

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2025-026

COMPLAINT FORM

COMPLAINANT: John Elkin

RESPONDENT: Frank Shumpert

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: 803-849-4007

TELEPHONE NUMBER: 803-894-2510

TITLE: Citizen

TITLE: Mayor - Town of Pelion

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

I am unable to provide the exact date of the incident as the town has refused to comply with the SC Freedom of information act; with regards to items not subject to a written request. In essence the town is requiring that i pay the clerks time to inspect council minutes or receive electronic copies that are stored on the towns computer system.

At some point near the end of 2023 and early 2024 a new business approached respondent about building a Hardees and desired to annex into the town. The mayor stated on the record that he attempted to have them lease property from him personally instead of purchasing property that would need to be annexed. This action violates the provisions of State law as defined in 8-13-700 (B) by the attempt to use the office to obtain economic interests in his business of leasing property. Further respondent did not disclose this conflict to the State Ethics Commission.

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 Lexington

Personally appeared before me John Elkin who, first being duly sworn, says that he/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 his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this 6 day of March 2025

[REDACTED SIGNATURE]

Complainant Signature

[REDACTED]
Notary Public for South Carolina
My Commission expires



SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 250, Columbia, South Carolina 29210 (803)253-4192
ELECTRONIC COPIES WILL NOT BE ACCEPTED

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

c. 2025-026

COMPLAINT FORM

COMPLAINANT: John Elkin

RESPONDENT: Frank Shumpert

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: 803-849-4007

TELEPHONE NUMBER: 803-894-2510

TITLE: Citizen

TITLE: Mayor - Town of Pelion

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

Upon researching publicly available statement of economic interests reports on file with the commission. I observed SEI Reports dating back to 2007 all reporting no business interests as well as no income reported. Respondent is very publicly the owner of the Local Shumperts IGA as well as several other businesses filed with the SC Secretary of States office. While oversights can be understandable; this shows a pattern of wilful violation of the states ethics laws.

Respondent also failed to list as leased property; the towns former railroad warehouse that respondent has utilized for many years for storage without compensating the town for its use.

Respondent has also had several former town clerks file his SEI report on his behalf, a now former town clerk refused to as she believed the action to be unethical while being paid by the town, but to also "Roll Zero's" when she knew the information to be false. When she refused respondent as mayor threatened to terminate her employment to which the now former clerk responded with her resignation with immediate effect.

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 So Carolina Lexington Co.

Personally appeared before me John Elkin who, first being duly sworn, says that he/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 his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this

6 day of March, 2025

[REDACTED SIGNATURE]

Complainant Signature

[REDACTED SIGNATURE]

Notary Public for South Carolina
My Commission expires _____



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

C102form

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER

c 2025-076

COMPLAINT FORM

COMPLAINANT: John Elkin

RESPONDENT: Frank Shumpert

ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE NUMBER: 803-849-4007

TELEPHONE NUMBER: 803-894-2510

TITLE: Private Citizen

TITLE: Mayor - Town of Pelion

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

On January 7th 2025, I was contacted by Mr. Keith Morton, who advised he was contracted to look into a matter for the town. Mr. Morton is a retired police officer, who had been hired as an independent contractor by the town on a council resolution to investigate an employee complaint. I met with Mr Morton upon his request and it became abundantly clear that Complainant was also a subject of this investigation. Complainant is not an employee of the town, but is a vocal critic of Respondents office. While meeting with Mr. Morton Complainant observed a case file for not only Complainant, but that of two sitting council members up for re-election this year. (Councilmen Chuck Ingle, and Larry Sossamon). Also not employees of the town and vocal opponents of Respondent. Mr. Morton made it clear he was acting on direction from respondent in his capacity as Mayor. After meeting with Mr. Morton complainant was able to determine Morton is not a sworn law enforcement officer, and not a licensed private investigator, as required by Title 40 Chapter 18 of South Carolina Law to conduct such an investigation on anyone including the now former employee.

