

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
RECEIVED DEC 6 '22 PM 3:01:57

FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2022-157

COMPLAINT FORM

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

RESPONDENT: Danny C. Williams  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Council Member – Town of Kershaw

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 2022 Statement of Economic Interests.

Respondent was reminded of the filing requirement by a certified letter dated April 7, 2022 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, a 2022 Statement of Economic Interests has not been received. All in violation of Section 8-13-1140, SC 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  
6th day of December 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

C102form

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND ) BEFORE THE STATE ETHICS COMMISSION  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2022-157 )  
 )  
 State Ethics Commission, ) **DECISION AND ORDER**  
 Complainant. )  
 )  
 Danny C. Williams, )  
 Respondent. )  
 \_\_\_\_\_ )

This matter came before the South Carolina Ethics Commission (Commission) by way of a Complaint filed on December 6, 2022. The Commission’s Executive Director reviewed the Complaint, determined it contained facts sufficient to warrant an investigation, and ordered an investigation. On March 16, 2023, the Commission reviewed the Complaint and investigative findings to determine whether probable cause existed to charge Danny C. Williams (Respondent) with violating the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act). For the reasons stated herein, the Commission finds probable cause exists, but waives further proceedings on the matter.

**STATEMENT OF FACTS**

1. Respondent was elected to the Kershaw Town Council in 2020.
2. Respondent did not file his 2022 SEI on or before March 30, 2022.
3. In an April 7, 2022 certified letter, the Commission notified Respondent of his failure to timely file a 2022 SEI. According to the United States Postal Service, the certified letter was delivered to Respondent’s address of record on April 11, 2022 at 9:03 a.m.
4. Receiving no response to its certified letter, the Commission filed a Complaint against Respondent on December 6, 2022.
5. Respondent received the Complaint on December 9, 2022 and filed his 2022 SEI the same day.

6. Respondent subsequently provided a written response acknowledging that he filed the 2022 SEI late. Respondent further stated that he had very limited experience with technology and that he had limited access to computers. Respondent stated that he had solicited assistance with filing his 2022 SEI from Town Hall personnel in January 2022. In support of this assertion, Respondent submitted the affidavits of the Town Mayor and Town Administrator, who confirmed that they attempted to assist Respondent with filing his 2022 SEI in January 2022. Both individuals further stated that they believed Respondent had successfully filed his 2022 SEI until the Complaint was filed.

### **LAW**

Pursuant to Section 8-13-320, the Commission is empowered to receive complaints and conduct investigations related to violations of the Ethics Act. Following the receipt of a Complaint and completion of a corresponding investigation, the Commission must determine whether there is probable cause to believe a violation of the Ethics Act occurred. Section 8-13-320(10)(i). If the Commission determines probable cause exists, it may order a hearing on the merits or, if the Respondent has taken action to remedy or correct the alleged violation, it may waive further proceedings. Section 8-13-320(10)(i). The decision to waive further proceedings lies within the sound discretion of the Commission. Section 8-13-1140 requires public officials to file a SEI on or before March 30 of each year.

### **DECISION**

Based on evidence presented, the Commission hereby determines there is probable cause to believe that Respondent violated Section 8-13-1140 of the Ethics Act when he failed to timely file his 2022 SEI. However, Respondent has provided mitigating evidence to the Commission showing that he attempted to timely file his 2022 SEI with the assistance of Town personnel.

Therefore, based on the totality of the circumstances, the Commission hereby waives further proceedings pursuant to Section 8-13-320(10)(i) of the Ethics Act.

THEREFORE, pursuant to Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the Commission hereby waives further proceedings.

AND IT IS SO ORDERED THIS 14<sup>th</sup> DAY OF April, 2023.

SOUTH CAROLINA ETHICS COMMISSION

A large black rectangular redaction box covers the signature of the chair.

SCOTT E. FRICK, CHAIR

Columbia, South Carolina