

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

RECEIVED

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STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2021-023

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210

RESPONDENT: Shaterica L. Neal
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: (803) 253-4192

TITLE: Council – City of Gray Court

Section 8-13-1140, SC Code Ann., 1976, as amended, requires the filing of an updated Statement of Economic Interests for the previous calendar year annually thereafter prior to March 30. Records in the State Ethics Commission indicate that the Respondent was required to file the 2020 Statement of Economic Interests.

Section 8-13-1120, SC Code Ann., 1976, as amended, requires disclosure of the source, type, and amount of income from a governmental entity and a listing of the private source and type of any income received by the filer or a member of the filer's immediate family during the reporting period.

Section 8-13-1308 (F) of the South Carolina Code of laws, 1976, as amended, requires candidates to detail campaign contributions and expenditures on certified campaign reports to include the total of contributions and the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate, and the name and address of each person to whom an expenditure is made from campaign funds, including the date, amount, purpose, and beneficiary of the expenditure.

Respondent was reminded of the filing requirements by letters dated May 22, 2020 and October 21, 2020 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, no properly completed 2020 Statement of Economic Interests or amended Campaign Disclosure have been received. All in violation of Section 8-13-1120, Section 8-13-1140, and Section 8-13-1308 (F), SC Code Ann., 1976, as amended.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this
1st day of April, 2021

[REDACTED]
Meghan L. Walker, Executive Director

Notary Public for South Carolina
My Commission expires August 11, 2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2021-023)
Shaterica L. Neal)
Respondent.)
State Ethics Commission)
Complainant.)

BEFORE THE STATE ETHICS COMMISSION

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, June 16, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2020 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2019 Initial/Pre-Election Campaign Disclosure Report (CDR), in violation of Section

8-13-1308(D)(1).

COUNT THREE
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a January 10, 2019 CDR, in violation of Section 8-13-1308.

COUNT FOUR
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a July 10, 2019 CDR, in violation of Section 8-13-1308.

COUNT FIVE
FAILURE TO MAKE CAMPAIGN EXPENDITURES FROM CAMPAIGN ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, make five campaign expenditures in the amount of \$365.29 from a personal account, in violation of Section 8-13-1312.

COUNT SIX
WITHDRAWAL OF MORE THAN ONE-HUNDRED DOLLARS IN CASH FROM
CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, withdraw \$200.00 in cash on February 15, 2019 from her campaign account, in violation of Section 8-13-1348(E).

COUNT SEVEN
WITHDRAWAL OF MORE THAN ONE-HUNDRED DOLLARS IN CASH FROM
CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County,

withdraw \$115.00 in cash on March 1, 2019 from her campaign account, in violation of Section 8-13-1348(E).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 23rd day,
of March 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Shaterica L. Neal, 172 Pleasantview Drive, Gray Court, SC 29645 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 11th day of April 2022, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2021-023)	
)	
Shaterica L. Neal)	AEMNDED NOTICE OF HEARING
Respondent.)	
)	
State Ethics Commission)	
Complainant.)	
)	

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, August 18, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2020 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2019 Initial/Pre-Election Campaign Disclosure Report (CDR), in violation of Section

8-13-1308(D)(1).

COUNT THREE
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a January 10, 2019 CDR, in violation of Section 8-13-1308.

COUNT FOUR
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a July 10, 2019 CDR, in violation of Section 8-13-1308.

COUNT FIVE
FAILURE TO MAKE CAMPAIGN EXPENDITURES FROM CAMPAIGN ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, make five campaign expenditures in the amount of \$365.29 from a personal account, in violation of Section 8-13-1312.

COUNT SIX
WITHDRAWAL OF MORE THAN ONE-HUNDRED DOLLARS IN CASH FROM
CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, withdraw \$200.00 in cash on February 15, 2019 from her campaign account, in violation of Section 8-13-1348(E).

COUNT SEVEN
WITHDRAWAL OF MORE THAN ONE-HUNDRED DOLLARS IN CASH FROM
CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County,

withdraw \$115.00 in cash on March 1, 2019 from her campaign account, in violation of Section 8-13-1348(E).

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.

