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STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

2021 OCT 21 AM 9:59

STATE ETHICS  
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2021-097

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

RESPONDENT: Nikita L. Jackson  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Council – City of Rock Hill

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. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, and October 10, 2021. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline.

Respondent was reminded of the filing requirement by a certified letter dated July 16, 2021 as described in the attached. To date, no properly completed July 10, 2018, October 10, 2018, January 10, 2019, April 10, 2019, July 10, 2019, October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, or October 10, 2021 Campaign Disclosure has been received. All in violation of Section 8-13-1308(B) and Section 8-13-1308 (F), S.C. 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 21st day of October, 2021

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 8-11-2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192  
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STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2021-097 )  
State Ethics Commission )  
Complainant. )  
Nikita L. Jackson )  
Respondent. )

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, 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 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 A CAMPAIGN DISCLOSURE REPORT**  
**SECTION 8-13-1308, S.C. CODE ANN., 1976, AS AMENDED**

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, fail to file a 2018 Quarter 2 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308.

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

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County,

fail to file a 2018 Quarter 3 CDR, in violation of Section 8-13-1308.

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

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, fail to file a 2018 Quarter 4 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 Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, fail to file a 2019 Quarter 1 CDR, in violation of Section 8-13-1308.

**COUNT FIVE**  
**EXCESSIVE CASH WITHDRAWAL**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, withdrawal \$350.00 in cash on November 1, 2017 from her campaign bank account, in violation of Section 8-13-1348.

**COUNT SIX**  
**EXCESSIVE CASH WITHDRAWAL**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, withdrawal \$237.00 in cash on March 30, 2018 from her campaign bank account, in violation of Section 8-13-1348.

**COUNT SEVEN**  
**EXCESSIVE CASH WITHDRAWAL**  
**SECTION 8-13-1348, S.C. CODE ANN., 1976, AS AMENDED**

That Nikita L. Jackson, former Rock Hill City Councilmember, did in Richland County, withdrawal \$200.00 in cash on April 6, 2018 from her campaign bank account, in violation of

Section 8-13-1348.

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.

Dated this 16<sup>th</sup> day,  
of November 2023.

  
Meghan Walker Dayson, Executive Director  
State Ethics Commission

**Certificate of Service by Certified Mail**

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Nikita L. Jackson, 454 Lige Street, Rock Hill, SC 29730 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2<sup>nd</sup> day of November 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**  
State Ethics Commission (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2021-097 )  
 )  
 State Ethics Commission, )  
 Complainant, )  
 )  
 Nikita L. Jackson, )  
 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 21, 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 Nikita L. Jackson (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. Respondent served as a Rock Hill City Council Member from 2018 until 2022. Respondent was elected in an October 17, 2017 general election.
2. Prior to the filing of the Complaint, Respondent filed a Quarter 1 2018 Campaign Disclosure Report (CDR) disclosing \$1,209.83 in on-hand contributions.
3. Respondent thereafter failed to timely file the following CDRs: Quarter 2 2018, Quarter 3 2018, Quarter 4, 2018, and Quarter 1, 2019.
4. In a July 16, 2021 certified letter, the Commission notified Respondent of her failure to timely file the aforementioned CDRs.
5. According to the United States Postal Service (USPS), the certified letter was delivered to Respondent’s address of record on July 21, 2021 at 10:43 a.m. The return receipt provided by USPS read “N. Jackson, CMR34 C19.”
6. Following the filing of the Complaint, Respondent’s campaign bank account records were

subpoenaed and reviewed. According to these records, Respondent maintained a balance in her campaign bank account until the account was closed due to inactivity on February 6, 2019. These records also revealed three (3) instances in which Respondent withdrew more than \$100.00 from her campaign bank account.<sup>1</sup>

7. After reviewing Respondent's campaign bank account information, a Commission Investigator contacted Respondent. Respondent advised that she had not received the Commission's July 16, 2021 correspondence and promptly came into compliance by filing the requisite CDRs.

### **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). Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1308(B) provides, in relevant part:

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.

3. Section 8-13-1348(A) provides, in relevant part:

No candidate . . . may use campaign funds to defray personal expenses which are unrelated to the campaign or the office if the candidate is an officeholder nor may these funds be converted to personal use . . .

4. 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

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<sup>1</sup> According to the campaign bank account records, Respondent withdrew \$350.00 on November 1, 2017, \$237.00 on March 30, 2018, and \$200.00 on April 6, 2018. According to Respondent, the withdrawals were used to reimburse campaign volunteers for their purchase of campaign materials and to pay a vendor for campaign signs. Based on Respondent's amended CDRs, this information is accurately reflected therein.

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.

5. Section 8-13-320(10)(l) allows the Commission to require the payment of up to \$2,000 for each violation of the Ethics Act.
6. 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 four (4) counts of violating Section 8-13-1308 for failing to file the following CDRs: (1) Quarter 2, 2018; (2) Quarter 3, 2018; (3) Quarter 4, 2018; and (4) Quarter 1, 2019. The Commission further found probable cause to charge with three (3) counts of violating Section 8-13-1348 for withdrawing more than \$100.00 in cash from her campaign bank account. Through this Consent Order, Respondent admits violating the Ethics Act in these instances. In mitigation, Respondent states that 2017 was her first run for public office and that she was under the mistaken impression that filing CDRs was no longer required once she was elected. Respondent further states that she moved in June of 2021 and that she did not receive the Commission’s July 21, 2021 correspondence. The Commission acknowledges that the signature card provided by the USPS does not appear to be Respondent’s signature.

#### **DISPOSITION**

1. The Commission hereby finds Respondent in violation four (4) counts of Section 8-13-1308 and three (3) counts of Section 8-13-1348.
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 six (6) months from receipt of this Order, a reduced late-filing penalty of \$400.00 (\$100.00 for each CDR) for the violations of Section 8-13-1308, a reduced civil penalty of \$100.00 for the violations of Section 8-13-1348, and an administrative fee of \$400.00, for a total of \$900.00. Based on the uncertainty of Respondent's receipt of the Commission's July 16, 2021 correspondence, the Commission declines to assess any accrued late-filing penalties pursuant to Section 8-13-1510.

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 \$900.00 (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 of Court shall enter this Order in the amount of \$900.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 25<sup>th</sup> DAY OF February 2024.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
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NIKITA L. JACKSON  
RESPONDENT