

State of South Carolina
Executive Department

FILED

MAR 16 2016

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2016-11

WHEREAS, the Court of General Sessions of Richland County sentenced Kelvin Emil Washington, Sr., Richland County Council Member, on February 10, 2016, for three counts of Failure to File Tax Returns for 2013, 2014, and 2015 in violation of Section 12-54-44(B)(3) of the South Carolina Code of Laws; and

WHEREAS, Kelvin Emil Washington, Sr. is an officer of a political subdivision of the State, and Article VI, Section 8 of the South Carolina Constitution provides that, where any officer of a political subdivision has been convicted of a crime involving moral turpitude, "[T]he office shall be declared vacant and the vacancy filled as may be provided by law;" and

WHEREAS, South Carolina law recognizes that "[m]oral turpitude implies something immoral itself..." such as "...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..." see *State v. Horton*, 248 S.E.2d 263 (1978) and *Green v. Hewett*, 305 S.C. 238, 407 S.E.2d 651 (1991); and

WHEREAS, the above-referenced crime involves moral turpitude, and a copy of the sentence sheets sentencing Kelvin Emil Washington, Sr. have been provided to me.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby declare that the seat held by Kelvin Emil Washington, Sr. of the office of County Council of the County of Richland was vacated and the vacancy shall be filled as is provided by law.



GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 16th DAY OF
MARCH, 2016.

NIKKI R. HALEY
Governor

ATTEST:

Mark Hammond

MARK HAMMOND
Secretary of State