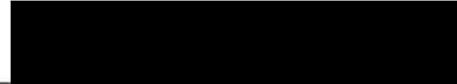


Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 25th day,
of May 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on the RESPONDENT Shaterica L. Neal, 1340 N. Brickyard, Apt. 8134, Columbia, SC 29223 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 10th day of June 2022, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2021-023)
State Ethics Commission,)
Complainant,)
Shaterica L. Neal,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

This matter comes before the State Ethics Commission (Commission) by way of a complaint filed on April 1, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the Commission reviewed the above-captioned complaint against Shaterica L. Neal (Respondent) and probable cause was found to warrant an evidentiary hearing. Present at the hearing on August 18, 2022, were Commissioners Brandolyn Thomas Pinkston, Matthew N. Tyler, and AJ Holloway, Hearing Chair. Respondent appeared *pro se* and Complainant was represented by Courtney M. Laster. The following charges were considered:

COUNT ONE
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2020 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(D)(1), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a 2019 Initial/Pre-Election Campaign Disclosure Report (CDR), in violation of Section

8-13-1308(D)(1).¹

COUNT THREE
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a January 10, 2019² CDR, in violation of Section 8-13-1308.

COUNT FOUR
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, fail to file a July 10, 2019 CDR, in violation of Section 8-13-1308.

COUNT FIVE
FAILURE TO MAKE CAMPAIGN EXPENDITURES FROM CAMPAIGN ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, make five campaign expenditures in the amount of \$365.29 from a personal account, in violation of Section 8-13-1312.

COUNT SIX
WITHDRAWAL OF MORE THAN \$100 IN CASH FROM CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, withdraw \$200.00 in cash on February 15, 2019 from her campaign account, in violation of Section 8-13-1348(E).

¹ At the outset of the hearing, Commission staff clarified that Count Two was limited to Respondent's failure to file a 2019 Initial CDR.

² At the outset of the hearing, Commission staff moved to amend Count Three to reflect a CDR date of April 10, 2019 rather than January 10, 2019. The Hearing Panel granted this motion.

COUNT SEVEN
WITHDRAWAL OF MORE THAN \$100 IN CASH FROM CAMPAIGN ACCOUNT
SECTION 8-13-1348(E), S.C. CODE ANN., 1976, AS AMENDED

That Shaterica L. Neal, candidate for Gray Court City Council, did in Richland County, withdraw \$115.00 in cash on March 1, 2019 from her campaign account, in violation of Section 8-13-1348(E).

STATEMENTS OF FACT

1. Respondent was elected to Gray Court City Council on March 5, 2019 and resigned in March 2021.
2. On October 4, 2019, Respondent filed a 2019 Statement of Economic Interests (SEI) and a Pre-Election CDR disclosing no contributions or expenditures.³
3. In February 2020, Commission staff received printouts of Respondent's social media accounts related to her campaign. According to these postings, Respondent received and spent money during her campaign.
4. In a May 22, 2020 first-class letter, the Commission advised Respondent that she was required to disclose all campaign-related contributions and expenditures to the Commission. Respondent was further advised that failure to disclose relevant contributions and expenditures could lead to the filing of a Complaint.
5. On October 21, 2020, the Commission re-mailed the May 22, 2020 letter via certified mail. In an additional certified letter dated the same day, the Commission notified Respondent of her failure to timely file a 2020 SEI.

³ Pursuant to Section 8-13-1110 and Section 8-13-1308 of the Ethics Act, these reports were not timely filed. Through the Commission's non-compliance process, Respondent was assessed a \$100.00 late-filing penalty for each late-filed report. The 2019 Pre-Election CDR and the 2019 SEI are not a part of the current Complaint.

6. According to the United States Postal Services, these letters were delivered to Respondent's address of record on October 24, 2020 at 11:32 a.m.
7. On November 4, 2020, late-filing penalties began to accrue at \$10.00 per day with regard to the 2020 SEI.
8. On November 14, 2020, late-filing penalties began to accrue at \$100.00 per day with regard to the 2020 SEI.
9. Receiving no response to the October 21, 2020 letters, the Complaint was filed on April 1, 2021.
10. On May 4, 2021, Respondent filed her 2020 SEI. At the time of filing, Respondent had accrued the maximum late-filing penalty of \$5,000.00 with regard to the 2020 SEI.
11. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed. A review of these records revealed the following:
 - a. Respondent's campaign bank account was opened on January 14, 2019 and closed on May 29, 2019.
 - b. Respondent raised or spent an accumulated aggregate of \$500 on her campaign as of January 28, 2019.
 - c. Respondent used a non-campaign bank account for the following purchases: (1) \$96.83 on January 25, 2019 to Walmart; (2) \$85.66 on January 26, 2019 to Publix; (3) \$7.80 on February 2, 2019 to PayPal; (4) \$100.00 on February 25, 2019 to Tiliring Designs; and (5) \$75.00 on March 13, 2019 to Randy B Made It.
 - d. Respondent made the following cash withdrawals from her campaign account: (1) \$200.00 on February 15, 2019; and (2) \$115.00 on March 1, 2019.
12. Respondent appeared at the hearing and testified that her 2019 election was her first time

running for public office. Respondent stated she was unfamiliar with the filing rules at the time and expressed a willingness to work with Commission staff if necessary.

