



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
Monday, April 24, 2023
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, April 24, 2023. 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 10:06 a.m. Sheriff Foster called for a roll call of the Council members. The roll was called by Scheri Eichelberger.

Members present for this meeting in-person were Chief Keel, Chair of the Law Enforcement Training Council, State Law Enforcement Division (SLED); Director Jerry Adger, S.C. Department of Probation, Parole, and Pardon Services; Director Bryan Stirling, S.C. Department of Corrections; Director Robert Woods, S.C. Department of Public Safety; Director Robert Boyles, S.C. Department of Natural Resources; and Chief Kevin Cornett, Isle of Palms Police Department.

Members present via video/conference call were Attorney General Alan Wilson; Sheriff Lee Foster, Newberry County Sheriff's Office; Sheriff Barry Faile, Lancaster County Sheriff's Office; and Captain Nick Gallam, Aiken County Detention Center.

Director John Thomas, North Augusta Department of Public Safety, was absent from this meeting.

Guest attendees in person, via video, or conference call were Jarrod Bruder, S.C. Sheriffs Association; JJ Jones, S.C. Law Enforcement Officers Association/S.C. Police Chiefs Association; Deputy Attorney General Jeff Young, S.C. Attorney General's Office; Joanna McDuffie, Esquire, Richland County Sheriff's Department; Cameron Blazer, Esquire; Jim May, Esquire; Sheriff Buddy Hill, Colleton County Sheriff's Office; Arthur Simmons, III; Allen Horton; Jessica Monsell, Esquire; and Lieutenant Keith Crosby, Colleton County Sheriff's Office.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Eichelberger, Executive Assistant; James Fennell, General Counsel; Lauren Fennell, Accreditation and Standards Manager; Florence McCants, Administrative Manager; John Yarborough, Facilities Operation Manager; Lauren Wright, Finance Manager; Justin Miller, IT Manager; Christopher Brumlow, Investigator; and Vincent Lee.



South Carolina Criminal Justice Academy

APPROVAL OF AGENDA

A motion to adopt the agenda was made by Director Stirling. Director Woods seconded the motion. Council voted unanimously to adopt the agenda. *Please note that before adopting the agenda, Council was made aware of an amendment; therefore, the motion and adoption of agenda was for the amended version.*

APPROVAL FOR MEETING MINUTES

A motion to approve the minutes of the March 20, 2023, meeting was made by General Wilson and seconded by Sheriff Faile. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

A. Financial Updates

Lauren Wright

As of the close of the third quarter of FY 2023 Court Fines and Fees revenue has increased 4.5% over the same time last fiscal year although in general this revenue source continues to trend downward. Personnel expenditures are up 18% over this time last year and expenditures on capital improvements and equipment are up an average of 300%. This increase is due to a number of capital project currently underway. SCCJA revenue remains sufficient to cover agency expenses despite fines and fees revenue trending downward.

B. Capital Project Update

John Yarborough

- **HVAC Building 10/11:** Construction projected completion date of January 30, 2023.
- **Modular Buildings:** Work began January 4, 2023.
- **Target Systems:** Academy is still waiting on parts to get this project completed.
- **Generator:** This project is in design phase.
- **West annex dorm rest rooms:** Bid opening was January 17, 2023. Lowest bid was M.A.R. Construction
- **Domestic hot water lines (main building):** The Academy replaced over 500 feet of old pipes that continued to have leaks.
- **Boiler #1:** The fire box was replaced.



South Carolina Criminal Justice Academy

- **Village gym heat and air:** Academy is in the process of replacing the coil unit and blower motor and the gym currently has no heat or air.
- **Practical problems buildings:** The Academy installed beams and jacks under the floors of 2 buildings to strengthen them.

Prior to the presentation of misconduct cases, Director Swindler stated there was an issue Council needed to address before continuing the meeting. Therefore, Direct Boyles made a motion to enter Executive Session. The motion was seconded by Director Woods. Council entered Executive Session at 10:15 a.m.

