



# The South Carolina Criminal Justice Academy

## General Counsel Report for the April 27, 2022, LETC Meeting

### Final Agency Decision Requests

Lasasha Burgess 2021-CJA-03-20 (SCDMH)-

For Officer: Pro se  
For Department: Logan Y. Royals, Esq.

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 Lasasha Burgess by the South Carolina Department of Mental Health has not been proven by substantial evidence;
- B. Approve, pursuant to the authority of Council set for at S.C. Code Ann. § 23-23-150 (G) (1), Lasasha Burgess' eligibility for certification as a law enforcement officer in the State of South Carolina; and
- C. 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 Lasasha Burgess by the South Carolina Department of Mental Health.

James Hess 2021-CJA-11-06 (Bamberg Co SO) -

For Officer: Pro se  
For Department: Kenneth Bamberg, Sheriff

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 James Hess by the Bamberg 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.



*An Accredited Law Enforcement Training Agency*

Darryl Felkel 2021-CJA-09-03 -

For Officer: Ryan Hicks, Esq.  
For Department: Francie Austin, Esq.

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.

**Suspension Requests**

N/A

**Re-Instatement Requests**

Malik Wilson 2020-CJA-10-5 (Columbia PD) –

Charges were dismissed.

**Eligibility Requests**

N/A

**Consent Order Requests**

N/A

**Acceptance Request**

N/A

### **Motion to Amend a Final Agency Decision**

N/A

### **Training Reimbursement Issues**

N/A

### **Civil Penalty Request**

Orangeburg DPS

Based on the agency's failure to prosecute two allegations of misconduct, it is the position of the South Carolina Criminal Justice Academy that these actions are in direct violation of South Carolina Code of Regulations 37-103(A). Pursuant to §23-23-100(A), CJA is requesting the Law Enforcement Training Council impose a civil penalty on the agency in the amount of one thousand five hundred dollars for failure to prosecute the allegation against Wallace White as required by law, and a civil penalty in the amount of one thousand five hundred dollars for failure to prosecute the allegation against Brandy Smith as required by law.