

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:

CASE NUMBER

C. 2025-032

COMPLAINT FORM

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

RESPONDENT: Gina Porter  
ADDRESS: P.O. Box 160  
Lockhart, SC 29364

TELEPHONE NUMBER: 803.253.4192

TELEPHONE NUMBER: [REDACTED]

TITLE:

TITLE: Town of Lockhart Councilmember

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 information and belief, Respondent voted for her mother, who lives with Respondent, to continue receiving compensation from the Town of Lockhart for serving as the Mayor, in violation of 8-13-700.

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 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  
21<sup>st</sup> day of March, 2025

[REDACTED]

Meghan Walker Dayson  
Executive Director

[REDACTED]

Notary Public for South Carolina  
My Commission expires 01/27/26

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

## Laster, Courtney

---

**From:** Hinson, Kevin  
**Sent:** Wednesday, July 23, 2025 10:06 AM  
**To:** Laster, Courtney  
**Cc:** O'Bryan, Rachael  
**Subject:** FW: [External] Re: case# 225-032 or C-2025-032

Please see below. Thanks.

Respectfully,

Kevin Hinson  
Chief - Enforcement Division  
South Carolina State Ethics Commission  
201 Executive Center Drive, Suite 150  
Columbia, SC 29210  
Phone - 803-253-4192  
Fax - 803-253-7539

---

**From:** Gina Porter <ginaporter58@gmail.com>  
**Sent:** Wednesday, July 23, 2025 4:05 AM  
**To:** Hinson, Kevin <khinson@ethics.sc.gov>  
**Subject:** [External] Re: case# 225-032 or C-2025-032

On Mon, Jul 21, 2025 at 5:05 PM Gina Porter <ginaporter58@gmail.com> wrote:

Hello

This is my supplemental report that I spoke to Ms. Laster about.

A few days before this meeting my mother, the mayor, called me and said that County Supervisor Phillip Russell told her that she should recuse herself from this meeting. I asked if I could vote. She got back to me and Mr. Russell said the meeting had nothing to do with me and that I was voting as a council member not a daughter, and that people had voted for me to represent them. I saw him at the meeting and he still did not say anything to me about recusing myself.

Ms. Naomi Reed of MASC was also at the meeting. She was there to hand out booklets that explain proper procedures for meetings. Ms. Reed knew about the salary vote, yet never said anything about recusing myself. I spoke to her before and after the meeting.

Mr. Russell and Ms. Reed work for the government every day. Shouldn't they know that I was supposed to recuse myself?

Councilwoman Bernice Canupp was on the agenda. She wanted to take away the mayor's salary. When it was brought up during the meeting, she stated that she wanted discuss it first. She said that she didn't want to take away the mayor's salary if we agreed to take three bids for projects. We do, but she is new and didn't know that she could discuss certain matters outside of meetings. Deputy Mayor Mark McFalls, who ran the meeting shut her down and said that we were not going to discuss it because she was on the agenda for the salary. If she wanted to discuss bids she would have to put it on another agenda. So we voted. Several weeks later, Ms. Canupp apologized for her part in the matter. She said she is willing to testify for me.

Had Mr. Russell or Ms. Reed told me to recuse myself I would have. When I received my first case letter as well as my second letter about going to court, Mr. Russell said the exact same thing he said the first time, that I was voting as a council person not a daughter and that people had elected me to represent them.

I thank you and I hope you take all of this into consideration.

Thank you  
Gina Porter  
Lockhart town Council member

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2025-032 )  
State Ethics Commission )  
Complainant. )  
Gina Porter )  
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 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 16, 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**  
**ATTEMPT TO INFLUENCE A GOVERNMENTAL DECISION IN WHICH**  
**RESPONDENT HAD AN ECONOMIC INTERESTS**  
**SECTION 8-13-700(A), S.C. CODE ANN., 1976, AS AMENDED**

That Gina Porter, Town of Lockhart Councilmember, did in Richland County, vote during the September 24, 2024 Town Council meeting to approve the Town to continue to pay her mother, who resides with Respondent, for serving as the Town mayor, in violation of Section 8-13-700(A).

**[This space intentionally left blank]**

**COUNT TWO**  
**FAILURE TO RECUSE FROM A GOVERNMENTAL DECISION IN WHICH  
RESPONDENT HAD AN ECONOMIC INTERESTS  
SECTION 8-13-700(B), S.C. CODE ANN., 1976, AS AMENDED**

That Gina Porter, Town of Lockhart Councilmember, did in Richland County, fail to provide a written recusal statement during the September 24, 2024 Town Council Meeting regarding the continued payment to her mother from the Town as the Town's mayor, in violation of Section 8-13-700(B).

