

RECEIVED

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

JUL 09 2021

STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

c 2021-055

COMPLAINANT: Arthur Caswell

RESPONDENT: Abdul T. Humes

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE: Georgetown County Citizen

TITLE: Georgetown City Council Candidate

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).

Abdul T. Humes was a candidate in the June 8, 2021 City of Georgetown City Council Democratic Primary Election.

According the S.C. Ethics Commission Public Reporting webpage, Humes failed to file any campaign disclosure reports for the election, including the required pre-election report.

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~~ Georgetown

Personally appeared before me Arthur Caswell 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 8th day of July, 2021

[REDACTED SIGNATURE]

Complainant Signature

Notary Public for South Carolina
My Commission expires 12-06-2023

Lynn B. Carmon
Notary Public, State of South Carolina
My Commission Expires December 6, 2023

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

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STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2021-055)	
)	
Arthur Caswell)	NOTICE OF HEARING
Complainant.)	
)	
Abdul T. Humes)	
Respondent.)	
_____)	

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, 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, February 15, 2024 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 Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a 2018 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

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

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a 2019 SEI, in violation of Section 8-13-1140.

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

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file an Initial/Pre-Election Campaign Disclosure Report (CDR) for a June 8, 2021 election, in violation of Section 8-13-1308(A).

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

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a July 10, 2021 CDR, in violation of Section 8-13-1308(B).

COUNT FIVE
FAILURE TO USE A CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to use a campaign bank account to make campaign expenditures for the following: \$211.20 to Georgetown Elections and Voter Registration for his election filing fee, \$325.00 to M.I.A. Graphix for graphic card design, \$351.00 to Velvetex, Inc. for campaign cards, and \$1,000.00 expenditure to Leo Burgess, in violation of Section 8-13-1312.

COUNT SIX
FAILURE TO DEPOSIT A CONTRIBUTION INTO A CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to deposit campaign contributions from Charles T. Smith, United Steel Workers, Abdul T. Humes, Ronnie Sabb, and Chicora Capital Ltd. Co. into a campaign bank account, in violation of Section 8-13-1312.

COUNT SEVEN
FAILURE TO DISCLOSE A CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to disclose a campaign contribution from Chicora Capital Ltd. Co. in the amount of \$250.00 on his Quarter 3/Pre-Election CDR, in violation of Section 8-13-1308(F).

COUNT EIGHT
FAILURE TO DISCLOSE AN IN-KIND CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to disclose an in-kind campaign contribution from Donald Gilliard for consulting services, in violation of Section 8-13-1308(F).

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 22nd day,
of May 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Abdul T. Humes, 604 Henry Street, Georgetown, SC 29440 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 5th day of June 2023, 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
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IN THE MATTER OF:)	
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Complaint C2021-055)	
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Arthur Caswell)	AMENDED
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Abdul T. Humes)	
Respondent.)	
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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, 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, April 18, 2024 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 Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a 2018 Statement of Economic Interests (SEI), in violation of Section 8-13-1140.

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

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a 2019 SEI, in violation of Section 8-13-1140.

COUNT THREE

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

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file an Initial/Pre-Election Campaign Disclosure Report (CDR) for a June 8, 2021 election, in violation of Section 8-13-1308(A).

COUNT FOUR

**FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED**

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to file a July 10, 2021 CDR, in violation of Section 8-13-1308(B).

COUNT FIVE

**FAILURE TO USE A CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to use a campaign bank account to make campaign expenditures for the following: \$211.20 to Georgetown Elections and Voter Registration for his election filing fee, \$325.00 to M.I.A. Graphix for graphic card design, \$351.00 to Velvetex, Inc. for campaign cards, and \$1,000.00 expenditure to Leo Burgess, in violation of Section 8-13-1312.

COUNT SIX

**FAILURE TO DEPOSIT A CONTRIBUTION INTO A CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED**

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to deposit campaign contributions from Charles T. Smith, United Steel Workers, Abdul T. Humes, Ronnie Sabb, and Chicora Capital Ltd. Co. into a campaign bank account, in violation of Section 8-13-1312.

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FAILURE TO DISCLOSE A CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to disclose a campaign contribution from Chicora Capital Ltd. Co. in the amount of \$250.00 on his Quarter 3/Pre-Election CDR, in violation of Section 8-13-1308(F).

COUNT EIGHT
FAILURE TO DISCLOSE AN IN-KIND CAMPAIGN CONTRIBUTION
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Abdul T. Humes, candidate for Georgetown City Council, did in Richland County, fail to disclose an in-kind campaign contribution from Donald Gilliard for consulting services, in violation of Section 8-13-1308(F).

