

STATE ETHICS COMMISSION
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STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023-077

COMPLAINT FORM

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

RESPONDENT: Carolina Richardson
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Sumter County Treasurer

Section 8-13-1140, SC Code Ann., 1976, as amended, requires the filing of an updated Statement of Economic Interests for the previous calendar year annually thereafter prior to March 30. Records in the State Ethics Commission indicate that the Respondent was required to file the 2022 and 2023 Statement of Economic Interests. An email reminder was sent thirty days prior to the deadlines.

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 an Initial Campaign Disclosure was due no later than April 6, 2020 and a Pre-Election Campaign Disclosure was due between October 14, 2020 and October 19, 2020.

Respondent was reminded of the filing requirements by a certified letter dated August 29, 2022 as described in the attached. To date, a 2022 Statement of Economic Interests, 2023 Statement of Economic Interests, Initial Campaign Disclosure, and Pre-Election Campaign Disclosure have not been received. All in violation of Section 8-13-1140, Section 8-13-1308 (A), Section 8-13-1308(D)(1), and Section 8-13-1308(F), 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 Walker Dayson 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
19th day of May, 2023

[REDACTED]
Meghan Walker Dayson, 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 |) | BEFORE THE STATE ETHICS COMMISSION |
| |) | |
| IN THE MATTER OF: |) | |
| |) | |
| Complaint C2023-077 |) | |
| |) | |
| State Ethics Commission |) | NOTICE OF HEARING |
| Complainant. |) | |
| |) | |
| Carolina Richardson |) | |
| 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, June 20, 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 Carolina Richardson, Sumter County Treasurer, did in Richland County, fail to file a 2022 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 Carolina Richardson, Sumter County Treasurer, did in Richland County, fail to file a 2023 SEI, in violation of Section 8-13-1140.

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


That Carolina Richardson, Sumter County Treasurer, did in Richland County, fail to file a 2020 Initial Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

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

That Carolina Richardson, Sumter County Treasurer, did in Richland County, fail to file a 2020 Pre-Election CDR, in violation of Section 8-13-1308(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.).

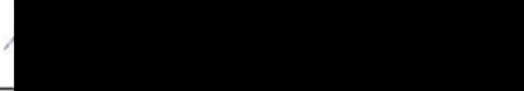
A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 16th day,
of November 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Carolina Richardson, 1760 Hideaway Drive, Sumter, SC 29154 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd 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

Columbia, South Carolina

(803) 253-4192

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|--------------------------|---|------------------------------------|
| STATE OF SOUTH CAROLINA |) | |
| COUNTY OF RICHLAND |) | BEFORE THE STATE ETHICS COMMISSION |
| |) | |
| IN THE MATTER OF: |) | |
| COMPLAINT C2023-077 |) | |
| |) | |
| State Ethics Commission, |) | CONSENT ORDER |
| Complainant, |) | |
| |) | |
| Carolina Richardson, |) | |
| Respondent. |) | |
| _____ |) | |

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on May 19, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Carolina Richardson (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 has served as Sumter County Treasurer since 2000.
2. On March 27, 2020, Respondent filed her Statement of Intention of Candidacy and Party Pledge for Sumter County Treasurer and paid the \$2,986.00 filing fee by personal check. Respondent did not file an Initial Campaign Disclosure Report (CDR) within ten (10) days of paying the filing fee.
3. No primary election was held in June 2020 for Sumter County Treasurer.
4. Respondent was successful in the November 3, 2020 general election. Respondent failed to file a Pre-Election CDR prior to the November 3, 2020 general election.
5. Respondent failed to file a 2022 Statement of Economic Interests (SEI) by March 30, 2022.
6. In an August 29, 2022 certified letter, the Commission notified Respondent of her failure to

timely file a 2020 Initial CDR, a 2020 Pre-Election CDR, and a 2022 SEI.

7. According to the United States Postal Service (USPS), the certified letter was delivered to Respondent's address of record on August 31, 2022 at 12:09 p.m.
8. Respondent failed to file a 2023 SEI by March 30, 2023.
9. On August 11, 2023 and August 13, 2023, following the filing of the Complaint, Respondent filed her 2020 Initial CDR, 2020 Pre-Election CDR, 2022 SEI, and 2023 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 "candidate" pursuant to Section 8-13-1300(4) and a "public official" pursuant to Section 8-13-100(27). Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1308(A) provides, in relevant part:

Upon 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.

3. 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 . . .

4. Section 8-13-1510(A) provides, in relevant part:

. . . a person required to file a report or statement under this chapter who files a late 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.

5. 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 to timely file SEIs in 2022 and 2023 and two (2) counts of violating Section 8-13-1308(A) for failing to file a 2020 Initial CDR and a 2020 Pre-Election CDR. Through this Consent Order, Respondent admits she violated the Ethics Act as described herein. Respondent states she did not receive the Commission’s August 29, 2022 penalty letter because her son signed for the letter and lost it before handing it over to her. Further, Respondent states she misunderstood the filing requirements and believed she was not required to file CDRs because she did not receive any contributions and paid for the filing fee with personal funds. The Commission acknowledges that its investigation did not reveal that Respondent received any contributions or made any expenditures beyond her filing fee. Additionally, Respondent asserts she cared for her blind, elderly mother from 2018 until her mother was moved to a nursing home in January 2023, and Respondent thereafter visited her mother three times a day. After that, Respondent asserts her mother was moved to hospice care and that she routinely visited until her mother’s death on April 30, 2023.

DISPOSITION

1. The Commission finds Respondent in violation of two (2) counts of Section 8-13-1140 and two (2) counts of Section 8-13-1308(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 and orders Respondent to pay the Commission, within six (6) months from receipt of this Order, a late-filing penalty of \$400.00 (\$100.00 for each report) and an administrative fee of \$600.00, for a total of \$1,000.00.

By executing this Consent Order, Respondent understands that she is confessing to a judgment of \$1,000.00 in the event she 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 \$1,000.00 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 5th DAY OF July 2024.

DocuSigned by:
Carolina Richardson
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CAROLINA RICHARDSON
RESPONDENT

STATE ETHICS COMMISSION
Scott E. Frick
SCOTT E. FRICK, CHAIR