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STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

2022 FEB -9 AM 8: 20

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-018

STATE ETHICS
COMMISSION

COMPLAINT FORM

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

RESPONDENT: Sheena Paige
ADDRESS: P.O. Box 454
Newberry, SC 29108
TELEPHONE NUMBER: [REDACTED]
TITLE: Candidate – City of Newberry Council

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 occupations of nineteen contributors.

Section 8-13-1308 (F) of the South Carolina Code of laws, 1976, as amended, requires candidates to detail campaign contributions and expenditures on certified campaign reports to include the total of contributions and the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate, and 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. According to the Pre-Election Campaign Disclosure, the Respondent failed to properly report nineteen contributors' addresses.

Respondent was reminded of the filing requirement by letters dated November 2, 2020 and May 19, 2021 as described in the attached. To date, no properly completed Pre-Election Campaign Disclosure or list of occupations have been received. All in violation of Section 8-13-1302 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
9th day of February, 2022

[REDACTED]

Meghan L. Walker, Executive Director

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

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)
IN THE MATTER OF:)
Complaint C2022-018)
State Ethics Commission)
Complainant.)
Shenna Paige)
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, 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 AN INITIAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Sheena Paige, candidate for Newberry City Council, did in Richland County, fail to file an Initial Campaign Disclosure Report (CDR) within ten days of reaching the \$500.00 threshold, in violation of Section 8-13-1308(A).

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

That Sheena Paige, candidate for Newberry City Council, did in Richland County, fail to file to report a \$200.00 filing fee expenditure, in violation of Section 8-13-1308(F)(4).

COUNT THREE
FAILURE TO MAINTAIN CAMPAIGN RECORDS
SECTION 8-13-1302, S.C. CODE ANN., 1976, AS AMENDED

That Sheena Paige, candidate for Newberry City Council, did in Richland County, fail to maintain records of contributor's addresses and occupations, in violation of Section 8-13-1302.

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

That Sheena Paige, candidate for Newberry City Council, did in Richland County, fail to open a campaign bank account at a financial institution with an office in South Carolina, in violation of Section 8-13-1312.

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.

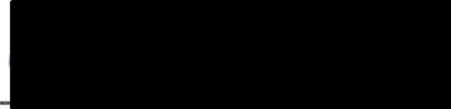


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 31st day,
of July 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Shenna Paige, P.O. Box 454, Newberry, SC 29108 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of August 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 C2022-018)
)
 State Ethics Commission,)
 Complainant.)
)
 Sheena Paige,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act of 1991 (Ethics Act), the Commission reviewed the above-captioned complaint against Sheena Paige (Respondent) and probable cause was found to warrant an evidentiary hearing. Present at the hearing on August 15, 2024, were Commissioners Matthew N. Tyler, Mary Hunter B. Tomlinson, and Scott E. Frick, Hearing Chair. Respondent was present for the hearing and appeared *pro se*. The Commission was represented by Courtney M. Laster, Esq. The following charges were considered: one (1) count of violating Section 8-13-1308(A) for failing to file an Initial Campaign Disclosure Reports (CDR); one (1) count of violating Section 8-13-1302 for failing to maintain addresses and occupations of nineteen (19) contributors; and one (1) count of violating Section 8-13-1312 for failing to open a campaign bank account physically located in South Carolina.¹

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Panel finds as fact:

1. Respondent was a candidate for Newberry City Council in a July 14, 2020 election.
2. On July 30, 2020, Respondent filed a Pre-Election CDR and amended her Pre-Election CDR on August 4, 2020.
3. Respondent failed to report the addresses and occupations of nineteen (19) contributors within her

¹ At the call of the case, Commission staff requested dismissal of one (1) count of violating Section 8-13-1308(F)(4) for failing to failing to disclose a campaign expenditure. Given that Respondent had since disclosed this expenditure, the Commission dismissed this count.

Pre-Election CDR.

