

COMMITTEE ON PUBLIC SAFETY AND HUMAN SERVICES
Special Called Meeting
Minutes
August 9, 2021
3:00 P.M.

County Square – Conference Room D
Limited Seating Capacity

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the Council Office and mailed to the newspapers, radio stations and television stations.

Committee Members Present:

Mike Barnes, Chairman
Steve Shaw, Vice Chairman
Chris Harrison
Stan Tzouvelekas

Committee Members Absent:

None

Staff Present:

John Vandermosten, Assistant County Administrator Public Safety
Dean Campbell, Assistant County Attorney
Helen E. Wood, Clerk, Public Safety Committee
Regina McCaskill, Clerk, Greenville County Council

Others Present:

Hobart Lewis, Sheriff, Greenville County
Lynn Ballard, Councilor, Greenville County Council

Call to Order:

Chairman Barnes

Invocation:

Councilor Harrison

Approval of Minutes:

Action: Councilor Tzouvelekas moved to approve the minutes of the February 1, 2021 regular Committee Meeting.
Motion carried unanimously.

AN ORDINANCE TO ESTABLISH A COUNTY PROHIBITION ON INFRINGEMENTS OF THE RIGHT TO KEEP AND BEAR ARMS

Chairman Barnes introduced Hobart Lewis, Sheriff, Greenville County.

Sheriff Lewis thanked Council for their support and Councilor's Shaw's work on the revision of this Ordinance. The Greenville County Sheriff's Department is in full support of the revised Ordinance that will be presented. Sheriff Lewis made himself available for any questions from Council members.

Councilor Tzouvelekas asked the Sheriff had he reviewed the revised Ordinance and was in support of such Ordinance and Sheriff Lewis stated that he had and that the Department was also in full support of the revised Ordinance.

Chairman Barnes recognized Councilor Shaw to present the Ordinance.

Councilor Shaw stated that on the agenda was the revised **ORDINANCE TO ESTABLISH A COUNTY PROHIBITION ON INFRINGEMENTS OF THE RIGHT TO KEEP AND BEAR ARMS** and that he would like to make a motion that the Committee approve the revised Ordinance as opposed to the current Ordinance. This revised Ordinance would supersede the current Ordinance where the main goal of the revision is to balance the protection of the citizen's Second Amendment rights with public safety and not place public officials in undue bad spots. He asked Assistant County Attorney Dean Campbell if he had comments.

Attorney Campbell stated that the attorney's office had been working with Councilor Shaw on the revised version of the Ordinance and essentially the findings are almost the same. There is a litany of Supreme Court cases that support Second Amendment rights and more importantly that this revised Ordinance makes declaration that it is the policy of Greenville County that no public funds be used knowingly or willfully participate in actions that unlawfully restrict the Second Amendment rights of the citizens of Greenville County, or to aid federal or state agencies to knowingly and willingly engage in the unlawful restriction of said rights. It is the intent of Greenville County Council to uphold the right to keep and bear arms in Greenville County. The attorney's office and Councilor Shaw worked to make sure this revised Ordinance was well balanced as far as possible regarding a county Ordinance. There are certain restrictions on what County Council can or can't do with an Ordinance so we tried to make sure this Ordinance stayed within the four corners of what we thought was acceptable and legally sufficient.

Councilor Shaw stated for the general public that the revised Ordinance does not create any new gun laws and it does not nullify any gun law this is basically a spending action for our County to prevent our resources to enforce unconstitutional law and the goal of this revised Ordinance is to balance the protection of our citizens with public safety.

Councilor Harrison stated in working with Councilor Shaw and the Sheriff's Office on the revision of the Ordinance it provided what the County needed and was in favor of the contents and appreciates the revisions that were made.

ACTION: Councilor Shaw moved that this amendment to the original "ORDINANCE TO ESTABLISH A COUNTY PROHIBITION ON INFRINGEMENTS OF THE RIGHT TO KEEP AND BEAR ARMS" be forwarded to full Council. Motion carried unanimously.

Adjournment:

ACTION: Councilor Harrison moved to adjourn the meeting. Motion carried unanimously and the meeting adjourned at 3:10 p.m.

Respectfully submitted:

Helen E. Wood, Clerk to Public Safety Committee