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Panel concludes, as a matter of law:

1. At all times relevant, Respondent was a “candidate” pursuant to Section 8-13-1300(4) and a “public official” pursuant to Section 8-13-100(27) and Section 8-13-1300(28). Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1140 provides, in relevant part:

A person required to file a [SEI] under this chapter annually shall file, pursuant to Section 8-13-365, an updated statement for the previous calendar year, no later than noon on March thirtieth of each calendar year . . .

3. Section 8-13-1308 provides, in relevant part:

(A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate . . . must file an initial certified campaign report within ten days of these initial receipts or expenditures.

(B) Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign bank account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

4. Section 8-13-1312 provides, in relevant part:

. . . expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a duly authorized officer of a committee.

5. Section 8-13-1348(E) provides, in relevant part:

A candidate or fully authorized officer of a committee may not withdraw more than one hundred dollars from the campaign account to establish or replenish a petty cash fund for the candidate or committee at any time, and at no time may the fund exceed one hundred

dollars.

6. Section 8-13-1510(A) provides:

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 the statement or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

7. Section 8-13-130 of the Ethics Act allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

8. Section 8-13-320(10) of the Ethics Act allows the Commission to assess a civil penalty up to \$2,000.00 for each violation of the Ethics Act.

DECISION

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel has determined, based on a preponderance of evidence, that Respondent Shaterica L. Neal is in violation of the following: one (1) count of Section 8-13-1140 for failing to timely file a 2020 SEI on or before March 30, 2020; one (1) count of Section 8-13-1308 for failing to timely file a 2019 Initial CDR by February 7, 2019, which was ten (10) days after she received or spent an accumulated aggregate of \$500.00 toward her campaign; two (2) counts of Section 8-13-1308 for failing to timely file a April 10, 2019 CD and a July 10, 2019 CDR, which were required because Respondent did not close her campaign bank account until May 29, 2019; one (1) count of Section 8-13-1312 for making five (5) campaign expenditures totaling \$365.29 from a non-campaign bank account; and two (2) counts of 8-13-1348(E) for withdrawing more than \$100.00 in cash from her campaign bank account.

THEREFORE, Respondent is hereby Publicly Reprimanded and assessed a reduced late-filing penalty of \$4,300.00,⁴ a reduced civil penalty of \$3,000.00 (\$2,000.00 for Count Five and \$500.00 each for Counts Six and Seven), and an administrative fee of \$700.00, for a total of \$8,000.00.

AND, pursuant to Section 8-13-320 of the Ethics Act, if the \$8,000.00 is not paid to the Commission within one hundred and eighty (180) days from Respondent's receipt of this Order, a judgment in the amount of \$12,000.00 (the maximum possible penalty that may be assessed) shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Clerk of Court in the County of Respondent's last known residence, the Clerk of Court shall enter this Order in the amount of \$12,000.00 in its Judgment Rolls, without cost to the Commission.

FINALLY, Respondent Shaterica L. Neal has ten (10) days from receipt of this Order to appeal this Decision and Order to the full Commission.

AND IT IS SO ORDERED THIS 26th DAY OF August 2022.

STATE ETHICS COMMISSION


AJ HOLLOWAY, HEARING CHAIR

Columbia, South Carolina

⁴ The late-filing penalties related to Respondent's failure to file an Initial CDR, an April 10, 2019 CDR, and a July 10, 2019 CDR are limited to \$100.00 for each CDR pursuant to Section 8-13-1510(A) because Respondent did not receive certified notice of her failure to file these CDRs. The late-filing penalty for the 2020 SEI is \$4,000.00.

State Ethics Commission
201 Executive Center Drive, Suite 150
Columbia, S.C. 29210

RE: APPEAL AGAINST DECISION AND ORDER FOR COMPLAINT C2021-023

Dear State Ethics Commission:

I am writing to appeal the decision to pay a reduced late-filing penalty of \$4,300.00, a reduced civil penalty of \$3,000.00 (\$2,000.00 for Count Five and \$500.00 each for Counts Six and Seven), and an administrative fee of \$700.00 for a total of \$8,000.00

As shared in the hearing, in 2019 as a passionate, young member of my community of my community, I answered the call to run for town council. Though I had no access to institutional knowledge and no experience as a campaign operative, I did have a vision and solutions to address generational issues that my small beloved town had been plagued with for at least the past 29 years (food desert, inadequate water system, an unfinished park, zero development or revitalization to our predominately low-income town).

