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STATE ETHICS COMMISSION

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER

c 2020-001

COMPLAINT FORM

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

RESPONDENT: R.C. Jones
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Candidate – City of Mauldin Mayor

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.

Records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than January 10, 2016. Respondent was sent an email reminder thirty days before the Campaign Disclosure deadline.

Respondent was reminded of the filing requirement by letters dated November 26, 2018, January 22, 2019, April 22, 2019, and June 28, 2019 as described in the attached. To date, no properly completed January 10, 2016 Campaign Disclosure has been received. All in violation of Section 8-13-1308 (B) and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. 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. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

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 9th day of January, 2020

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]

Notary Public for South Carolina
My Commission expires March 25, 2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
)
IN THE MATTER OF:)
)
Complaint C2020-001)
)
Rufus C. Jones)
Respondent.)
)
State Ethics Commission)
Complainant.)
_____)

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, to support the allegations made in the above-captioned complaint. The State Ethics Commission will, therefore, 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, April 15, 2021 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 FILE A FINAL CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Rufus C. Jones, Candidate for Mayor of Mauldin, did in Richland County, fail to file a Final Campaign Disclosure Report by January 2016 after closing his campaign account in October 2015, in violation of Section 8-13-1308(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.



Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 31 day,
of January 2021.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Rufus C. Jones, PO Box 753, Mauldin, SC 29403 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 5th day of February 2021, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.


Richard A. Provencher, Administrative Assistant
State Ethics Commission (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2020-001)
)
 State Ethics Commission,)
 Complainant,)
)
 Rufus C. Jones,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

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STATE ETHICS
 COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on January 9, 2020. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Rufus Jones (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1308 for failure to timely file a January 10, 2016/Final Pre-Election Campaign Disclosure Report (CDR). Prior to the call of the case, Respondent agreed to entry of the following:

STATEMENTS OF FACT

1. Respondent was a candidate in a November 3, 2015 election for Mauldin City Council.
2. In an Initial CDR filed on November 9, 2015, Respondent disclosed \$98.10 in on-hand contributions, but failed to file any additional CDRs.
3. Respondent was notified of his failure to file additional CDRs by way of a first-class letter dated November 26, 2018 and by way of a certified letter dated January 22, 2019.
4. Respondent thereafter provided Commission staff with portions of his bank records indicating his campaign bank account closed on October 20, 2015. However, Respondent did not come into compliance.
5. Following the filing of the Complaint, the Commission obtained Respondent's campaign bank

account records from the bank and confirmed that Respondent's campaign bank account closed on October 20, 2015, following a final expenditure on October 19, 2015.¹

6. On December 4, 2020, a Commission Investigator contacted Respondent via telephone and assisted Respondent with coming into 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 candidate pursuant to Section 8-13-1300(4).
Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1308 provides, in relevant part:

(A) Upon the 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 . . .

(B) 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 . . .

3. Section 8-13-1510(A) provides:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required 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

¹ Respondent's campaign bank account records reflected additional campaign activity prior to October 10, 2015, all of which fell outside the Commission's four-year statute of limitations found in Section 8-13-320(9)(d).

additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

4. Sections 8-13-130 and 8-13-320(1)(i) allow the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act and to impose a civil penalty of up to \$2,000 for each violation of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1308 for failing to timely file a January 10, 2016/Final CDR, which was Respondent’s last required filing based on his campaign bank account records. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file a January 10, 2016/Final CDR following his final expenditure on October 19, 2015. In mitigation, Respondent asserts that he believed everything was cleared up when he submitted his bank records to Commission staff. Respondent further states that he is no longer in office and that he suffers from health issues and is currently hospitalized as of the date of this Consent Order. Respondent asks the Commission for financial leniency given his circumstances.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1308.
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 a Public Reprimand and orders the Respondent to pay the Commission, within thirty (30) days from receipt of this Order, a late-filing penalty of \$100.

By executing this Consent Order, Respondent understands that he is not only admitting to

violations of the Ethics Act, but also confessing to a judgment of \$100 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$100 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 26 DAY OF April 2021.

STATE ETHICS COMMISSION


CHILDs CANTEY THRASHER, CHAIR


RUFUS C. JONES
RESPONDENT