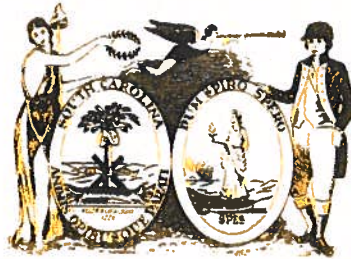


State of South Carolina
Executive Department



FILED

JUL 09 2020

Mark Hammond
SECRETARY OF STATE

Office of the Governor

EXECUTIVE ORDER NO. 2020-43

WHEREAS, a Grand Jury convened in Union County has returned two Indictments charging David Taylor, Sheriff of Union County, with one count of Disseminating, Procuring or Promoting Obscenity, in violation of section 16-15-305(A) of the South Carolina Code of Laws, as amended, and one count of Misconduct in Office, in violation of the Common Law of South Carolina; and

WHEREAS, David Taylor, as Sheriff of Union County, South Carolina, is an officer of the State or its political subdivisions; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides, in relevant part, that “[a]ny officer of the State or its political subdivisions . . . who has been indicted by a grand jury for a crime involving moral turpitude . . . may be suspended by the Governor until he shall have been acquitted” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, under South Carolina law, moral turpitude “implies something immoral in itself,” *State v. Horton*, 271 S.C. 413, 414, 248 S.E.2d 263, 263 (1978), and “involves an act of baseness, vileness, or depravity in the social duties which a man owes to his fellow man or society in general, contrary to the accepted and customary rule of right and duty between man and man,” *State v. Major*, 301 S.C. 181, 186, 391 S.E.2d 235, 238 (1990); and

WHEREAS, one or both of the aforementioned Indictments charge David Taylor with “a crime involving moral turpitude” for purposes of article VI, section 8 of the South Carolina Constitution; and

WHEREAS, section 23-11-40(C) of the South Carolina Code of Laws, as amended, provides, in pertinent part, that “[i]f any vacancy occurs in the office [of sheriff in any county of this State] at any time and is created by suspension by the Governor upon any sheriff’s indictment, the Governor shall appoint some suitable person . . . to hold the office until the suspended sheriff

July 9, 2020

is acquitted, or the indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first"; and

WHEREAS, Samuel W. White, of Union, South Carolina, is a fit and proper person to serve as Sheriff of Union County.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby suspend David Taylor from the office of Sheriff of Union County until such time as he shall be formally acquitted or convicted. Accordingly, pursuant to article VI, section 8 of the South Carolina Constitution and section 23-11-40(C) of the South Carolina Code of Laws, I hereby appoint Samuel W. White to serve as Sheriff of Union County until David Taylor is acquitted, or the indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first.

This action in no manner addresses the guilt or innocence of David Taylor and shall not be construed as an expression of any opinion on such question. This Order is effective immediately.



**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 9th DAY OF
JULY, 2020.**

A handwritten signature in blue ink, reading "Henry McMaster".

HENRY MCMASTER
Governor

ATTEST:

A handwritten signature in blue ink, reading "Mark Hammond".

MARK HAMMOND
Secretary of State