



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES

May 18, 2020
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, May 18, 2020. 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. The roll was called by Scheri Francois.

Chief Mark Keel, State Law Enforcement Division (SLED) (Chair) and Captain Nick Gallam, Aiken County Detention Center, were present in person at this meeting.

Sheriff Lee Foster, Newberry County Sheriff's Office (Co-Chair); Director Jerry Adger, SC Department of Probation, Parole and Pardon Services; Director Bryan Stirling, SC Department of Corrections; Director Robert Boyles; SC Department of Natural Resources; Acting Director Robert G. Woods, SC Department of Public Safety; Sheriff Barry Faile, Lancaster County Sheriff's Office; Director John Thomas, North Augusta Department of Public Safety; Chief Tony Taylor, Williamston Police Department attended the meeting via Webex Video Conference.

Attorney General Alan Wilson was absent from this meeting but was represented by proxy, Barry Bernstein.

Guest attendees who attended via Webex Video/Teleconference Call and in person were Executive Director Jarrod Bruder, SC Sheriffs Association; Executive Director Ryan Alphin, SC Police Chiefs Association/SC Law Enforcement Officers Association; Executive Director Mark Gosnell, S.C. Troopers Association; Attorney Marcus Gore, S.C. Department of Public Safety; John O'Leary; Jessica Mangum, Columbia Police Department; Lieutenant Fred Bryant; Columbia Police Department; Wesley Vorberger, Greenville County; John Mussetto.

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

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



South Carolina Criminal Justice Academy

APPROVAL OF AGENDA

Agenda Item 2

Upon a motion made by Director Boyles 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 April 22, 2020, meeting was made by Sheriff Faile and seconded by Captain Gallam. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4

2. General Counsel

- Misconduct Cases

James Pregel: 2019-CJA-09-02 (Greenville 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 representative of the agency except when required by departmental policy or by the law of this State. **Request for Final Agency Decision.**

Mr. Pregel was in attendance was present at this meeting to speak on his behalf and to answer any questions may have, if applicable.

Mr. Pregel was represented by Attorney John Mussetto, who asked that the Council consider another decision besides permanent denial of Mr. Pregel's law enforcement certification.

For the sake of opening a discussion on the misconduct allegations against Mr. Pregel, Sheriff Foster made a motion to accept the recommendation of the Hearing Office to permanently deny Mr. Pregel's law enforcement certification. Sheriff Faile seconded the motion.

Prior to the voting process, Council had questions and concerns regarding Mr. Pregel's misconduct allegations answered by Mr. Pregel and Mr. Vorberger, General Counsel for Greenville County.

Upon hearing from Mr. Pregel and Mr. Vorberger, Sheriff Foster withdrew his motion to accept the recommendation of the Hearing Officer to permanently deny Mr. Pregel's law enforcement certification.



South Carolina Criminal Justice Academy

Director Adger made a new motion to grant Mr. Pregel continuance of his law enforcement certification, place him on a 2-year probation with a requirement of Mr. Pregel attending 8-hours of ethics training at his expense. Once this training has been completed, evidence would need to be presented to the SC Criminal Justice Academy for his file. Sheriff Foster seconded the motion. Council voted unanimously to grant Mr. Pregel continuation of his law enforcement certification with a 2-year probation and a required 8 hours of ethics training, at his expense with evidence of taking this training being presented to the SC Criminal Justice Academy upon completion.

Jonathan Wright: 2019-CJA-12-07 (Columbia Police Department)

Summary: Allegation of willfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or representative of the agency except when required by departmental policy or by the law of this State. **Request for Final Agency Decision.**

Jessica Mangum, Attorney for Columbia Police Department, was in attendance at this meeting representing the agency and asked that Council uphold the recommendation of the Hearing Officer.

Lieutenant Fred Bryant of the Columbia Police Department and former supervisor of Mr. Wright was also in attendance to answer any questions Council may have, if applicable.

Upon the conclusion of Ms. Mangum's statement, Sheriff Faile 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 permanently deny Mr. Wright's law enforcement certification.

Kyle Lederer: 2019-CJA-10-01 (Myrtle Beach Police Department)

Summary: Allegation of willfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or representative of the agency except when required by departmental policy or by the law of this State. **Request for Final Agency Decision.**

Mr. Lederer was present at this meeting to speak on his behalf and to answer any questions Council may have, if applicable.

Mr. Lederer was represented by Attorney John O'Leary, who was also in attendance at this meeting. Mr. O'Leary asked Council to consider other forms of discipline other than permanent denial as was recommended by the Hearing Officer.

Council had questions answered by Mr. Lederer regarding the misconduct allegations against him.



South Carolina Criminal Justice Academy

Upon conclusion of Council's questions being answered by Mr. Lederer, Director Thomas made a motion to accept the recommendation of the Hearing Officer. Sheriff Faile seconded the motion. Council voted unanimously to permanently deny Mr. Lederer's law enforcement certification.

Adam Crisp: 2020-CJA-01-20 (Spartanburg County Sheriff's Office)

Summary: Dishonesty/untruthfulness with respect his/her employer. **Request for Final Agency Decision.**

Spartanburg County Sheriff's Office advised they would not prosecute the allegations against Mr. Crisp and considered the matter closed.

Captain Gallam made a motion to close the contested file in this matter be closed. Sheriff Foster seconded the motion. Council voted unanimously to close the contested case file in this matter and to consider the matter closed.

