

EXECUTIVE ORDER NO.

2025-13

WHEREAS, on or about March 11, 2025, the State Grand Jury returned an Indictment charging Stephen Renard Gardner, Sheriff of Williamsburg County, with one count of Criminal Conspiracy, in violation of section 16-17-410 of the South Carolina Code of Laws, as amended; one count of Misconduct in Office, in violation of the Common Law of South Carolina; one count of Receiving Anything of Value to Influence Action of Public Official (Ethics Act Violation), in violation of section 8-13-705 of the South Carolina Code of Laws, as amended; one count of Acceptance of Rebates or Extra Compensation, in violation of section 16-9-230 of the South Carolina Code of Laws, as amended; and one count of Money Laundering (value more than \$20,000 but less than \$100,000), in violation of section 35-11-740 of the South Carolina Code of Laws, as amended; and

WHEREAS, Stephen Renard Gardner, as Sheriff of Williamsburg County, is an officer of the State or its political subdivisions; and

WHEREAS, article VI, section 8 of the South Carolina Constitution provides, *inter alia*, that upon indictment by a grand jury of any officer of the State or its political subdivisions who has the custody of public or trust funds for embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted,” and “[i]n case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, article VI, section 8 of the South Carolina Constitution further 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, regardless of whether it is punishable by law as a crime,” involves “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man, or to

society in general, contrary to the accepted and customary rule of right and duty between man and man,” or otherwise includes conduct “contrary to justice, honesty[,] and good morals,” *State v. Horton*, 271 S.C. 413, 414–15, 248 S.E.2d 263, 263–64 (1978); *see also Baddourah v. McMaster*, 433 S.C. 89, 112, 856 S.E.2d 561, 573 (2021) (“Under South Carolina’s moral turpitude framework, we focus ‘primarily on the duty to society and fellow man [that] is breached by the commission of the crime.’”); and

WHEREAS, in addition to the foregoing authorities, section 8-1-110 of the South Carolina Code of Laws, as amended, requires that upon the indictment of any officer who has the custody of public or trust funds on charges of embezzlement or the appropriation of public or trust funds to private use, “the Governor shall suspend such officer and appoint one in his stead until he shall have been acquitted by the verdict of a jury” and “[i]n case of conviction the office shall be declared vacant and the vacancy filled as may be provided by law”; and

WHEREAS, section 8-1-100 of the South Carolina Code of Laws, as amended, further provides that “any state or county officer who is indicted in any court for any crime may, in the discretion of the Governor, be suspended by the Governor, who in event of suspension shall appoint another in his stead until he shall be acquitted” and “[i]n case of conviction, the office shall be declared vacant by the Governor and the vacancy filled as provided by law”; and

WHEREAS, upon consideration of the circumstances presented, to include the particularized facts alleged in the Indictment and the statutory definition and classification of the offenses, the undersigned has determined that the aforementioned Indictment includes one or more counts charging Stephen Renard Gardner with “embezzlement or the appropriation of public or trust funds to private use,” “a crime involving moral turpitude,” or both, for purposes of article VI, section 8 of the South Carolina Constitution; and

WHEREAS, for the foregoing reasons, and in accordance with article VI, section 8 of the South Carolina Constitution and sections 8-1-100 and 8-1-110 of the South Carolina Code of Laws, the undersigned is authorized to suspend Stephen Renard Gardner from the office of Sheriff of Williamsburg County until such time as he shall be acquitted or convicted; and

WHEREAS, section 23-11-40(C) of the South Carolina Code of Laws, as amended, provides 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 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, Clemson Wright, Jr., of Kingstree, South Carolina, is a fit and proper person to serve as Sheriff of Williamsburg 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 Stephen Rendard Gardner from the office of Sheriff of

Williamsburg 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, as well as other applicable law, I hereby appoint Clemson Wright, Jr. to serve as Sheriff of Williamsburg County until such time as Stephen Renard Gardner 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 Stephen Renard Gardner 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 12th DAY OF
MARCH, 2025.**

HENRY DARGAN MCMASTER
Governor

ATTEST:

MARK HAMMOND
Secretary of State