

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2022-117

COMPLAINT FORM

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

RESPONDENT: Eric L. Mack  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Trustee – Charleston County School  
District 9

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 failed to report private income on his 2020, 2021, and 2022 Statement of Economic Interests and failed to report government and private income on his 2019 Statement of Economic Interests.

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 occupation of ten contributors.

Respondent was reminded of the filing requirements by a certified letter dated May 6, 2022 as described in the attached. To date, a properly completed 2019, 2020, 2021, or 2022 Statement of Economic Interests has not been received. All in violation of Section 8-13-1120 and Section 8-13-1302, S.C. 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 21<sup>st</sup> day of September, 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

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF: )

Complaint C2022-117 )

State Ethics Commission )  
Complainant. )

**NOTICE OF HEARING**

Eric L. Mack )  
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 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 June 20, 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) S.C. CODE ANN., 1976, AS AMENDED**

That Eric L. Mack, Trustee for Charleston County School District 9, did in Richland County, fail to report Respondent's income received from Charleston County School District, the Medical University of South Carolina, and Bethany Baptist Church on his 2019 Statement of Economic Interests (SEI), in violation of Section 8-13-1120(A).

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

That Eric L. Mack, Trustee for Charleston County School District 9, did in Richland County, fail to report Respondent's income received from the Medical University of South Carolina and Bethany Baptist Church on his 2020 SEI, in violation of Section 8-13-1120(A).

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

That Eric L. Mack, Trustee for Charleston County School District 9, did in Richland County, fail to report Respondent's income received from the Medical University of South Carolina and Bethany Baptist Church on his 2021 SEI, in violation of Section 8-13-1120(A).

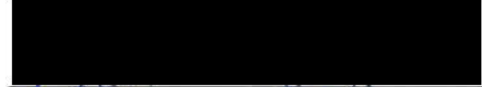
**COUNT FOUR**  
**FAILURE TO REPORT INCOME ON STATEMENT OF ECONOMIC INTERESTS**  
**SECTION 8-13-1120(A)(2) S.C. CODE ANN., 1976, AS AMENDED**

That Eric L. Mack, Trustee for Charleston County School District 9, did in Richland County, fail to report Respondent's income received from the Medical University of South Carolina and Bethany Baptist Church on his 2022 SEI, in violation of Section 8-13-1120(A).

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.

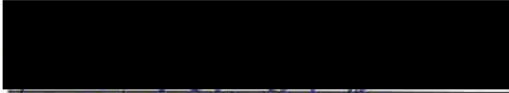


Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 28<sup>th</sup> day,  
of March 2024.

**Certificate of Service by Certified Mail**

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on **RESPONDENT** Eric L. Mack, 5446 Rosebank Road, Wadmalaw, SC 29487 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 20<sup>th</sup> day of March 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

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2022-117 )  
State Ethics Commission, )  
Complainant, )  
Eric L. Mack, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on September 22, 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 Eric L. Mack (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 entry of the following:

**STATEMENTS OF FACT**

1. Respondent formerly served as Trustee for the Charleston County School District from 2015 to 2022.
2. On March 30, 2021, Respondent filed his 2020 and 2021 Statements of Economic Interests (SEIs) but failed to disclose any income therein.
3. On March 23, 2022, Respondent filed his 2022 SEI but failed to disclose any income therein.
4. In a May 6, 2022 certified letter, the Commission notified Respondent of his failure to report income on his 2020, 2021, and 2022 SEIs.
5. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on May 13, 2022 at 2:18 p.m. The return receipt appears to contain Respondent's signature.
6. On May 17, 2022, Respondent filed his 2019 SEI but failed to properly disclose sources of income

therein.<sup>1</sup>

7. On February 22, 2024, Respondent received assistance from Commission staff in amending his 2019, 2020, 2021, and 2022 SEIs, disclosing income from the Medical University of South Carolina and Bethany Baptist Church therein. Respondent is now in compliance.

### **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) of the Act requires public officials to report, in part:

(2) 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.

...

(10) a listing of the private source and type of any income received in the previous year by the filer or a member of his immediate family . . .

3. Section 8-13-320(10)(l) allows the Commission to require a public official to pay a civil 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 four (4) counts of violating Section 8-13-1120(A) for failing to disclose sources of income on his 2019, 2020, 2021, and 2022 SEIs. Through this Consent Order, Respondent admits he failed to disclose sources of income on his 2019, 2020, 2021, and 2022 SEIs. In mitigation, Respondent asserts he does not specifically recall

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<sup>1</sup> Respondent was penalized for failing to timely file his 2019 and 2020 SEIs through the Commission's standard non-compliance process.

receiving the Commission’s May 6, 2022 certified letter. Respondent states he moved in or around that time while he was going through a divorce and states that not all correspondence was forwarded to his new address. The Commission acknowledges that Respondent has now disclosed all sources of income on his 2019, 2020, 2021, and 2022 SEIs.

**DISPOSITION**

1. The Commission finds Respondent in violation of four (4) counts of 8-13-1120(A).
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 this Public Reprimand to Respondent, and orders Respondent to pay the Commission, within five (5) months from receipt of this Order, an administrative fee of \$800.00. The Commission declines to assess any civil penalties.

By executing this Consent Order, Respondent understands that he is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$800.00 in the event he does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent’s last known County of residence, who shall enter this Order in the amount of \$800.00 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 9<sup>th</sup> DAY OF June 2024.

  
ERIC L. MACK  
RESPONDENT

STATE ETHICS COMMISSION  
  
SCOTT E. FRICK, CHAIR