



GREENVILLE COUNTY COUNCIL

Minutes
Committee of the Whole
February 18, 2020
5:02 p.m.

County Square – Conference Room D
301 University Ridge
Greenville, South Carolina 29601

Council Members

Mr. Butch Kirven, Chairman
Mr. Willis Meadows, Vice Chairman
Mrs. Xanthene Norris, Chairman Pro Tem
Mr. Joe Dill
Mr. Mike Barnes
Mr. Sid Cates
Mr. Rick Roberts
Mr. Bob Taylor
Mrs. Liz Seman
Mr. Ennis Fant, Sr.
Mr. Lynn Ballard
Mr. Dan Tripp

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

Rick Roberts, *District 21*
Xanthene Norris, *District 23*

Staff Present

Joe Kernell, *County Administrator*
Mark Tollison, *County Attorney*
Dean Campbell, *Deputy County Attorney*
John Hansley, *Deputy County Administrator*
Regina McCaskill, *Clerk to Council*
Nicole Wood, *Assistant County Administrator*
Bob Mihalic, *Governmental Relations Officer*

Others Present

Sheriff Johnny Mack Brown, *Greenville County Sheriff's Office*
Chief Deputy Marcus Davenport, *Greenville County Sheriff's Office*
Solicitor Walt Wilkins, *Greenville County Solicitor's Office*
Major Ty Miller, *Greenville County Sheriff's Office*
Interim Police Chief Howie Thompson, *Greenville Police Department*
Major Taylor, *Greenville County Sheriff's Office*
Captain Johnny Westmoreland, *Greenville County Sheriff's Office*,
Bart McEntyre, *Greenville County Solicitor's Office*

Call to Order

Chairman Kirven

Invocation

Councilor Sid Cates

Item (3) Approval of Minutes

Action: Councilor Ballard moved to approve the minutes of the February 4, 2020, Regular Committee of the Whole Meeting.

Motion carried unanimously.

Item (4) New Greenville County Joint Drug Enforcement Unit Presentation

Bart McEntyre stated in August of 2019, the *Multi-Jurisdictional Drug Enforcement Unit* (DEU) was formed; the unit consisted of the narcotics units from the Sheriff's Office as well as the police departments from the County's six municipalities and the Solicitor's Office. Mr. McEntyre stated he was employed by the Solicitor's Office and would oversee the DEU. Every agency involved provided resources to include manpower, funding and equipment; they all participated to some degree based on the size of the municipality.

Mr. McEntyre stated the unit was the local lead agency that all the police chiefs and sheriffs have designated to enforce drug and vice laws in Greenville County. The unit coordinated and pursued vice and drug investigations on a daily basis; it investigated major and mid-level drug traffickers at a local, state and federal level. Mr. McEntyre stated the unit supported agencies in gathering intelligence regarding the drug gangs and coordinated across the entire spectrum.

The *Multi-Jurisdictional Drug Enforcement Unit* had a governing board which included Sheriff Brown, Solicitor Wilkins and all the Police Chiefs in Greenville County. Mr. McEntyre stated he was the commander of the DEU; Captain Johnny Westmoreland was the assistant commander. One board member was assigned to the Drug Enforcement Administration and another to Homeland Security. Two sergeants, one from the City of Greenville and one from the Greenville County Sheriff's Office, were next in command. The remaining members were part of four teams; two for northern Greenville County and two for southern Greenville County. The staffing level was currently at 25; a detriment to the unit was the fact that the position of Intelligence Analyst was currently vacant.

One issue affecting Greenville County was the fact that it was located directly between Charlotte and Atlanta; however, Atlanta was much worse than Charlotte. Atlanta had become the "Mexican Cartel of the Southeast." Mexican drug trafficking was so big in Atlanta and the "fingers" have expanded to Greenville; the cartel has been here for many years. The influx of methamphetamines (meth), heroin and fentanyl has grown "leaps and bounds" with meth being the biggest threat. Both heroin and fentanyl were prevalent in Greenville County but the "growing trend" was methamphetamines. An ounce of methamphetamine could be bought on the street today in Greenville for \$100; in 1986, an ounce of methamphetamine would have cost \$3000 - \$5000. In Horry County, it would cost \$800 - \$1100; the price was based on "supply and demand."

Greenville County was also in the midst of an opioid epidemic with tablets no longer being the major cause of overdoses; a number of programs have been established to battle the epidemic targeting prescriptions and pharmacies. The Heroin and Fentanyl markets were now the trend for opioid abuse.

The decriminalization of marijuana on the west coast has increased an abundance of the drug; it could be sold in those legal markets and shipped by mail to Greenville County. Mr. McEntyre stated there were a large number of "homegrown" criminals in the area; people who have been criminals their entire lives. They have made connections with Mexiroups; there was an abundance of drug traffic between Atlanta and Greenville as well as Los Angeles, Las Vegas, Texas and northern states. It was not uncommon to see drug traffic moving across state lines.

