

STATE OF SOUTH CAROLINA)
) BEFORE THE STATE ETHICS COMMISSION
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2012-065)
)
 State Ethics Commission,)
 Complainant;)
)
 vs.) **DECISION AND ORDER**
)
 Cynthia Goodwin,)
 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 January 11, 2012. On March 21, 2012, pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2011), the State Ethics Commission reviewed the above-captioned complaint charging the Respondent, Cynthia Goodwin, with a violation of Section 8-13-1110 and probable cause was found.

Present at the hearing on July 18, 2012 were Commission Members Phillip Florence, Jr., Chair, Edward E. Duryea, and George Carlton Manley. Respondent was present and appeared *pro se*. Complainant was represented by Cathy L. Hazelwood, General Counsel. The following charge was considered:

COUNT ONE
FAILURE TO FILE A STATEMENT OF ECONOMIC INTEREST REPORT
SECTION 8-13-1110, S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, Cynthia F. Goodwin, a member of Due West Town Council, did in Richland County, fail to timely file an annual Statement of Economic Interests form on or before April 15, 2010.

FINDINGS OF FACT

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

1. The Respondent, Cynthia Goodwin, was a member of Due West Town Council and she was required to file an annual Statement of Economic Interests form (SEI) prior to April 15th of each year.

2. Kristin Smith, administrative coordinator of the Commission's non-compliance office, testified that Due West returned its 2010 entity list and Respondent's name was on the list as a member of town council required to file an SEI. Respondent was penalized in a October 28, 2011 letter for failure to file her 2010 SEI. That letter was re-sent certified on December 7, 2011 and was delivered on December 8, 2011. On February 14, 2012 Respondent complied by filing her 2011 SEI. The outstanding late-filing penalty of \$4,500.00 was not paid at that time.

3. Respondent testified that she had been ill and hospitalized during the filing time and after. Her memory has been impacted by her illness. Respondent resigned from town council because she was not well enough to perform her duties.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Cynthia Goodwin, was a public official, as defined by Section 8-13-100(27).

2. The State Ethics Commission has personal and subject matter jurisdiction

3. Sections 8-13-1110 and 8-13-1140 provide that certain public officials shall file a Statement of Economic Interests at the time of assuming the duties of the position and annually thereafter prior to April 15.

4. Section 8-13-320(10)(i) provides in part:

(10) to conduct its investigation, inquiries, and hearings in this manner:

(i) . . . If the Commission finds probable cause to believe that a violation of this chapter has occurred, the Commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation.

DECISION

Based upon the evidence presented and the filing of the disclosure form the State Ethics Commission has determined that the Respondent, Cynthia Goodwin, has complied with the disclosure requirements of the Ethics Reform Act of 1991. THEREFORE, in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the State Ethics Commission waives further proceedings.

IT IS SO ORDERED THIS 15th DAY OF Aug., 2012.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA