

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2020-075

COMPLAINT FORM

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STATE ETHICS
COMMISSION

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

RESPONDENT: Latesha Y. Grant
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Lobbyist - South Carolina Beer
Wholesalers Association, South Carolina
Orthopaedic Association, and Health Promotion
Specialists

In accordance with Section 2-17-30, South Carolina Code of Laws, 1976, as amended, each lobbyist must file disclosure statements no later than June thirtieth and January thirty-first of each year covering income and expenditures attributable to lobbying during that filing period.

The Respondent was registered with the State Ethics Commission in 2016 and 2017 as a Lobbyist for South Carolina Beer Wholesalers Association and South Carolina Orthopaedic Association and was registered in 2016 as a Lobbyist for Health Promotion Specialists.

For South Carolina Beer Wholesalers Association, records of the State Ethics Commission indicate that a January 31, 2017 Lobbyist Disclosure Statement for the period of June 1, 2016 through December 31, 2016, a June 30, 2017 Lobbyist Disclosure Statement for the period of January 1, 2017 through May 31, 2017, and a January 31, 2018 Lobbyist Disclosure Statement for the period of June 1, 2017 through December 31, 2017 have not been filed.

For South Carolina Orthopaedic Association, records of the State Ethics Commission indicate that a January 31, 2017 Lobbyist Disclosure Statement for the period of June 1, 2016 through December 31, 2016, a June 30, 2017 Lobbyist Disclosure Statement for the period of January 1, 2017 through May 31, 2017, and a January 31, 2018 Lobbyist Disclosure Statement for the period of June 1, 2017 through December 31, 2017 have not been filed.

For Health Promotion Specialists records of the State Ethics Commission indicate that a January 31, 2017 Lobbyist Disclosure Statement for the period of June 1, 2016 through December 31, 2016 has not been filed.

Respondent was reminded of the filing requirements by letters dated July 1, 2020 and August 4, 2020 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadlines. To date, no properly completed Lobbyist Disclosure Statements have been received. All in violation of Section 2-17-30, 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

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2019-075)

Latesha Y. Grant)
Respondent)

State Ethics Commission)
Complainant.)

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, 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 LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Beer Wholesalers Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2016 second filing period due January 31, 2017, in violation of Section 2-17-30.

COUNT TWO
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Beer Wholesalers Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2017 first filing period due June 30, 2017, in violation of Section 2-17-30.

COUNT THREE
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Beer Wholesalers Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2017 second filing period due January 31, 2018, in violation of Section 2-17-30.

COUNT FOUR
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Orthopaedic Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2016 second filing period due January 31, 2017, in violation of Section 2-17-30.

COUNT FIVE
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Orthopaedic Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2017 first filing period due June 30, 2017, in violation of Section 2-17-30.

COUNT SIX
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for the South Carolina Orthopaedic


Association, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2017 second filing period due January 31, 2018, in violation of Section 2-17-30.

COUNT SEVEN
FAILURE TO FILE LOBBYIST DISCLOSURE STATEMENT
SECTION 2-17-30, S.C. CODE ANN., 1976, AS AMENDED

That Latesha Y. Grant, a registered lobbyist for Health Promotion Specialists, did in Richland County, fail to timely file a Lobbyist Disclosure Statement for the 2016 second filing period due January 31, 2017, in violation of Section 2-17-30.

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.).

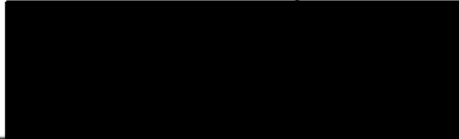
A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 6th 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 Latesha Y. Grant, 3479 Kiveton Dr, Norcross, GA 30092 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 4th 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)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)
COMPLAINT C2020-075)

State Ethics Commission,)
Complainant)

CONSENT ORDER

Latesha Y. Grant,)
Respondent)

This matter comes before the State Ethics Commission (Commission) by way of a complaint filed on October 1, 2019. The complaint against Latesha Y. Grant (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, Conclusions of Law, Discussion, and Disposition.

STATEMENTS OF FACT

1. On January 8 and January 11, 2016, Respondent registered as a Lobbyist for the following Lobbyist's Principals: (1) the South Carolina Orthopaedic Association; (2) Health Promotion Specialists; and (3) the South Carolina Beer Wholesalers Association.
2. By virtue of these registrations, Respondent was required to file two (2) Lobbyist Disclosure Reports (LDR) for each Lobbyist's Principal. The first LDR was due on or before June 30, 2016 and the second LDR was due on or before January 31, 2017.¹
3. Respondent filed the first LDR for each Lobbyist's Principal on July 12, 2016. According to these LDRs, Respondent received \$1,000 from Health Promotion Specialists, \$3,000 from the

¹ Pursuant to S.C. Code Ann. § 2-17-30, the first LDR must disclose lobbying activity occurring between January 1 and May 31 and the second LDR must disclose lobbying activity occurring between June 1 and December 31.

