

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION
)
 IN THE MATTER OF:)
 COMPLAINT C2014-058)
)
)
 Russell D. Brown,)
 Respondent.)
)
 State Ethics Commission,)
 Complainant.)
)

CONSENT ORDER

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 STATE ETHICS COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on November 6, 2013. The complaint against the Respondent, Russell D. Brown, was considered by the Commission on March 19, 2014, 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 in this matter.

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STATEMENTS OF FACT

1. The Respondent, Russell D. Brown, is a member of Fairfield County Council.
2. Respondent said that the information he documented on his 2010 and 2011 Statement of Economic Interest forms (SEI) disclosed the base salary he received from Fairfield County. The SEI did not document the stipend money he received from the county. Respondent stated that the stipend monies were used for official business, and he did not realize that he should have reported the stipend money as income.
3. Respondent advised that the information he documented on his 2012 SEI report disclosed his pre-taxed income rather than his gross income. Respondent said that he made an inadvertent error when he filed the SEI report.

4. Respondent said the information he documented on his 2013 SEI report disclosed a rounded off figure rather than the exact amount reported on his Fairfield County wage and tax statement.

5. A review of Respondent's 2009 wage and tax filing statement, and Respondent's 1099 miscellaneous income form revealed that Respondent received gross pay in the amount of \$22,359.48 from Fairfield County. On October 1, 2013 staff reviewed Respondent's original 2010 SEI filed on April 12, 2010, and amended 2010 SEI filed on July 14, 2010, and August 20, 2010. The 2010 SEI documented income from Fairfield County in the amount of \$15,000.00.

6. A review of Respondent's 2010 wage and tax filing statement revealed that Respondent received gross pay in the amount of \$25,409.92 from Fairfield County. On October 1, 2013 staff reviewed Respondent's original 2011 SEI report filed on April 15, 2011. The report documented income from Fairfield County in the amount of \$14,999.92.

7. A review of Respondent's 2011 wage and tax filing statement revealed that Respondent received gross pay in the amount of \$20,814.54 from Fairfield County. On October 1, 2013 staff reviewed Respondent's original 2012 SEI filed on April 11, 2012. The report documented income from Fairfield County in the amount of \$19,839.54.

8. A review of Respondent's 2012 wage and tax filing statement revealed that Respondent received gross pay in the amount of \$20,487.20 On September 19, 2013 staff reviewed Respondent's original 2013 SEI filed on March 18, 2013. The 2013 SEI documented income from Fairfield County in the amount of \$20,000.00.

9. Staff met with Respondent in regard to the aforementioned SEI reports, and Respondent amended his SEI reports accordingly.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Russell D. Brown, was a public official, as defined by S.C. Code Ann. § 8-13-100(27)(Supp. 2012).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. 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

(Available to Respondent for discussion of mitigating factors.)

ADMISSIONS

The Respondent, Russell D. Brown, admits that he inadvertently violated Section 8-13-1120.

DISPOSITION

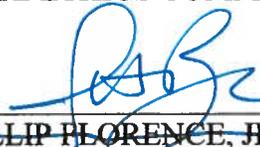
The State Ethics Commission hereby finds Russell D. Brown in violation of Section 8-13-1120, albeit inadvertent, of the Ethics Reform Act and hereby adopts the Statements of Fact, Conclusions of Law, Admissions, and Disposition as agreed upon by the Respondent.

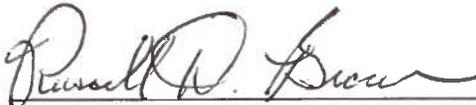
THEREFORE, the State Ethics Commission hereby issues this written warning to Russell D. Brown for a violation of Section 8-13-1120 of the Ethics Reform Act,

AND, orders Respondent to pay an administrative fee of \$500.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 21st DAY OF May 2014.

STATE ETHICS COMMISSION


PHILLIP FLORENCE, JR. JAMES H. BURNS
CHAIR


Russell D. Brown