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STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-032

COMPLAINT FORM

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

RESPONDENT: Joyce W. Thomas
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Council – Darlington County

Section 8-13-1120, SC Code Ann., 1976, as amended, requires disclosure of the source, type, and amount of income from a governmental entity and a listing of the private source and type of any income received by the filer or a member of the filer's immediate family during the reporting period. Respondent has failed to report her income from Darlington County on her 2018 and 2020 Statement of Economic Interests.

Respondent was reminded of the filing requirement by letters dated November 30, 2020 and March 31, 2021 as described in the attached. To date, no properly completed 2018 or 2020 Statement of Economic Interests has been received. All in violation of Section 8-13-1120, 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
4th day of April, 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

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
)
IN THE MATTER OF:)
)
Complaint C2022-032)
)
Joyce W. Thomas)
Respondent.)
)
State Ethics Commission)
Complainant.)
_____)

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 State Ethics Commission will, therefore, convene a formal hearing into the matters, 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 17, 2024 at 9:30 a.m. at the State Ethics 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 REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1120(A)(2) S.C. CODE ANN., 1976, AS AMENDED

That Joyce W. Thomas, Darlington County Council Member, did in Richland County, fail to report Respondent's government income received from Darlington County on her 2018 Statement of Economic Interests (SEI), in violation of Section 8-13-1120(A)(2).

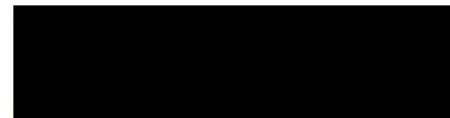
COUNT TWO
FAILURE TO REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1120(A)(2) S.C. CODE ANN., 1976, AS AMENDED

That Joyce W. Thomas, Darlington County Council Member, did in Richland County, fail

to report Respondent's government income received from Darlington County on her 2020 SEI, in violation of Section 8-13-1120(A)(2).

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 11th day,
of June 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on Respondent's Attorney Gerald Malloy, PO Box 1200, Darlington, SC 29551 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 12th day of June 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

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
)	
IN THE MATTER OF:)	
)	
Complaint C2022-032)	
)	
Joyce W. Thomas)	AMENDED
Respondent.)	NOTICE OF HEARING
)	
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, in the above-captioned complaint. The State Ethics Commission will, therefore, convene a formal hearing into the matters, 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 20, 2025 at 9:30 a.m. at the State Ethics 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 REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1120(A)(2) S.C. CODE ANN., 1976, AS AMENDED

That Joyce W. Thomas, Darlington County Council Member, did in Richland County, fail to report Respondent’s government income received from Darlington County on her 2018 Statement of Economic Interests (SEI), in violation of Section 8-13-1120(A)(2).

COUNT TWO
FAILURE TO REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1120(A)(2) S.C. CODE ANN., 1976, AS AMENDED

That Joyce W. Thomas, Darlington County Council Member, did in Richland County, fail

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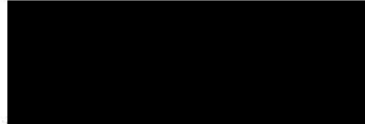


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 13th day,
of November 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **AMENDED NOTICE OF HEARING** was duly served on Respondent Joyce Thomas, PO Box 746, Darlington, SC 29540 by depositing said **AMENDED NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 13th day of November 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

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2022-032)
State Ethics Commission,)
Complainant,)
Joyce W. Thomas,)
Respondent.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on April 4, 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 Joyce W. Thomas (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1120(A)(2) for failing to disclose government income on her 2020 Statement of Economic Interests (SEI).¹ Prior to the call of the case, Respondent agreed to entry of the following:

STATEMENTS OF FACT

1. At all times relevant, Respondent served on the Darlington County Council.
2. On March 24, 2020, Respondent timely filed her 2020 SEI, but failed to disclose the amount of government income she received in 2019.
3. In a November 30, 2020 certified letter, the Commission notified Respondent of her failure to timely file a Campaign Disclosure Report (CDR)² and of her failure to disclose government

¹ The Complaint also alleged, and the Commission found probable cause to believe, that Respondent failed to disclose government income on her 2018 SEI, which was due March 30, 2018. However, Section 8-13-320(9)(d)(4) of the Ethics Act contains a four (4) year statute of limitations, meaning any charges related to Respondent's 2018 SEI should have been filed on or before March 30, 2022. The present Complaint was not filed until April 4, 2022. Accordingly, the allegation regarding Respondent's 2018 SEI is dismissed.

² The CDR referenced in the November 30, 2020 correspondence is not a part of this Complaint.

JX # 1

income on her 2020 SEI.

4. According to the United States Postal Service (USPS), the certified letter was delivered to the Respondent's address of record on December 3, 2020 at 11:48 a.m.
5. In a January 6, 2021 letter, Respondent responded to the Commission's correspondence with regard to the aforementioned CDR, but made no reference to her 2020 SEI.
6. In a March 31, 2021 letter, the Commission again reminded Respondent of her failure to disclose government income on her 2020 SEI.
7. On April 22, 2021, a Commission staff member telephoned Respondent regarding her failure to disclose government income on her 2020 SEI. Respondent advised the Commission staff member that she would amend her 2020 SEI.
8. On October 6, 2021, a Commission staff member telephoned Respondent regarding her failure to disclose government income on her 2020 SEI. Respondent advised the Commission staff member that she would amend her SEI 2020.
9. On April 27, 2022, following the filing of the Complaint, Respondent amended her 2020 SEI, disclosing the receipt of \$13,096.00 in government income on her 2020 SEI.

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).
Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1120(A)(2) of the Act requires public officials to disclose:

the source, type, and amount or value of income, not to include tax refunds, of substantial monetary value received from a governmental entity by the filer or a member of the filer's immediate family during the reporting period.
3. Section 8-13-320(10)(1) allows the Commission to require a public official to pay a civil

JW # 2

penalty of up to \$2,000 for each violation of the Ethics Act.

4. 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 one (1) count of violating Section 8-13-1120(A)(2) for failing to disclose government income received on her 2020 SEI. Through this Consent Order, Respondent acknowledges she violated the Ethics Act when she failed to disclose government income on her 2020 SEI. As mitigation, Respondent states that she finds the filing system confusing and that she typically has a family member who assists her with her filings. Respondent states, and the Commission acknowledges, that she has been a public official since at least 2008 and that this is her first Complaint matter.

DISPOSITION

1. The Commission finds Respondent in violation of one (1) count of Section 8-13-1120(A)(2).
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 Public Reprimand and orders the Respondent to pay the Commission, within one (1) year from receipt of this Order, an administrative fee of \$300.00. The Commission declines to assess a civil penalty for the violation of Section 8-13-1120(A)(2).

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 \$300.00 (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 shall enter this Order in the amount of \$300.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 20th DAY OF February 2025.

STATE ETHICS COMMISSION


F. XAVIER STARKES, CHAIR


JOYCE W. THOMAS, RESPONDENT

Feb 3, 2025