



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
Monday, March 20, 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, March 20, 2023. 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 10:05 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); 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; and Director Robert Boyles, S.C. Department of Natural Resources.

Members present via video/conference call were Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; 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.

Guest attendees present in-person or via Webex 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; 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; Scott J. Hayes, Esquire; Alaric Cann; Marvin Pendarvis, Esquire; Carlton Bourne, Esquire; Captain Cory Holtz, North Charleston Police Department; and Sergeant Brown, North Charleston Police Department.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Eichelberger, Executive Assistant; James Fennell, General Counsel; Florence McCants, Administrative Manager; Justin Miller, IT Manager; Christopher Brumlow, Investigator.



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APPROVAL OF AGENDA

A motion to adopt the agenda was made by Director Boyles. Director Woods seconded the motion. Council voted unanimously to adopt the agenda as presented.

APPROVAL FOR MEETING MINUTES

A motion to approve the minutes of the February 27, 2023, meeting was made by Director Stirling and seconded by Director Adger. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

A. General Counsel Report

- Misconduct Cases

William McMeins: 2022-CJA-06-02 (J. Reuben Long Det. Center) (Prosecutorial Discretion)

Summary: Allegations of willfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not; and 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. 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 allegations reported by the Department in this matter.

Attorney Scott J. Hayes attended this meeting to represent William McMeins and answer questions from Council, if applicable.

After hearing a statement from Mr. Hayes, Director Boyles made a motion to adopt the recommendation of the Hearing Officer. General Wilson seconded the motion.



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Prior to the voting process, Chief Keel expressed his disappointment that there are agencies that do not attend hearings to prosecute misconduct allegations they filed against their officers.

Council voted unanimously to adopt the recommendation of the Hearing Officer and granted Mr. McMeins eligibility for law enforcement certification.

Alaric Cann: 2022-CJA-11-10 (Richland 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.**

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 Alaric Cann by the Richland County Sheriff's Department has been proven by the preponderance of 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.

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

Attorney Joanna McDuffie attended this meeting to represent the Richland County Sheriff's Department and answer questions from Council, if applicable.

After hearing statements from both parties, Director Boyles made a motion to adopt the recommendation of the Hearing Officer for permanent denial of Mr. Cann's eligibility for law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Alaric Cann eligibility for law enforcement certification.

Christopher Clark-Kulis: 2021-CJA-11-08 (SCDPS) –

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.**

Hearing Officer Recommended that Council:



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- A. Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct filed against Christopher Clark-Kulis by the South Carolina Department of Public Safety has been proven by the preponderance of 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 Marcus Gore attended this meeting to represent the S.C. Department of Public Safety and answer questions from Council, if applicable.

After hearing a brief statement from Mr. Gore, Director Adger made a motion to adopt the recommendation of the Hearing Officer for permanent denial of Mr. Clark-Kulis's eligibility for law enforcement certification. Director Stirling seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Christopher Clark-Kulis eligibility for law enforcement certification. *Please note that Director Woods recused himself from the voting process in this case.*

Kenneth Johnson: 2022-CJA-03-08 (North Charleston PD) –

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.**

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 Kenneth Johnson by the North Charleston Police Department 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.

Kenneth Johnson attended this meeting to speak on his own behalf and was represented by Attorney Marvin Pendarvis who also attended the meeting to address Council and answer questions, if applicable.

Attorney Carlton Bourne, Captain Cory Holt, and Sergeant Brown attended this meeting to represent the North Charleston Police Department and answer questions from Council, if applicable.

After hearing from the parties, Director Adger made a motion to adopt the recommendation of the Hearing Officer for permanent denial of Kenneth Johnson's eligibility for law enforcement



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certification. Director Woods seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Mr. Johnson eligibility for law enforcement certification. *Please note that Chief Keel recused himself from the voting process in this case.*

B. Director's Comments

Director Swindler

Director Swindler gave updates on basic training classes and graduations, Physical Abilities and Cumulative testing, and student performance.

Director Swindler also gave an update on the Center for Law Enforcement Excellency meeting that took place on March 10, 2023.

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

Director Swindler brought before Council a training reimbursement inquiry from agencies regarding whether field training is reimbursable.

Members of Council and Director Swindler held a lengthy discussion regarding the feasibility of reimbursement for field training. The discussion included possible ways that field training could be reimbursed as well as the challenges that may be presented when determining reimbursable costs.

Upon conclusion of discussion, Council decided to table the conversation to allow the Academy to meet with members of law enforcement associations to discuss and draft possible proposals for reimbursement of cost for field training.

CLOSING REMARKS/AJOURNMENT

Chief Keel inquired whether there were any more questions or comments from Council.

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

The meeting was adjourned at 11:00 a.m.



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Respectfully submitted by:

Scheri C. Eichelberger

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Executive Assistant