It appears respondent in his capacity as Mayor; mis-appropriated public funds to have Mr. Morton investigate two sitting council members up for re-election as well as a non employee citizen (Complainant). This appears to be publicly funded opposition research that any candidate is welcome to personally fund, with appropriately credentialed persons. However this use appears to be an attempt by respondent to utilize public funds to influence this years municipal elections, Further any investigation of a non employee was not authorized by council resolution.

Respondent through his unlicensed private investigator and with the same public funds, violated the states law of Harassment in the 1st Degree; as both Respondent nor Mr Morton meet the exceptions to this statute and acted in concert to not only violate state criminal statutes, but the privacy of two sitting council members, a now former employee and a former council candidate citizen (Complainant)

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 South Carolina Lexington County

Personally appeared before me John Elkin who, first being duly sworn, says that he/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 his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this 6 day of March, 2025

[REDACTED SIGNATURE]

Complainant Signature

[REDACTED SIGNATURE]

Notary Public for South Carolina
My Commission expires _____



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

C102form

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION
)
 IN THE MATTER OF:)
 COMPLAINT C2025-026)
)
 John Elkins,) **DECISION AND ORDER**
 Complainant.)
)
 Daniel Franklin Shumpert, III,)
 Respondent.)
 _____)

This matter came before the South Carolina Ethics Commission (Commission) by way of a Complaint filed on March 6, 2025. The Commission’s Executive Director reviewed the Complaint, determined it contained facts sufficient to warrant an investigation, and ordered an investigation. On November 20, 2025, the Commission reviewed the Complaint and investigative findings to determine whether probable cause existed to charge Daniel Franklin Shumpert, III (Respondent) with violating the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act). For the reasons stated herein, the Commission finds probable cause exists but waives further proceedings on the matter.

STATEMENT OF FACTS

Respondent has served as Mayor of the Town of Pelion since 2017. On March 6, 2025, the Commission received the above-captioned complaint, which made numerous allegations against Respondent. These allegations, and the Commission’s findings, are summarized below.

Use of Office for Personal Gain

The Complaint alleged that “[a]t some point near the end of 2023 and early 2024 a new business approached [R]espondent about building a Hardee’s and desired to annex into the town. [Respondent] stated on the record that he attempted to have them lease property from him personally instead of purchasing property that would need to be annexed . . . further, [R]espondent

JA #1

did not disclose this conflict to the State Ethics Commission.” The Complaint further alleged that Respondent had used a Town warehouse to store personal property without compensating the Town.

The Commission’s investigation revealed that Respondent provided a “Mayor’s Report” to Town Council during a December 13, 2023, Council meeting. During the report, Respondent advised Council that Hardee’s was interested in opening a restaurant in or around Pelion. Respondent stated, in relevant part, that the restaurant had “chosen a spot next to the doctor’s office, which at this time is not within the Town... when I talked to them, I offered them a lease program, but they wanted a purchase...” Respondent’s comments did not clarify whether he was referring to Town property or property owned by him personally. Commission investigators contacted Scott Keene, Director of Real Estate for Hardee’s. Keene advised that the property ultimately purchased by Hardee’s was not owned by Respondent. Keene further advised that he never spoke to Respondent about the purchase or lease of Respondent’s personal property for the proposed restaurant.

As to the alleged use of Town property for personal storage, Commission investigators interviewed Town Councilman Larry Sossaman, who presided over the Town’s storage committee. Sossaman advised that he had previously located a pallet in a Town warehouse that was marked with Respondent’s name. Sossaman stated that he asked Respondent about the pallet, but that Respondent was unable to provide any information. Sossaman was unable to definitively state that Respondent stored personal property in the Town warehouse.

Statements of Economic Interests

The Complaint alleged that Respondent failed to disclose private sources of income on numerous Statements of Economic Interests (SEI). The Complaint further alleged that Respondent

DF #2

improperly instructed Town employee(s) to file his annual SEIs.

