misconduct Cases

#### **Lasasha Burgess: 2021-CJA-03-20 (SCDMH) –**

**Summary:** Allegation of unlawful use of a controlled substance. **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 allegation of misconduct reported against Lasasha Burgess by the South Carolina Department of Mental Health has not been proven by substantial evidence;
- Approve, pursuant to the authority of Council set for at S.C. Code Ann. § 23-23-150 (G) (1), Lasasha Burgess' eligibility for certification as a law enforcement officer in the State of South Carolina; 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 Lasasha Burgess by the South Carolina Department of Mental Health.



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Director Boyles made a motion to accept the recommendation of the Hearing Officer. Director Woods seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and granted Ms. Burgess eligibility for law enforcement certification.

## **James Hess: 2021-CJA-11-06 (Bamberg Co SO) –**

**Summary:** Allegation of willfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, 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 allegations of misconduct filed against James Hess by the Bamberg County Sheriff's Office have 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.

James Hess attended this meeting to speak on his own behalf and answer questions from Council, if applicable.

Sheriff Kenneth Bamberg attended this meeting to represent Bamberg County Sheriff's Office and answer questions from Council, if applicable.

After hearing statements from and having questions answered by both parties, Director Adger made a motion to permanently deny Mr. Hess eligibility for law enforcement certification. Director Boyles seconded the motion. Council voted unanimously to permanently deny Mr. Hess eligibility for law enforcement. ***Please note that Captain Gallam recused himself from the voting process in this case.***

## **Malik Wilson: 2020-CJA-10-05 (Columbia PD) –**

**Summary:** The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that Malik Wilson of the Columbia Police Department was arrested by the Richland County Sheriff's Department and charged with Assault and Battery 3<sup>rd</sup> Degree. The South Law Enforcement Training Council voted to temporarily suspend Mr. Wilson's law enforcement certification pending the disposition of the criminal charges. Documentation was provided to the South Carolina Criminal Justice Academy advising the charges against Mr. Wilson were dismissed and that the dismissal was not pursuant to Pre-Trial Intervention. **Request for Reinstatement.**



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Director Adger made a motion to reinstate Mr. Wilson's law enforcement certification. General Wilson seconded the motion. Council voted unanimously to reinstate Mr. Wilson's law enforcement certification.

## **Orangeburg Department of Public Safety – Summary: Civil Penalty Request.**

Based on the agency's failure to prosecute two allegations of misconduct, it is the position of the South Carolina Criminal Justice Academy that these actions are in direct violation of South Carolina Code of Regulations 37-103(A). Pursuant to §23-23-100(A), CJA is requesting the Law Enforcement Training Council impose a civil penalty on the agency in the amount of one thousand five hundred dollars for failure to prosecute the allegation against Wallace White as required by law, and a civil penalty in the amount of one thousand five hundred dollars for failure to prosecute the allegation against Brandy Smith as required by law.

Chief Charles Austin attended the meeting to represent the Orangeburg Department of Public Safety and answer questions from Council, if applicable.

After Chief Austin answered questions from Council, a motion to enter into Executive Session was made by Director Boyle to receive further information and guidance from James Fennell regarding appropriate penalties. Director Adger seconded the motion and Council entered Executive Session at 10:41 am.

The public meeting reconvened at 11:05 am.

Director Boyles made a motion to impose civil penalties of one thousand five hundred dollars (\$1,500) on the Orangeburg Department of Public Safety for failure to prosecute the allegation against Wallace White and one thousand five hundred dollars (\$1,500) for failure to prosecute the case against Brandy Smith. In addition, Council ordered that the Orangeburg Department of Public Safety to pay the amount of two hundred eight-seven dollars and sixty-four cents (\$287.64) for the invoice amount charged for a court reporter. Director Woods seconded the motion. Council voted unanimously to impose the civil penalties and the cost of the court reporter.

## **B. Financial Update**

### Tom McQueen

The Court Fine revenue for the month of April was \$241,000, which increased the year-to-date amount to \$1.25 million; Miscellaneous revenue \$32,418; and General Fund revenue \$428,878 due to salary and fringe increases allocated by the Legislature. \$5 Surcharge revenue is down



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\$10,771 as that revenue stream continues to wind down. Overall revenue at the end of March is \$1,461,068 ahead of FY 20-21.

Overall expenditures for the Agency increased by \$352,073. Some of the areas of increases include Medical - \$26,500; Computers and Licenses - \$125,863; Gasoline - \$33,500; Food & Food Supplies - \$97,462; and Facilities Maintenance - \$69,0000.

Through March 31<sup>st</sup>, the Academy has expended 70% of the budget for FY 21-22. Even with current increases in revenue, expenditures will be adapted based on the amount of revenue received to remain within the budget constraints.

## **C. Capital Project Update**

John Yarborough

- Two restrooms in the west dorm are complete.
- The parking lot resurfacing.
- HVAC Building 10/11: The project is currently out for bid. The bid opening date is 4/28 at 2pm.
- Modular Buildings: Bid awarded to Modular Technologies, Inc.
- Target Systems: The target system has been bid and awarded. We are waiting on a schedule from the vendor to determine when the installation can start based on any equipment lead times.
- Generator: A progress set of plans and specifications had not been received as of the date of this meeting.
- Renovate 68 restrooms in the North, West, and West Annex dorms.

## **D. Director's Comments**

Director Swindler

Director Swindler gave updates on personnel changes, upcoming renovations, basic law enforcement classes, testing, and gradually lifting restrictions on public attendance at graduations.

## **UNFINISHED BUSINESS**

### ***Agenda Item 5***

There was no unfinished business to discuss.



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## **NEW BUSINESS**

### *Agenda Item 6*

There was no new business to discuss.

## **CLOSING REMARKS/AJOURNMENT**

### *Agenda Item 7*

JJ Jones reminded Council about the law enforcement memorial scheduled for May 4, 2022.

Director Swindler stated that it would be nice to see representation from all departments at the memorial. Director Swindler also offered condolences to the Cayce Police Department and Newberry County Sheriff's Office, which both lost police officers in April.

After there were no more remarks, Director Adger made a motion to adjourn the meeting.

The meeting was adjourned at 11:22 am.

Respectfully submitted by:

Scheri E. Francois  
Executive Assistant