

**TOWN OF HILTON HEAD ISLAND**  
**PUBLIC SAFETY COMMITTEE REGULAR MEETING**

**Date:** November 5, 2012

**Time:** 10:10 a.m.

**Members Present:** Bill Harkins, *Chairman*; Kim Likins, *Council Member*; Lee Edwards, *Council Member*

**Members Absent:** None

**Town Staff Present:** Greg DeLoach, *Assistant Town Manager*; Rene Phillips, *Website/Court Systems Administrator*; and Lynn Buchman, *Administrative Assistant*

**Others Present:** Ken S. Heitzke, *Council Member*; Captain Toby McSwain, *Beaufort County Sheriff's Office*; Keira Morris, *Beaufort County Sheriff's Office*.

**Media Present:** Tom Barton, *Island Packet*

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**1. Call to Order**

**2. Freedom of Information Act Compliance**

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Approval of Minutes**

Motion to approve the minutes of the October 1, 2012 Regular Public Safety Committee meeting was made by Kim Likins and seconded by Lee Edwards. The Motion was approved by a vote of 3-0.

**4. Unfinished Business**

None.

**5. New Business**

**a. 3<sup>rd</sup> Quarter 2012 Crime Statistics – Capt. Toby McSwain**

Capt. Toby McSwain from the Beaufort County Sheriff's Office presented the 3<sup>rd</sup> Quarter 2012 Crime Statistics. He noted that the office is currently operating at full staff, with the construction of the holding cells moving forward. They are finalizing the plans for submission to the State for approval, and then will move into the bidding process. A discussion among the Committee and Capt. McSwain followed concerning the cell capacity of roughly 10 to 11 prisoners, which the State will ultimately determine, the design change made for cost effectiveness, and the anticipated State approval process, leading to a completion date of late January.

The statistics for crimes against persons were up for the quarter, but arrests were reported for the one murder case on Allen Road, the local shooting on Cordillo Court, and robberies suspected to involve multiple cases. While the numbers remained steady, Capt. McSwain indicated there was more work to be done.

Capt. McSwain and Ms. Likins discussed the statistics in regard to the North and South Forest Beach areas and the efforts recently made to establish a neighborhood watch. Looking at the numbers, Capt. McSwain noted no specific increase of crimes in this area. He reported that bar activity is a constant concern despite the increased patrols. Ms. Likins expressed her appreciation to the Sheriff's Office for their efforts to assist the citizens in this area. Low lighting, particularly during turtle season, dense scrubbery, and increased tourist activity in the area were cited as contributors to the tough situation, but Capt. McSwain noted they would continue to encourage vigilance from citizens and maintain patrols to help curtail the problems.

Traffic incidents, trespassing notices, drinking violations, drug charges, ABC violations, arrest warrants served, and other violations handled by the bar patrols funded by the Town of Hilton Head Island were detailed by Capt. McSwain. Chairman Harkins questioned the reaction of bar owners to the additional support provided by the Sheriff's Office, which Capt. McSwain explained was more of a love/hate relationship. He noted that increased police presence does not curtail problems in the bar areas, but such presence will continue.

Capt. McSwain reported that property crimes were significantly down in comparison to last year, with quite a few arrests having been made for possession or receiving of stolen goods, although burglaries could not be charged. He noted a pattern of multiple arrests and bonds occurring that put criminals back on the streets awaiting trial. A discussion followed between Mr. Edwards and Capt. McSwain concerning why bonds are not denied or increased if a pattern is established. Capt. McSwain reiterated his and Sheriff Tanner's previous comments to the Town that who is conducting the bond hearings should be looked at more closely. He reported that Ned Tupper is currently contracted with the Town to conduct bond hearings. While he felt the Sheriff's Office was doing its job in putting criminals in jail, the responsibility for bond hearings lies with the magistrates and municipal judges.

Chairman Harkins asked Greg DeLoach to comment on what could be done about the revolving door situation. While recognizing that the Committee's role was separate from the judicial role, he felt their continued displeasure should be publicly noted.