The Commission's investigation revealed that Respondent has owned Schumpert's IGA, a grocery store in Pelion, for many years. The Commission's investigation further revealed that, at all times relevant, Respondent served on the Lexington County Joint Municipal Water and Sewer Commission (JMWSC) and that he received compensation from this entity for his services. The Commission's investigation revealed that Respondent timely filed SEIs in 2021, 2022, 2023, and 2024, but that he failed to disclose income from Schumpert's IGA or the JMWSC therein.¹ Upon advice from Commission staff, Respondent promptly amended his SEIs to include all required information.

As to Town employee(s) filing Respondent's SEI, Commission investigators interviewed former Town employee Irazy Feliciano. Feliciano informed investigators that she was directed to file an annual SEI for Respondent. Feliciano further advised that her supervisor had informed her that this was improper.

Improper Investigation

The Complaint alleged Respondent improperly used a private investigator retained by the Town for an employment matter to conduct investigations into the Complainant as well as two (2) other sitting Councilmembers. The Commission's investigation revealed that Council hired Keith Morton on December 19, 2024, and tasked him with investigating whether a Town employee had improperly shared confidential information. Commission investigators interviewed Morton and reviewed his investigatory findings. The Commission's investigation did not reveal any evidence suggesting Morton investigated Complainant or other members of Council.

¹ The Commission is bound by the four-year statute of limitations found in Section 8-13-320(9)(d) of the Ethics Act. Therefore, allegations referenced in the Complaint occurring prior to March 6, 2021, are not considered herein.

LAW

Pursuant to Section 8-13-320, the Commission is empowered to receive complaints and conduct investigations related to violations of the Ethics Act. Following the receipt of a Complaint and completion of a corresponding investigation, the Commission must determine whether there is probable cause to believe a violation of the Ethics Act occurred. Section 8-13-320(10)(i). If the Commission determines probable cause exists, it may order a hearing on the merits or, if the Respondent has taken action to remedy or correct the alleged violation, it may waive further proceedings. Section 8-13-320(10)(i). The decision to waive further proceedings lies within the sound discretion of the Commission.

Section 8-13-700 of the Ethics Act prohibits public officials from using their elective office for financial gain. Here, the Commission finds there is insufficient evidence to find Respondent used his office for financial gain by offering to lease personal property to Hardee's. To the contrary, Hardee's representatives advised the Commission that no such conversations occurred. The Commission further finds there is insufficient evidence to find that Respondent improperly used Town property to store personal items given that the ownership of the items in question could not be definitively determined. Finally, the Commission finds there is insufficient evidence to suggest Respondent used his office for financial gain by directing Town employee(s) to file his annual SEIs. To the contrary, the Commission has previously advised that public employees may assist incumbent elected officials with filing their annual SEIs.²

Section 8-13-1120 of the Ethics Act requires public officials to disclose information related

² In comparison, public employees may not assist incumbent elected officials with filings related to their candidacy, such as candidate SEIs or campaign disclosures, if all other candidates are not offered the same services. This is because of Section 8-13-1346 of the Ethics Act, which prohibits use of public resources (such as public employee time and equipment) to influence the outcome of an election.

to private and public sources of income on their SEIs. Here, Respondent failed to disclose income information related to Schumpert's IGA and the JMWSC on his SEIs from 2021-2024, in violation of Section 8-13-1120. However, Respondent promptly amended the necessary SEIs upon notification from the Commission and is now in compliance.

DECISION

Based on evidence presented, the Commission hereby determines there is probable cause to believe Respondent violated Section 8-13-1120 of the Ethics Act by failing to disclose income information related to Schumpert's IGA and the JMWSC on his 2021-2024 SEIs. However, Respondent has since properly amended his 2021-2024 SEIs to disclose this information. As to the remainder of the allegations in the Complaint, the Commission finds that probable cause does not exist.

THEREFORE, pursuant to Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the Commission hereby waives further proceedings.

AND IT IS SO ORDERED THIS 21st DAY OF December, 2025.

SOUTH CAROLINA ETHICS COMMISSION


F. XAVIER STARKES, CHAIRMAN