



South Carolina Criminal Justice Academy

SOUTH CAROLINA
LAW ENFORCEMENT TRAINING COUNCIL
MEETING MINUTES
Monday, May 22, 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, May 22, 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 Lauren Fennell.

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; and Director Robert Woods, S.C. Department of Public Safety.

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; Director Robert Boyles, S.C. Department of Natural Resources, Sheriff Barry Faile, Lancaster County Sheriff's Office; Chief Kevin Cornett, Isle of Palms Police Department.

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; Chief Deputy Jim Stewart, Richland County Sheriff's Department; Joanna McDuffie, Esquire, Richland County Sheriff's Department; Marcus Gore, Esquire, S.C. Department of Public Safety; Jordan Rickenbacker.

SC Criminal Justice Academy attendees were Director Jackie Swindler; Lauren Fennell, Standards & Accreditation Manager; James Fennell, General Counsel; Florence McCants, Administrative Manager; Justin Miller, IT Manager; Lexi Davidson; Timothy Plunkett, Attorney; Christopher Brumlow, Investigator.



South Carolina Criminal Justice Academy

APPROVAL OF AGENDA

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

APPROVAL FOR MEETING MINUTES

A motion to approve the minutes of the April 24, 2023, 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

Anna Yoder (2022-CJA-07-11) (Lancaster County SO)

Summary: Allegations of willfully making false, 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 Anna Yoder by the Lancaster County Sheriff's Office 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 John O'Leary attended this meeting to represent Anna Yoder and answer questions from Council, if applicable.

Attorney Douglas Barfield attended this meeting to represent Lancaster County Sheriff's Office and answer questions from the Council if applicable.

After hearing statements from Mr. O'Leary and Mr. Barfield, Director Adger made a motion to adopt the recommendation of the Hearing Officer. Director Woods seconded the motion.



South Carolina Criminal Justice Academy

Council voted unanimously to adopt the recommendation of the Hearing Officer for permanent denial of Anna Yoder's eligibility for law enforcement certification. Sheriff Faile abstained from the voting process in this case.

Trey Hampton (2022-CJA-09-07) (Greenwood County SO)

Summary: Allegations of misrepresentation of employment information. **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 an allegation of misconduct reported against Trey Hampton by the Greenwood County Sheriff's Office has been proven by the preponderance of evidence; and
- B. Impose such sanction as the Council in its discretion deems appropriate pursuant to the authority set forth at S.C. Code Ann. Regs. 37-108 A.

Attorney John O'Leary attended this meeting to represent Trey Hampton and answer questions from Council, if applicable.

Major Cody Bishop attended this meeting to represent the Greenwood County Sheriff's Department and answer questions from Council, if applicable.

After hearing statements from both parties, Director Stirling made a motion to adopt the recommendation of the Hearing Officer for denial of Mr. Hampton's eligibility for law enforcement certification. Director Adger seconded the motion. Sheriff Foster recused himself from the voting process. Council voted unanimously to adopt the recommendation of the Hearing Officer.

Director Woods then made a motion for permanent denial of certification. Sheriff Faile seconded the motion. Council members voted unanimously to adopt the recommendation of the Hearing Officer. Sheriff Foster recused himself from the voting process in this case.

Tanner Brusseau (2022-CJA-11-03) (North Charleston PD)

Summary: Allegations of willfully providing false, misleading, incomplete, deceitful, or incorrect statements 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.**



South Carolina Criminal Justice Academy

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 Tanner Brusseau by the North Charleston Police Department has been proven by a 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.

Mr. Brusseau's Attorney Joseph Kaiser was not in attendance.

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

After hearing statements from Mr. Bourne, Director Adger 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 for permanent denial of Tanner Brusseau's eligibility for law enforcement certification.

Hyshauna Townsend (2022-CJA-01-06) (Marion County Detention Center)

Summary: Allegations 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 the 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 Hyshauna Townsend by the Marion 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.

Ms. Townsend's attorney, Joenathan Chaplain was not in attendance

Director James Floyd attended this meeting to represent Marion County Detention Center and answer questions from Council, if applicable.

After hearing statements from Director Floyd, Director Adger made a motion to adopt the recommendation of the Hearing Officer and Director Stirling seconded the motion. Council voted unanimously to adopt the recommendation of the hearing officer for permanent denial of Hyshauna Townsend's eligibility for law enforcement certification. General Wilson left the meeting temporarily and did not vote in this case.



South Carolina Criminal Justice Academy

Ernest Darlak (2022-CJA-12-13) (Summerville Police Department)

Summary: Physical or psychological abuse of members of the public and/or prisoners. **Request for Agency Final 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 allegations of misconduct reported against Ernest Darlak by the Summerville Police Department has not been proven by a 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 Ernest Darlak by the Summerville Police Department.

