

RECEIVED

2022 MAY 12 AM 11:45

STATE ETHICS  
COMMISSION

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2022-053

COMPLAINANT: Caitlin Fisk

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE: N/A

RESPONDENT: Kathryn Littleton

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE: School Board Trustee

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

While reviewing Economic Interest Statements, it appears that current Berkeley County School Board Trustee, Kathryn Littleton, has not disclosed her economic interests for the year 2021, and is late in filing her economic interests for 2018. Also while reviewing her reports, it appears that she has failed to report her place of employment in her 2019 & 2020 disclosure reports. These issues give the appearance that Ms. Littleton may not fully understand her ethical duties as a public servant and is demonstrating a lack of understanding of full and correct disclosure, which could create a lack of good faith with the general public. Therefore, I request an investigation into these violations.

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.

STATE OF SOUTH CAROLINA

COUNTY OF Dorchester

Personally appeared before me Paige Reyes who, first being duly sworn, says that he/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 his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this 3rd day of May, 2022

[REDACTED]

Notary Public for South Carolina  
My Commission expires 01/03/2022

[REDACTED]

Complainant Signature



SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192

ELECTRONIC COPIES WILL NOT BE ACCEPTED

C102form

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2022-053 )  
Kathryn Littleton )  
Respondent. )  
Caitlin Fisk )  
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, December 15, 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 A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED**

That Kathryn Littleton, Berkeley County School Board Trustee, did in Richland County, fail to file a 2018 Pre-Election Campaign Disclosure report, in violation of Section 8-13-1308(A).

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

That Kathryn Littleton, Berkeley County School Board Trustee, did in Richland County, fail to timely file a 2019 Statement of Economic Interests, in violation of Section 8-13-1140.

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

That Kathryn Littleton, Berkeley County School Board Trustee, did in Richland County, fail to timely file a 2020 Statement of Economic Interests, in violation of Section 8-13-1140.

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

That Kathryn Littleton, Berkeley County School Board Trustee, did in Richland County, fail to timely file a 2021 Statement of Economic Interests, in violation of Section 8-13-1140.


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

That Kathryn Littleton, Berkeley County School Board Trustee, did in Richland County, fail to timely file a 2022 Statement of Economic Interests, in violation of Section 8-13-1140.

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.).

**[This space is intentionally left blank]**

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 25<sup>th</sup> day,  
of July 2022.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Kathryn Littleton, 160 Kingsbridge Drive, Goose Creek, SC 29445 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 26<sup>th</sup> day of February 2022, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Columbia, South Carolina

**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
 )  
IN THE MATTER OF: )  
COMPLAINT C2022-053 )  
 )  
Caitlin Fisk, )  
Complainant, )  
 )  
Kathryn Littleton, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on May 12, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Kathryn Littleton (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1308(A) for failing to timely file 2018 Pre-Election Campaign Disclosure Report (CDR) and four (4) counts of violating Section 8-13-1140 for failing to timely file 2019, 2020, 2021, and 2022 Statements of Economic Interests (SEI). Prior to the call of the case, Respondent agreed to the following:

**STATEMENTS OF FACT**

1. Respondent was a successful candidate in an unopposed November 6, 2018 election for the Berkeley County School District (District) Board of Trustees (Board).
2. Respondent did not file a Pre-Election CDR fifteen (15) days prior to the November 6, 2018 election. Respondent filed her 2018 Pre-Election CDR on May 26, 2022, after the filing of the Complaint. Respondent disclosed no contributions or expenditures in her Pre-Election CDR.
3. Respondent did not file a 2019 SEI on or before March 30, 2019. Respondent filed her 2019 SEI on May 26, 2022, after the filing of the Complaint.
4. Respondent did not file a 2020 SEI on or before March 30, 2020. Respondent filed her 2020

SEI on April 14, 2020, prior to the filing of the Complaint.

5. Respondent did not file a 2021 SEI on or before March 30, 2021. Respondent filed her 2021 SEI on May 3, 2021, prior to the filing of the Complaint.
6. Respondent did not file a 2022 SEI on or before March 30, 2022. Respondent filed her 2022 SEI on May 21, 2022, after the filing of the Complaint.

### CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission 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). 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(A) provides, in relevant part:

. . . a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.
4. Section 8-13-1510(A) provides, in relevant part:

. . . a person required to file a report or statement under this chapter who files a late 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 . . .
5. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

**DISCUSSION**

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1308(A) and four (4) counts of violating Section 8-13-1140. Through this Consent Order, Respondent admits she violated the Ethics Act by failing to timely file her 2018 Pre-Election CDR and her 2019, 2020, 2021, and 2022 SEIs. In mitigation, Respondent asserts she was under the mistaken belief that no CDR was required if a candidate was unopposed and did not raise or spend any money. As to the SEIs, Respondent acknowledges that she filed these reports late and states that there was no attempt to hide any information from the Commission. Respondent states that she came into compliance by filing the necessary reports as soon as she was notified and notes that she filed the 2020 SEI and the 2021 SEI prior to the filing of the Complaint.

**DISPOSITION**

1. The Commission finds Respondent in violation of one (1) count of Section 8-13-1308(A) and four (4) counts of Section 8-13-1140.
2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this written warning to Respondent and orders Respondent to pay the Commission, within ninety (90) days from receipt of this Order, a late-filing penalty of \$500.00 (\$100.00 per late report) and an administrative fee of \$200, for a total of \$700.

By executing this Consent Order, Respondent understands that she is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$700 in the event she does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent's last known County of

residence, who shall enter this Order in the amount of \$700 (less any money paid) in its Judgment  
Rolls, without cost to the Commission

AND IT IS SO ORDERED THIS 9<sup>th</sup> DAY OF September 2022.

STATE ETHICS COMMISSION

  
SCOTT FRICK, ACTING CHAIR

  
KATHRYN LITTLETON  
RESPONDENT