

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2021-066

STATE ETHICS  
COMMISSION

COMPLAINT FORM

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

RESPONDENT: Betty A. Jones  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Councilmember – Town of Pinewood

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. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a Pre-Election Campaign Disclosure was due between October 14, 2020 and October 19, 2020. Respondent was sent an email reminder thirty days before the Pre-Election Campaign Disclosure deadline.

Respondent was reminded of the filing requirement by a certified letter dated April 8, 2021 as described in the attached. To date, no properly completed Pre-Election Campaign Disclosure has been received. All in violation of Section 8-13-1308(D)(1) 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  
12th day of August, 2021

[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 )  
 )  
 IN THE MATTER OF: )  
 )  
 Complaint C2021-066 )  
 )  
 Betty A. 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 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, February 17, 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 allegations will be heard:

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

That Betty A. Jones, candidate for Pinewood Town Council, did in Richland County, fail to file a 2020 pre-election campaign disclosure report, 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 7<sup>th</sup> day,  
of October 2021.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Betty A. Jones, 45 Benedict St, Pinewood, SC 29125 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 7<sup>th</sup> day of October 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 )  
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 IN THE MATTER OF: )  
 COMPLAINT C2021-066 )  
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 State Ethics Commission, )  
 Complainant, )  
 )  
 Betty A. Jones, )  
 Respondent. )

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**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 Betty A. Jones (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of Section 8-13-1308 for failure to file a 2020 Pre-Election Campaign Disclosure Report (CDR). Prior to the call of the case, Respondent agreed to the following:

**STATEMENTS OF FACT**

1. Respondent was a candidate for Pinewood Town Council in a November 3, 2020 election.
2. Respondent did not file a Pre-Election CDR between October 14, 2020 and October 19, 2020.
3. The Commission notified Respondent of her failure to file the 2020 Pre-Election CDR in a certified letter dated April 8, 2021. According to the certified letter, the Commission assessed the initial \$100 late-filing penalty permitted by Section 8-13-1510 of the Ethics Act and informed Respondent that additional penalties would accrue if she failed to file the 2020 Pre-Election CDR.
4. The certified letter was delivered to Respondent's address of record on April 10, 2021 at 8:26 a.m.
5. On April 20, 2021, late-filing penalties began to accrue at \$10 per day.
6. On April 30, 2021, late-filing penalties began to accrue at \$100 per day.
7. Receiving no response with regard to the 2020 Pre-Election CDR, the Commission filed the Complaint on August 12, 2021. The Commission notified Respondent of the Complaint via

**LOGGED**

certified letter dated August 12, 2021. According to the U.S. Postal Service, Respondent personally signed for the Complaint on August 16, 2021 at 10:22 a.m.

8. Respondent contacted the Commission following her receipt of the Complaint and came into compliance the same day. Respondent disclosed no campaign activity related to the 2020 election.
9. At the time Respondent came into compliance on August 16, 2021, the late-filing penalties had reached the statutory maximum of \$5,000.

### 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(A) provides, in relevant part:

... a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified report fifteen days before an election.

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 8-13-1308 for failing to timely file a 2020 Pre-Election CDR. Through this Consent Order,

Respondent acknowledges she violated the Ethics Act when she failed to timely file a 2020 Pre-Election CDR between October 14, 2020 and October 19, 2020. In mitigation, Respondent states she was under the mistaken impression that no filings were required if no money was raised or spent.

**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 written warning and orders the Respondent to pay the Commission, within eight (8) months from receipt of this Order, a late-filing penalty of \$500 and a \$233 administrative fee, for a total of \$733. The Commission hereby waives the remaining \$4,500 in late-filing penalties.

By executing this Consent Order, Respondent understands that she is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$733 (less any money paid to the Commission) in the event she 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 \$733 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 1<sup>st</sup> DAY OF November 2021.

STATE ETHICS COMMISSION

  
CHILDS CANTEY THRASHER, CHAIR

  
BETTY A. JONES  
RESPONDENT