Attorney Christopher Kays attended this meeting to represent Ernest Darlak and answer questions from Council, if applicable.

Inspector Joshua Battista attended this meeting to represent Summerville Police Department and answer questions from Council, if applicable.

After hearing statements from Mr. Kays and Inspector Battista, Director Woods made a motion to adopt the recommendation of the Hearing Officer with a finding of 'No Misconduct.' Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the hearing officer and granted Mr. Darlak continued eligibility for law enforcement certification. General Wilson left the meeting temporarily and did not vote in this case.

Jordan Rickenbacker (2021-CJA-05-21) (South Carolina State University PD)

Summary: Conviction, plea of guilty, plea of no contest or admission of guilt (regardless of withheld adjudication) to a felony, a crime punishable by a sentence of more than one year (regardless of the sentence actually imposed, if any) crime of moral turpitude in this or any other jurisdiction. **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 Jordan Rickenbacker by the South Carolina State University Police Department has been proven by the preponderance of evidence; and
- B. Impose such sanctions as the Council in its discretion deems appropriate pursuant to its authority set forth at S.C. Code Ann. Regs. 37-108 A.

Jordan Rickenbacker was present on video for this meeting to represent himself and answer questions from Council, if applicable.



South Carolina Criminal Justice Academy

The Department did not have representation.

After hearing statements from Mr. Rickenbacker, 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 permanently denied Mr. Rickenbacker eligibility for law enforcement certification. General Wilson left the meeting temporarily and did not vote in this case. Chief Keel recused himself from the voting process in this case.

David White (2022-CJA-09-04) (Irmo Police Department)

Summary: Allegations 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 reported against David White by the Irmo 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.

Attorney Ryan Hicks attended this meeting to represent David White and answer questions from Council, if applicable.

Attorney William Edwards attended this meeting to represent Irmo Police Department and answer questions from Council, if applicable. Chief Bobby Dale was also present to answer questions.

After hearing statements from Mr. Hicks, Mr. Edwards, and Chief Dale, Sheriff Foster made a motion to adopt the recommendation of the Hearing Officer. Sheriff Faile seconded the motion. Three Council members voted to adopt the recommendation; five voted against accepting the recommendation. The motion failed. Mr. White is granted continued eligibility for law enforcement certification. General Wilson left the meeting temporarily and did not vote in this case.



South Carolina Criminal Justice Academy

Christopher Hocker (2022-CJA-12-03) (South Carolina Criminal Justice Academy)

Summary: No Allegation filed. Eligibility Hearing.

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 against Hocker has been proven by 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.

Solicitor Richardson attended this meeting to speak on behalf of Christopher Hocker and his character, and to answer questions from Council, if applicable. Christopher Hocker was also present to speak to Council and answer questions.

Attorney Timothy Plunkett was in attendance to represent the Academy and answer questions from Council, if applicable.

After hearing statements from Solicitor Richardson and Christopher Hocker, Director Boyles made a motion to adopt the recommendation of the Hearing Officer. Chief Cornett seconded the motion. There was discussion on an Attorney General opinion regarding considering charges that were pardoned. Five Council members voted to adopt the recommendation; three voted against accepting the recommendation. Hocker was permanently denied eligibility for law enforcement certification. Director Adger recused himself from the voting process in this case.

Joseph Ragsdale (2019-CJA-01-12) (South Carolina Department of Public Safety)

This case is a follow-up from a prior LETC meeting which went into executive session regarding an appeal from Joseph Ragsdale. Senator Hutto agreed to a consent order for the denial of certification for Ragsdale for five and a half years. The consent order would allow Ragsdale to be eligible for certification on July 20, 2024. The consent order would remain in the ACADIS file, as would the final agency decision. Due to the length of time Ragsdale has been out of law enforcement, if presented for law enforcement certification, he would have to attend the full 12-week Basic Law Enforcement program.

Director Boyles made a motion to accept the Consent Order. Sheriff Foster seconded the motion. The Council voted unanimously to approve the settlement. Director Woods recused himself from the voting process in this case.



South Carolina Criminal Justice Academy

B. Director's Comments

Director Swindler

Congratulations to Director Adger who is retiring June 30, 2023.

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

Class 3 SRO discussion

The Council discussed whether Class 3 school resource officers should have statewide arrest authority since they often travel with their schools and therefore may not be in close proximity to a Class 1 officer.

The Council agreed that a Class 3 officer's arrest powers should be restricted to campus, unless the SRO is with a Class 1 officer when traveling.

Director Woods/Department of Public Safety will write a draft and forward it to Council and General Counsel for approval.

CLOSING REMARKS/AJOURNMENT

Chief Keel inquired whether there were any more questions or comments from Council. When there were no more remarks or comments, General Wilson made a motion to adjourn the meeting. Director Woods seconded the motion. The meeting was adjourned at 12:30.

Respectfully submitted by:

Debbie T. Bryant