STATE OF SOUTH CAROLINA COUNTY OF RICHLAND	)	BEFORE THE STATE ETHICS COMMISSION
IN THE MATTER OF: COMPLAINT C2013-133	)	
State Ethics Commission, Complainant,	)	
vs.	)	**DECISION AND ORDER**
Dedric Bonds, Respondent.	)	

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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 May 29, 2013. On September 18, 2013, pursuant to S.C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above-captioned complaint charging Respondent, Dedric Bonds, with a violation of Section 8-13-1308 and probable cause was found.

Present at the Hearing on March 19, 2014 were Commission Members, Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, and James I. Warren. Respondent was not present, but he was duly noticed. Complainant was represented by Cathy L. Hazelwood, General Counsel. The following charge was considered:

COUNT ONE
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT SECTION 8-13-1308(D), S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, Dedric Bonds, a candidate for Georgetown City Council, did in Richland County, on or about May 23, 2011, fail to timely file a pre-election Campaign Disclosure Report in violation of Section of 8-13-1308(D).

FINDINGS OF FACT

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

1. The Respondent, Dedric Bonds, was a candidate for Georgetown City Council in a June 7, 2011 election.

2. Kristin Smith, administrative coordinator of the Commission's non-compliance office, testified that on April 8, 2011 Respondent's name appeared on the City of Georgetown's candidates' roster for the June 7, 2011 election. On February 19, 2013 Respondent was assessed a $100.00 late filing penalty for failure to file a pre-election Campaign Disclosure form (CD) by May 23, 2011. On March 14, 2013 the penalty letter was sent certified. It was returned as unclaimed and re-mailed first class on April 19, 2013. Penalties began accruing at $10 per day on April 30, 2013 and at $100 per day on May 10, 2013. Respondent has not filed the pre-election CD. The late filing penalty of $5,000.00 has not been paid.

2. Daniel Choate, State Ethics Commission Investigator, testified that on June 5, 2013 he spoke with Respondent who advised him that he would contact the Commission staff and comply by filing the late CD. On June 18, 2013 he left a voice mail message on Respondent's telephone advising that the CD had not been received.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Dedric Bonds, was a 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(D) provides that a candidate must file a pre-election Campaign Disclosure form 15 days before the election.

4. Section 8-13-1510(1) provides as follows:

   Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows:

   (1) a fine of one hundred dollars if not filed within five days after the established deadline provided by law in this chapter;

5. Section 8-13-130 states in part:

   The State Ethics Commission may levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, of the "Ethics, Government Accountability and Campaign Reform Act of 1991". The fee must be used to reimburse the commission for costs associated with the investigation and hearing of a violation.

6. Section 8-13-320(10)(l) provides:

   (i) requiring the public official, public member, or public employee to pay a civil penalty of not more than two thousand dollars for each violation.

DECISION

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the State Ethics Commission has determined based upon a preponderance of evidence that Respondent Dedric Bonds is in violation of Section 8-13-1308; and therefore, Respondent Dedric Bonds is hereby Publicly Reprimanded and he is assessed a fine of $2,000.00, in addition to the late-filing penalty of $5,000.00 and he is assessed an administrative fee of $500.00.

IT IS FURTHER ORDERED, pursuant to Section 8-13-320, a Judgment in the amount of $7,500.00 is, and shall be entered against Respondent.

IT IS FURTHER THE ORDER OF THIS COMMISSION that the Clerk of Court of the County in which Respondent was last known to reside shall enter this Order in its

Judgment Rolls, without cost to the State Ethics Commission, in the amount of $7,500.00 upon the Commission's filing of same with the Clerk of Court's Office.

FINALLY, Respondent Dedric Bonds has ten (10) days from receipt of this order to appeal this Decision and Order to the full Commission.

IT IS SO ORDERED THIS 8th DAY OF May, 2014.

STATE ETHICS COMMISSION

PHILLIP FLORENCE, JR.
HEARING CHAIR

COLUMBIA, SOUTH CAROLINA