

# **News Release**

**For Immediate Release**

## **Solicitor David Pascoe Announces Indictments of Representative James H. Merrill**

Columbia, S. C. - December 14, 2016 - First Circuit Solicitor David Pascoe announces that the Richland County Grand Jury indicted James H. Merrill, former Majority Leader and current member of the South Carolina House of Representatives, today on thirty (30) charges. The thirty indictments are for two counts of Misconduct in Office (statutory and common law), and twenty-eight counts for violations of the Ethics, Government Accountability, and Campaign Reform Act of 1991.

A bond hearing date has not been set. Mr. Merrill's lawyers have been provided copies of his indictments. He will be allowed to formally accept service of the true billed indictments and attend his bond hearing on the same date. Once the date for service of the indictments and the bond hearing is set, the First Circuit Solicitor's Office will provide ample notice to the media of the date and time.

Solicitor Pascoe stated, "At this point in the process, the indictments are mere accusations. Mr. Merrill is presumed innocent until proven guilty. I also need to point out that this is still an ongoing investigation. Therefore, I will have no further comment regarding this matter." Solicitor Pascoe respectfully requests that the media not contact his office regarding the ongoing State Grand Jury investigation or this case against Mr. Merrill. Any request for indictments or future filings in this case should be directed to the Richland County Clerk of Court.


STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND       )

INDICTMENT  
  
2016-GS-40-07185

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

COMMON LAW MISCONDUCT IN OFFICE

On or about January 1, 2002 through July 1, 2016, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, willfully and dishonestly fail to properly and faithfully discharge the duties of his public office imposed upon him by law, to wit: by using the office and position of House Member to obtain a personal profit and benefit to himself, the Defendant committed acts or omissions in breach of his duty of good faith and accountability to the public, this in violation of the common law of South Carolina and against the peace and dignity of the State.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07187

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

MISCONDUCT IN OFFICE

On or about January 1, 2002 through July 1, 2016, the Defendant, JAMES H. MERRILL, a public officer, did, in Richland County, commit acts and omissions constituting official misconduct, fraud, corruption or habitual negligence, to wit: the Defendant, while an elected Member of the South Carolina House of Representatives violated provisions of the Ethics Government Accountability and Campaign Reform Act of 1991 in order to obtain a personal profit and benefit, this in violation of South Carolina Code §8-1-80, as amended, and against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07188

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

PERSONS PROHIBITED FROM SERVING AS LOBBYIST

On or about May 14, 2008 through April 25, 2012, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, act as a lobbyist while holding office in the House of Representatives, the Defendant, who was employed, appointed or retained by the South Carolina Association of Realtors (hereinafter "Association") or its affiliates, accepted approximately \$391,174.95 from the Association to influence by direct communication the action or vote of any public official or public employee by introducing and voting on legislation that benefitted the Association, to wit: on or about May 14, 2008, the Defendant began accepting payments from the Association. On or about December 29, 2008, the Defendant participated in a conference call with the Association, in which he solicited funding for assistance regarding the "point of sale" property tax reform during the 2009 South Carolina Legislative Session. On or about January 9, 2009, the Defendant sponsored bill H3272 regarding the "point of sale" legislation, which directly benefitted the Association or its affiliates. In 2009 alone, the Defendant received approximately \$211,925.00 from the Association or its affiliates. The Defendant also sponsored bill H3713 regarding real property tax legislation on or about February 17, 2011, directly benefitting the Association and its affiliates; this in violation of South Carolina Code §2-17-15, §2-17-130 and §2-17-10, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07189

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**OFFERING, GIVING, SOLICITING OR RECEIVING ANYTHING OF VALUE TO  
INFLUENCE A PUBLIC OFFICIAL**

On or about May 14, 2008 through April 25, 2012, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, directly or indirectly, knowingly ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive anything of value for himself or another person in return for being influenced in the discharge of his official responsibilities; or for being influenced to commit, aid in committing, collude in, allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or was induced to perform or fail to perform an act in violation of his official responsibilities, to wit: the Defendant knowingly accepted approximately \$391,174.95 from the South Carolina Association of Realtors or its affiliates in exchange for using his position as a public official to influence legislation benefitting the Association; this in violation of South Carolina Code §8-13-705(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND         )

INDICTMENT  
2016-GS-40-07190

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN**

On or about January 1, 2008 through December 31, 2012, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make, participate in making or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he was associated, or a business with which he was associated had an economic interest, to wit: the Defendant, through his business, Geechie Communications, received approximately \$391,174.95 from the South Carolina Association of Realtors or its affiliates and used his public office to influence governmental decisions involving these entities, this in violation of South Carolina Code §8-13-700(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND        )

