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FORMER DEPUTY AVOIDS PROSECUTION

BOB STUART, Staff Writer

A former Clarendon County sheriff's deputy was ordered into a pretrial intervention program Wednesday by a circuit judge, despite arguments from the 3rd Circuit solicitor's office that he should be prosecuted for embezzlement and official misconduct.

Judge Thomas Cooper Jr. granted the request of former Deputy Buck Turbeville to enter the program. Turbeville must undergo counseling and repay \$16,000 in missing drug money. Cooper also ordered Turbeville to perform 200 hours of community service. At the completion of the program, Turbeville can petition the court to have his criminal record cleared.

The 34-year-old former head of the Sheriff's Department drug unit was charged in April with embezzlement and misconduct in office. The charges followed an audit by the State Law Enforcement Division, which discovered \$16,000 missing from the Sheriff's Department drug fund. Assistant 3rd Circuit Solicitor Ferrell Cothran asked Cooper not to grant Turbeville PTI status. "He was a public official and he's held to a higher standard," Cothran said.

Turbeville's attorney, **Jack Swerling** of Columbia, said his client was an ideal candidate for the program.

"He is a fellow who has led an exemplary life," **Swerling** said. "He served in the Navy, he was a college graduate." Turbeville went back to Manning after his military service and worked at the Clarendon County EMS and Manning Police Department before joining the Sheriff's Department. He rose to the rank of lieutenant in the Sheriff's Department.



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Ex-cop won't have to serve any time

BY BONNIE L. BLACKBURN
TEAM Senior Writer

MANNING - An ex-police officer won't serve any time for embezzling more than \$16,000 from the Clarendon County Sheriff's Department after a circuit judge agreed Wednesday to allow him into a program for first-time offenders.

Over the objections of law enforcement officers, former Lt. Henry "Buck" Turbeville's criminal record will be cleared after he completes a minimum of 200 hours of public service and repays the county for the money missing from the sheriff's department narcotics division. Turbeville must also never seek employment in law enforcement again.

The head of the sheriff's department narcotics division, Turbeville, 34, was charged April 15 with one count each of embezzlement and misconduct in office after an audit of the narcotics division's funds revealed more than \$16,000 was unaccounted for. The State Law Enforcement Division conducted the audit at the request of Sheriff Hoyt Collins.

Turbeville could have faced up to 20 years in prison had he been convicted of the two charges.

Turbeville's attorney, Jack Swerling, requested a judicial review of Turbeville's application for the Pre-Trial Intervention program, which allows a first-time offender to avoid prison and to have no criminal record by paying restitution and performing public service.

The 3rd Circuit Solicitor's Office had rejected Turbeville's application for PTI after Collins and SLED objected to it.

"The fact that he was a police officer and a public official was the reason we denied it," Assistant Solicitor Ferrell Cothran said. "We feel that he should be held to a higher standard."

SLED Lt. Greg Hentschel, who investigated the case, said it was "clearly apparent" that Turbeville had not accounted for large amounts of cash. Hentschel said that when he began his investigation, he discovered that payments to confidential informants had not been documented, nor had vouchers been prepared for purchases made with department money.

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The fact that he was a police officer and a public official was the reason we denied it. We feel that he should be held to a higher standard.

3rd Circuit Assistant Solicitor Ferrell Cothran, on why Turbeville's first application for PTI was turned down

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"As we got into the files, Buck told me that there were going to be problems," Hentschel said. "He said, 'I made up a lot of this documentation. I tried to cover myself.' He gave us a statements that he had misappropriated some of the funds and converted some to his own use."

The falsified documentations were then signed by former Sheriff Horace Swilley, who was defeated in his reelection bid last year. During his campaign, Collins had promised to get a full accounting of the nar-

cotics division.

According to Turbeville's arrest warrants, he had spent some of the money on a black powder rifle, a beanbag chair and paid personal bills, including bills for electricity and motel rooms.

Hentschel did say, however, that there was no evidence that Turbeville had been involved in any drug activity.

No other officers with the sheriff's department were charged in connection with the SLED investigation, and Collins said this morning that the case is closed.

Swerling blamed the arrest on Turbeville's "poor recordkeeping," and said Turbeville's "exemplary record" as a police officer and in the Navy should allow him into the PTI program. He said the embarrassment Turbeville has suffered since his arrest has taken its toll on the former officer, who is now working on a farm.

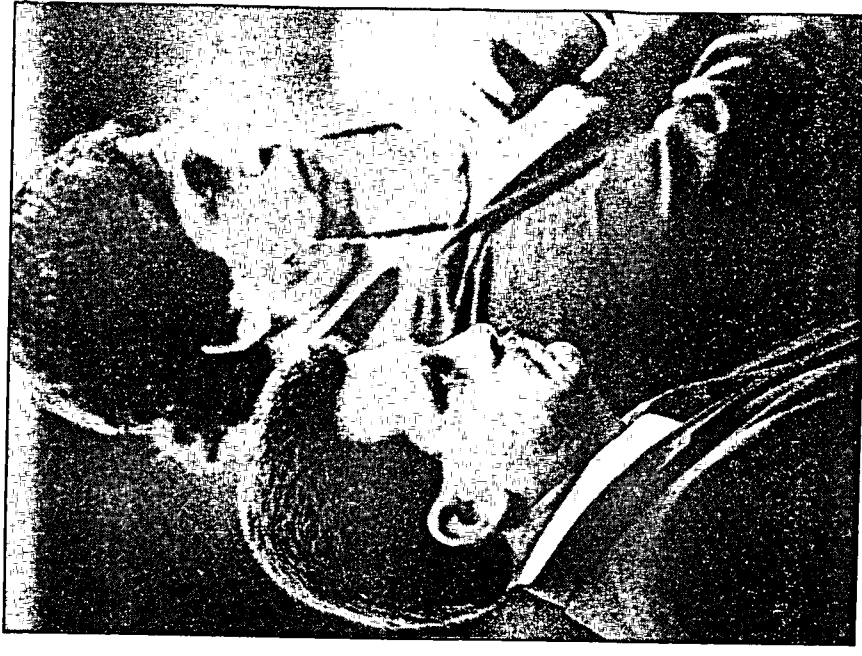
"I think Buck has suffered a great deal. He's never going back into law enforcement," Swerling said. "Nobody understands better than he does what he should have done."

Turbeville also spoke briefly during the hearing.

"This has been a trying experience. My shortcomings have cost me much more than money could ever replace," he said. "It's been quite difficult."

Judge Thomas Cooper reviewed the application and overruled the solicitor's office, allowing Turbeville into the program.

"I agree with the solicitor's office that public officials should be held to a higher standard... should be treated more harshly because of the public trust that is placed in them," Cooper said. "But at the same time, I cannot be blinded to the other side. I appreciate what he's done, I appreciate the embarrassment he has suffered and the awareness of what he's done."



M.L. MILLER / CLARENDON

BUCK TURBEVILLE, at left, formerly of the Clarendon County Sheriff's Department, reacts as he hears his sentence in court recently. In the background is his attorney, Jack Swerling.