



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
Monday, June 21, 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, June 21, 2021. 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 10:05 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), and Director Robert Woods, S.C. Department of Public Safety.

Members present via video/conference call were Director Jerry Adger, S.C. Department of Probation, Parole and Pardon Services; Director Robert Boyles, S.C. Department of Natural Resources; Sheriff Lee Foster (Co-Chair), Newberry County Sheriff'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; Captain Nick Gallam, Aiken County Detention Center.

Director Bryan Stirling, S.C. Department of Corrections and Attorney General Alan Wilson were absent from this meeting. Attorney General Wilson was represented by proxy, Deputy Attorney General Barry Bernstein.

Guest attendees were Marcus Gore, Esquire, S.C. Department of Public Safety; Deputy Chief Jim Stewart, Richland County Sheriff's Office; Joanna McDuffie, Esquire, Richland County Sheriff's Office; JJ Jones, S.C. Police Chiefs Association/S.C. Law Enforcement Officers Association; Mark Gosnell, S.C. Troopers Association; John O'Leary, Esquire; R. Nichols Riley, Esquire; Wesley Vorberger, Esquire, Greenville County Sheriff's Office; Scotty R. Bodiford, Administrator, Greenville County Detention Center; David J. Brousseau, Esquire; Chief Steven A. Thompson, Central Police Department; and Tiffany Grooms, Greenville County Sheriff's Office.

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



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APPROVAL OF AGENDA

Agenda Item 2

Upon a motion 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 May 17, 2021, meeting was made by Director Boyles and seconded by Director Woods. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4

A. General Counsel Report

- Misconduct Cases

Richard Finch: 2020-CJA-09-06 (S.C. Department of Public Safety) -

Summary: Allegations of willfully making false, misleading, incomplete, deceitful, or incorrect statement to a law enforcement officer, law enforcement agency, or a representative of the agency, except when required by departmental policy, or 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 Richard Finch by the South Carolina Department of Public Safety 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), Richard Finch'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 Richard Finch by the South Carolina Department of Public Safety.

Attorney John O' Leary was in attendance to represent Mr. Finch and answer any questions from Council, if applicable.



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Attorney Marcus Gore was in attendance to represent the agency and answer any questions from Council, if applicable.

For the sake of discussion, Director Adger made a motion of a finding of misconduct. Sheriff Faile seconded the motion.

After hearing from both attorneys and receiving information from James Fennell regarding possible sanctions Council could impose against Mr. Finch for his misconduct in office, Director Adger amended his motion to include permanent denial of Mr. Finch's law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to find that Mr. Finch committed misconduct in office and to permanently deny Mr. Finch eligibility for law enforcement certification. *Please note that Director Woods recused himself from the voting process in this case.*

Justin Costa: 2018-CJA-08-14 (Greenville County Sheriff's Office)-

Summary: Allegations 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; 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 an allegation of misconduct reported against Justin Costa by the Greenville County Sheriff's Office has been proven by substantial evidence;
- B) Determine a fitting and appropriate sanction regarding Justin Costa's continuing eligibility for certification as a law enforcement officer in the State of South Carolina, pursuant to the authority set for at S.C. Code Ann. Regs. 37-108 A.

Attorney R. Nichols Riley was in attendance to represent Mr. Costa and to answer any questions from Council, if applicable.

Attorney Wesley Vorberger was in attendance to represent the agency and answer any questions from Council.

After hearing from both attorneys, Director Boyles 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 and permanently denied Mr. Costa's eligibility for law enforcement certification.



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Catherine Taube: 2020-CJA-05-08 (Greenville County Detention Center)-

Summary: Allegation of unlawful use of a controlled substance. **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 Catherine Taube by the Greenville County Detention Center 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 O'Leary was present to represent Ms. Taube and to answer any questions from Council, if applicable.

Scotty Bodiford was in attendance to represent the agency and to answer any questions from Council, if applicable.

After hearing from Mr. O'Leary and Mr. Bodiford, Sheriff Faile made a motion to permanently deny Ms. Taube's eligibility for law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to permanently deny Ms. Taube's eligibility for law enforcement certification.

Timothy Striss: 2020-CJA-10-16 (Central Police Department)-

Summary: Allegation of providing false information to the Criminal Justice Academy. **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 an allegation of misconduct reported against Timothy Striss by the Central Police Department has been proven by substantial evidence; and
- B) Determine a fitting and appropriate sanction regarding Timothy Striss' continuing eligibility for certification as a law enforcement officer in the State of South Carolina, pursuant to the authority set for at S.C. Code Ann. Regs. 37-108 A.

Attorney David Brousseau was present to represent Mr. Striss and to answer any questions from Council, if applicable.

Mr. Striss was in attendance to speak on his own behalf and answer any questions from Council, if applicable.



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Chief Thompson was in attendance to represent the agency, speak on behalf of Mr. Striss and to answer any questions from Council, if applicable.

After hearing from Mr. Brousseau and Chief Thompson, Director Adger made a motion to grant Mr. Striss eligibility for law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to grant Mr. Striss eligibility for law enforcement certification.

Maurice Huggins: 2019-CJA-12-06 (North Charleston Police Department) –

Summary: Allegation of dangerous and/or unsafe practices involving firearms, weapons, and/or vehicle which indicated a willful or wanton disregard for the safety of persons or property. **Request for Final Agency Decision.**

Hearing Officer recommended that Council:

This was prior to the LETC Order regarding failure to prosecute and involved a case from 2014

- A) Order that the contested case file in this matter be closed; and
- B) Order, pursuant to the requirements of S.C. Code Ann. § 23-23-150 (M), that the “Personnel Change in Status Report: Notification of Separation Due to Misconduct” filed by the Department in this matter be expunged, and that the certification file of the Officer be updated in the records of the Criminal Justice Academy to reflect no outstanding allegations of misconduct based on the present matter.

