

State of South Carolina
Executive Department

FILED

OCT 23 2008

Mark Hammond⁸
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2008-12

WHEREAS, the U.S. Attorney filed a five count indictment against Harold Anthony Trout on October 22, 2008, in the United States District Court for the District of South Carolina, Greenville Division, stating charges of intentionally accessing a protected computer without authorization and obtaining information from the protected computer in furtherance of a criminal act all in violation of 18 U.S.C. §§ 1030(a)(2)(C), 1030(c)(2)(B)(ii), and 1030(c)(2)(A); unlawfully using an electronic monitoring product and knowingly destroying records with the intent to obstruct a federal investigation all in violation of 18 U.S.C. § 1519; intentionally intercepting and procuring another person to intercept electronic communications and intentionally disclosing the electronic communication all in violation of 18 U.S.C. §§ 2511(1)(a)(c) and 2511(4)(a); and

WHEREAS, South Carolina law recognizes that "an act in which fraud is an ingredient involves moral turpitude..." see *State v. Horton*, 248 S.E.2d 263 (1978), *In re Sipes*, 377 S.E.2d 574 (1989), and the above-referenced indictment includes elements of fraud and, accordingly, crimes that involve moral turpitude; and

WHEREAS, Harold Anthony Trout is an officer of a political subdivision of the State and Article VI, Section 8, of the South Carolina Constitution provides 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

WHEREAS, a certified true copy of the indictment against Harold Anthony Trout has 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 suspend Harold Anthony Trout

from the office of County Council of Greenville County until such time as he shall be formally acquitted or convicted.

This action in no manner addresses the question of the guilt or innocence of Harold Anthony Trout and should not be construed as an expression of any opinion one way or another on such question.

This Order shall take effect immediately.



GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 23rd DAY
OF OCTOBER, 2008.

Handwritten signature of Mark Sanford in black ink.

MARK SANFORD
Governor

ATTEST:

Handwritten signature of Mark Hammond in black ink.

MARK HAMMOND
SECRETARY OF STATE