



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Monday, November 9, 2020
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, November 9, 2020. This meeting was advertised in accordance to 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 10:02 a.m. Chief Keel called for a roll call of the Council members. The roll was called by Scheri Francois.

Chief Mark Keel, State Law Enforcement Division (SLED) attended the meeting in person.

Members who attended the meeting via Webex Video/Teleconference were Sheriff Lee Foster, Newberry County Sheriff's Office (Co-Chair); Director Jerry Adger, SC Department of Probation, Parole and Pardon Services; Director Bryan Stirling, SC Department of Corrections; Director Robert Boyles, SC 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.

Members absent from this meeting were Attorney General Alan Wilson, SC Attorney General's Office and Director Robert Woods, SC Department of Public Safety but were represented by proxy, Barry Bernstein and Mike Oliver, respectively.

Guest attendees who attended the meeting via Webex Video/Teleconference Call and in person were Executive Director Jarrod Bruder, SC Sheriffs Association; Executive Director Ryan Alphin, SC Police Chiefs Association/SC Law Enforcement Officers Association; Mark Gosnell, SC Troopers Association; and Attorney Andrew Savage.

A full list of guest attendees may be obtained upon request.

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



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APPROVAL OF AGENDA

Agenda Item 2

Upon a motion made by Director Boyles and seconded by Sheriff Faile, Council voted unanimously to adopt the agenda as presented.

APPROVAL FOR MEETING MINUTES

Agenda Item 3

1. A motion to approve the minutes of the October 21, 2020, meeting was made by Director Boyles and seconded by Sheriff Faile. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4A

2. General Counsel

- Misconduct Cases

Kevin Schlieben: 2019-CJA-11-12 (Charleston Police Department)

Summary: Allegation of physical or psychological abuses of members of the public and/or prisoners. **Request for Final Agency Decision.**

Attorney Andrew Savage was in attendance to represent Mr. Schlieben and answer any questions from Council, if applicable.

The recommendation of the Hearing Officer is for Council to issue a final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegations of misconduct reported against Mr. Schlieben by the Charleston City Police Department have been proven by substantial evidence and for Council to 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.

Council had questions answered by Mr. Savage in regard to the allegations of misconduct made by the Charleston City Police Department against Mr. Schlieben.

Upon hearing from Mr. Savage, for the purpose of discussion Director Boyles made a motion to grant certification with a 24- month probation period accounting for time already served and 24 hours de-escalation training. Director Stirling seconded the motion.

Prior to the voting process, Council had a discussion in regard to the misconduct allegations against Mr. Schlieben and the appropriate sanctions.



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Upon the end of discussion, Director Boyles amended his motion. Director Boyles' amended motion is to grant certification upon a 1-year suspension retroactive to Mr. Schlieben's termination, 1- year probation from time of Council's decision, and 24 hours de-escalation training which will be the responsibility of the hiring agency. The training provided by the hiring agency will need to be approved by the Academy. Director Stirling seconded the motion. Council voted unanimously to adopt the motion made by Director Boyles. ***Please note that Chief Keel recused himself from the voting process in this case.***

Keith Parks: No assigned case number (Pine Ridge PD)

Summary: On October 30, 2020, the Pine Ridge Police Department submitted a PCS of Separation Due to Misconduct regarding Parks alleging [m]isrepresentation of employment-related information and [w]illfully 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. The date of separation is listed as 4/29/2020. SLED was conducting a criminal investigation in regards to Parks and his off-duty employment. During the investigation, SLED discovered Parks was dishonest in regards to the information he provided on his pre-employment application for the Pine Ridge Police Department. Upon being informed of this information the Pine Ridge Police Department submitted an amended PCS of Separation, changing the status of his separation from Routine/Administrative to Misconduct. Parks is currently employed as a law enforcement officer with the Marion Police Department. **Acceptance Request.**

Prior to a motion being made, Council had questions answered in regard to this acceptance request by Director Swindler and James Fennell.

Captain Gallam made a motion to accept the late PCS. Sheriff Faile seconded the motion. Council voted unanimously to accept the late PCS of Misconduct. ***Please note that Chief Keel recused himself from the voting process in this case.***

Director's Comments/Business

Agenda Item 4D

Director Swindler asked James Fennell to present five order proposals for the Council's approval. Mr. Fennell presented and Council discussed and approved the following orders:

1. 2020-LETC-001 – Duties of Class III Officers.

Council had a discussion regarding this order and made several amendments to the order as proposed.



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Director Boyles made a motion to accept the amended proposed order. Sheriff Foster seconded the motion. Council voted unanimously to accept the proposed order with amendments. ***Please note that copies of this order may be obtained upon request.***

2. 2020-LETC-002 – Excessive Force Reporting

Director Boyles made a motion to accept the proposed order one amendment. Director Adger seconded the motion. Council voted unanimously to accept the order with amendments. ***Please note that copies of this order may be obtained upon request.***

3. 2020-LETC-003 – Requirements for Background Investigations on Potential Hires

Director Boyles made a motion to accept the proposed order as with one amendment. Sheriff Faile seconded the motion. Council voted unanimously to accept the amended proposed order. ***Please note that copies of this order may be obtained upon request.***

4. 2020-LETC-004 – Reimbursement of Training Costs

Director Boyles made a motion to accept the proposed order with one amendment. Sheriff Faile seconded the motion.

Prior to the voting process, Council had a brief discussion regarding the content of the order.

Council voted unanimously to accept the amended order. ***Please note that copies of this order may be obtained upon request.***

5. 2020-LETC-0005 – Misconduct Reporting and Prosecution

Director Boyles made a motion to accept the proposed order with one amendment. Sheriff Faile seconded the motion. Council voted to accept the amended order. ***Please note that copies of this order may be obtained upon request.***

Upon conclusion of presentation of the proposed orders, Chief Keel stated that the orders would be effective January 1, 2021.

Director Swindler presented a recommendation which would allow agencies to have their telecommunication officers to complete training by the Association of Public Safety Communications Officials (APCO) in lieu of the training provided by the Academy.

Director Swindler stated that agencies would still be required to register their telecommunication officers with the Academy. Upon successful completion of the training with APCO, agencies would be required to submit this information to the Academy.



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Sheriff Faile made a motion to accept the recommendation. Director Boyles seconded the motion.

Prior to the voting process, Council had a brief discussion regarding the training of telecommunication officers.

Upon completion of discussion, Council voted unanimously to allow telecommunication officers to attend the training provided by APCO.

CLOSING REMARKS/ADJOURNMENT

Agenda Item V

Chief Keel informed Council that he has received more letters from the Charleston area regarding law enforcement agencies in the Low Country being able to provide training to officers hired by their agencies.

Director Swindler informed Council that the Academy has an upcoming assessment with CALEA for re-accreditation.

When there were no other comments or remarks, Director Adger made a motion to adjourn the meeting. Sheriff Faile seconded the motion.

The meeting was adjourned at 11:19 a.m.

Respectfully submitted by:

Scheri E. Francois
Executive Assistant