Director Adger made a motion to accept the recommendation of the Hearing Officer. Director Boyles seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to close the contested file and expunge the record of misconduct against Mr. Huggins. *Please note that Chief Keel recused himself from the voting process in this case.*

William Ransom: 2021-CJA-06-05 (McColl Police Department)-

Summary: The South Carolina Criminal Justice Academy received information that on June 9, 2021, the Marlboro County Sheriff’s Office arrested William Ransom and charged him with Assault and Battery 3rd Degree. Information provided states Ransom was off duty attending a funeral for a family member when he was involved in an altercation with another family member which escalated to a physical confrontation. The McColl Police Department has advised the South Carolina Law Enforcement Division has been notified to further investigate this matter. **Request for Suspension.**

Sheriff Foster made a motion to suspend Mr. Ransom’s law enforcement certification. Director Boyles seconded the motion. Council voted unanimously to temporarily suspend Mr. Ransom’s law enforcement certification pending the outcome of an investigation. *Please note that Chief Keel recused himself from the voting process in this case.*



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Terrell Hutchinson: 2021-CJA-06-06 (Fairfield County Detention Center) –

Summary: The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that on May 11, 2021, the South Carolina Highway Patrol arrested Mr. Hutchinson of the Fairfield County Detention Center and charged him with DUI less than .10 1st Offense. **Request for Suspension.**

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

Asha Goodnight: 2021-CJA-05-03 (North Charleston Police Department)-

Summary: Information was presented to the South Carolina Criminal Justice Academy that the criminal charges against Ms. Goodnight were dismissed, and the dismissal of the charges WERE NOT as a result of successful completion of Pre-Trial Intervention. **Request for Reinstatement.**

Captain Gallam made a motion to reinstate Ms. Goodnight's law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to reinstate Ms. Goodnight's law enforcement certification.

Jessica Hunt: 2018-CJA-08-25 (Dorchester County Sheriff's Office)-

Summary: Information was recently provided to the South Carolina Criminal Justice Academy advising the charges for which Ms. Hunt was arrested were dismissed and expunged from her record. A check of Ms. Hunt's South Carolina Driver's Record shows her South Carolina driver's license is valid and does not show a prior suspension. **Request for Reinstatement.**

Captain Gallam made a motion to reinstate Ms. Hunt's law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to reinstate Ms. Hunt's law enforcement certification. *Please note that Director Woods recused himself from the voting process in this case.*

Vishal Patel: 2021-CJA-02-09 (Bishopville Police Department)-

Summary: Information was provided to the Academy advising that Mr. Patel pleaded guilty to Reckless Driving and the DUI charge was dismissed. A check of Mr. Patel's South Carolina Driver's Record shows his South Carolina driver's license is valid and was not previously suspended for driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. **Request for Reinstatement.**

Director Adger made a motion to reinstate Mr. Patel's law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to reinstate Mr. Patel's law enforcement certification. *Please note that Director Woods recused himself from the voting process in this case.*



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A. Director's Comments

Director Swindler

Director Swindler presented a question that he received to Council for their decision. He was asked if the reimbursement statute that applies to Class 1 Officers also applies to Class 3 Officers. Director Swindler stated that it is the opinion of the Academy that Class 3 Officers would fall under that reimbursement statute.

Director Boyles made a motion that Council affirm the interpretation of reimbursement for Class 3 Officers as presented by the Academy. Captain Gallam seconded the motion. Council adopted the interpretation of the Academy that reimbursement to agencies that lose a Class 3 Officer to another agency in the first year in which the training was received be fully reimbursed the cost of training by the receiving agency and be reimbursed 50 percent of the cost of training if this occurs during the second year after which training was received.

Director Swindler presented a second question to Council regarding whether Basic Class 3 Officers would be allowed to be bailiffs in magistrate court. Council's opinion on this matter is that no decision needs to be made as this matters falls under the guidelines that have already been set for Basic Class 3 Officers in order 2021-LETC-001.

Next, Director Swindler presented a question to Council regarding whether arson investigators are able to perform the duties of Advanced Class 3 Officers. Director Swindler suggested that these investigators are able to be trained as and perform duties of Advanced Class 3 Officers but do their investigations parallel with Class 1 Officers. Sheriff Foster made a motion to allow fire investigators to be Advanced Class 3 Officers. Director Woods seconded the motion. Council voted unanimously to allow eligibility for fire investigators to receive certification as Advanced Class 3 Officers.

Director Boyles addressed Council at this time giving a reminder for law enforcement personnel to notify SCDNR when a hunting or boating accident has occurred.

Director Swindler gave an update on testing and training for Advanced Class 3 Officers, basic law enforcement classes, basic detention, and the plan to slowly re-open graduation attendance to the public.



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CLOSING REMARKS/AJOURNMENT

Prior to adjournment, Council made a final vote on order 2021-LETC-002 (Advanced Class 3 Officers). Director Woods made a motion to adopt the order as written. Sheriff Faile seconded the motion. Council voted unanimously to adopt order 2021-LETC-002 as written.

When there was no more business to discuss and no more comments made, the meeting was adjourned at 12:02 pm.

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