



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Wednesday, January 26, 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, January 26, 2022. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

CALL TO ORDER

Agenda Item 1

Sheriff Lee Foster, Co-Chair of the Law Enforcement Training Council, called the meeting to order at 10:11 a.m. Sheriff Foster 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 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; Director Jerry Adger, S.C. Department of Probation, Parole, and Pardon Services; and Captain Nick Gallam, Aiken County Detention Center.

Director Bryan Stirling was absent from this meeting but was represented by proxy, Christopher Voll. Chief John Thomas, North Augusta Department of Public Safety was absent from this meeting.

Guest attendees were Mark Gosnell, S.C. Troopers Association; JJ Jones, S.C. Law Enforcement Officers Association/S.C. Police Chiefs Association; Deputy Chief Jim Stewart, Richland County Sheriff's Department; Joanna McDuffie, Esquire, Richland County Sheriff's Department; Marcus Gore, Esquire, S.C. Department of Public Safety; John O'Leary, Esquire; Chief James Stewart, Anderson Police Department; Jay Evans; Wing Liu; and Peadro Campos-Thomas.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Francois, Executive Assistant; James Fennell, General Counsel; John Yarborough, Facilities Operation Manager; Tom McQueen, Finance Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

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

When it was established that the agenda would need to be adjusted, Director Woods made a motion to adjust the agenda. Sheriff Faile seconded the motion. Council voted to adjust the items on the agenda as needed.

APPROVAL FOR MEETING MINUTES

A motion to approve the minutes of the December 13, 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

A. Financial Update

Tom McQueen

Through the six months, revenue for the Academy continued to increase compared with the prior year with Court Fine revenue increasing \$607,221; Miscellaneous revenue \$32,624; and General Fund revenue \$428,878 due to salary and fringe increases allocated by the Legislature. \$5 Surcharge revenue was down by \$13,616 as that revenue stream continues to wind down. At the end of December, the Academy was \$1,055,107 ahead of FY 20-21.

Overall expenditures for the Agency increased by \$415,441 which includes expenses for salaries and fringes of \$273,224 while two other areas of significant increase were for software licenses (\$65,125) and food/food supplies (\$70,000).

Through December 31st, the Academy had expended 42% of the budget for FY 21-22. Even with current increases in revenue, we will adapt expenditures based on the amount of revenue received to remain within the budget constraints.

B. Capital Project Update

John Yarborough

- Two of three female restrooms renovations are complete in the main building.
- Two restrooms in the west dorm are being renovated.



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- Two water heaters in the west annex were replaced. One caught fire and the other quit working.
- The parking lot resurfacing started on January 12, 2022.
- The target system for the range is out for bids.
- The bid process to replace the modular buildings will start this month.

C. Director's Comments

Director Swindler

Director Swindler gave updates on training, Covid testing, and cumulative and physical abilities testing.

Director Swindler gave employee updates regarding positions that had been vacated and subsequently filled since the last quarter.

2022 ELECTION OF BOARD CHAIR AND CO-CHAIR

A motion was made by Sheriff Foster to nominate Chief Keel as Chair. The motion was seconded by Director Woods. Council voted unanimously to receive Chief Keel as Chair of the S.C. Law Enforcement Training Council for calendar year 2022.

A motion was made by Sheriff Faile to nominate Sheriff Foster as Co-Chair. The motion was seconded by Director Boyles. Council voted unanimously to receive Sheriff Foster as Co-Chair of the S.C. Law Enforcement Training Council for calendar year 2022.

GENERAL COUNSEL REPORT

- Misconduct Cases

Stephanie Glenn: 2020-CJA-08-05 (Anderson PD) –

Summary: Allegation of willfully making 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 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 Stephanie Glenn by the Anderson Police Department has been proven by substantial evidence; and



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- 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.

John O'Leary, Esquire, attended this meeting to represent Ms. Glenn and answer questions from Council, if applicable.

Chief James Stewart attended this meeting to represent the Anderson Police Department and answer questions from Council, if applicable.

After hearing statements from both parties, Director Boyles made a motion to accept the recommendation of the Hearing Officer and to permanently deny Ms. Glenn's eligibility for law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Ms. Glenn's eligibility for law enforcement certification. *Please note that Chief Keel recused himself from the voting process in this case.*

Pedro Campos-Thomas: 2020-CJA-10-02 (SCDC) –

Summary: Allegation of willfully making 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 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 Pedro Campos-Thomas by the South Carolina Department of Corrections 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.

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

John O'Leary, Esquire, attended this meeting to represent Mr. Campos-Thomas and answer any questions from Council, if applicable.

Representing the S.C. Department of Corrections, John Steadman, Esquire, attended the meeting to answer any questions from Council, if applicable.



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After hearing statements from Mr. Campos-Thomas and both attorneys, Director Boyles made a motion to accept the recommendation of the Hearing Officer and to permanently deny Mr. Campos-Thomas's eligibility for law enforcement certification. Director Woods seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Mr. Campos-Thomas's eligibility for law enforcement certification.

Wing Lui: 2020-CJA-10-21 (Bennettsville PD) –

Summary: Allegation of dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a willful or wanton disregard for the safety of persons or property.

Request for Final Agency Decision.

Hearing Officer recommended that Council:

- A. LETC previously voted that Lui committed misconduct but needed more information before imposing a sanction.
- 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.

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

John O'Leary, Esquire, attended this meeting to represent Mr. Lui and answer questions from Council, if applicable.

Director Swindler gave Council information regarding his conversation with Agent Brian Mein of the Bureau of Alcohol, Tobacco, and Firearms (ATF). Although the ATF would not be filing any federal charges against Mr. Lui, Agent Mein did inform Director Swindler that Mr. Lui violated a federal law by altering his departmentally issued rifle to a machine gun. Violation of this law carries a federal punishment of more than one (1) year. An agency can request to alter a firearm from a rifle to a machine gun with proper documentation to support the request. Such request was not made in this case.

Sheriff Foster made a motion to permanently deny Mr. Lui's eligibility for law enforcement certification. Chief Taylor seconded the motion. Council voted unanimously to permanently deny Mr. Lui's law enforcement certification.

Charles Lemon: 2021-CJA-12-05 (Marlboro Co. SO) –

Summary: Indicted for Misconduct in Office and Assault and Battery of a High and Aggravated Nature. **Suspension Request.**



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

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

There was no new business to discuss.

CLOSING REMARKS/AJOURNMENT

Chief Keel opened the floor to any additional business, questions, or comments.

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

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

Respectfully submitted by:

Scheri E. Francois
Executive Assistant