Greenville County leads the state in drug overdoses; it was very disheartening to see how far ahead the area was in comparison to other areas of the state. In 2018, there were 1,047 overdoses in Greenville County compared to Charleston County with 773. Mr. McEntyre stated law enforcement had become very adept at administering NARCAN for overdose related issues.

In 2018, 131 people lost their lives to overdose, which represented an 80% increase based on 2017 numbers. DHEC has not released statistics for 2019; Mr. McEntyre stated the numbers would be close, if not exceed 2018.

The DEU operated on stringent guidelines and policies that enhanced all other law enforcement policies; none were in contradiction with any agency's policies. To date, 57 people have been arrested and a large amount of narcotics have been seized. Mr. McEntyre stated the unit did not have to be "in front of the news" everyday; it was more important to get the job done.

The unit conducted drug investigations across the region and the state; it was not restricted by jurisdictional boundaries. For example, the Greer Police Department could go anywhere in Greenville County to conduct an investigation. In the past, jurisdictions hampered investigations. Prostitution and drugs "go hand in hand"; it was not uncommon to find prostitutes also selling narcotics. Mr. McEntyre stated there were prostitution websites, such as "Skip the Games", that were also a major problem; laws had to be passed in order for the unit to address prostitution websites. The DEU investigated major drug traffickers. With "no boundaries", it was much easier to investigate drug traffickers with all jurisdictions working together and worked with other states as well.

Another factor related to drug traffic was gang activity. The DEU worked with the Gang Unit within the Sheriff's Office to identify gang members and stop the trafficking.

Supporting law enforcement was another goal of the unit; SLED had two investigators housed in the same office with the DEU. The unit also supported other state and federal agencies such as Homeland Security.

There were not as many "rogue" meth labs as in the past; Mexicans were supplying more than enough meth. The DEU was the only agency with a full-time clandestine laboratory team that could go to meth lab sites.

Sheriff Brown stated the investigation of "9/11" had concluded if the FBI and CIA had been coordinating with each other, the event would not have happened. That was the reason the *Multi-Jurisdictional Drug Enforcement Unit* was developed. Putting all the jurisdictions together ensured intelligence could be shared; it was working and was an amazing coordination of agencies.

Solicitor Wilkins stated that from a prosecution perspective, there were three attorneys who worked solely on cases for the DEU. Those cases were very intensive and required money and resources. The days of arresting individuals for simple possession were over; the battle was with much more sophisticated cartels and organizations with larger amounts of narcotics. Mr. Wilkins stated narcotics were directly related to violence in Greenville County; for example, 19 of 22 murders in Greenville County this year were related to drugs. The issue had to be combated on the aggressive enforcement side and it would take resources to do so. All the municipalities, along with the County, had pooled resources; the level of cooperation was amazing.

Sheriff Brown stated it took money to operate; all the agencies had to put money in at the start-up. He requested a line item in the County's budget for the DEU to operate its office; there was currently no office operations money available for the unit. The municipalities have complained that they pay county taxes but "get no services"; this was an opportunity show how tax money was used.

Chairman Kirven asked if each agency involved signed a document agreeing to contribute resources and personnel.

Sheriff Brown stated each agency did sign such a document.

Councilor Ballard asked about "meth houses" and the likelihood that they no longer exist.

Mr. McEntyre stated the clandestine meth labs of 5 – 10 years ago no longer existed; however, there remained labs of "some sort" but they were not an everyday occurrence.

Councilor Ballard recently read an article stating that West Virginia, known as the “birthplace of the opioid epidemic”, was seeing a spike in meth. He was excited about the DEU.

Councilor Fant inquired about the point of arresting individuals for simple possession; doing so appeared to be doing more harm than good. Those individuals arrested could lose their job, their home, etc. Mr. Fant asked about the status of simple possession as legalization continued to move east.

Sheriff Brown stated since some states have legalized marijuana there has been more coming to Greenville County to sell. In some situations, simple possession cases were prosecuted in order to get to larger issues; however, there were not a lot of simple possession arrests any longer.

Solicitor Wilkins stated the DEU focused on large scale marijuana importation; thousands of pounds of marijuana. There was an excess of marijuana in states where it was legal; suppliers were looking for markets. Simple possession cases being made were typically a result of other issues. The Hemp Law in South Carolina has clouded up simple possession cases; the amount of THC must be identified in each seized item and prove that it was marijuana. Greenville County had the ability to do so but other areas around the state did not.

Sheriff Brown stated the Interdiction Teams were still on the interstate stopping suspicious vehicles. If a car was stopped and drugs were found, the case would be turned over to the DEU. Most of the time, a ticket was issued to an individual for simple possession but they did not go to jail.

Vice-Chairman Meadows asked what happened to the money confiscated during drug busts.

Sheriff Brown stated each agency was given a proportionate share of the money to build up the unit so it could be self-supporting down the road.