Unfortunately, I now realize that my lack of institutional knowledge of the and no experiences as a campaign operative (specifically campaign manager and finance director) resulted in me unintentionally handling campaign reporting and finance matters in ways that were not in compliance with campaign finance laws. Specifically, I didn't file spending on time and I took cash out of the account to pay vendors for campaign activities (counts six and seven). I have enclosed the application and receipts for the two transactions as proof of activity and payment.

In addition, in 2020 I experienced the loss of my grandmother and two miscarriages. These unfortunate happenings took a toll on me mentally and emotionally. I was not ok and had to make the hard decision to resign from office in early 2021 to allow myself to grieve. After resigning, I experienced two additional miscarriages which took me further into a dark place mentally and emotionally causing me to not show up and handle this matter in the most timely and responsible way.

Lastly, I was born into generational poverty. Like many of my former constituents in the Town of Gray Court. With that being said, I have experienced a life of financial hardship. Within this last year, I have gotten to a point where I am financially stable and have about \$1,500 in my savings account. The most that I have been able to save in my 32 years of life. With that being said, I do not have \$8,000. I cannot afford to pay these penalties. This will cause me to go backwards and experience financial hardship. Also, it cost \$0 to file and \$8000 is more that the annual pay that I accrued while serving in office.

I am asking for understanding, grace, and another chance to properly submit all filings and reports instead of being burdened with a debt that I am simply not in the position to pay.

Respectfully,

[Redacted Signature]

Shatenca New

LOGGED



**APPLICATION AND AGREEMENT
FOR USE OF SCHOOL PROPERTY**
Laurens County School District 55

Name of Applicant Shaterita Neal
 Organization Requesting Facility Individual
 Address 172 Pleasant view Dr. City/State/Zip Gray Court, SC 29645
 Phone 864-568-6211 Date of Application 2/20/19
 Type of Activity Community Meeting Purpose of Activity Community Meeting
 Are members of the group residents of Laurens County School District 55? Yes No
 Expected Number of People to Attend 50 Will Meeting Be Open to the Public? Yes No
 Will Entertainment Be Included? Yes No Will Admission Be Charged? Yes No
 Is this a Fundraising Event? Yes No
 Receipts from admission to event are to be used for the following purpose: _____

DATE OF ACTIVITY

DATE	TIME
<u>3/2/2019</u>	Between the hours of <u>3:00pm</u> and <u>5:00pm</u>

SCHOOL AND FACILITY REQUESTING

Gray Court Owings School Gym
 (School) (Specific Space)

EQUIPMENT REQUEST (if available) Individual schools may provide specific guidelines pertaining to equipment requests.
 Piano Podium Sound System Other Tables (4)

FOOD SERVICE REQUEST – Check appropriate box. See Rules and Regulations pertaining to Food Service Area on page 2.

- Food will not be served during the activity
- Food will be served (kitchen and contents not needed – food service worker not required)
- Food will be served (kitchen and contents needed – food service worker required)
- Food will be catered (kitchen and contents needed – food service worker required)
- Food will be catered (kitchen and contents not needed – food service worker not required)

Other _____ Name of Caterer (if used) _____ Caterer's Phone _____
When any part of the food service area is requested, the school must send a copy of the application to the school district food service supervisor.


APPROVAL

____ Approved ____ Not approved. _____ Date _____
 Principal's Signature

(If use of facilities is for profit, principal will respond above and send form to superintendent for consideration.)

____ Approved ____ Not approved. _____ Date _____
 Superintendent's Signature

STATE ETHICS COMMISSION
RECEIVED SEP12'22 PM2:39:5

	<p>Janice Belton Byrd</p> <p>Jays Meals 2 Go Cell/ 803-605-0987 Bus/ 803-529-1540 2114 Kirkland St. West Columbia, SC 29169 jaysmeals2go@gmail.com</p>	<p>INVOICE #0006 DATE: Feb 15, 2019 DUE: Paid Receipt</p>
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<i>BILL TO</i> Friends of Shaterica Neal			
DESCRIPTION	RATE	QTY	AMOUNT
Drop-Off Service Catering for political campaign event on February 16, 2019	\$200.00	1	\$200.00
Menu details: entrees, sides, drinks, silverware, plates, cups, napkins			
	TOTAL PAID VIA CASH		\$200.00
	BALANCE DUE		USD \$0.00

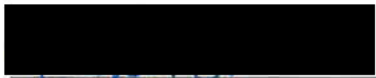
STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2021-023)
Shaterica L. Neal,)
APPELLANT.)
State Ethics Commission,)
APPELLATE.)