Greg DeLoach, Assistant Town Manager, repeated his comments made in the past that law enforcement locally or elsewhere will never be satisfied with bonds being set in this country. He explained the wide discretion given municipal judges and magistrates, depending on numerous circumstances, including the severity of the crime. While there is nothing improper or inappropriate being done, he pointed out that it is simply a matter of judgment as to the amount of bond being set. He emphasized that no suggestion was being made that the Sheriff's Office was wrong, but there is simply a difference of opinion that exists between Judge Tupper and law enforcement on some bonds, but not all. Mr. DeLoach explained the arrangement between the Town and Judge Tupper and other judges in the City of Beaufort to conduct bond hearings and the difficulty of identifying other judges to perform such work. Mr. DeLoach and Mr. Edwards discussed the displeasure that has been conveyed to Judge Tupper over the years, and the fact that the Judge understands the position of the Sheriff's Office and Town. In response to Mr. Edwards' inquiry about finding someone else, Mr. DeLoach pointed out there are not many avenues to pursue and in his experience, high profile cases do not happen very often.

Ms. Likins relayed to the Committee the conversation she recently had with Solicitor Duffie Stone concerning crime in Hilton Head Island, truth in sentencing, and the difference in bonds and sentencing for non-violent and violent crimes. While many individuals are convicted repeatedly of non-violent crimes, in the long run, he felt they are probably just as likely to be convicted of violent crimes. The Solicitor indicated to her that crime over the past 6 years has dropped on Hilton Head Island, and that progress has been made in requiring service of full sentences, but there is clearly additional progress to be made. She pointed out that as Mr. DeLoach had indicated, almost any Judge will react similarly for offenders of non-violent crimes. The Committee members agreed it would be worthwhile to invite Solicitor Stone to appear before the Committee to further discuss this subject.

On a positive note, Capt. McSwain informed the Committee that the cameras were working, citing an arrest for breaking into a vehicle in Chaplin Park that was the result of the cameras.

Ms. Likins and Capt. McSwain discussed the property crime incidents occurring in the North and South Forest Beach areas. While noting this is a popular spot for crime, Capt. McSwain indicated that over the last 6 months the car break-ins were forcible rather than unlocked vehicles. He reported they are working closely with Bluffton and Chatham County Metro, with arrests made and cases cleared up, but cited the difficulty in charging them with actual break-ins rather than possession or receiving of stolen goods.

Capt. McSwain and Mr. Edwards discussed auto thefts and the likelihood of recoveries. Capt. McSwain reported the arrests made in multiple cases in Bluffton involving kids taking unlocked vehicles for joy rides and ditching the cars later. However, those car thefts in Hilton Head Island do not seem to involve an auto theft ring, and more often than not are not recovered, even though they are entered into the system.

Chairman Harkins and Capt. McSwain discussed the larcenies and burglaries occurring in Hilton Head Plantation, but Capt. McSwain did not have specific information, however, he noted arrests had been made for individuals involved in multiple cases.

The statistics showed vehicle collisions were down, with two fatalities which Capt. McSwain described in detail. The number of tickets were down one month due to an injured officer who was not replaced, but the tickets were steady. New officers have been assigned to the Hilton Head Island traffic team, replacing officers who had been here for several years.

Capt. McSwain reported the volunteers put a lot of time and effort into keeping the office running smoothly, for which he was grateful. In response to Ms. Likin's inquiry, Capt. McSwain reported the new building was very nice and they had very few complaints.

Chairman Harkins and Capt. McSwain discussed the status of the study concerning the automated vehicle license identification equipment discussed at the last meeting. Capt. McSwain reported that documentation is being gathered and will be provided soon. However, he indicated a discussion will need to ensue with Sheriff Tanner in the event this is implemented, since additional manpower or refocusing of manpower will be needed. Chairman Harkins requested any request coming forward be synchronized with the budget process for review.

Chairman Harkins and Capt. McSwain discussed the safety concerns that had been expressed at the last meeting by Kathie Fayfich, a resident in the Allen Road area. Looking at the crime statistics, Capt. McSwain pointed out no further activity had been reported in that area, and Ms. Fayfich had made no further contact with the Sheriff's Office..

Ms. Likins reported that the Community Action Group has formed, with the Sheriff's and Solicitor's Offices working with them. While Capt. McSwain indicated the Sheriff had taken on that project, and he personally had not attended any of their meetings, it was his understanding that classes were being conducted in the Oaks focusing on the Hispanic community to encourage reporting of crimes without fear of deportation. Ms. Likins expressed her appreciation for the Sheriff's Office willingness to work with this organization, as one of their significant goals or initiatives is to take back the streets.

Chairman Harkins thanked Capt. McSwain for his report.

### **Adjournment**

At 10:48 a.m. Mr. Edwards moved to adjourn the meeting and Ms. Likins seconded. The motion was approved by a vote of 3-0.

Respectfully submitted:

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Lynn W. Buchman  
Administrative Assistant

Approved by:

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Bill Harkins, Chairman

**These Minutes were not approved due to turnover in Committee Members.**