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.

[Redacted Signature]

Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 21<sup>st</sup> day,  
of May 2025.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on RESPONDENT Gina Porter, P.O. Box 160, Lockhart, SC 29364 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 10<sup>th</sup> day of June 2025, 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	)	BEFORE THE STATE ETHICS COMMISSION
	)	
COUNTY OF RICHLAND	)	
	)	
Complaint C2025-032	)	
	)	
State Ethics Commission,	)	
Complainant(s),	)	
v.	)	MOTION FOR CONTINUANCE
	)	
Gina Porter	)	
Respondent.	)	
_____	)	

Respondent, Gina Porter, by and through her undersigned counsel, moves the Commission for a continuance of the October 16, 2025 hearing for a later date so as to provide the Respondent and her counsel time as to review the documents requested for production.

**I SO MOVE!**

Respectfully Submitted,

/s/ William D. All, III  
 William D. All III (SC Bar #101660)  
 Attorney for Respondent  
 ALL & FROST, LLC  
 108 West South Street  
 Post Office Box 731  
 Union, South Carolina 29379  
 (864) 427-9700

Date: October 2, 2025  
 Union, South Carolina

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2025-032 )  
State Ethics Commission, )  
Complainant, )  
Gina Porter, )  
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 March 21, 2025. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Gina Porter (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. At all times relevant, Respondent has served on the Lockhart Town (Town) Council.
2. At all times relevant, Respondent's mother, Constance Porter, has served as Town mayor.
3. On February 28, 2023, Council passed Town Ordinance No. 51, establishing the mayor's salary as \$1,000.00 per month. The mayor has received compensation according to this ordinance since its enactment.
4. During a September 24, 2024, Town Council meeting, Councilmember Bernice Canupp moved to cease payments to the mayor. Respondent voted against the motion, which failed in a 2-2 vote.
5. The Complaint alleged the aforementioned vote violated Section 8-13-700.

**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 public official, as defined by Section 8-13-100(27). The Commission has personal and subject matter jurisdiction.

*JVA # 1*

2. Mayor Constance Porter is Respondent's "family member" as defined in Section 8-13-100(15):
  - (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild; or
  - (b) a member of the individual's immediate family.
3. According to the definition in Section 8-13-100(11)(a), Respondent's mother had an "economic interest" in the \$1,000.00 monthly salary paid to the Town mayor:

. . . an interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a [public official] may gain an economic benefit of fifty dollars or more.
4. Pursuant to Section 8-13-700, Respondent was therefore prohibited from participating in the September 24, 2024 vote to cease the mayor's salary and was required to recuse herself from the matter:
  - (A) No [public official] may knowingly use his official [office] to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a [public official's] use that does not result in additional public expense.
  - (B) No [public official] may make, participate in making, or in any way attempt to use his [office] to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A [public official] who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:
    - (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

JX # 2

- (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.
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)(1)(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 one (1) count of violating Section 8-13-700(A) for participating in the September 24, 2024 vote and one (1) count of violating Section 8-13-700(B) for failing to submit a written recusal statement. Through this Consent Order, Respondent acknowledges that she violated the Ethics Act as described herein. In mitigation, Respondent states that Lockhart is a small Town with less than four hundred (400) residents. Respondent further states that it was not her intention to violate the Ethics Act. Finally, Respondent states that conversation about her mother’s recusal occurred prior to the September 24, 2024 meeting and that she incorrectly assumed that her vote was permissible when the possibility of her recusal was not discussed. The Commission notes that it is incumbent upon each individual public official to be familiar with the requirements of the Ethics Act. The Commission further notes that mayoral salaries must be established by ordinance pursuant to S.C. Code Ann. § 5-7-170. Thus, even if the September 24, 2024 motion passed, it could not have gone into effect without, at a minimum, additional readings.

#### **DISPOSITION**

1. The Commission hereby finds Respondent in violation of the Ethics Act as described herein.

JVA #3

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 violations of the Ethics Act and orders Respondent to pay an administrative fee of \$500.00 within six (6) months from her receipt of this Order. The Commission declines to assess a civil penalty in light of the aforementioned mitigation.

By executing this Consent Order, Respondent understands that she is confessing to a judgment of \$500.00 (less any money paid to the Commission) in the event she 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 \$500.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS ORDERED THIS 15 DAY OF Oct, 2025.

STATE ETHICS COMMISSION



11/11/2025



GINA PORTER  
RESPONDENT



WILLIAM D. ALL, III  
RESPONDENT'S ATTORNEY