

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

) BEFORE THE STATE ETHICS COMMISSION
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)

IN THE MATTER OF:
COMPLAINT C2013-036

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STATE ETHICS COMMISSION

Edwin L. Booth,
Complainant;

DECISION AND ORDER

vs.
Randle Stevens,
Respondent.

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics

Commission reviewed the above captioned complaint on January 16, 2013 charging the Respondent, Randle Stevens, with a violation of Section 8-13-700(A). Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, JB Holeman, Jonathan H. Burnett and Richard H. Fitzgerald. The following allegation was considered:

ALLEGATIONS

On October 1, 2012 the State Ethics Commission received a complaint filed by Edwin L. Booth of Surfside Beach, SC against Randle Stevens, Councilman, City of Surfside Beach, SC. The complaint alleged that the Respondent used his position as a Surfside Beach Councilman to cash a check that would not have been cashed by any other citizen. Attached to the complaint was a newspaper article concerning the incident.

FINDINGS OF FACT

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

1. The Respondent is a Surfside Beach Council Member.
2. Wells Fargo Bank Branch Manager, Ms. Rebekah Blanton advised that the Respondent did attempt to cash a personal check at the bank. Ms. Blanton said that since

the Respondent did not have an account at the bank, he was required to provide a thumb print and two forms of identification. Ms. Blanton said that the Respondent did have his South Carolina driver's license in his possession but he had to exit the bank to obtain another form of identification. Ms. Blanton reported that the Respondent returned with a Town of Surfside Beach identification card.

3. Ms. Blanton said that she was concerned about the authenticity of the check the Respondent uttered because there was different hand writing on the check, and a review of the account holder's signature card revealed a difference in the signatures. Ms. Blanton advised the Respondent that she would not cash the check. Ms. Blanton reported that the Respondent was upset when she would not cash the check and due to the Respondent's conduct, she did call the Surfside Beach Police Department.

4. Ms. Blanton stated that the Respondent did not mention that he was Member of Town Council until she called the Police Department. Ms. Blanton advised that the Respondent did not ask her or demand that she cash the check because he was a Surfside Beach Town Council Member. Ms. Blanton stated that the check was not cashed.

5. The Respondent advised that he went to the bank to cash a check a customer wrote him for services related to his Satellite Television Business. The Respondent said he did become upset when Ms. Blanton would not cash the check. He stated that Ms. Blanton inferred that he was attempting to pass a bad check. The Respondent advised that he did not use his official office to influence Ms. Blanton to cash the check.

6. A review of the Surfside Beach incident report # 12008897 revealed that Ms. Blanton did not advise the responding Officer, that the Respondent wanted his check cashed, because he was a Member of Surfside Beach Town Council. On December 12, 2012 it was determined through contact with a Human Relations official at Fairfield County Hospital that that the Respondent left his position as Chief Procurement Officer

on April 10, 2011.

CONCLUSIONS OF LAW

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

1. The Respondent is a public official as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) provides that no public official may knowingly use his official position to obtain an economic interest for himself.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Randle Stevens, violated Section 8-13-700(A) as he did not use his position on Surfside Beach Town Council to cash a check. 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 February, 2013.
STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA