



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Wednesday, October 21, 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 Wednesday, October 21, 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 10:04 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); Attorney General Alan Wilson, SC Attorney General's Office; 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; Director Robert G. Woods, SC Department of Public Safety; 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.

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; Attorney Johnny J. Evans; Barry Bernstein, SC Attorney General's Office; and Major Doug Wright, Summerville Police Department.

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

SC Criminal Justice Academy attendees were Director Jackie Swindler; Deputy Director Mike Lanier; Scheri Francois, Executive Assistant; James Fennell, General Counsel; John Yarborough, Facilities Manager; Tom McQueen, Finance Manager; Mark Thomas, IT; Lauren Fennell, Accreditation Manager; Christopher Brumlow, Investigator; and Tim Plunkett.



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APPROVAL OF AGENDA

Agenda Item 2

Upon a motion made by Director Boyles and seconded by Director Adger, 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 September 21, 2020, meeting was made by Director Boyles and seconded by Director Thomas. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4A

2. General Counsel

- Misconduct Cases

James Bateman: 2018-CJA-08-18 (Summerville Police Department)

Summary: Allegation of 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.**

Attorney JJ Evans was in attendance at this meeting to represent Mr. Bateman and answer questions from Council, if applicable.

Major Doug Wright was in attendance to represent the Summerville Police Department and answer any questions from Council, if applicable.

The recommendation of the Hearing Officer is to deny Mr. Bateman's eligibility for certification as a law enforcement officer in the State of South Carolina, either permanently, for a specified period of time, or pursuant to such other conditions as may be deemed appropriate by Council, pursuant to its authority set forth at S.C. Code Ann. Regs. 37-108 A.

Council had questions answered by both representatives in regard to the charges of misconduct brought forth against Mr. Bateman.

At the conclusion of having questions answered by Mr. Evans and Major Wright, Director Boyles made a motion to accept the recommendation of the Hearing Officer. Director Woods seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer and permanently denied Mr. Bateman's eligibility for law enforcement certification.



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Malik Wilson: 2020-CJA-10-05 (Columbia Police Department)

Summary: The South Carolina Criminal Justice Academy received information that Malik Wilson was arrested by the Richland County Sheriff's Office and charged with Assault and Battery 3rd Degree. **Request for Suspension of Law Enforcement Certification.**

Sheriff Foster made a motion to temporarily suspend Mr. Wilson's law enforcement certification. Director Stirling seconded the motion. Council voted unanimously to temporarily suspend Mr. Wilson's law enforcement certification pending the outcome of criminal charges.

Philip Gardner: 2020-CJA-10-09 (Oconee County Sheriff's Office)

Summary: The South Carolina Law Enforcement Division notified the South Carolina Criminal Justice Academy that Philip Gardner of the Marlboro County Sheriff's Office was arrested by the South Carolina Law Enforcement Division and charged with Misconduct in Office. **Request for Suspension of Law Enforcement Certification.**

Director Boyles made a motion to temporarily suspend Mr. Gardner's law enforcement certification. Sheriff Foster seconded the motion. Council voted unanimously to temporarily suspend Mr. Gardner's law enforcement certification pending the outcome of criminal charges. *Please note that Chief Keel abstained from the voting process in this case.*

Financial Update

Agenda Item 4B

The Academy began the year with a decline in Fees & Fines revenue of \$194,339 for July compared with the prior year. The Academy fared much better during August and September with losses being \$50,696 and \$38,510 respectively.

Due to not having advanced students on campus, the miscellaneous revenue also declined the first quarter by \$68,113. However, the \$5 Surcharge funds continue to trickle in with the Academy receiving \$16,369 which is comparable with last year. Due to the increase in General Funds the last couple of years, the Academy's spending of Other Funds has declined. During FY 2020, the Academy spent less than \$4.1 million in Other Funds and had a carry-forward of nearly \$4.3 million of Other Funds in addition to a carry-forward of \$272,000 in General Funds.