INDICTMENT  
2016-GS-40-07191

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**REPORT ON NAMES OF AND PURCHASES BY LOBBYIST**

On or about April 15, 2009, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$115,500 from the South Carolina Association of Realtors, a lobbyist principal, or its affiliates during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07193

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$209,174.95 from the South Carolina Association of Realtors, a lobbyist principal, or its affiliates during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office, this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor




STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07194

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**REPORT ON NAMES OF AND PURCHASES BY LOBBYIST**

On or about April 15, 2011, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$54,500 from the South Carolina Association of Realtors, a lobbyist principal, or its affiliates during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07195

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2012, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$9,000 from the South Carolina Association of Realtors or its affiliates during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND       )

INDICTMENT  
2016-GS-40-07196

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2013, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$3,000 from the South Carolina Association of Realtors or its affiliates during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07197

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about May 27, 2011 through January 12, 2016, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make, participate in making or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he was associated, or a business with which he was associated had an economic interest, to wit: the Defendant, through his business, Geechie Communications, received approximately \$172,485 from Student Transportation of America, Inc. and used his public office to influence governmental decisions involving these entities; this is in violation of South Carolina Code §8-13-700(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07198

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

PERSONS PROHIBITED FROM SERVING AS LOBBYIST

On or about May 27, 2011 through January 12, 2016, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, act as a lobbyist while holding office as a member of the House of Representatives. The Defendant, who was employed, appointed or retained by Student Transportation of America, Inc. (hereinafter "STA") accepted approximately \$172,485 from STA to influence by direct communication the action or vote of any public official or public employee by introducing and voting on legislation that benefitted STA, to wit: the Defendant entered into a retainer agreement with STA on or about May 1, 2011, in which he received monthly payments of at least \$3,000 per month, and on or about January 17, 2012, the Defendant sponsored bill H4610 regarding legislation to privatize school buses in the State, directly benefiting STA; this in violation of South Carolina Code §2-17-15, §2-17-130 and §2-17-10, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07199

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

OFFERING, GIVING, SOLICITING OR RECEIVING ANYTHING OF VALUE TO  
INFLUENCE A PUBLIC OFFICIAL

On or about May 27, 2011 through January 12, 2016, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, directly or indirectly, knowingly ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive anything of value for himself or another person in return for being influenced in the discharge of his official responsibilities; or for being influenced to commit, aid in committing, collude in, allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or was induced to perform or fail to perform an act in violation of his official responsibilities, to wit: the Defendant did knowingly accept approximately \$172,485 from Student Transportation of America, Inc. in exchange for using his position as a public official to influence legislation benefitting Student Transportation of America, Inc.; this in violation of South Carolina Code §8-13-705(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07200

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about April 12, 2012 through October 31, 2016, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make, participate in making or in any way attempt to use his office, membership or employment to influence a governmental decision in which he, a family member, an individual with whom he was associated, or a business with which he was associated had an economic interest, to wit: on or about April 12, 2012 through August 5, 2014, the Defendant, while serving on the House Ways and Means Committee and acting as Chairman of the Legislative, Executive and Local Government Sub-Committee, which oversees the budget for Parks, Recreation and Tourism (hereinafter "PRT"), laundered approximately \$148,693.27 to his business, Geechie Communications, from the Charleston Area Convention and Visitors Bureau (hereinafter "CVB") or its affiliates, through Pluff Mud Public Affairs, LLC, a company owned by the Defendant's brother, John Denver Merrill. The CVB receives a substantial amount of its funding from funding allocated to the PRT. Beginning on or about October 9, 2014 through October 31, 2016, after the Defendant had moved from Chairman of the Legislative, Executive and Local Government Sub-Committee to Chairman of Higher Education, Tech and Cultural Sub-Committee, his business, Geechie Communications stopped receiving money from Pluff Mud Public Affairs, LLC, and received approximately \$135,000 directly from the CVB through its affiliates Charleston Area Hospitality Association and Charleston Golf. During this time the Defendant used his public office to influence governmental decisions involving these entities; this in violation of South Carolina Code §8-13-700(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07201

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

OFFERING, GIVING, SOLICITING OR RECEIVING ANYTHING OF VALUE TO  
INFLUENCE A PUBLIC OFFICIAL

On or about March 3, 2008 through February 1, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, directly or indirectly, knowingly ask, demand, exact, solicit, seek, accept, assign, receive, or agree to receive anything of value for himself or another person in return for being influenced in the discharge of his official responsibilities; or for being influenced to commit, aid in committing, collude in, allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or was induced to perform or fail to perform an act in violation of his official responsibilities, to wit: the Defendant did knowingly accept approximately \$43,000 from Thomas & Hutton Engineering, Co. in exchange for using his position as a public official to benefit Thomas & Hutton Engineering, Co., this in violation of South Carolina Code §8-13-705(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