The public meeting reconvened at 10:56 a.m. *Please note that no voting took place during Executive Session.*

C. General Counsel Report

- Misconduct Cases

Arthur Simmons: 2020-CJA-11-08 (Colleton County SO) –

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.**

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 Arthur Simmons by the Colleton County Sheriff's Office has been proven by a preponderance of the 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.

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

Attorney Cameron Blazer attended the meeting to represent Mr. Simmons and answer questions from Council, if applicable.

Attorney Jim May attended the meeting to represent the Colleton County Sheriff's Office and answer questions from Council, if applicable.



South Carolina Criminal Justice Academy

After hearing from the parties, Director Woods made a motion to adopt the recommendation of the Hearing Officer for permanent denial of Arthur Simmons's law enforcement certification. Director Boyles seconded the motion. Council voted unanimously to permanently deny Mr. Simmons eligibility for law enforcement certification. ***Please note that Chief Keel and Director Stirling recused themselves from the voting process in this case.***

Joseph Rinehart: 2022-CJA-10-08 (Florence County SO) (Prosecutorial Discretion) –

Summary: Allegation of willful use of excessive force in an objectively unreasonable manner. **Request for Final Agency Decision.**

The Hearing Officer recommended that Council:

- A. Order that the 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 allegations reported by the Department in this matter.

Director Boyles made a motion to adopt the recommendation of the Hearing officer. Director Adger seconded the motion. Council voted unanimously to grant Joseph Rinehart eligibility for law enforcement certification.

Shawndre Hill: 2022-CJA-12-19 (Alvin S. Glenn Det. Center) –

Summary: Shawndre Hill was arrested for DUI .10 but less than .16 1st Offense. She pled guilty to Reckless Driving and paid a fine. A check of Ms. Hill's South Carolina Driver's Record shows that her 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 Boyles made a motion to reinstate Ms. Hills's law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to reinstate Shawndre Hills's law enforcement certification.

Colleton County Sheriff's Office: (Josiah Dixon 2021-CJA-06-04) –

Summary: On July 8, 2022, the Colleton County Sheriff's Office, after having been properly noticed, did not appear on the above date to prosecute a misconduct allegation filed against Josiah Dixon. The Department did not provide a written report to the South Carolina Criminal Justice Academy advising the allegation of misconduct filed against Mr. Dixon would not be prosecuted.



South Carolina Criminal Justice Academy

The South Carolina Criminal Justice Academy is requesting Council impose a civil penalty against the department in the amount of \$1,500.00 dollars.

Sheriff Buddy Hill, Attorney Jessica Monsell, and Lieutenant Crosby attended this meeting to speak on behalf of the agency.

Council had a brief discussion after hearing a statement from Sheriff Hill. Based on the explanation from Sheriff Hill regarding why the agency did not attend the hearing to prosecute the allegation of misconduct against Josiah Dixon, Director Stirling made a motion that no civil penalty be imposed. Director Woods seconded the motion. Council voted unanimously to not impose a civil penalty against the Colleton County Sheriff's Office.

D. Director's Comments

Director Swindler

Director Swindler gave updates regarding vacant and filled Academy positions since the last quarter.

Director Swindler also gave an update regarding testing, training, class sizes, and graduation rates.

UNFINISHED BUSINESS

Director Swindler stated that a meeting regarding whether reimbursement for the four weeks of field training would be mandatory took place on April 12, 2023. In that meeting, several of the law enforcement associations attended. Several Council members, Sheriffs Faile and Foster, Director Thomas, and Nick Gallam, also attended this meeting. The committee recommended that salary and fringe be reimbursable for the four weeks of field training.

After discussion, Council unanimously decided to adopt the recommendation of the committee.

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 remarks or comments, Director Adger made a motion to adjourn the meeting.



South Carolina Criminal Justice Academy

The meeting was adjourned at 11:48 a.m.

Respectfully submitted by:

A handwritten signature in blue ink that reads "Scheri C. Eichelberger". The signature is written on a light gray rectangular background.

Scheri C. Eichelberger
Executive Assistant