



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Monday, February 28, 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, February 28, 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 asked 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; and Director Jerry Adger, S.C. Department of Probation, Parole, and Pardon Services.

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; Director Robert Boyles, S.C. Department of Natural Resources; Sheriff Barry Faile, Lancaster County Sheriff's Office; Director John Thomas, North Augusta Department of Public Safety; Chief Tony Taylor, Williamston Police Department; and Captain Nick Gallam, Aiken County Detention Center.

Attorney General Alan Wilson, S.C. Attorney General's Office, was absent from this meeting but was represented by proxy, Deputy Attorney General Barry Bernstein.

Guest attendees were Jarrod Bruder, S.C. Sheriffs Association; JJ Jones, S.C. Law Enforcement Officers Association/S.C. Police Chiefs Association; Deputy Chief Jim Stewart, Richland County Sheriff's Department; Joanna McDuffie, Esquire, Richland County Sheriff's Department; Marcus Gore, Esquire, S.C. Department of Public Safety; John O'Leary, Esquire; Chief LJ Roscoe, Goose Creek Police Department; Henry Schlein, Esquire; Ted Davis; Stephen Hucks, Esquire; Kathy Ward, Esquire; and Captain Theron Grant, Walterboro Police Department.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Francois, Executive Assistant; James Fennell, General Counsel; Major Florence McCants, Special Operations Manager; Major Lauren Fennell, Standards and Accreditation Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

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

A motion to approve the minutes of the January 26, 2022, meeting was made by Director Adger and seconded by Director Woods. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

A. GENERAL COUNSEL REPORT

- Misconduct Cases

Ted Davis: 2021-CJA-03-04 (Goose Creek PD) –

Summary: Allegations of physical or psychological abuses of members of the public and/or prisoners; 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.**

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 Ted Davis by the Goose Creek 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.

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

Henry Schlein, Esquire, attended this meeting to represent Mr. Davis and answer questions from Council, if applicable.

Chief LJ Roscoe attended this meeting to represent the Goose Creek Police Department and answer questions from Council, if applicable.



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After hearing statements from all parties, Sheriff Faile made a motion to reject the recommendation of the Hearing Officer, instead, grant Mr. Davis eligibility for law enforcement certification. Director Adger seconded the motion.

Prior to voting on the motion, Council had a brief discussion regarding remedial training and other requirements for Mr. Davis.

Upon completion of the discussion, Sheriff Faile amended his motion to include remedial training in De-escalation and Defensive Tactics. Further, Sheriff Faile's new motion included a six (6) month probationary period. Director Adger seconded the motion. Council voted unanimously to grant Mr. Davis eligibility for law enforcement certification with the requirements of remedial training and a six (6) month probationary period. *Please note that Chief Keel recused himself from the voting period in this case.*

Nelson Rosario: 2021-CJA-08-06 (Sumter Co. SO) –

Summary: Allegation(s) 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.**

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 filed against Nelson Rosario by the Sumter County Sheriff's Office have 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.

Kathy Ward, Esquire, attended this meeting to represent the agency and answer questions from Council, if applicable.

After hearing a statement from Ms. Ward, Director Woods made a motion to accept the recommendation of the Hearing Officer and to permanently deny Mr. Rosario's eligibility for law enforcement certification. Director Boyles seconded the motion. Council voted to adopt the recommendation of the Hearing Officer and permanently denied Mr. Rosario's eligibility for law enforcement certification.



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Edwin Gibson: 2021-CJA-06-07 (Walterboro PD) –

Summary: Request for Final Agency Decision.

Hearing Officer recommended that Council:

- A. Deny the Officer's motion to dismiss the allegation;
- B. Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct filed against Edwin Gibson by the Walterboro Police Department has been proven by substantial evidence; and
- C. 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.

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

Stephen Hucks, Esquire, attended this meeting to represent Mr. Gibson and answer any questions from Council, if applicable.

