



South Carolina Criminal Justice Academy

SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL MEETING MINUTES

Wednesday, September 28, 2022
9:00 a.m.

A meeting of the South Carolina Law Enforcement Training Council (LETC) was held at the South Carolina Criminal Justice Academy on Wednesday, September 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 9:01 a.m. Chief Keel called 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); Sheriff Lee Foster (Co-Chair), Newberry County Sheriff's Office; Director Jerry Adger, S.C. Department of Probation, Parole and Pardon Services; Director Robert Boyles, S.C. Department of Natural Resources; and Sheriff Barry Faile, Lancaster County Sheriff's Office.

Members present via video/conference call were Director Robert Woods, S.C. Department of Public Safety; Chief John Thomas, North Augusta Department of Public Safety; and Captain Nick Gallam, Aiken County Detention Center.

Attorney General Alan Wilson was absent from this meeting but was represented by proxy, Chief Deputy Attorney General Jeff Young. Director Bryan Stirling was absent from this meeting.

In-person guest attendees were Jarrod Bruder, S.C. Sheriffs Association; Mark Gosnell, S.C. Troopers Association; Ryan Hicks, Esquire; Marcus Gore, Esquire, S.C. Department of Public Safety; Michael Campos; John Mussetto, Esquire; Lieutenant Keith Crosby, Colleton County Sheriff's Office; Josiah Dixon; William Von Herman, Esquire; Inspector Hemmingway, Horry County Police Department; Chief Joshua Detter, Holly Hill Police Department; Mr. Tetter, Esquire; and Mahmoud Rizk.

Guests who attended via Webex were Deputy Chief Jim Stewart, Richland County Sheriff's Department; and Joanna McDuffie, Esquire, Richland County Sheriff's Department.

S.C. Criminal Justice Academy attendees were Director Jackie Swindler; Scheri Francois, Executive Assistant; James Fennell, General Counsel; Lauren Fennel, Accreditation and Standards



South Carolina Criminal Justice Academy

Manager; Florence McCants, Administrative Operations Manager; Justin Miller, IT Manager; and Christopher Brumlow, Investigator.

APPROVAL OF AGENDA

Agenda Item 2

A motion to adopt the agenda was 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

A motion to approve the minutes of the August 22, 2022, meeting was made by Director Boyles and seconded by Director Woods. Council voted unanimously to accept the meeting minutes as recorded.

DIRECTOR'S REPORT

Agenda Item 4

A. General Counsel Report

- Misconduct Cases

Michael Campos: 2021-CJA-05-22 (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:

- Issue its final agency decision, pursuant to S.C. Code Ann. Regs. 37-107 D., finding that the allegation of misconduct filed against Michael Campos by the South Carolina Department of Public Safety has been proven by substantial evidence; and
- 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.

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



South Carolina Criminal Justice Academy

Ryan Hicks, Esquire, attended this meeting to represent Michael Campos and answer questions from Council, if applicable.

Representing the S.C. Department of Public Safety, Marcus Gore, Esquire, attended this meeting to make a statement and answer questions from Council, if applicable.

After hearing from all parties, Director Boyles made a motion to accept the recommendation of the Hearing Officer to permanently deny Mr. Campos's eligibility for law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to permanently deny Mr. Campos's eligibility for law enforcement certification. *Please note that Director Woods recused himself from the voting process in this case.*

Sean Jackson: 2022-CJA-02-02 (Central PD) –

Summary: Allegation of physical or psychological abuses of members of the public and/or prisoners. **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 Sean Jackson by the Central Police Department has not been proven by substantial 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 Sean Jackson by the Central Police Department.

John Mussetto, Esquire, attended this meeting to represent Mr. Jackson and answer questions from Council, if applicable.

After hearing from Mr. Mussetto, Director Boyles made a motion to accept the recommendation of the Hearing Officer to grant Mr. Jackson eligibility for law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to grant Mr. Jackson eligibility for law enforcement certification.

Josiah Dixon: 2021-CJA-06-04 (Colleton 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.**



South Carolina Criminal Justice Academy

Hearing Officer Recommended that Council:

- A. Order that the contested case file in this matter be closed;
- B. Order, pursuant to the requirements of S.C. Code Ann. § 23-23-150 (M), that all records maintained by South Carolina Criminal Justice Academy regarding the misconduct allegation reported against the Officer in the present matter be expunged within thirty (30) days of the date of the approval of this recommendation by the Council; and
- C. Approve, pursuant to its authority set forth at S.C. Code Ann. § 23-23-150 (G) (1), the Officer's eligibility for certification as a law enforcement officer in the State of South Carolina.

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

Lieutenant Keith Crosby attended this meeting to represent Colleton County Sheriff's Office, answer questions from Council, if applicable, and to explain why the agency did not attend the hearing to defend their allegation of misconduct against Mr. Dixon.

Council also heard from Investigator Chris Brumlow regarding how notifications for hearings are communicated to agencies.

After hearing from all parties, Director Boyles made a motion accept the recommendation of the Hearing Officer to grant Mr. Dixon eligibility for law enforcement certification. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to grant Mr. Dixon eligibility for law enforcement certification.

