



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
Wednesday, July 20, 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, July 20, 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 10:11 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 Sheriff Barry Faile, Lancaster County Sheriff's Office.

Members present via video/conference call were Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; Director Bryan Stirling, S.C. Department of Corrections; and Chief John Thomas, North Augusta Department of Public Safety.

Attorney General Alan Wilson and Director Robert Boyles were absent from this meeting but were represented by proxy, Chief Deputy Attorney General Jeff Young and Captain Lee Ellis, respectively. Captain Nick Gallam was also absent from this meeting.

In-person guest attendees were Jarrod Bruder, S.C. Sheriffs Association; JJ Jones, S.C. Police Chiefs Association/S.C. Law Enforcement Officers Association; Douglas Barfield, Jr., Esquire; Adam Whitsett, Esquire, SLED; Kadeem Robinson; and Tony Taylor (former Council Member).

Guests who attended via Webex were Deputy Chief Jim Stewart, Richland County Sheriff's Department; Joanna McDuffie, Esquire, Richland County Sheriff's Department; and Erica Wright, S.C. Municipal Association.

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



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Manager; Thom McQueen, Financial 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 Woods and seconded by Director Adger. Council voted unanimously to adopt the agenda as presented.

APPROVAL FOR MEETING MINUTES

Agenda Item 3

A motion to approve the minutes of the June 20, 2022, meeting was made by Director Woods 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

Johnny Tovar: 2021-CJA-03-27 (Lancaster County Sheriff's Office)

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; 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.**

The 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 filed against Johnny Tovar by the Lancaster County Sheriff's Office have been proven by substantial evidence; and
- 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 Douglas A. Barfield, Jr. attended this meeting to represent Lancaster County Sheriff's Office and answer questions from Council, if applicable.



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After hearing a statement from Mr. Barfield, Director Woods made a motion to accept the recommendation of the Hearing Officer to permanently deny Mr. Tovar's law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Mr. Tovar eligibility for law enforcement certification. *Please note that Sheriff Faile recused himself from the voting process in this case.*

Rockeem Williams: 2020-CJA-07-03 (Sumter Police Department) –

Summary: Allegation of physical or psychological abuses of members of the public and/or prisoners. **Request for Final Agency Decision.**

The 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 Rockeem D. Williams by the Sumter 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.

Sheriff Faile made a motion to accept the recommendation of the Hearing Officer to permanently deny Mr. Williams's law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Mr. Williams eligibility for law enforcement certification.

Kadeem Robinson: 2020-CJA-10-10 (Orangeburg County Detention Center) –

Summary: Allegation of physical or psychological abuses of members of the public and/or prisoners. **Request for Final Agency Decision.**

The 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 Kadeem Robinson by the Orangeburg County Detention Center has not been proven by substantial evidence; and
- B. 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 Kadeem Robinson by the Orangeburg County Detention Center.

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



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After hearing a statement from Mr. Robinson, Director Adger made a motion to accept the recommendation of the Hearing Officer with a finding of 'No Misconduct' and to expunge all evidence related to the allegation. Director Woods seconded the motion. Council voted unanimously to adopt the recommendations of the Hearing Officer and granted Mr. Robinson continued eligibility for law enforcement certification.

Ryan Harp: 2021-CJA-08-11 (State Law Enforcement Division) –

Allegation: 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.

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 Harp by the South Carolina Law Enforcement Division has not been proven by substantial evidence; and
- B. Approve, pursuant to the authority of Council set forth at S.C. Code Ann. § 23-23-150 (G) (1), Ryan Harp's eligibility for certification as a law enforcement officer in the State of South Carolina; and
- C. 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 allegation of misconduct filed against Ryan Harp by the South Carolina Law Enforcement Division

General Counsel for the State Law Enforcement Division, Adam Whitsett, attended this meeting and requested a continuance of this case until the next available date to allow the opposing attorney an opportunity to be present.

Director Woods made a motion to continue the case. Director Stirling seconded the motion. Council voted unanimously to continue this case until the next available date. ***Please note that Chief Keel recused himself from the voting process in this case.***

Jasmine Cox: No assigned case number (Columbia Police Department) –

The Columbia Police Department submitted a misconduct allegation for Jasmine Cox alleging she 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 departmental policy or by the laws of this State. The narrative of the allegation states that Cox was dishonest regarding her absence from work. Columbia Police Department advised



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the delay in submission is due to a clerical error and oversight. They further advise a process has been established to prevent future occurrences. **Acceptance Request.**

Director Woods made a motion to accept the late PCS of Separation for Misconduct. Sheriff Faile seconded the motion. Council voted unanimously to accept the late PCS.

B. Financial Update

Tom McQueen

The Academy ended the year receiving \$1.1 million more in court fines revenue compared with the prior year. Overall revenue for the year is \$1,566,597 ahead of FY 20-21.

Overall expenditures for the Agency increased by \$917,230. Of this increase, \$468,291 is attributable to salary and fringe increases. Other than inflationary increases for items such as food and gas, the larger expenditures for this year are: Computers and Licenses - \$125,863; Upgrades and equipment for both Village and HQ fitness rooms - \$203,099; New mattresses, dorm furnishings and furniture - \$184,482, and HQ and dorm restroom renovations - \$134,486.

The Academy is closing the year \$2.5 million below budget and anticipates carrying forward \$875,000 in state funds and about \$4 million in Enterprise funding.

C. Capital Project Update

John Yarborough

- **HVAC Building 10/11:** Re-bid July 13, 2022
- **Modular Buildings:** Ship date November
- **Target Systems:** August 2022 start date
- **Generator:** Waiting on bid date
- **West annex dorm rest rooms:** Waiting on bid date

D. Director's Comments

Director Swindler

Director Swindler gave updates on Academy staffing.

Director Swindler then gave Council an update on a meeting that was held regarding H. 3050, in which law enforcement and municipal associations attended. After this meeting, Academy staff



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drafted model policies as guides for law enforcement agencies in the state. Director Swindler stated that a letter would go out to agencies regarding the new policy. In addition to the letter, the model policies would be sent to agencies. Agencies would have an opportunity to give input, voice concerns, and/or ask questions regarding the new policies.

Council members then opened a discussion regarding these model policies. Jarrod Bruder and JJ Jones participated in this discussion.

Upon conclusion of discussion of the model policies, it was decided that Council would vote on these model policies during the August 22, 2022, meeting.

UNFINISHED BUSINESS

Agenda Item 5

There was no unfinished business to discuss.

NEW BUSINESS

Agenda Item 6

There was no new business to discuss.

CLOSING REMARKS/AJOURNMENT

Agenda Item 7

Prior to adjournment, Chief Keel informed Council of a letter he received from Sheriff Tanner regarding Advanced Class 3 officers. Chief Keel also inquired of the Academy if they had received a request for information from Charles Appleby. He asked that the Academy please respond to both Sheriff Tanner's and Charles Appleby's information requests.

When there were no more matters to discuss, Director Adger made a motion to adjourn the meeting.

The meeting was adjourned at 11:15 am.

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