

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION
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FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022 - 123

COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Bridgette Frazier
ADDRESS: [REDACTED]
TELEPHONE NUMBER: (561) 452-3703
TITLE: Council Member – City of Bluffton

Section 8-13-1302 of the South Carolina Code Ann., requires that all candidates maintain a record of campaign contributions, expenditures, all receipted bills, canceled checks, or other proof of payment for each expenditure and the occupation of each person making a contribution for a period of four years. South Carolina Code of Regulations, Reg. 52-501.D requires that campaign records must be made available to the State Ethics Commission upon request. The Respondent failed to provide the occupation of ten contributors.

Section 8-13-1308, S.C. Code Ann., 1976, as amended, requires candidates to file Campaign Disclosures within ten (10) days of receiving or expending \$500; fifteen (15) days prior to each election; within ten (10) days of the end of each quarter; and a final report when the campaign account is closed. In addition, certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. Respondent failed to disclose the complete address of seven contributors and one expenditure.

Respondent was reminded of the filing requirements by letters dated April 22, 2021, June 1, 2021, and March 29, 2022 as described in the attached. All in violation of Section 8-13-1302 and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

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 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
6 day of October, 2022

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 01/22/26

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

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2022-123)	
)	
Bridgette Frazier)	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, October 19, 2023 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 MAINTAIN RECORDS
SECTION 8-13-1302, S.C. CODE ANN., 1976, AS AMENDED

That Bridgette Frazier, Bluffton Town Councilmember, did in Richland County, fail to provide address of seven (7) contributors upon request, in violation of Section 8-13-1302.


COUNT TWO
FAILURE TO REPORT CAMPAIGN DISCLOSURE REPORT DETAILS
SECTION 8-13-1308(F)(4), S.C. CODE ANN., 1976, AS AMENDED

That Bridgette Frazier, Bluffton Town Councilmember, did in Richland County, fail to report complete address of an expenditure on her 2019 Pre-Election Campaign Disclosure Report,

in violation of Section 8-13-1308(F)(4).

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 Walker Dayson, Executive Director
State Ethics Commission

Dated this 20th day,
of March 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT'S ATTORNEY Terry Finger, PO Box 24005, Hilton Head Island, SC 29925 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 20th day of March 2023, 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 C2022-123)
)
 State Ethics Commission,)
 Complainant,)
)
 Bridgette Frazier,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on October 6, 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 Bridgette Frazier (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following:

STATEMENTS OF FACT

1. At all times relevant, Respondent served on Bluffton Town Council. Respondent was most recently a successful candidate in a November 5, 2019 election.
2. In a 2019 Initial Campaign Disclosure Report (CDR), Respondent reported the following relevant contributions:

Date	Contributor	Address	Amount
09/30/2019	Kathleen Mardell	Baywood Circle Bluffton, SC 29910	\$10.00
09/22/2019	Christina Peth	Bluffton Bluffton, SC 29910	\$50.00

10/21/2019	Bryanta Maxwell	Columbia Columbia, SC 29905	\$30.00
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3. In a 2019 Quarter 3 CDR, Respondent reported the following relevant contributions and expenditures:

Date	Contributor	Address	Amount
10/16/2019	Marcia Darrell	Heritage Lakes Bluffton, SC 29910	\$10.00
10/21/2019	Justin Jarrett Mardell	New Riverside Bluffton, SC 29910	\$30.00
10/15/2019	Jenkin's Printing	Buck Island Rd Bluffton, SC 29910	\$80.00

4. In a Quarter 4 2019 CDR, Respondent reported the following relevant contributions:

Date	Contributor	Address	Amount
11/02/2019	Anaizat Negrón	Jacksonville Jacksonville, FL 32099	\$50.00
10/29/2019	Christine Devries	Bluffton Bluffton, SC 29910	\$100.00

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5. In an April 22, 2021 first-class letter mailed to P.O. Box 3737, Bluffton, SC,¹ the Commission notified Respondent of her failure to disclose the street numbers in the addresses of Kathleen Mardell, Christina Peth, Bryanta Maxwell, Marcia Darrell, Justin Jarrett Mardell, Jenkin’s Printing, Anaizat Negron, and Christine Devries.
6. On June 1, 2021, the letter was returned as “Not Deliverable as Addressed.” The letter was subsequently remailed to P.O. Box 2147, Bluffton, SC.² This letter was not returned.
7. On March 29, 2022, the letter was remailed to P.O. Box 3737, Bluffton, SC. This letter was not returned.
8. Receiving no response, the Complaint was filed on October 6, 2022.
9. Following the filing of the Complaint, a Commission Investigator contacted Respondent and advised Respondent of her failure to properly disclose the aforementioned addresses in her CDRs. Respondent, with the assistance of Commission staff, subsequently amended her CDRs to properly disclose the full addresses.

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 8-13-1302 provides:

¹ This address was listed in Respondent’s account profile within the Commission’s electronic filing system.

² Respondent listed this as her address when she filed her 2020 Statement of Economic Interests.

- (A) A candidate, committee, or ballot measure committee must maintain and preserve an account of: (1) the total amount of contributions accepted . . . ; (2) the name and address of each person making a contribution . . . ; (3) the total amount of expenditures made by or on behalf of the candidate . . . ; (4) the name and address of each person to whom an expenditure is made . . . ; (5) all receipted bills, canceled checks, or other proof of payment for each expenditure; and (6) the occupation of each person making a contribution.
 - (B) The candidate, committee, or ballot measure committee must maintain and preserve all receipted bills and accounts required by this article for four years.
3. Section 8-13-1308(F) requires public officials to report, in part:
- (2) the name and address of each person making a contribution of more than one hundred dollars and the amount and date of receipt of each contribution;
...
 - (4) 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.
4. Section 8-13-320(10)(l) allows the Commission to require a public official to pay a civil penalty of up to \$2,000 for each violation of the Ethics Act.
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 Notice of Hearing in this Complaint charged Respondent with one (1) count of violating Section 8-13-1302 for failing to maintain records of the complete addresses for the seven (7) contributors referenced in paragraph five (5), above, and one (1) count of violating 8-13-1308(F)(4) for failing to properly disclose the complete address for Jenkin’s Printing on her 2019 Pre-Election CDR. Through this Consent Order, Respondent acknowledges violating the Ethics Act by failing to maintain records of the seven (7) contributors’ full addresses and by failing to disclose the full address for Jenkin’s Printing. In mitigation, Respondent states that recently opened a small business and neglected to promptly respond to the Commission’s letters due to business challenges. Respondent

apologizes for her failure to timely respond to the Commission and for failing to provide and/or maintain the appropriate information. The Commission notes that this is Respondent's first Complaint with the Commission.

DISPOSITION

1. The Commission finds Respondent in violation of one (1) count of Section 8-13-1302 and one (1) count of 8-13-1308(F)(4).
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 a written warning and orders the Respondent to pay the Commission, within six (6) months from receipt of this Order, an administrative fee of \$350 and a reduced civil penalty of \$200 (\$100 for each violation), for a total of \$550.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$550 (less any money paid to the Commission) in the event she does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk shall enter this Order in the amount of \$550 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 24th DAY OF June 2023.

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR

[REDACTED]

BRIDGETTE FRAZIER
RESPONDENT

[REDACTED]

6/6/23

TERRY FINGER
RESPONDENT'S ATTORNEY