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David M. Pascoe  
First Circuit Solicitor




STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07203

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about January 17, 2014 through June 6, 2014, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make, participate in making or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he was associated, or a business with which he was associated had an economic interest, to wit: the Defendant, through his business, Geechie Communications, received approximately \$35,000 from Infilaw Management Solutions, LLC, who was attempting to purchase the Charleston School of Law, while the Defendant was a member of the House Ways and Means committee. After receiving this money, the Defendant became chairman of the Higher Education sub-committee and used this position to influence governmental decisions involving this purchase; this in violation of South Carolina Code §8-13-700(B), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07204

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**REPORT ON NAMES OF AND PURCHASES BY LOBBYIST**

On or about April 15, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$37,000 from the South Carolina Association of Convenience Stores during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office, this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07205

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2008, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$24,000 from the South Carolina Trial Lawyer's Association during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office, this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND       )

INDICTMENT  
2016-GS-40-07206

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2008, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer is associated with, or a business with which the filer is associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$31,056.32 from the South Carolina Manufacturer's Alliance or its affiliate, Made in SC, during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07207

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2009, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$19,250 from the South Carolina Manufacturer's Alliance or its affiliate, Made in SC, during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
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COUNTY OF RICHLAND         )

INDICTMENT  
2016-GS-40-07208

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

REPORT ON NAMES OF AND PURCHASES BY LOBBYIST

On or about April 15, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, fail to file a statement with the appropriate supervisory office for goods or services from a person he knows to be a lobbyist or a lobbyist's principal in an amount exceeding \$200, from the filer, a member of the filer's immediate family, an individual with whom the filer was associated with, or a business with which the filer was associated with, to wit: the Defendant, through his business, Geechie Communications, accepted approximately \$6,000 from the South Carolina Manufacturer's Alliance or its affiliate, Made in SC, during the previous calendar year, and failed to report or file a statement regarding the economic interest to the appropriate supervisory office; this in violation of South Carolina Code §8-13-1130, §8-13-1520, §8-13-1110, §8-13-1120 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND        )

INDICTMENT  
2016-GS-40-07209

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**RESTRICTION ON CAMPAIGN CONTRIBUTIONS RECEIVED FROM POLITICAL PARTIES**

On or about January 1, 2005 through October 11, 2011, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, coordinate with the House Republican Caucus and the Palmetto Leadership Council to give candidate contributions in excess of \$5,000 within an election cycle and also accepted contributions in excess of \$3,500 in a calendar year, to wit: the Defendant colluded with the House Republican Caucus and the Palmetto Leadership Council to give candidate contributions to members of the Republican Caucus in excess of \$5,000 and accept contributions in excess of \$3,500. The Defendant intentionally violated the law for the purpose of making money for himself personally, through his business Geechie Communications, for which he is the sole owner and operator. The Defendant, through his company, Geechie Communications, charged the House Republican Caucus and the Palmetto Leadership Council approximately \$275,521.58 for candidate mailings and advertisement placements during election cycles, which were paid out of the operating account as opposed to the campaign account, failing to properly report these expenditures in an effort to conceal the contributions. The Defendant also charged more than fair market value for work, often adding a markup of more than fifty percent (50%) for printing and graphic services completed by other entities; this in violation of South Carolina Code §8-13-1316, §8-13-1322, §8-13-1520 and §8-13-1300, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07210

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about January 1, 2002 through December 31, 2011, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he was associated, or a business with which he was associated, to wit: the Defendant, through his business, Geechie Communications, received approximately \$276,561.03 from the House Republican Caucus while serving as either Assistant Majority Leader, Majority Leader of the House of Representatives, or as a member of the House Republican Caucus, which conducted business with Geechie Communications during this time because of the Defendant's position as a Member of the South Carolina House of Representatives; this in violation of South Carolina Code §8-13-700(A), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



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David M. Pascoe  
First Circuit Solicitor




STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND        )

INDICTMENT  
2016-GS-40-07211

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about January 1, 2002 through December 31, 2004, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he was associated, or a business with which he was associated, to wit: the Defendant, through his business, Geechie Communications, received approximately \$3,828.37 from the House Republican Caucus while serving as Assistant Majority Leader of the House of Representatives, and the House Republican Caucus conducted business with Geechie Communications during this time because of the Defendant's position as Assistant Majority Leader of the House of Representatives; this in violation of South Carolina Code §8-13-700(A), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07212

