

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2013-136)
)
 Edith S. Childs,)
 Respondent.)
)
 State Ethics Commission,)
 Complainant.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on June 10, 2013. The complaint against the Respondent, Edith S. Childs, was considered by the Commission on September 18, 2013, and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following statements of fact, conclusions of law, discussion, admission, and disposition.

The allegations were as follows:

COUNT ONE
FAILURE TO DISCLOSE
SECTION 8-13-1120, S.C. CODE ANN., 1976, AS AMENDED

The Respondent, Edith S. Childs, a member of Greenwood County Council, did in Greenwood County, unlawfully violate Section 8-13-1120(A)(2), in that she failed to disclose income she received from Greenwood County on her 2011 Statement of Economic Interests form.

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COUNT TWO
USE OF OFFICIAL OFFICE FOR GAIN
SECTION 8-13-700(A), S.C. CODE ANN., 1976, AS AMENDED

The Respondent, Edith S. Childs, a member of Greenwood County Council, did in Greenwood County, on March 12, 2009, unlawfully violate Section 8-13-700(A), by knowingly using her official office to obtain an economic interest for herself when she used her council fund account to purchase a one-half page advertisement in a souvenir journal in the amount of \$50.00 for a teen pageant located in Darlington County and not in Greenwood County where council funds were to be used.

COUNT THREE
USE OF OFFICIAL OFFICE FOR GAIN
SECTION 8-13-700(A), S.C. CODE ANN., 1976, AS AMENDED

The Respondent, Edith S. Childs, a member of Greenwood County Council, did in Greenwood County, on September 21, 2009, unlawfully violate Section 8-13-700(A), by knowingly using her official office to obtain an economic interest for herself when she used her council fund account to purchase a one-half page advertisement in a souvenir booklet in the amount of \$100.00 for a Rev. Norris Turner event in West Columbia and not in Greenwood County where council funds were to be used.

STATEMENTS OF FACT

1. The Respondent, Edith S. Childs, is a member of Greenwood County Council.
2. A review of Respondent's 2010 wage and tax filing statement revealed that Respondent received gross pay in the amount of \$19,719.60 from Greenwood County. On October 24, 2012 staff reviewed Respondent's original 2011 Statement of Economic

Interest (SEI) report filed on March 17, 2011. The report documented income from Greenwood County in the amount of \$18,987.93.

3. A written response from Respondent reported that Respondent made an inadvertent error on her 2011 SEI report as a result of amending her 2010 SEI report that documented an income of \$1,988,815.00.

4. A review of a Greenwood County check request form dated March 12, 2009 revealed that the Respondent requested a check payable to the Miss S.C. Hal Jackson's International Talented Teen Finals for a one-half page souvenir journal advertisement. The check request was in the amount of \$50.00. The check request form included an attached flier that documented that the Talented Teen Finals sponsor was located in Darlington. A review of accounts payable for Greenwood County revealed that on March 13, 2009, Check Number 022176 was drafted payable to Miss SC Hal Jackson's Talented Teen Finals P.O. Box 243 Darlington, SC. 29540.

5. Staff met with Greenwood County Council Clerk, Mrs. Ketekash Crump-Luckie, and she reported that Respondent did request the expenditure for the Talented Teen Finals souvenir journal advertisement.

6. A written response from Respondent reported that Respondent admitted that the payment to the souvenir journal was an out of county expenditure.

7. A review of a Greenwood County check request form dated September 21, 2009 revealed that Respondent requested a check payable to Norris Turner Appreciation Celebration for one-half page souvenir journal advertisement. The check was requested in the amount of \$100.00. The check request form included an attached flier that

documented that the donation for the souvenir journal was located in West Columbia. A review of accounts payable for Greenwood County revealed that on September 23, 2009, Check Number 027079 was drafted payable to Norris Turner Appreciation Celebration Attention: Janice Davis, Brookland Banquet and Conference Center, 1066 Sunset Blvd. West Columbia.

8. According to Mrs. Crump-Luckie, Respondent did request the expenditure for the Norris Turner Appreciation Celebration Teen Finals Souvenir Journal advertisement.

9. A written response from Respondent reported that Reverend Norris was a resident of Greenwood County and lived in her district in the county at the time the advertisement was placed. Respondent reported that Reverend Turner retired from Monsanto which is located in Greenwood. Respondent reported that there is no violation.

CONCLUSIONS OF LAW

Based upon the Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Edith S. Childs, was a public official, as defined by S.C. Code Ann. § 8-13-100(27)(Supp. 2011).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public official from knowingly using his official position to obtain any economic interest for himself.
4. Section 8-13-1120(A)(2) provides that a public official must disclose the source, type and amount of income received from a governmental entity.

DISCUSSION

The Respondent regrets that she was not more informed about the rules relating to the ethical obligations of county council members. With that in mind, it is important to the Respondent that in the future all council members in Greenwood should be fully informed of their duties under the state ethics law. To that end, Respondent made a motion before the Greenwood County Council on April 30, 2013 to ask the Ethics Commission to conduct a training session for all council members in this important matter. The measure passed.

ADMISSIONS

The Respondent, Edith S. Childs, admits that she inadvertently violated Section 8-13-700(A) and Section 8-13-1120.

DISPOSITION

The State Ethics Commission hereby finds Edith S. Childs in violation of Section 8-13-700(A) and Section 8-13-1120, albeit inadvertent, of the Ethics Reform Act and hereby adopts the Statements of Fact, Conclusions of Law, Discussion, Admissions, and Disposition as agreed upon by Respondent. The Commission dismisses the Count Two allegation.

THEREFORE, the State Ethics Commission hereby issues this written warning to Edith S. Childs for her inadvertent violation of Section 8-13-700(A) and Section 8-13-1120 of the Ethics Reform Act,

AND, orders Respondent to reimburse Greenwood County \$100.00 for the payment made in Count Three.

AND, order Respondent to pay an administrative fee of \$100.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 30th DAY OF OCTOBER 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIR

Edith S. Childs
Edith S. Childs