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MATT LEBER
CHARLESTON, COLLETON, & DORCHESTER COUNTIES
SENATORIAL DISTRICT 41

March 3, 2025

Charleston County Council
Lonnie Hamilton, III, Public Services Building
045 Bridge View Drive
North Charleston, SC 29405

CC: The Honorable Henry McMaster, Governor; The Honorable Alan Wilson, Attorney General; The Honorable Chip Campsen, Chairman Charleston Legislative Delegation; Director Angela Craig, Charleston County Library; Chairman Rob Byko, Charleston County Library Board of Trustees.

Dear members of Charleston County Council,

I trust you are aware that the Charleston County Library Board of Trustees has purposefully and continually flouted their obligation under the law to take an oath of office to the Constitution.

South Carolina law states, **"It shall be unlawful for any person to assume the duties of any public office until he has taken the oath provided by the Constitution..."**¹ Furthermore, the Office of the South Carolina Attorney General has issued a formal legal opinion addressing the Charleston County Library Board's noncompliance, stating, **"[M]embers of the Charleston County Library Board of Trustees are required to take the oath of office as directed in Article VI, section 4 and prescribed by Article VI, section 5 of the South Carolina Constitution."**²

However, despite being repeatedly notified of the foregoing legal authorities, eight out of the eleven trustees, appointed by you, have gone on the record **categorically refusing** to take an oath to the Constitution. The Chair, Mr. Rob Byko, refuses to recognize the Attorney General's opinion, **dismissing it as a "piece of paper" and claiming that it does "not rise to the level of being on the agenda."**

¹ S.C. Code Ann. § 8-3-10.

² *Op. S.C. Att'y. Gen.*, 2025 WL 581982 (Feb. 13, 2025)

Shockingly, other members of the Charleston County Library Board expressed profound disdain and even outright disgust towards the Constitution, drafting up their own “pledge” that better fits their political ideology.

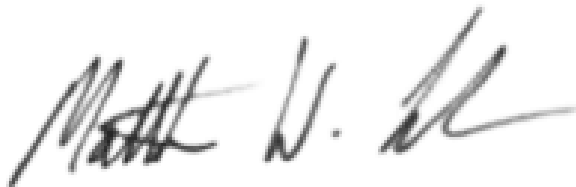
Taking an oath to the Constitution should not be controversial. To the contrary, it is what unifies us as Americans and as South Carolinians. I am proud of the oath I took to our Constitution, both as a paratrooper and as an elected official, as I am sure you are. Further, if the requirements of office have not been met, these trustees do not possess the legal authority to exercise public office, manage taxpayer funds, and enter into binding contracts with third parties.³

In light of the Charleston County Library Board’s shameful and outright refusal to comply with the opinion of the South Carolina Attorney General, South Carolina Statutes, and our State Constitution, **I now call upon the Charleston County Council to remedy this situation by the removal of the offending trustees.**

No individual who refuses to swear allegiance to our nation has any place holding a public office in the Great State of South Carolina.

I look forward to your swift action on behalf of Charleston County residents.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matt W. Leber", with a stylized flourish at the end.

Matt Leber
South Carolina State Senator

³ S.C. Code Ann. § 15-63-60 (“An action may be brought by the Attorney General in the name of the State upon his own information or upon the complaint of any private party [. . .] in the following cases: (1) When any person shall usurp, intrude into, or unlawfully hold or exercise any public office [. . .] within this State . . .”).