Mary Cody: 2020-CJA-05-05 (Horry County PD) –

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 the laws of this State. **Final Agency Decision.**

Hearing Officer Recommended that Council:

- A. Order that the contested case file in this matter be closed;
- B. Order, pursuant to the requirements of S.C. Code Ann. § 23-23-150 (M), that all records maintained by South Carolina Criminal Justice Academy regarding the misconduct



South Carolina Criminal Justice Academy

allegation reported against the Officer in the present matter be expunged within thirty (30) days of the date of the approval of this recommendation by the Council; and

- C. Approve, pursuant to its authority set forth at S.C. Code Ann. § 23-23-150 (G) (1), the Officer's eligibility for certification as a law enforcement officer in the State of South Carolina.

William Von Hermann attended this meeting to represent Ms. Cody and answer questions from Council, if applicable.

Inspector Hemingway attended the meeting to represent the Horry County Police Department, answer questions from Council, if applicable, and to explain why the agency did not appear at the hearing to defend their allegation of misconduct against Ms. Cody.

After hearing from both parties, Sheriff Foster made a motion to accept the recommendation of the Hearing Officer to grant Ms. Cody eligibility for law enforcement certification. Sheriff Faile seconded the motion. Council voted unanimously to adopt the recommendation of the Hearing Officer to grant Ms. Cody eligibility for law enforcement certification.

Mahmoud Rizk: 2021-CJA-07-08 (Holly Hill PD) –

Summary: Allegation of dangerous or unsafe practices involving firearms, weapons, and/or vehicle which indicated either willful wanton disregard for the safety of persons and misrepresentation of employment related information. **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 Mahmoud Rizk by the Holly Hill Police Department 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.

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

Attorney Tetter attended this meeting to represent Mr. Rizk and answer questions from Council, if applicable.

Chief Joshua Detter attended the meeting to represent the Holly Hill Police Department and answer questions from Council, if applicable.



South Carolina Criminal Justice Academy

After hearing from all parties, Sheriff Foster made a motion to accept the recommendation of the Hearing Officer to permanently deny Mr. Rizk eligibility for law enforcement certification. Sheriff Faile seconded the motion.

Prior to voting, upon a motion made by Director Boyles and seconded by Director Adger, Council entered Executive Session at 9:47 am.

Executive Session ended at 9:52 am., reconvening the public meeting.

Council unanimously voted to adopt the recommendation of the Hearing Officer to permanently deny Mr. Rizk eligibility for law enforcement certification.

Carol Shannon: 2022-CJA-07-18 (Dorchester County Codes Enforcement) –

Summary: The South Carolina Law Enforcement Division (SLED) notified the South Carolina Criminal Justice Academy that the South Carolina Highway Patrol arrested Carol Shannon of the Dorchester County Codes Enforcement and charged her with Driving Under the Influence Less Than .10 1st Offense. The charges against Ms. Shannon were later dismissed and her license was not suspended for DUI. **Reinstatement Request.**

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

Clifton Brannon: No Case Number Assigned (Union County SO) –

Summary: Clifton Brannon was convicted of Petty Larceny and Fraudulent Check in 1997, both of which are disqualifying crimes. **Eligibility Request.**

After having questions answered by James Fennell regarding whether these charges are eligible for expungement, Sheriff Foster made a motion to allow Mr. Brannon eligibility for law enforcement certification upon expungement of the criminal charges. Director Adger seconded the motion. Council voted unanimously to grant Mr. Brannon eligibility for law enforcement certification upon expungement of the criminal charges

B. Director's Comments

Director Swindler

Director Swindler informed Council that NASRO offers a one (1)-hour video for Active Shooter training. Director Swindler recommended that Council require Advanced Class 3 officers working



South Carolina Criminal Justice Academy

as School Resource Officers be required to additionally have live Active Shooter training through the Academy or the employing agency.

Sheriff Foster made a motion to accept the recommendation. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation made by Director Swindler regarding Active Shooter training for Advanced Class 3 officers working in the capacity of a School Resource Officer.

Director Swindler then recommended that Advanced Class 3 officers working as School Resource Officers only have ability to enforce duties on-site unless they are performing off-site duties while working with a Class 1 officer.

Sheriff Foster made a motion to accept the recommendation. Director Adger seconded the motion. Council voted unanimously to adopt the recommendation made by Director Swindler regarding on-site and off-site duties able to be performed by Advanced Class 3 officers working as School Resource Officers.

Director Swindler then gave updates of activities happening at the Academy such as the FBI S.W.A.T. Summit, upcoming graduation, new training modules coming to Acadis regarding preliminary hearings and arrests in animal fighting cases.

Lastly, Director Swindler updated Council on a meeting that took place between him, Chief Keel and Seth Stoughton of the University of South Carolina Law School.

UNFINISHED BUSINESS

Agenda Item 5

Please see Director Swindlers comments above regarding Advanced Class 3 officers.

NEW BUSINESS

Agenda Item 6

There was no new business to discuss.

CLOSING REMARKS/AJOURNMENT

Agenda Item 7

When there were no more matters to discuss, Sheriff Faile made a motion to adjourn the meeting.

The meeting was adjourned at 10:07 am.



South Carolina Criminal Justice Academy

Respectfully submitted by:

Scheri E. Francois

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Executive Assistant