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STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2014-169)
R. Carlisle Roddey,)
Respondent.)
K. Shane Stuart,)
Complainant.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2013), the State Ethics Commission reviewed the above captioned complaint on September 17, 2014 charging the Respondent, R. Carlisle Roddey, with a violation of Section 8-13-1346. Present at the meeting were Commission Members James H. Burns, Chair, Sandy Templeton, James I. Warren, III, Frank Grimball, Julie S. Jeffords-Moose, Twana N. Burris-Alcide, Thomas M. Galardi and Sherri A. Lydon. The following allegation was considered:

ALLEGATION

On June 24, 2014 the State Ethics Commission received a complaint filed by K. Shane Stuart of Chester, SC against R. Carlisle Roddey, the Chester County Supervisor, and candidate for re-election in the June 2014 Republican Primary. The complaint alleged that the Respondent, in his capacity as County Supervisor, violated Section 8-13-1346 by allowing his campaign signs to be placed on public property.

FINDINGS OF FACT

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

1. The Respondent, R. Carlisle Roddey, is the Chester County Supervisor and was a candidate for County Supervisor in the June 2014 Republican primary election.

2. Respondent stated that he did not place one of his campaign signs at the recycling center on West End Road in Chester and he did not authorize anyone to place a sign at that location. Respondent said that during the campaign for Chester County Supervisor several of his campaign signs were stolen and the stolen signs may have been discarded at the recycling center. Respondent said that anyone could have placed the sign at the center including the complainant. Respondent stated that according to staff at the recycling center, the fence that surrounds the center was not secure at the time the sign was photographed at the facility because of an opening in the fence.

3. Staff contacted Complainant, K. Shane Stuart, and he stated that his campaign manager, Mr. Jason Ream, observed one of Respondent's campaign signs located at a Chester County recycling center. Complainant said that Mr. Ream took photographs of the sign and the photographs were attached to his complaint. Complainant said that he did not have any information about the person responsible for posting the sign at the recycling center.

4. According to Mr. Jason Ream, on May 6, 2014 he was traveling on West End Road near Chester and he observed one of Respondent's campaign signs posted on public property inside the locked gate at the recycling center. Mr. Ream said the center was closed. Mr. Ream said that he did not have any information about the person responsible for posting the sign at the recycling center. Mr. Ream said that he took photographs of the campaign sign and contacted Complainant.

5. According to Ms. Sharon Bickett, the Chester County Recycling Center Supervisor, Mr. James Gregory and Mr. Johnny Yarborough were assigned to the recycling center during the time the aforementioned sign was posted at the center. Staff

traveled to Chester County and met with Mr. Gregory at the recycling center. Mr. Gregory looked at the picture of Respondent's campaign sign posted inside the gate, and he said that he did not remember seeing the sign. Mr. Gregory said that on the days he is off duty or working at another recycling center, Mr. Yarborough works at the site. Staff spoke with Mr. Yarborough and he said he did see campaign signs posted along the roadway near the recycling center but he did not remember seeing a sign posted inside the gate.

6. Staff confirmed the information Respondent provided in regard to an opening in the security fence that surrounds the facility. While visiting the facility, staff was advised by Mr. Gregory that the security fence surrounding the site is not secure; staff noted that access to the site could have been gained through an opening in the fence behind the office building.

CONCLUSIONS OF LAW

1. The Respondent is a candidate, as defined by Section 8-13-1300(4).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-1346(A) provides as follows:

A person may not use or authorize the use of public funds, property, or time to influence the outcome of an election.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, R. Carlisle Roddey, violated Section 8-13-1346, as there is no evidence he placed the sign on the

public property. 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 30th DAY OF September, 2014.

STATE ETHICS COMMISSION



JAMES H. BURNS
CHAIRMAN

COLUMBIA, SOUTH CAROLINA