BEFORE THE STATE ETHICS COMMISSION

NOTICE OF APPELLATE HEARING

Shaterica L. Neal served a Motion for an Appeal on the State Ethics Commission on September 12, 2022. The State Ethics Commission will, therefore, convene a formal appellate hearing into the matter, in accordance with State Ethics Commission Regulations, 52 S.C. Code Ann. Regs. 802 (2013 Cum. Supp.) on January 19, 2023 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive Suite 150, Columbia, South Carolina 29210.

Pursuant to 52 S.C. Code Ann. Regs. 803, the Appellant shall file any additional briefs within ten (10) days of the date of service of this notice. In the event the Appellant fails to appear, he will have waived his hearing and judgment will stand.



Meghan L. Walker
Executive Director

Dated this 20th day,
of September 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF APPELLATE HEARING** was duly served on the Respondent, Shaterica L. Neal, Esq., 811 Mallet Hill Road, Apt. 1807, Columbia, SC 29223 by depositing said **NOTICE OF APPELLATE HEARING** in the United States mail, Columbia, South Carolina on this 22nd day of September 2022, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2021-023)
Shaterica L. Neal,)
Appellant.)
State Ethics Commission,)
Respondent.)

BEFORE THE STATE ETHICS COMMISSION

APPEAL ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Request for an Appeal filed by Shaterica L. Neal (Appellant) to appeal the Decision and Order (Decision) of the Commission Hearing Panel (Hearing Panel) issued August 26, 2022. Present at the Appeal Hearing held on March 16, 2023, were Commissioners Neal D. Truslow, F. Xavier Starkes, Bryant S. Caldwell, Mary Hunter B. Tomlinson, and Scott E. Frick, Appellate Panel Chair.¹ Appellant appeared *pro se* and the Commission was represented by Courtney M. Laster, Esq.

FACTS

On August 18, 2021, pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (the Act), the Hearing Panel received testimony in the above-captioned complaint charging Appellant with the following: (1) failure to timely file a 2020 Statement of Economic Interests (SEI) in violation of Section 8-13-1140; (2) failure to timely file a 2019 Initial/Pre-Election Campaign Disclosure Report (CDR) in violation of Section 8-13-1308(D)(1); (3) failure to timely file an April 10, 2019 CDR in violation of Section 8-13-1308; (4) failure to timely file a July 10, 2019 CDR in violation of Section 8-13-1308; (5)

¹ Commissioner Caldwell appeared virtually. Pursuant to S.C. Code Regs. Ann. 52-805, Commissioners Brandolyn Thomas Pinkston, Matthew N. Tyler, and AJ Holloway did not participate because they served on the original Hearing Panel.

failure to use a campaign bank account to make five (5) campaign expenditures totaling \$365.29 in violation of Section 8-13-1312; (6) withdrawing \$200.00 in cash from a campaign bank account on February 15, 2019 in violation of Section 8-13-1348(E); and (7) withdrawing \$115.00 in cash from a campaign bank account on March 1, 2019 in violation of 8-13-1348(E). Ultimately, the Hearing Panel found Appellant in violation of all seven (7) counts and assessed a late-filing penalty of \$4,300.00, a civil penalty of \$3,000.00, and an administrative fee of \$700.00, for a total of \$8,000.00. The Hearing Panel ordered that this amount be paid to the Commission within one hundred and eighty (180) days. Appellant timely filed a request for an appeal.

The Appellant now asks the Appellate Panel for a reduction of the assessed penalties and fees. Appellant does not dispute liability and admits responsibility for her failure to comply with the requirements of the Act. Appellant only asks that the amount assessed be reduced given the size of her campaign and her current financial status.

DECISION

NOW, based on the information presented by the Appellant, the Appellate Panel affirms the Hearing Panel's Decision and Order as to liability and responsibility, but reduces the total penalty amount from \$8,000.00 to \$5,000.00, to be paid within thirty-six (36) months from the date of Appellant's receipt of this Order.

Pursuant to Section 8-13-320 of the Act, if the reduced amount of \$5,000.00 is not paid within the specified time period, a judgment in the original amount of \$8,000.00 shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Clerk of Court in Respondent's last known County of residence, the Clerk of Court shall enter this Order in the amount of \$8,000.00 in its Judgment Rolls, less any monies paid, without cost to the Commission.

FINALLY, in accordance with Section 8-13-320(10)(m), this review is the final disposition of this matter before the Commission.

AND IT IS SO ORDERED THIS 7th DAY OF April 2023.

STATE ETHICS COMMISSION


SCOTT E. FRICK, APPELLATE PANEL
CHAIR

Columbia, South Carolina