

# STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

**FOR COMMISSION USE ONLY:**  
CASE NUMBER  
c 2023 709

## COMPLAINT FORM

**COMPLAINANT:** State Ethics Commission  
**ADDRESS:** 201 Executive Center Drive  
Suite 150  
Columbia, SC 29210

**RESPONDENT:** William R. Davis, Jr.  
**ADDRESS:** 1464 Henley Street  
Orangeburg, SC 29115  
**TELEPHONE NUMBER:** (803) 707-6138 or  
(803) 536-7034

**TELEPHONE NUMBER:** (803) 253-4192

**TITLE:** Candidate – City of Orangeburg Council

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 October 10, 2019, January 10, 2020, April 10, 2020, July 10, 2020, October 10, 2020, January 10, 2021, April 10, 2021, July 10, 2021, October 10, 2021, January 10, 2022, April 10, 2022, July 10, 2022, October 10, 2022, January 10, 2023, April 10, 2023, and July 10, 2023. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline from October 2019 through October 2021 and was sent an email reminder thirty days before and ten days before each Campaign Disclosure deadline after October 2021.

Respondent was reminded of the filing requirements by a certified letter dated February 10, 2023 as described in the attached. To date, a properly completed Quarter 3 2019, Quarter 4 2019, Quarter 1 2020, Quarter 2 2020, Quarter 3 2020, Quarter 4 2020, Quarter 1 2021, Quarter 2 2021, Quarter 3 2021, Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, Quarter 3 2022, Quarter 4 2022, Quarter 1 2023, and Quarter 2 2023 Campaign Disclosure have not been received. All in violation of Section 8-13-1308(B) and Section 8-13-1308 (F), 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 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 1st day of September, 2023

[Redacted Signature]  
Meghan Walker Dayson, Executive Director

[Redacted Signature]  
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 )  
IN THE MATTER OF: )  
Complaint C2023-109 )  
State Ethics Commission )  
Complainant. )  
William R. Davis, Jr. )  
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, October 17, 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(B), S.C. CODE ANN., 1976, AS AMENDED**

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland County, fail to file a 2019 Quarter 3 Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(B).

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

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland

County, fail to file a 2019 Quarter 4 CDR, in violation of Section 8-13-1308(B).

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

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland County, fail to file a 2020 Quarter 1 CDR, in violation of Section 8-13-1308(B).

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

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland County, fail to file a 2020 Quarter 2/Final CDR, in violation of Section 8-13-1308(B).

**COUNT FIVE**  
**FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS AND EXPENDITURES**  
**SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED**

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland County, fail to report campaign contributions and expenditures, in violation of Section 8-13-1308(F).

**COUNT SIX**  
**USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES**  
**SECTION 8-13-1348(A), S.C. CODE ANN., 1976, AS AMENDED**

That William R. Davis, Jr., candidate for Orangeburg City Council, did in Richland County, use campaign funds for personal expenses on five (5) occasions, in violation of Section 8-13-1348(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 the RESPONDENT William R. Davis, Jr. 1464 Henley Street, Orangeburg, SC 29115 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 29<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 ETHICS COMMISSION  
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STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2023-109 )  
State Ethics Commission, )  
Complainant, )  
William R. Davis, Jr., )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the South Carolina State Ethics Commission (Commission) by way of a complaint filed on September 1, 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 Williams R. Davis, Jr. (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 was an unsuccessful candidate for Orangeburg City Council in a September 10, 2019 election.
2. Respondent filed an Initial Campaign Disclosure Report (CDR) on July 7, 2019, disclosing \$125.00 in on-hand contributions. Respondent thereafter failed to file any additional reports prior to the filing of the Complaint.
3. On February 10, 2023, the Commission sent Respondent notice via certified letter of his failure to file, in relevant part, CDRs from Quarter 3 2019 through Quarter 2 2020.<sup>1</sup>

<sup>1</sup> The Commission’s letter included Respondent’s failure to file a 2019 Pre-election CDR and CDRs from Quarter 3 2019 through Quarter 4 2022. The Pre-Election CDR was handled by the Commission’s standard noncompliance process and is not part of the instant Complaint. Further, the Commission did not find probable to believe Respondent failed to file CDRs beyond Quarter 2 2020.