4. In a November 2, 2020 letter, the Commission notified Respondent that she had not properly disclose the addresses and occupations of nineteen (19) contributors on her Pre-Election CDR.
5. On May 19, 2021, the letter was re-mailed via certified mail to Respondent's address of record. Respondent signed for this letter on May 27, 2021 at 4:24 p.m.
6. Receiving no response to its letters, the Commission filed this Complaint on February 9, 2022.
7. Following the filing of the Complaint, Respondent's campaign bank account records were subpoenaed and reviewed.
8. According to her campaign bank account records, Respondent made a \$600.00 expenditure for signs on March 30, 2020.
9. Respondent failed to file an Initial CDR within ten (10) days of March 30, 2020. The Commission did not provide Respondent with notice of her failure to file an Initial CDR via certified mail.
10. During the Commission investigation, investigators learned that Respondent's campaign bank account was maintained with a bank that did not have a physical location in South Carolina.
11. During the Commission investigation, Respondent advised staff that she was unable to collect the requisite information related to her contributors. Respondent advised she was a first-time candidate and was confused about the filing requirements. Respondent also advised she ran her 2020 campaign during the Covid 19 pandemic, and that this was an additional challenge for her.

CONCLUSIONS OF LAW

Based upon the Findings 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(A) provides, in relevant part:

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 . . .

3. Section 8-13-1302 provides:

(A) A candidate, committee, or ballot measure committee must maintain and preserve an account of: (1) the total amount of contributions accepted by the candidate, committee, or ballot measure committee; (2) the name and address of each person making a contribution and the amount and date of receipt of each contribution; (3) the total amount of expenditures made by or on behalf of the candidate, committee, or ballot measure committee; (4) the name and address of each person to whom an expenditure is made including the date, amount, purpose, and beneficiary of the expenditure; (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.

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

A candidate's accounts must be established in a financial institution that conducts business within the State and in an office located with the State that conducts business with the general public.

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; 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.

6. Sections 8-13-130 and 8-13-320(10) allow the Panel to levy an administrative fee and to require payment of a civil penalty of up to \$2,000 for each violation of the Ethics Act.

DECISION

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the Panel has determined, based on a preponderance of evidence, that Respondent Sheena Paige is in

violation of one (1) count of violating Section 8-13-1308(A) for failing to timely file an Initial Campaign Disclosure Reports (CDR); one (1) count of violating Section 8-13-1302 for failing to maintain campaign records; and one (1) count of violating Section 8-13-1312 for failing to open a campaign bank account.

THEREFORE, Respondent is hereby Publicly Reprimanded and assessed a late-filing penalty of \$100.00,² a reduced civil penalty of \$1,500.00 (\$750.00 for Respondent's violation of Section 8-13-1302 and \$750.00 for Respondent's violation of Section 8-13-1312), and an administrative fee of \$1,000.00, for a total of \$2,600.00.

AND, pursuant to Section 8-13-320 of the Ethics Act, if the \$2,600.00 is not paid within nine (9) months from Respondent's receipt of this Order, the \$2,600.00 will revert to \$5,100.00 and a judgment of \$5,100.00 shall be entered against Respondent. In the event of a failure to pay, upon the Commission's filing of said Judgment with the Clerk of Court's Office in the County of Respondent's last known residence, the Clerk of Court shall enter this Order in the amount of \$5,100.00, less any money paid, in its Judgment Rolls, without cost to the Commission.

FINALLY, Respondent Sheena Paige has ten (10) days from receipt of this Order to appeal this Decision and Order to the full Commission.

AND IT IS SO ORDERED THIS 8th DAY OF September 2024.

STATE ETHICS COMMISSION



SCOTT E. FRICK, HEARING CHAIR

Columbia, South Carolina

² Pursuant to Section 8-13-1510, Respondent's late-filing penalty related to the Initial CDR is limited to \$100.00 because she did not receive notice of her failure to file via certified mail.