

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

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STATE ETHICS
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COMPLAINT FORM

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2020-085

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

RESPONDENT: Jeremy B. Cannon
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Board Member – Clarendon County
Registration and Elections

Section 8-13-1120, SC Code Ann., 1976, as amended, requires certain officials to file a Statement of Economic Interests prior to assuming the duties of the office, and Section 8-13-1140, SC Code Ann., 1976, as amended, requires the filing of an updated Statement of Economic Interests for the previous calendar year annually thereafter prior to March 30. Records in the State Ethics Commission indicate that the Respondent was required to file the 2016 Statement of Economic Interests prior to entering his official responsibilities in November 2016, the 2018 Statement of Economic Interests, and the 2019 Statement of Economic Interests.

Respondent was reminded of the filing requirements by a letter dated September 16, 2020 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadlines. To date, no properly completed 2016, 2018, or 2019 Statement of Economic Interests has been received. All in violation of Section 8-13-1120 and Section 8-13-1140, SC 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
16th day of November, 2020

[REDACTED]

[REDACTED]

Meghan L. Walker, Executive Director

Notary Public for South Carolina
My Commission expires 8-11-2025

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)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2020-085)

Jeremy B. Cannon)
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 Commission will 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, August 19, 2021 at 9:30 a.m. at the 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 INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Jeremy C. Cannon, Clarendon County Registration and Elections Board member, did in Richland County, fail to file a 2018 Statement of Economic Interests, in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That Jeremy C. Cannon, Clarendon County Registration and Elections Board member, did

in Richland County, fail to file a 2019 Statement of Economic Interests, in violation of Section 8-13-1140.

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 24th day,
of March 2021.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Jeremy B. Cannon, 3593 Hicks Road, Turbeville, SC 29162 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 24th day of March 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 C2020-085)
)
 State Ethics Commission,)
 Complainant,)
)
 Jeremy B. Cannon,)
 Respondent.)
 _____)

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CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 16, 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 Jeremy B. Cannon (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on two (2) counts of violating Section 8-13-1140 for failure to timely file a 2017 and a 2018 Statement of Economic Interests (SEI). Prior to the call of the case, Respondent agreed to entry of the following:

STATEMENTS OF FACT

1. Respondent served on the Clarendon County Board of Voter Registration and Elections (Board) from 2017-2019.¹
2. Respondent did not file a SEI on or before March 30, 2018.
3. Respondent did not file a SEI on or before March 30, 2019.
4. In a September 16, 2020 certified letter, the Commission notified Respondent of his failure to file a 2018 and a 2019 SEI. According to the U.S. Postal Service, the letter was delivered to Respondent's address of record on September 18, 2020 at 12:39 p.m.

¹ Respondent's 2017 SEI was due on March 30, 2017, but Respondent did not file until May 23, 2017. The Commission assessed the automatic \$100 late-filing penalty permitted by Section 8-13-1510 of the Ethics Act and this debt was submitted to the Debt Setoff Program at the Department of Revenue. The 2017 SEI is not a part of the current complaint.

LOGGED

5. On September 28, 2020, late-filing penalties began accruing at \$20 per day (\$10 per day, per SEI).
6. On October 8, 2020, late-filing penalties began accruing at \$200 per day (\$100 per day, per SEI).
7. On December 30, 2020, Commission Investigator Rynne Caldwell successfully contacted Respondent. Respondent informed Investigator Caldwell that he attempted to file his 2018 and 2019 SEIs with the Commission, but had difficulty with the online filing system. Respondent stated he was a farmer with no prior experience in public service. Respondent stated he believed he had filed what was necessary and, once he resigned from office in 2019, he did not believe any further action was required on his part. Respondent stated his willingness to get into compliance and pay any fines he owed.
8. On December 31, 2020, Respondent received assistance from Commission staff and came into compliance by filing his 2018 and 2019 SEIs. At the time he came into compliance, Respondent had accrued \$10,000 in late-filing penalties (\$5,000 per SEI).

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 “public official” pursuant to Section 8-13-100(28). Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1140 provides, in relevant part:

A person required to file a [SEI] under this chapter annually shall file . . . an updated statement for the previous calendar year, no later than noon on March 30 of each calendar year.

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 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 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 two (2) counts of violating Section 8-13-1140 for failing to timely file a 2018 and a 2019 SEI. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file his 2018 and 2019 SEIs. In mitigation, Respondent states he had difficulty with the Commission’s online filing system and had no prior experience in public office. Respondent states he is a farmer and was not familiar with the filing requirements of the Ethics Act. Respondent believed that no further actions were required of him once he resigned from the Board at the end of 2019. Respondent asks for financial leniency. The Commission acknowledges that Respondent promptly came into compliance once contacted by a Commission investigator.

DISPOSITION

1. The Commission hereby finds Respondent in violation of two (2) counts of Section 8-13-1140.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

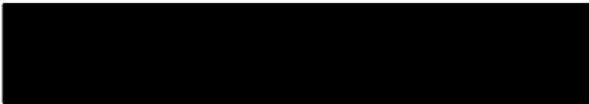
THEREFORE, the Commission hereby issues a written warning and orders the Respondent to pay the Commission, within ninety (90) days from receipt of this Order, a late-filing penalty of \$250 for the 2018 SEI, a late-filing penalty of \$250 for the 2019 SEI, and a \$250 administrative fee, for a total of \$750. The remaining \$9,500 in accrued late-filing penalties are hereby waived.

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 \$750 (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 \$750 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 11 DAY OF October 2021.

STATE ETHICS COMMISSION



CHILDS CANTEY THRASHER, CHAIR



JEREMY B. CANNON
RESPONDENT