Hannah Catoe: 2020-CJA-04-07 (Lancaster Police Department)

Summary: Ms. Catoe was arrested by the Lancaster County Sheriff's Office and charged with Driving Under the Influence 1st Offense and Open Container. **Request for Suspension of Law Enforcement Certification**

Sheriff Foster made a motion to suspend Ms. Catoe's law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to temporarily suspend Ms. Catoe's law enforcement certification pending the outcome of the criminal charges against her. ***Please note that Sheriff Faile abstained from the voting process in this case.***

3. **Director's Comments**

Director Swindler

Students of BLE Class 715 were brought back to complete their training. They are currently completing their third and final week of training. They are staying in single occupancy rooms and placed them in classrooms with a class size of ten students or less. Out of an abundance of caution, no guest instructors have been brought in to teach any training, instead, Academy instructors are teaching all areas of study.

BLE Class 717 was brought back on yesterday, Sunday, May 15, 2020, to continue their training. When the pandemic started and the Academy released training classes, BLE Class 717 had only completed one week of their training which was Defensive Tactics. Since so much time had passed since they had been at the Academy, they are redoing that first week of training. They will not retake the written exam again, but they will take their proficiency exam at the end of this week's training. They have been assigned a defensive tactics partner who is also their suitemate.



South Carolina Criminal Justice Academy

BLE Class 715 will graduate this week, so BLE Class 716 will then be brought back on campus. That class has four weeks of training left to complete. With both classes BLE 716 and BLE 717 on campus, the approximate number of students on campus will be 80.

Academy staff is doing all the cooking and cleaning right now as inmate workers have not returned yet.

In the first week of June a Detention class will be brought back with about 20 students returning. This will put the Academy at an occupancy of about 100 students on campus.

Also in the first week of June, SRO students will be able to access training through Webex. 43 agencies will have SRO students attending this training. Academy staff has instructed these agencies on how to practice safe social distancing at their agencies with these students coming in for training. The total number of students is 115. These students have to come to the Academy for one day to take the test and complete Active Shooter training. The Academy will have a morning and afternoon session for several days, with about 25 students in each session until testing and active shooter training is complete.

Likewise, an Academy instructor will teach a BTOT class through Webex in the first week of June. Five different agencies have students that will attend this training. There are 20 students total.

Once classes BLE 716 and BLE 717 have graduated and after the July 4th break the Academy plans to bring in 20-25 students for training every two weeks, depending on the status of the pandemic and whether inmates are back assisting with cooking and cleaning. Bringing these students in every two weeks will get the next two classes, BLE 718 and BLE 719 in for their training.

Agencies have been asked to attempt to send students who are healthy. They have been given suggestions as to how they might keep these students isolated or quarantined prior to them coming to the Academy.

The Academy takes temperatures of staff and students daily, monitors the practicing of social distancing and proper hygiene care.

CLOSING REMARKS/ADJOURNMENT

Captain Gallam asked Director Swindler to speak more about the waiver process that the Academy has granted during this unprecedented time.

Director Swindler stated that the waiver was granted for the duration of time that the Academy was closed for training due to Covid-19, which was 2 months. The Academy would not be able to continue granting extension requests beyond the time that it was closed. Should the pandemic last through the end of the year into the next year, officers cannot work in the field and jails without



South Carolina Criminal Justice Academy

proper training. Director Swindler stated that he would have to look at each request for an extension individually as it has often been a problem with some agencies waiting until the very last moment to get their officers into the Academy for training.

Captain Gallam then asked Director Swindler if he anticipated any delays of getting people into the Academy for training since a limited number of students could be on campus due to exercising safe practices. Director Swindler stated that as long as the Academy is able to stay open and bring in small classes it should not take long to get students in to get their training completed.

Director Boyles asked if the Academy has a plan for if a student does come in and is infected and infects other students and staff. Director Swindler stated that the Academy is doing their due diligence to ensure that staff is well and asking agencies to do their due diligence to send healthy students. Using Webex to do certain training is also a way to keep number of students at the Academy down, but certain training, like Defensive Tactics and other hands-on training have to be done at the Academy.

Sheriff Foster asked how the upcoming graduation and future graduations would be conducted. Director Swindler stated that at the upcoming graduation he will address the graduates and give them their certificates. In the future, he hopes to have a speaker come in to speak to the graduates and the families of the graduates can watch the ceremony through Facebook live on the Academy's website.

Sheriff Foster also asked if there was a reason to have students tested prior to them attending the Academy. Barry Bernstein stated that the military is looking at this as they are also facing the same concern as the Academy. Mr. Bernstein stated that in the future there will be more tests available, hopefully with quicker results. He stated that the military is planning is to have individuals tested when they arrive at a duty station, hopefully receiving results in a few hours, and when the individuals leave their duty stations they are tested again. Mr. Bernstein stated that as the testing improves with quicker results, this will be a plan to help ensure the wellness of each individual. Director Swindler stated that while this is not a question that can be answered now, he hopes this is something that can done in the future. Sheriff Foster suggested that this question be presented to EMD for further answers and in the future look at requiring candidates be tested prior to them coming to the Academy.

Finally, Sheriff Foster suggested that a contingency plan is drafted for alternative means to the hands-on training in the event that Academy has to be closed due to infected individuals. Director Swindler stated that there is a lot of training that has to be hands-on in order to be effective. Director Swindler stated that a contingency plan could be drafted if something happened and the Academy had to close, but there are many people who do not learn without the hands-on experience.



South Carolina Criminal Justice Academy

Director Swindler stated that he is a member of IADLEST and has spoken to agencies in other states and countries who are impressed with the steps the Academy has taken to reopen for training in a safe and healthy way.

Chief Keel asked if there were any more comments or issues that needed to be addressed.

When it was established that there was nothing more to discuss, Sheriff Faile made a motion to adjourn the meeting. Captain Gallam seconded the motion.

The meeting was adjourned at 11:29 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