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about January 1, 2005 through December 31, 2008, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he was associated, or a business with which he was associated, to wit: the Defendant, through his business, Geechie Communications, received approximately \$82,515.19 from the House Republican Caucus while serving as Majority Leader of the House of Representatives, and the House Republican Caucus conducted business with Geechie Communications during this time because of the Defendant's position as Majority Leader of the House of Representatives; this in violation of South Carolina Code §8-13-700(A), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND        )

INDICTMENT  
2016-GS-40-07214

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

**USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN**

On or about January 1, 2010 through December 31, 2011, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he was associated, or a business with which he was associated, to wit: the Defendant, through his business, Geechie Communications, received approximately \$108,168.51 from the House Republican Caucus while serving as a member of the House of Representatives, and the House Republican Caucus conducted business with Geechie Communications during this time because of the Defendant's position as a member of the South Carolina House of Representatives; this in violation of South Carolina Code §8-13-700(A), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF RICHLAND      )

INDICTMENT  
2016-GS-40-07215

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

FILING OF CERTIFIED CAMPAIGN REPORTS BY CANDIDATES OR COMMITTEES

On or about January 1, 2005 through December 31, 2008, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives and House Republican Caucus, did, in Richland County, fail to file quarterly certified campaign reports upon the receipt of anything of value which totals in the aggregate \$500.00 or more, to wit: the Defendant, while serving as Majority Leader of the South Carolina House Republican Caucus, failed to disclose contributions and expenditures made to and from the South Carolina House Republican Caucus Operating Account, which were improperly used for campaign purposes, and the Defendant did not file a report. The Defendant's failure to provide full disclosure of Caucus contributions and expenditures allowed the Defendant to collect approximately \$164,564.18 from the House Republican Caucus during this time, without accountability to the public, and impugned the integrity of the political and governmental process. This is in violation of §8-13-1308(G), §8-13-1520 and §8-13-1300 of the S.C. Code of Laws, as amended, and against the peace and dignity of the State and contrary to the law.

  
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David M. Pascoe  
First Circuit Solicitor


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07216

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES;  
EXPENDITURES NOT TO EXCEED FAIR MARKET VALUE

On or about January 1, 2008 through December 31, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make expenditures in excess of the fair market value of services, materials, facilities or other things of value received in exchange for said expenditures, to wit: the Defendant, through his position as a Member of the South Carolina House of Representatives, did direct expenditures in the approximate amount of \$186,331.70 from the South Carolina House Republican Caucus to his business, Geechie Communications in excess of the fair market value, for services rendered by Geechie Communications; this in violation of South Carolina Code §8-13-1348(D), §8-13-1520 and §8-13-1300, as amended, against the peace and dignity of the State, and contrary to law.

  
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David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07217

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN

On or about January 1, 2008 through December 31, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, knowingly use his official office, membership or employment to obtain an economic interest for himself, a family member, an individual with whom he was associated, or a business with which he was associated, to wit: the Defendant, through his business, Geechie Communications, received approximately \$84,021.61 from the Palmetto Leadership Council while serving as Majority Leader of the House of Representatives or as a Member of the House Republican Caucus, and the Palmetto Leadership Council conducted business with Geechie Communications during this time in coordination with the South Carolina House Republican Caucus because of the Defendant's position within the House Republican Caucus; this in violation of South Carolina Code §8-13-700(A), §8-13-1520 and §8-13-100, as amended, against the peace and dignity of the State, and contrary to law.



David M. Pascoe  
First Circuit Solicitor

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

INDICTMENT  
2016-GS-40-07218

At a Court of General Sessions, convened on December 14, 2016, the Grand Jurors of Richland County present upon their oath:

USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES;  
EXPENDITURES NOT TO EXCEED FAIR MARKET VALUE

On or about January 1, 2008 through December 31, 2010, the Defendant, JAMES H. MERRILL, a Member of the South Carolina House of Representatives, did, in Richland County, make expenditures in excess of the fair market value of services, materials, facilities or other things of value received in exchange for said expenditures, to wit: the Defendant, through his position as a Member of the South Carolina House of Representatives, did direct expenditures in the amount of approximately \$84,021.61 from the Palmetto Leadership Council in coordination with the South Carolina House Republican Caucus to his business, Geechie Communications, in excess of the fair market value, for services rendered by Geechie Communications; this in violation of South Carolina Code §8-13-1348(D), §8-13-1520 and §8-13-1300, as amended, against the peace and dignity of the State, and contrary to law.



David M. Pascoe  
First Circuit Solicitor