As the current health crisis continues, it is anticipated that revenues will be lower for the next several months but by watching expenditures, the Academy should remain financially stable. Increases in salaries and fringes for the first quarter increased by \$50,820 while overall expenditures for the Agency decreased by \$52,539 led mainly by decreased expenditures for food of nearly \$40,000. Also, the Academy is receiving Federal Funds from a COVID grant that offsets several expenses including supplies in the Food Service area.



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Capital Projects Update

Agenda Item 4C

Roof repairs to buildings #8 and #31 started the week of October 5th, and work on Ranges #1, #2, #3 along with the Rifle Deck roofs will begin once shingles come in.

A toilet trailer was purchased to address restroom needs for the Tactical Training Center.

The Academy is in the process of replacing/repairing tile, carpet, and ceiling in one restroom due to a water leak in the main building.

Director's Comments/Business

Agenda Item 4D

A letter regarding the requirement that telecommunication officers hired must be registered with the Academy and must attend a class within a year. This letter was also forwarded to the legislator who asked about filing legislation to make it a statute that agencies must submit a PSC Form of Hire when telecommunications officers are hired by their respective agencies.

Director Swindler gave an update regarding responses to the Civil Penalties memo that was sent to agency heads. The process to enforce these penalties will begin in January 2021.

Director Swindler gave updates on staffing changes since the last quarterly meeting.

The Academy has seen a success rate of graduates in both the detention and basic law enforcement programs.

The FBI Tactical Training Center is being utilized greatly. Rob Chadwick, who was instrumental in getting the Tactical Training Center built, is now the supervisor of tactical training in Quantico, Virginia. He is bringing firearms instructors from all over the country from the FBI to utilize the facility for a week in November.

Sheriff Foster spoke highly of the new 4/8 program and stated that it has been very beneficial.

Director Swindler stated that many trainings videos are being updated with quality information.

At the last meeting Council gave permission for the Academy to move forward in working with technical colleges to come up with a plan for technical schools to assist with pre-training of potential candidates before those candidates come to the Academy for training. The technical schools have formed a committee and will draft a proposal as to how they will assist the Academy with helping to train potential candidates prior to them attending the Academy.



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Chief Keel stated that he received two letters that were sent to the governor regarding Low Country agencies being able to provide their own training academy. He responded to both letters, and he spoke with Chief Reynolds of the City of Charleston Police Department. Questions were answered in regard to the fact that candidates for basic training were being brought in quickly with little to no wait time to get slots for upcoming classes.

Council discussed a model policy for video interrogations which was drafted by the Academy. This is not as a mandated policy, but just as a model policy that agencies can use. Jarrod Bruder, the Director of the SC Sheriffs Association participated in this discussion. Chief Keel stated that if model policies were to be drafted, he would certainly like for the Training Council to have some input on these policies as members of the Council are members of the law enforcement community. Council's input would benefit the law enforcement community as a whole. Attorney General Wilson brought up a point in regard to some of the wording used in regard to the legality of the policy. Once the wording was identified, Council agreed on modifying a portion of the wording of the policy. Upon conclusion of discussion, Director Boyles made a motion to adopt the model policy with modifications. Attorney General Wilson seconded the motion. Council voted unanimously to adopt the model policy with the suggested modification. ***Please note that this documents is available upon request.***

Sheriff Foster stated that at the last Sheriffs Meeting, sheriffs all agreed with Class III Officers being able to serve civil process papers. Director Swindler stated that there would be an order presented at the November meeting for Council's signature.

CLOSING REMARKS/ADJOURNMENT

Agenda Item V

When there were no more comments and all business had been discussed, Attorney General Wilson made a motion to adjourn the meeting. Director Adger seconded the motion.

The meeting was adjourned at 11:07 a.m.

Respectfully submitted by:

Scheri E. Francois
Executive Assistant