- South Carolina Beer Wholesalers Association, and \$6,000 from the South Carolina Orthopaedic Association.
4. Respondent failed to file the second LDR on or before January 31, 2017 for any of the three (3) Lobbyist's Principals.
 5. On February 7, 2017, Respondent registered as a Lobbyist for the following Lobbyist's Principals: (1) South Carolina Beer Wholesalers Association; and (2) South Carolina Orthopaedic Association.
 6. By virtue of these registrations, Respondent was required to file two (2) LDRs for each Lobbyist's Principal. The first LDR was due on or before June 30, 2017 and the second LDR was due on or before January 31, 2018.
 7. Respondent failed to file the first or second LDR for either of the two (2) Lobbyist's Principals.
 8. By way of a July 1, 2020 first-class letter, the Commission notified Respondent of her failure to file the following: (1) a January 31, 2017 LDR for the South Carolina Orthopaedic Association; (2) a January 31, 2017 LDR for Health Promotion Specialists; (3) a January 31, 2017 LDR for the South Carolina Beer Wholesaler's Association; (4) a June 30, 2017 LDR for the South Carolina Orthopaedic Association; (5) a January 31, 2018 LDR for the South Carolina Orthopaedic Association; (6) a June 30, 2017 LDR for the South Carolina Beer Wholesalers Association; and (7) a January 31, 2018 LDR for the South Carolina Beer Wholesalers Association.
 9. The July 1, 2020 letter was remailed via certified mail on August 4, 2020. According to the U.S. Postal Service, the certified letter was delivered on August 10, 2020 at 4:53 p.m.
 10. On August 20, 2020, penalties began accruing at \$70 per day (\$10 per LDR).

11. On August 30, 2020, penalties began accruing at \$700 per day (\$100 per LDR).
12. Following the filing of the Complaint, Commission Investigator Ryanne Caldwell successfully contacted Respondent. Respondent confirmed receipt of the Complaint and the letters. Respondent informed Investigator Caldwell that she lost both parents in a short time frame that overlapped with the due dates of the LDRs in question. Respondent stated she was under a great deal of emotional stress during this time, which led to her failure to file the LDRs.
13. Investigator Caldwell put Respondent in contact with a Commission staff member, who assisted Respondent with filing all the necessary LDRs on October 9, 2020.
14. According to the LDRs filed on October 9, 2020, Respondent received \$3,000 from the South Carolina Orthopaedic Association in the second half of 2016. Respondent collected no additional income from Health Promotion Specialists or the South Carolina Beer Wholesalers Association.
15. According to the LDRs filed on October 9, 2020, Respondent received the following during 2017: \$3,000 from the South Carolina Orthopaedic Association and \$975.50 from the South Carolina Beer Wholesalers Association.

CONCLUSIONS OF LAW

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

1. At all times relevant, Respondent was a lobbyist pursuant to Section 2-17-10(13). Therefore, the Commission has personal and subject matter jurisdiction.
2. Pursuant to Section 2-17-30(A), Respondent was required to file a LDR for each Lobbyist's Principal on or before January 31 and on or before June 30 for each year she was a registered lobbyist.

3. Section 2-17-50(A) states that the Commission shall:
 - (1) require a person to submit information pursuant to the requirements of this chapter;
 - (2) in addition to any other penalty in this chapter, require a person who files a late statement or fails to file a required statement to be assessed a civil penalty as follows:
 - a. a fine of one hundred dollars if not filed within ten days after the established deadline provided in this chapter; and
 - b. after notice has been given by certified or registered mail that a required statement 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.
4. Section 8-13-130 allows the Commission to levy an administrative fee for violations of Chapter 17, Title 2, of the South Carolina Code of Laws.

DISCUSSION

Respondent admits that she violated Section 2-17-30 by failing to timely file the seven (7) LDRs as described above. In mitigation, Respondent states that she was undergoing extreme amounts of stress during the periods of time the LDRs were due, largely as a result of losing both of her parents within a short time frame. Respondent acknowledges that the filings were her responsibility, but pleads for financial leniency if possible. Respondent also asks the Commission to consider that she had no additional income to report from the South Carolina Beer Wholesalers or Health Promotion Specialists in the second half of 2016.

DISPOSITION

The Commission hereby finds Respondent Latesha Grant in violation of Section 2-17-30 and hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this written warning to Respondent,

AND, orders Respondent to pay a reduced late-filing penalty of \$1,400 (\$200 per LDR) and an administrative fee of \$300, for a total of \$1,700, within one (1) year from receipt of this signed order.

By executing this Consent Order, Respondent understands that it is not only admitting to violation of Section 2-17-30, but also confessing to a judgment of \$1,700 (less any money paid to the Commission) in the event it does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent with the Clerk of Court in her last known County of Residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$1,700 (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


CHILDS CANTEY THRASHER, CHAIR


LATESHA Y. GRANT
RESPONDENT