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STATE ETHICS COMMISSION

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STATE ETHICS  
COMMISSION

FOR COMMISSION USE ONLY:

STATE ETHICS  
COMMISSION  
CASE NUMBER

COMPLAINT FORM

COMPLAINANT: Carter Weaver, Sr.  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Sheriff

RESPONDENT: Birt Adams  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: Unknown  
TITLE: Candidate - Sheriff

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).

Birt Adams who filed as a democrat in the Sheriff race in Georgetown County did not file his Statement of Economic Interest form for the November to be elected by March 30, 2020 at noon as required. He also failed to file any forms when running for Sheriff in 2016 as well as the special election that was held on February 4, 2020.

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 Georgetown <sup>Rich</sup>

Personally appeared before me WYNNE M. OWENS, JR. 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  
30<sup>th</sup> day of MARCH, 2020

[REDACTED]

[REDACTED]

Complainant Signature

Notary Public for South Carolina  
My Commission expires 9-5-2023

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 )

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF: )

Complaint C2020-019 )

Birt Adams )  
Respondent. )

**NOTICE OF HEARING**

Carter Weaver, Sr. )  
Complainant. )

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, June 17, 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 STATEMENT OF ECONOMIC INTEREST REPORT PRIOR TO**  
**THE CLOSE OF FILING FOR OFFICE**  
**SECTION 8-13-1356, S.C. CODE ANN., 1976, AS AMENDED**


That Birt Adams, candidate for Georgetown County Sheriff, did in Richland County, fail to file a Statement of Economic Interests form prior to the close of filing for the June 9, 2020 Georgetown County Sheriff election, in violation of Section 8-13-1356.

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

That Birt Adams, Candidate for Georgetown County Sheriff, did in Richland County, fail to file a pre-election campaign disclosure report at least fifteen days prior to the June 9, 2020 Georgetown County Sheriff election, in violation of Section 8-13-1308(D).

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 6<sup>th</sup> 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 Birt Adams, 1741 Jackson Village Rd, Georgetown, SC 29440 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 14<sup>th</sup> day of January 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 C2020-019 )  
Carter Weaver, )  
Complainant, )  
Birt Adams, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on April 1, 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 Birt Adams (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 entry of the following:

**STATEMENTS OF FACT**

1. On March 26, 2020, Respondent filed a Statement of Intention of Candidacy indicating he was a candidate in a 2020 election for Georgetown County Sheriff.
2. Respondent did not file a Statement of Economic Interests (SEI) prior to the close of filing for the office of Sheriff of Georgetown County.
3. Respondent did not file a Pre-Election Campaign Disclosure Report (CDR) fifteen (15) to twenty (20) days prior to his election.
4. On April 24, 2021, following the filing of the Complaint, Respondent came into compliance by filing his SEI and a Pre-Election CDR.

**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(D)(1) provides, in relevant part:

At least fifteen days before an election, a certified campaign report must be filed showing contributions of more than one hundred dollars and expenditures by or to the candidate or committee for the period ending twenty days before the election . . .

3. Section 8-13-1356(A) provides, in relevant part:

A person who becomes a candidate by filing a statement of intention of candidacy seeking nomination by political party primary or political party convention must electronically file a [SEI] for the preceding calendar year . . . prior to the close of filing for the particular office.

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

5. Sections 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 one (1) count of violating Section 8-13-1356 for failing to file a SEI prior to the close of filing for the office of Sheriff of Georgetown County. The Commission also found probable cause to charge Respondent with one (1) count of violating Section 8-13-1308(D)(1) for failing to file a Pre-Election CDR fifteen (15) to twenty (20) days before his 2020 election. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file the aforementioned SEI and Pre-Election CDR. The Commission notes that the late-filing penalties associated with these reports are limited to \$100 per report because this Complaint originated outside of the agency and, therefore, Respondent

did not receive certified notice from the Commission of his failure to file pursuant to Section 8-13-1510.

**DISPOSITION**

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1356 and one (1) count of Section 8-13-1308(D)(1).
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 sixty (60) days from receipt of this Order, a late-filing penalty of \$200 (\$100 per CDR) and an administrative fee of \$150, for a total of \$350.

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 \$350 (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 \$350 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 17 DAY OF June 2021.

STATE ETHICS COMMISSION

  
CHILD S CANTEY THRASHER, CHAIR

  
BIRT ADAMS