Vice-Chairman Meadows asked about the location of the DEU Office.

Sheriff Brown stated he would rather not divulge the location.

Vice-Chairman Meadows inquired about the expenses the County would incur.

Sheriff Brown stated expenses included but were not limited to building rental, paper products and other items used on a daily basis. The unit had a budget for evidence procurement; a small amount of money was needed for the day-to-day operations of the unit.

Vice-Chairman Meadows asked who had oversight of the board.

Solicitor Wilkins stated the DEU Board was the oversight agency. Every agency had a member on the board; Mr. Wilkins and Sheriff Brown made sure the unit ran appropriately. The Solicitor’s Office controlled the forfeiture accounts and the operating accounts for the DEU; any expense required two signatures. The DEU complied with all state and federal laws regarding seizure of money and the distribution of money back to agencies. The agency provided personnel as well as needed equipment such as guns, computers, etc.

Vice-Chairman Meadows stated since the board members were not elected; it was not accountable to the citizens. It bothered him that a board was created with no oversight.

Sheriff Brown stated he shared oversight of the board with Solicitor Wilkins.

Chairman Kirven thanked the presenters for the information.

Item (5) Bias-Based Intimidation Ordinance

Councilor Fant stated Councilor Norris was unable to attend the meeting due to illness; she had contacted him and wanted to participate in voting on the item. Ms. Norris had indicated to him that the subject was very important to her; she wanted an opportunity to participate in discussion and be on record as voting.

Action: Councilor Fant moved to hold the item in order for Councilor Norris to be able participate in the discussion and voting.

Councilor Dill stated he was opposed to holding the item.

Chairman Kirven stated he supported holding the item given reasons stated by Councilor Fant.

Motion was denied by a roll call vote of four (Seman, Fant, Ballard and Kirven) in favor; six (Dill, Barnes, Meadows, Cates, Taylor and Tripp) in opposition; two (Roberts and Norris) absent.

Councilor Ballard stated he discussed the proposed ordinance with the County Attorney's office earlier in the day. Several people had contacted him about the item and there appeared to be some confusion. Mr. Ballard suggested returning the item to the County Attorney's office as it contained some language that needed to be straightened out before Council voted.

Chairman Kirven stated Mr. Ballard's suggestion would require a vote from Council; he asked Mark Tollison to comment.

Mr. Tollison stated he was available to review the proposed ordinance if that was Council's wish.

Councilor Tripp stated sending the item back to the County Attorney's office was basically the same as holding it.

Action: Councilor Tripp moved to table the item.

Councilor Fant inquired about withdrawing the item.

Mark Tollison stated the item could be withdrawn with the consent of the body.

Councilor Dill stated Council needed to deal with the item; he supported the motion to table.

Councilor Ballard stated he was under the impression that to table an item would essentially kill it.

Mark Tollison stated that was correct.

Councilor Fant asked if he could withdraw the item.

Chairman Kirven stated there was a motion on the floor to table the item. Since the item was on the agenda, it could only be dispensed with by the body present.

Action: Vice-Chairman Meadows called for the question.

Mark Tollison stated Council could approve a motion to withdraw per Mason's.

Chairman Kirven stated Mr. Meadows' motion to call for the question took precedence in procedure.

Councilor Taylor asked if the end result would be the same.

Chairman Kirven stated to table the item would end the matter; it would require starting over in order to bring the item back to Council.

Councilor Fant inquired about when the item could be brought back to Council. He would not mind starting over.

Mark Tollison stated if the matter was withdrawn, it could be brought back up within a year. If it was tabled, it would take a re-referral motion by Council at a regular meeting; seven votes in favor would be needed in order to put it back before committee.

Councilor Fant asked when the item could be brought back to Council if it was defeated during the current meeting.

Mark Tollison stated the same rules would apply; seven votes in favor would be needed. If the item failed for lack of required votes, it would be "dead in committee", absent a reconsideration motion.

Councilor Fant stated he would rather Council "go on record" as opposed to "hiding behind tabling" the item.

Chairman Kirven stated Councilor Tripp would have to withdraw the motion to table before Council could vote on the proposed ordinance.

Councilor Tripp stated Mr. Meadows' motion to call for the question took precedence over the motion to table the item.

Councilor Fant stated "let's just vote it up or down."

Vice-Chairman Meadows withdrew his motion to call for the question.

Chairman Kirven stated Councilor Tripp's motion to table the item was on the floor.

Councilor Tripp stated he did not wish to withdraw his motion; voting to table was the same thing as voting against the item.

Motion to table the item carried by a vote of six (Dill, Barnes, Meadows, Cates, Taylor and Tripp) in favor; four (Seman, Fant, Ballard and Kirven) in opposition; two (Roberts and Norris) absent.

Item (6) Adjournment

Action: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting was adjourned at 5:44 p.m.

Respectfully Submitted:

Regina G. McCaskill
Clerk to Council