

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023-027

STATE ETHICS COMMISSION
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COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210

RESPONDENT: Tonya B. Williams
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]

TELEPHONE NUMBER: (803) 253-4192

TITLE: Former Council Member – Town of Central
Pacolet

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 2020 Statement of Economic Interests prior to taking the oath of office in January 2020, the 2021 Statement of Economic Interests prior to March 30, 2021, and the 2022 Statement of Economic Interest prior to March 30, 2022.

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 16, 2019 and October 21, 2019.

Respondent was reminded of the filing requirements by a certified letter dated June 13, 2022 as described in the attached. To date, a Pre-Election Campaign Disclosure, 2020 Statement of Economic Interests, 2021 Statement of Economic Interests, or 2022 Statement of Economic Interests have not been received. All in violation of Section 8-13-1120, Section 8-13-1140, Section 8-13-1308 (A), Section 8-13-1308 (D)(1), SC Code Ann., 1976, as amended.

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.

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
3rd day of March, 2023

[REDACTED]
Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires _____

SEC-7 (Revised 3/2022)

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION
))
IN THE MATTER OF:)
COMPLAINT C2023-027)
))
State Ethics Commission,) **DECISION AND ORDER**
Complainant.)
))
Tonya B. Williams,)
Respondent.)
_____)

This matter came before the South Carolina Ethics Commission (Commission) by way of a Complaint filed on March 3, 2023. The Commission’s Executive Director reviewed the Complaint, determined it contained facts sufficient to warrant an investigation, and ordered an investigation. On March 21, 2024, the Commission reviewed the Complaint and investigative findings to determine whether probable cause existed to charge Tonya B. Williams (Respondent) with violating the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act). For the reasons stated herein, the Commission finds probable cause exists, but waives further proceedings on the matter.

STATEMENT OF FACTS

1. On November 5, 2019, the Central Pacolet Town Council (Council) held an election for two (2) open Council seats. Nine (9) total votes were cast, and Respondent was elected as a write-in candidate with three (3) votes.
2. Respondent failed to file a 2020 Statement of Economic Interests (SEI) prior to taking oath of office.
3. Respondent failed to file a 2021 SEI on or before March 30, 2021.
4. Respondent failed to file a 2022 SEI on or before March 30, 2022.
5. In a March 18, 2022 certified letter, the Commission notified Respondent of her failure to timely

file 2020 and 2021 SEIs.¹

6. According to the United States Postal Service (USPS), the status of the certified letter was “unavailable” as of April 2022. The penalty letter was therefore remailed via certified mail on June 13, 2022.
7. According to the USPS, the re-mailed certified letter was delivered to Respondent’s address of record on June 16, 2022 at 10:54 a.m.
8. Following the filing of the Complaint, Commission Investigators traveled to Respondent’s address of record in an attempt to serve her with the Complaint. There, Commission Investigators met Anthony Cook, Respondent’s father. Mr. Cook was initially hesitant to provide Respondent’s whereabouts, claiming that his daughter was being subjected to harassment and stalking by the Town’s Mayor. Mr. Cook further explained his belief that Respondent was being taken advantage of by the Town’s Mayor. Mr. Cook ultimately disclosed that Respondent was currently living at a nearby motel.
9. Commission Investigators subsequently located Respondent, delivered the Complaint, and conducted an interview. During the interview, Respondent stated that she did not want to run for office in 2019, but that the Town’s Mayor, Dewey “Buddy” Harrelson, had encouraged people to vote for her. Respondent also stated that, following her election, the Mayor advised her how to vote and when to raise her hand during Council meetings. Respondent further advised that she was diagnosed with dyslexia and attention-deficit disorder during primary school and that she was a “slow-learner.” Respondent stated she participated in self-contained special education classes

¹ The penalty letter also notified Respondent of her failure to file a 2019 Pre-Election Campaign Disclosure Report (CDR). However, it was subsequently determined that Respondent was not required to file a Pre-Election CDR prior to the November 5, 2019 because she was a write-in candidate. The Commission’s letter did not notify Respondent of her failure to timely file a 2022 SEI because the filing deadline of March 30, 2022 had not yet passed.

during most of her primary school education.

10. Finally, Respondent advised Commission Investigators that she was unaware of any filing requirements accompanying her election to Town Council. Respondent stated she was disregarding all communications from the government because she believed they were attempts by the Mayor to further harass her.² Respondent subsequently contacted Commission staff and filed the missing SEIs.
11. Commission Investigators also interviewed Mayor Harrelson. According to the Mayor, Respondent wanted to run for Council in 2019. The Mayor further provided Investigators with a March 8, 2022, letter he wrote to Respondent, which read as follows:

The Town of Central Pacolet is hereby requesting that you permanently resign immediately, turn in your door key, and any property that belongs to the town council along with the minutes you have on a flash drive, due to the fact that you have been evicted for back rent, for almost 2 years from 1191 N Hwy 150, Central Pacolet, SC 29372, and that you no longer are a resident in Central Pacolet, that is required by law for you to hold a seat on the town council. Also, you have failed to file with the municipality association with the economics of interest statement nor have you filed with the ethics commission, which is required by law, to hold a seat on town council. Therefore you are in violation of requirements to hold a seat on town council. You, Tonya Beth Gant Williams, also have 7 days to remove your personal items from the building located at 630 N Hwy 150 (Which is Town Hall Central Pacolet), and repair the damages to the said building, that your personal items are so heavy and have caused broken beams in the floor, if you fail to remove your personal items within 7 days from this notice, your items will become property of the Town Hall, also if you fail to repair all damages your items caused, you can and will be charged for destruction of private property.

12. According to Respondent, she resigned in March of 2022.

LAW

Pursuant to Section 8-13-320, the Commission is empowered to receive complaints and

² Commission Investigators obtained an Incident Report from the Spartanburg County Sheriff's Office (SCSO) dated June 16, 2022, wherein Respondent contacted SCSO following an alleged incident of harassment by Mayor Harrelson. According to the Incident Report, Respondent alleged Mayor Harrelson continuously harassed her following her resignation from Council. Respondent also informed SCSO that she believed Mayor Harrelson was angry with her because she was also refusing to continue cleaning his home.

conduct investigations related to violations of the Ethics Act. Following the receipt of a Complaint and completion of a corresponding investigation, the Commission must determine whether there is probable cause to believe a violation of the Ethics Act occurred. Section 8-13-320(10)(i). If the Commission determines probable cause exists, it may order a hearing on the merits or, if the Respondent has taken action to remedy or correct the alleged violation, it may waive further proceedings. Section 8-13-320(10)(i). The decision to waive further proceedings lies within the sound discretion of the Commission. Section 8-13-1110(A) requires a public official to file a SEI prior to being sworn into office and Section 8-13-1140 requires public officials to file a SEI on or before March 30 of each year.

DECISION

Based on evidence presented, the Commission hereby determines there is probable cause to believe that Respondent violated Section 8-13-1110(A) and Section 8-13-1140 of the Ethics Act when she failed to timely file her 2020, 2021, and 2022 SEIs. However, Respondent has provided mitigating evidence to the Commission for these failures to timely file. Moreover, Respondent is now in compliance.

THEREFORE, pursuant to Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the Commission hereby waives further proceedings.

AND IT IS SO ORDERED THIS 10th DAY OF May, 2024.

SOUTH CAROLINA ETHICS COMMISSION


SCOTT E. FRICK, CHAIR

Columbia, South Carolina