

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
  
IN THE MATTER OF: )  
COMPLAINT C2014-004 )  
  
Jordan Kay, )  
Complainant; )  
  
vs. )  
  
Vincent Sheheen, )  
Respondent. )  

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BEFORE THE STATE ETHICS COMMISSION

**DECISION AND ORDER**

STATE ETHICS  
COMMISSION

2013 SEP 23 AM 9:55

RECEIVED

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above captioned complaint on September 18, 2013 charging the Respondent, Vincent Sheheen, with a violation of Section 8-13-1308(F). Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, George Carlton Manley, Richard H. Fitzgerald, and Jonathan H. Burnett. The following allegations were considered:

**ALLEGATIONS**

On July 12, 2013 the State Ethics Commission received a complaint filed by Jordan Kay of Columbia, SC against Vincent Sheheen, Candidate, Camden, SC. The complaint alleged that the Respondent failed to disclose an in-kind contribution to his campaign fund from an out of state source. Section 8-13-1308 (F) requires candidates to file campaign statements showing the total amount of all contributions accepted by a candidate including in-kind contributions. The Complainant attached a copy of a fund-raising solicitation on behalf of the Respondent's candidacy. The solicitation states that it is paid for by the Josh Stein for NC Senate Committee. This fund raising activity was not reported in Campaign Disclosure Statements filed with the State Ethics Commission.

### **FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, Vincent Sheheen, is a candidate for South Carolina Governor.
2. Andrew P. Whalen, Respondent's campaign manager, advised that North Carolina State Senator Josh Stein and his wife hosted a fund raiser for Respondent at their home in North Carolina. The total cost for this event was \$225.80 for beverages and \$67.71 for the cost of the email invitations. The beverage expenditure was reported on the July 10, 2013 quarterly Campaign Disclosure form (CD). The cost of the email invitations was not received until after July 1, 2013 and will be reported on Respondent's October 10, 2013 Campaign Disclosure Statement.
3. A review of Respondent's July 10, 2013 CD indicates that on June 25, 2013 Joshua Stein made an in kind contribution in the amount of \$225.80.

### **CONCLUSIONS OF LAW**

1. The Respondent is candidate as defined by Section 8-13-1300(4).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-1308(F) provides that a candidate must disclose all contributions to include in-kind contributions.

### **DECISION**

THEREFORE, based upon evidence presented that the in-kind contribution was properly disclosed, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Vincent Sheheen, violated Section 8-13-1308(F). The Commission has therefore dismissed the charges in accordance with Section 8-13-

320(10)(i), and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 19th DAY OF Sept., 2013.

STATE ETHICS COMMISSION

  
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PHILLIP FLORENCE, JR.  
CHAIR

COLUMBIA, SOUTH CAROLINA