



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Monday, December 12, 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 Monday, December 12, 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 10:01 a.m. Chief Keel 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, State Law Enforcement Division (SLED); Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; Director Jerry Adger, S.C. Department of Probation, Parole, and Pardon Services; Director Bryan Stirling, S.C. Department of Corrections; Director Robert Boyles, S.C. Department of Natural Resources; and Director Robert Woods, S.C. Department of Public Safety.

Members present via video/conference call were Attorney General Alan Wilson, S.C. Attorney General's Office; Sheriff Barry Faile, Lancaster County Sheriff's Office; Director John Thomas, North Augusta Department of Public Safety; Chief Kevin Cornett, Isle of Palms Police Department; and Captain Nick Gallam, Aiken County Detention Center.

In-person guest attendees were Mark Gosnell, S.C. Troopers Association; JJ Jones, S.C. Police Chiefs Association/S.C. Law Enforcement Officers Association; Chief Joe Hill, Horry County Police Department; Chief Dale Long, Conway Police Department; John O'Leary, Esquire; Carlton Bourne, Esquire; Derk Van Raalte, IV, Esquire; Michael V. Laubshire, Esquire; James R. Battle, Esquire; Seth Stoughton, Esquire; and James Rhodes.

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

S.C. Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Eichelberger, Executive Assistant; James Fennell, General Counsel; Lauren Fennel, Accreditation and Standards Manager; Florence McCants, Administrative Operations Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

Agenda Item 2

A motion to adopt the agenda was 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 November 14, 2022, meeting was made by Director Boyles and seconded by Director Stirling. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4

A. General Counsel Report

- Misconduct Cases

Damion Riggins: 2020-CJA-10-06 (Horry County Police Department) –

Summary: Allegation of misrepresentation of employment-related information. **Request for Final Agency Decision.**

Hearing Officer Recommended that Council:

- Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct reported against Damion Riggins by the Horry County Police Department has not been proven by the preponderance of the evidence; and
- 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 allegation of misconduct filed against Damion Riggins by the Horry County Police Department.

Director Woods made a motion to adopt the recommendation of the Hearing Officer. Sheriff Foster seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and granted Mr. Riggins continued eligibility for law enforcement certification.

Adam Cordero: 2022-CJA-07-09 (Hanahan Police Department) –

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



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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 Adam Cordero by the Hanahan Police Department has not been proven by the preponderance of 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 Adam Cordero by the Hanahan Police Department.

Attorney Michael V. Laubshire attended this meeting to represent Mr. Cordero and answer questions from Council, if applicable.

After hearing a statement from Mr. Laubshire, Director Boyles made a motion to adopt the recommendation of the Hearing Officer. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and granted Mr. Cordero continued eligibility for law enforcement certification.

James Rhodes: 2022-CJA-02-04 (Conway Police Department) –

Summary: Allegation of physical or psychological abuse of members of the public or prisoners; dangerous or unsafe practices involving firearms, weapons, and/or vehicles which indicated either a willful or wanton disregard for the safety of persons. **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 allegations of misconduct reported against James Rhodes by the Conway Police Department have 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.

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

Attorney John O’Leary attended this meeting to represent Mr. Rhodes and answer questions from Council, if applicable.



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Chief Dale Long, Conway Police Department, attended this meeting to speak on behalf of the agency and answer questions from Council, if applicable.

Attorney James Battle attended this meeting to represent Conway Police Department and answer questions from Council, if applicable.

After Council heard statements and had questions answered by the parties, Sheriff Faile made a motion to deny the recommendation of the Hearing Officer and to grant Mr. Rhodes eligibility for law enforcement certification with the conditions that Mr. Rhodes, with his consent, be placed on a six (6)-month probation period and attends remedial training (Prisoner Transport and Felony Car Stop). Director Adger seconded the motion. With the exception of a 'No' vote by Director Boyles, Council voted unanimously to pass the motion and granted Mr. Rhodes continued eligibility for law enforcement certification.

Horry County Police Department: (Mary Cody 2020-CJA-05-05) –

Summary: On June 21, 2022, the Horry County Police Department, after having been properly noticed, did not appear on the above stated date to prosecute a misconduct allegation filed against Mary Cody. The Department did not provide a written report to the South Carolina Criminal Justice Academy advising the allegation of misconduct filed against Ms. Cody would not be prosecuted. The South Carolina Criminal Justice Academy is requesting Council to impose a civil penalty against the department in the amount of \$1,500.00 dollars.

Chief Joe Hill of the Horry County Police Department attended this meeting to acknowledge that the Department failed to prosecute the allegation against Mary Cody and answer questions from Council, if applicable.

After hearing a statement from Chief Hill, Director Boyles made a motion to impose a civil penalty in the amount of \$1,500.00 against the Horry County Police Department. Director Woods seconded the motion. Council voted unanimously to impose the civil penalty against Horry County Police Department for failure to prosecute misconduct allegations against Mary Cody.

North Charleston Police Department: (Darryl Felkel 2021-CJA-09-03) –

Summary: On February 10, 2022, after having been properly noticed, did not appear on the above stated date to prosecute a misconduct allegation filed against Darryl Felkel. The Department did not provide a written report to the South Carolina Criminal Justice Academy advising the allegation of misconduct filed against Mr. Felkel would not be prosecuted. The South Carolina Criminal Justice Academy is requesting Council to impose a civil penalty against the department in the amount of \$1,500.00 dollars.

Attorney Carlton Bourne attended this meeting for the North Charleston Police Department and to acknowledge that the Department failed to prosecute the allegation of misconduct against Darryl



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Felkel. Mr. Bourne also stated that the Department is committed to building a stronger relationship with Council.

After hearing from Mr. Bourne, Director Boyles made a motion to impose a civil penalty in the amount of \$1,500.00 against the North Charleston Police Department. General Wilson seconded the motion. Council voted unanimously to impose the civil penalty against North Charleston Police Department for failure to prosecute misconduct allegations against Darryl Felkel.

B. Director's Comments

Director Swindler

Director Swindler gave updates on training, the filming of training videos, and position postings.

UNFINISHED BUSINESS

Agenda Item 5

NEW BUSINESS

Agenda Item 6

At the November 14, 2022, meeting Director Swindler informed Council that Mr. Seth Stoughton of the University of South Carolina Law School would attend this meeting.

Mr. Stoughton was present for this meeting and gave updates to Council regarding the Center of Excellence in Policing and Leadership in Law Enforcement regarding where the process currently is and future goals for the program.

Director Swindler then brought forth a request from the Georgetown/Horry Technical College regarding a certificate program for Basic Detention Officers they wish to implement at their college.

Director Swindler stated that he was concerned with this because the Academy curriculum would not be used, and Academy instructors would not be involved in the training. Further, Director Swindler stated that there is not a backlog for getting students into training for Basic Detention, so candidates hired by agencies could get into the Academy for training in a very timely manner.

After hearing Director Swindler's concerns and a brief discussion, Council decided to take no action on this matter.



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CLOSING REMARKS/AJOURNMENT

Agenda Item 7

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

The meeting was adjourned at 11:00 am.

Respectfully submitted by:

A handwritten signature in blue ink that reads "Scheri C. Eichelberger". The signature is written in a cursive style and is positioned above a horizontal line.

Scheri C. Eichelberger
Executive Assistant