

RECEIVED STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

2021 AUG 12 AM 8:03

STATE ETHICS COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY: CASE NUMBER C 2021-063

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

RESPONDENT: Don D. Doggett ADDRESS: [REDACTED] TELEPHONE NUMBER: [REDACTED] TITLE: Former Superintendent - McCormick County Schools

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 2018 Statement of Economic Interests.

Respondent was reminded of the filing requirement by a certified letter dated January 5, 2021 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, no properly completed 2018 Statement of Economic Interests has been received. All in violation of 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 12th day of August 2021

[REDACTED] Meghan L. Walker, Executive Director

[REDACTED] 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

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2021-063)	
)	
Don D. Doggett)	NOTICE OF HEARING
Respondent.)	
)	
State Ethics Commission)	
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 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, April 21, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

COUNT ONE
FAILURE TO FILE A STATEMENT OF ECONMOICS INTERESTS REPORT
SECTION 8-11-1140, S.C. CODE ANN., 1976, AS AMENDED

That Don D. Doggett, Superintendent for McCormick County School District, did in Richland County, fail to file a 2018 Statement of Economic Interests report, 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 1st day,
of December 2021.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Don D. Doggett, 6216 Yorkshire Drive, Columbia, SC 29209 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of December 2021, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.

A black rectangular redaction box covers the signature of Rachael O'Bryan.

Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
COMPLAINT C2021-063)
)
State Ethics Commission,)
Complainant,)
)
Don D. Doggett,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER



This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on August 12, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Don D. Doggett (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-1140 for failure to timely file 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. At all times relevant, the Respondent was the McCormick County Schools Superintendent.
2. Respondent failed to file a 2018 SEI on or before March 30, 2018.
3. In a certified letter dated January 5, 2021, the Commission notified Respondent of his failure to timely file a 2018 SEI. The Commission assessed a \$100 late-filing penalty for the SEI and informed the Respondent that additional late-filing penalties would accrue if Respondent failed to come into compliance.
4. According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on January 8, 2021 at 10:02 a.m.
5. On January 18, 2021, late-filing penalties began to accrue at \$10 per day.

6. On January 28, 2021, late-filing penalties began to accrue at \$100 per day.
7. The Complaint was filed on August 12, 2021.
8. On October 17, 2021, a Commission Investigator contacted Respondent and advised him to file his 2018 SEI. Respondent informed the Investigator that he and his family contracted COVID-19 in December of 2020 and January 2021. Respondent further stated he had undergone surgery, which caused him to fall behind in checking his mail. Finally, Respondent said he did not know that he was required to file a SEI for 2018 since he resigned as Superintendent in June of 2018.
9. On September 14, 2021, Respondent came into compliance by filing his 2018 SEI.
10. At the time Respondent came into compliance, he had accrued \$5,000 in late-filing penalties on the 2018 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 employee” pursuant to Section 8-13-100(24).

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 one (1) count of violating Section 8-13-1140 for failing to timely file a 2018 SEI. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file a 2018 SEI. In mitigation, Respondent states that he suffered from numerous health setbacks in and around the time he received the Commission’s January 2021 communication. In addition, Respondent states that he resigned in June of 2018 and believed that he was not required to file a 2018 SEI. In exchange for this admission, the Commission waives \$4,900 in late-filing penalties, as discussed below.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count 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.

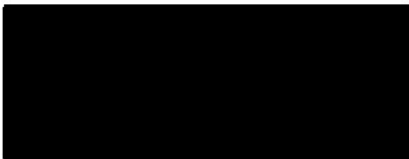
THEREFORE, the Commission hereby issues a written warning and orders the Respondent to pay the Commission, within sixty (60) days from receipt of this Order, a reduced late-filing penalty of \$100 for the 2018 SEI and an administrative fee of \$233, for a total of \$333. The remaining \$4,900 in accrued late-filing penalties is 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 \$333 (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 \$333 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 21 DAY OF March 2021.

STATE ETHICS COMMISSION


CHILDS CANTEY THRASHER, CHAIR


DON D. DOGGETT
RESPONDENT