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 Walker Dayson, Executive Director
State Ethics Commission

Dated this 15th day,
of February 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on the RESPONDENT Abdul T. Humes, 604 Henry Street, Georgetown, SC 29440 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 21st day of February 2024, 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

DocuSign
Envelope ID: 6BD8E514-92DB-40B4-9D78-FD0D92395293

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2021-055)
)
 Arthur Caswell,)
 Complainant,)
)
 Abdul T. Humes,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on July 9, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Abdul T. Humes (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 was a Georgetown County Council Member.
2. Respondent failed to file a Statements of Economic Interests (SEI) on or before March 30th in 2018 and 2019.
3. In a July 9, 2021 certified letter, the Commission notified Respondent of his failure to timely file his 2018 and 2019 SEIs.
4. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on July 15, 2021 at 10:50 a.m.
5. On July 25, 2021, late-filing penalties began to accrue at \$20.00 per day (\$10.00 per SEI).
6. On August 4, 2021, late-filing penalties began accruing at \$200.00 per day (\$100.00 per SEI).
7. Respondent was a successful candidate in a June 8, 2021 primary election.
8. Respondent failed to file a Pre-Election Campaign Disclosure Report (CDR) prior to his June

- 8, 2021 primary election. However, Respondent had a “Saved, Not Filed” Initial CDR in the Commission’s filing system.
9. Respondent was subsequently an unsuccessful candidate in a November 2, 2021 general election.
10. Respondent timely filed his 2021 General Pre-Election CDR.
11. During the investigation into the Complaint, Commission Investigators discovered Respondent failed to process the following contributions and expenditures through a campaign bank account: (1) a March 30, 2021 expenditure to the City of Georgetown for \$211.20; (2) a May 8, 2021 expenditure to M.I.A. Graphix for \$325.00; (3) a May 28, 2021 expenditure to Velvetex, Inc. for \$351.00; (4) an October 22, 2021 expenditure to Leo Burgess for \$1,000.00; (5) a March 30, 2021 contribution from Abdul Humes for \$211.20; (6) a May 31, 2021 contribution from Charles T. Smith for \$100.00; (7) a May 23, 2023 contribution from United Steel Workers for \$500.00; (8) a September 3, 2021 contribution from Chicora Capital Ltd. Co. for \$250.00; and (9) an October 14, 2021 contribution from Ronnie Sabb for \$1,000.00.
12. On April 17, 2024, Respondent filed his 2018 SEI, 2019 SEI, 2021 Primary Pre-Election CDR, and Quarter 2, 2021 CDR.

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 “public official” pursuant to Section 8-13-100(27) and a “candidate” pursuant to Section 8-13-1300(4). 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 ... an updated statement

for the previous calendar year, no later than noon on March 30 . . .

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. However, 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.

(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 account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

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

. . . All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt. All contributions received by an agent of a candidate or committee within must be forwarded to the candidate or committee not later than five days after receipt . . .

5. 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 . . .

6. Section 8-13-320(10)(l) allows the Commission to require the payment of up to \$2,000.00 for each violation of the Ethics Act.

7. 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 two (2) counts of violating Section 8-13-1140 for failing 2018 and 2019 SEIs; one (1) count of violating Section 8-

13-1308(A) for failing to file an Initial/Pre-Election CDR for the June 8, 2021 primary election; one (1) count of violating Section 8-13-1308(B) for failing to file a Quarter 2, 2021 CDR; and two (2) counts of failing to use a campaign bank account to process campaign contributions and expenditures.¹ Through this Consent Order, Respondent admits he violated the Ethics Act in each of these instances. In mitigation, Respondent states that although he had previously run for City Council in a 2017 election, the 2021 election was the first campaign where he handled the campaign filings on his own. Respondent believed he had timely filed his 2021 Initial/Primary Pre-Election CDR, but now realizes that he saved the CDR rather than filing it. The Commission acknowledges that Respondent had a “Saved, Not Filed” CDR in its electronic filing system at the time the Complaint was filed. Respondent further states he had no intent to deceive the Commission or the public through his actions.

DISPOSITION

1. The Commission hereby finds Respondent in violation as stated herein.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues a Public Reprimand and orders the Respondent to pay the Commission, within one (1) year from receipt of this Order, a late-filing penalty of \$1,200.00 (\$500.00 for each SEI and \$100.00 for each CDR)² for Respondent’s failure

¹ The Commission also found probable cause to believe Respondent failed to disclose two (2) campaign contributions in violation of Section 8-13-1308(F). Given that Respondent has since disclosed these campaign contributions, the Commission declines to proceed on these (2) counts.

² Respondent did not accrue any additional late-filing penalties with regard to the 2021 Initial/Primary Pre-Election or the Quarter 2, 2021 CDR because he did not receive notice via certified mail from the Commission regarding these failures to file.

to timely file the aforementioned reports; a reduced civil penalty of \$100.00 for Respondent's failure to use a campaign bank account, and an administrative fee of \$600.00, for a total of \$1,900.00. The Commission declines to assess the remaining accrued late-filing penalties with regard to the 2018 and 2019 SEIs.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$1,900.00 (less any money paid to the Commission) in the event he 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 of Court shall enter this Order in the amount of \$1,900.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 17th DAY OF May 2024.

STATE ETHICS COMMISSION


SCOTT E. FRICK, CHAIR


ABDUL T. HUMES
RESPONDENT