4. According to the United States Postal Service, the certified letter was delivered on February 13, 2023 at 11:21 a.m. The return receipt does not appear to contain Respondent's signature.
5. Following the filing of the Complaint, the Commission's investigation revealed that Respondent's campaign bank account was open from July 8, 2019 through April 3, 2020. At all relevant times, Respondent's campaign bank account contained less than \$500.00.
6. The Commission's investigation further revealed that, following election, Respondent made two (2) donations totaling \$175.00 to a church without a 501(c)(3) tax designation, made two (2) transfers totaling \$90.00 to his personal bank account, and purchased tickets totaling \$100.00 to an event for a political party.
7. On June 24, 2024, Respondent filed his Quarter 3 2019 through Quarter 2 2020 CDRs disclosing all contributions and expenditures with the help of Commission staff and is now in compliance.

### CONCLUSIONS OF LAW

Based upon the Statements of Facts, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a "candidate," as defined by Section 8-13-1300(4).  
Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1308(B) provides:

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. The prohibition of this subsection does not extend to the incidental personal use of campaign materials or equipment nor to an expenditure used to

defray any ordinary expenses incurred in connection with an individual's duties as a holder of elective office.

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 any provision of the Ethics Act.”

6. Section 8-13-320(10)(l)(i) allows the Commission to require payment of a civil penalty of up to two thousand dollars for each violation of the Ethics Act.

### DISCUSSION

The Commission found probable cause to charge Respondent with four (4) counts of violating Section 8-13-1308(B) for failing to file CDRs for Quarter 3 2019 through Quarter 2 2020 and one (1) count of violating Section 8-13-1348(A) for using campaign funds for personal use.<sup>2</sup> Through this Consent Order, Respondent acknowledges he violated the Ethics Act in each instance outlined in the Notice of Hearing. In mitigation, Respondent states he does not recall receiving the Commission’s February 10, 2023 certified letter. The Commission acknowledges that the return receipt does not appear to contain Respondent’s signature. The Respondent further states that this was his first run for office and that he did not understand the filing requirements. Additionally, Respondent asserts that he believed the donation to the church was permissible because he believed

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<sup>2</sup> The Commission also found probable cause to charge Respondent with four (4) counts of violating Section 8-13-1308(F) for failing to properly report campaign contributions and expenditures. However, as the Respondent has since disclosed these contributions and expenditures, the Commission declines to proceed as to these counts.

the church was a charitable organization, but he acknowledges that he did not verify its tax-exempt status. Respondent further asserts that he suffered a traumatic brain injury in November of 2018 that has had a long-term impact on his memory, resulting in unintentional oversights and delays.

### **DISPOSITION**

1. The Commission hereby finds Respondent in violation of four (4) counts of Section 8-13-1308(B) and one (1) count of Section 8-13-1348(A).
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 this Public Reprimand to Respondent for his violations of the Ethics Act;

AND orders Respondent to pay to the Commission, within one (1) year from receipt of this Order, \$400.00 in late-filing penalties (\$100.00 for each CDR) and an administrative fee of \$500.00, for a total of \$900.00. The Commission declines to assess any accrued late-filing penalties given that Respondent did not receive the Commission's February 10, 2023 correspondence.


The Commission further orders Respondent to pay \$365.00 to the Children's Trust Fund and to provide proof of such payment to Commission within one (1) year from receipt of this Order. The Commission declines to assess a civil penalty for the violation of Section 8-13-1348(A) provided Respondent remits the \$365.00 as described herein. Should the Respondent fail to remit the \$365.00 to the Children's Trust Fund as described herein, the Commission shall assess a civil penalty of \$2,000.00.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Act, but also confessing to a judgment of \$2,900.00 (less any money paid to the

Commission) in the event he does not make full and timely payment as provided in this Order. In that event, the Commission shall file a Judgment against Respondent in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$2,900.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS ORDERED THIS 3<sup>rd</sup> DAY OF December, 2024.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
WILLIAMS R. DAVIS, JR.  
RESPONDENT