Representing the Walterboro Police Department, Captain Theron Grant attended this meeting to provide information and/or answer questions from Council, if applicable.

After hearing statements from the parties involved in this case, Director Adger made a motion to accept the recommendation of the Hearing Officer to deny Mr. Gibson's motion to dismiss the allegation of misconduct brought forth by the Walterboro Police Department. Director Woods seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to deny Mr. Gibson's motion to dismiss the misconduct allegation.

Director Adger then made an additional motion to permanently deny Mr. Gibson's eligibility for law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to permanently deny Mr. Gibson's eligibility for law enforcement certification.

Donald Trotter: 2020-CJA-09-13 (Greenwood PD) –

Summary: 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. **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 Donald Trotter by the Greenwood Police Department has been proven by substantial evidence; and



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- 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.

Mr. Trotter attended this meeting speak on his own behalf and answer questions from Council, if applicable.

After hearing a statement from Mr. Trotter, Director Adger made a motion to accept the recommendation of the Hearing Officer and to permanently deny Mr. Trotter's eligibility for law enforcement certification. Captain Gallam seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and to permanently deny Mr. Trotter's eligibility for law enforcement certification.

Samuel Sterling: 2022-CJA-02-09 (Greenville PD) –

Summary: Samuel Sterling was arrested for Domestic Violence (DV) 3rd Degree. **Request for Suspension.**

Director Adger made a motion to suspend Mr. Sterling's law enforcement certification. Director Woods seconded the motion. Council voted unanimously to suspend Mr. Sterling's law enforcement certification pending the outcome of criminal charges.

Brandon Loftin: No Assigned Case Number (Johnston PD) –

Summary: Brandon Loftin is no longer a resident of South Carolina, which is in violation of 23-23-60. **Request for Suspension.**

Director Woods made a motion to temporarily suspend Mr. Loftin's law enforcement certification. Director Adger seconded the motion. Council voted to temporarily suspend Mr. Loftin's law enforcement certification pending the outcome of his residence status.

Douglas Smith: 2020-CJA-05-13 (Greenville Co. Det. Ctr.) –

Summary: Douglas Smith was arrested for Driving Under the Influence (DUI). The charges against him were dismissed, and his driver's license was not suspended. **Request for Reinstatement.**

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

Jordan Caldwell: No Assigned Case Number (Bamberg Co. Det. Ctr.) –

Summary: In 2008 and 2010, Jordan Caldwell was convicted of Fraudulent Check, and 2013, Mr. Caldwell was convicted of Breach of Trust with Fraudulent Intent, of which both crimes are



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defined as crimes of moral turpitude. Mr. Caldwell was issued a Pardon for these convictions.
Request for Eligibility.

Director Adger made a motion to grant Mr. Caldwell eligibility for law enforcement certification. Sheriff Foster seconded the motion. Sheriff Foster seconded the motion. The motion failed with seven 'No' votes and 3 'Yes' votes. Mr. Caldwell was not granted eligibility for law enforcement certification.

Matthew Tucker: 2018-CJA-09-20 (SCDPS) –

Summary: Allegation of Dangerous and unsafe practices. **Consent Order Request.**

Director Boyles made a motion to accept the consent order request. Director Adger seconded the motion.

Prior to the voting process, Council had questions answered by SCCJA General Counsel, James Fennell.

After receiving information from Mr. Fennel, Council voted unanimously to accept the consent order request. *Please note that Director Woods recused himself from the voting process in this case.*

B. DIRECTOR'S COMMENTS

Director Swindler gave updates on COVID testing, Technical College programs, and reimbursement issues.

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

There was no new business to discuss.

CLOSING REMARKS/AJOURNMENT

Chief Keel opened the floor for any additional business, questions, or comments.



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When there were no more comments or remarks, Director Adger made a motion to adjourn the meeting.

The meeting was adjourned at 11:21 a.m.

Respectfully submitted by:

Scheri E. Francois

Scheri E. Francois
Executive Assistant