

From: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>  
To: Adams, Chaney <ChaneyAdams@gov.sc.gov>  
CC: Pisarik, Holly <HollyPisarik@gov.sc.gov>  
Date: 2/23/2016 2:24:04 PM  
Subject: RE: Statement re. Solicitor Myers

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#### State Constitution

ARTICLE VI, SECTION 8. Suspension and prosecution of officers accused of crime.

Whenever it appears to the satisfaction of the Governor that probable cause exists to charge any officer of the State or its political subdivisions who has the custody of public or trust funds with embezzlement or the appropriation of public or trust funds to private use, then the Governor shall direct his immediate prosecution by the proper officer, and upon indictment by a grand jury or, upon the waiver of such indictment if permitted by law, the Governor shall suspend such officer and appoint one in his stead, until he shall have been acquitted. In case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law. Any officer of the State or its political subdivisions, except members and officers of the Legislative and Judicial Branches, who has been indicted by a grand jury for a crime involving moral turpitude or who has waived such indictment if permitted by law may be suspended by the Governor until he shall have been acquitted. In case of conviction the office shall be

#### South Carolina Code of Laws

SECTION 8-1-100. Suspension of officer indicted for crime.

Except as provided in Section 8-1-110, 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 the event of suspension shall appoint another in his stead until he shall be acquitted. In case of conviction, the office shall be declared vacant by the Governor and the vacancy filled as provided by law.

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From: Schimsa, Rebecca  
Sent: Tuesday, February 23, 2016 1:30 PM  
To: Adams, Chaney  
Cc: Pisarik, Holly  
Subject: Statement re. Solicitor Myers

Although reports indicate that Solicitor Myers has been arrested, our office is not aware that he has been indicted, and the Governor's authority is limited to suspending a state officer upon indictment.

Rebecca S. Schimsa  
Deputy Legal Counsel  
Office of Governor Nikki R. Haley  
O: 803-734-6068 | C: 803-429-4561

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