

Adverse Finding

South Carolina Educational Television Commission (“SCETV”) reports the following with respect to an adverse finding made against a former SCETV commissioner.

SCETV is the state of South Carolina’s public educational broadcasting network and the licensee of eight noncommercial educational radio stations and eleven noncommercial educational television stations. SCETV is governed by a nine-member Commission. Eight of those members are appointed by the Governor of South Carolina, and the ninth is the State Superintendent of Education who serves in an ex-officio capacity.

On November 1, 2018, one of the SCETV Commissioners, Nicole H. Holland, pleaded guilty in the United States District Court for the District of South Carolina to one count of Wire Fraud, in violation of 18 U.S.C. §1343 and 18 U.S.C. § 2, and one count of Mail Fraud, in violation of 18 U.S.C. § 2, Case Number 3:18-cr-00863-CMC. These matters did not involve SCETV operations or broadcast stations, nor did they involve Ms. Holland’s role as a member of the SCETV Commission. During her tenure as an SCETV Commissioner, Ms. Holland did not have any involvement in the day-to-day operation of the SCETV radio and television stations.

The charges against Ms. Holland related to her actions in her employment in a separate position as Director of Communications for the Fifth Circuit Solicitor’s (Prosecutor’s) Office in South Carolina, and not her role as an SCETV Commissioner. As an aide to the Solicitor, Ms. Holland controlled tens of thousands of dollars of annual spending on credit cards issued to the Solicitor’s office. The fraud counts to which she pleaded guilty involved the use of Solicitor’s Office funds to pay for personal expenses, including payment via government credit cards of a hotel bill of over \$2,700 and an orthodontist bill of over \$1,000 (see also attached news release by the United States Attorney’s Office for the District of South Carolina). Faced with these charges related to misuse of public funds, Ms. Holland pleaded guilty and cooperated with Federal prosecutors. In March, 2019, she was sentenced to three years of probation and ordered to pay restitution to the Solicitor’s Office.

Ms. Holland is no longer an SCETV Commissioner. By Executive Order No. 2018-41, dated September 21, 2018, South Carolina Governor Henry McMaster suspended Ms. Holland from her office as a member of the SCETV Commission following her indictment in the above-referenced case. By Executive Order No. 2018-58, dated November 19, 2018, Governor McMaster formally removed Ms. Holland from her office as a member of the SCETV Commission following her guilty plea and declared the position vacant.

SCETV does not believe that this matter has any significant bearing on its FCC licensee character qualifications or its stewardship of its broadcast stations. The matters to which Ms. Holland pleaded guilty were in no way connected to her involvement with SCETV or to SCETV’s broadcast station operations, and, in fact, she had no involvement with the stations’ day-to-day operations. Moreover, as noted above, Ms. Holland is no longer a member of the SCETV Commission nor associated with SCETV or its broadcast stations.



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Department of Justice

U.S. Attorney's Office

District of South Carolina

FOR IMMEDIATE RELEASE

Thursday, November 1, 2018

Former Fifth Circuit Director of Communications Pleads Guilty in Federal Court to Fraud

Columbia, South Carolina ---- United States Attorney Sherri A. Lydon announced that Nicole Halliett Holland, 49, former Director of Communications for the Fifth Circuit Solicitor's Office and a resident of Columbia, pled guilty in federal court today to two fraud counts, one Wire Fraud and the other Mail Fraud. Senior United States District Court Judge Cameron McGowan Currie presided. Sentencing has been set for February 26, 2019.

Facts presented in court established that from 2011 to March 2018, Holland was employed by Daniel Edward Johnson at the Fifth Circuit Solicitor's Office. During her time of employment, Nicole Holland used Solicitor's Office funds to pay for personal expenses.

Using a Solicitor's Office credit card issued to her to pay for office-related expenses, she made the following unauthorized purchases:

- In May 2017, various hotel stays at the Hampton Inn and Suites in Hopkinsville, KY, totaling over \$2,700. These charges correlate to Count 11, which is the wire fraud for the August 7, 2017, payment covering these personal expenses.
- In March 2017, a \$1,020 expense for a family member's orthodontics treatment that Holland labelled as "tournament sponsorship." This charge correlates to Count 19, the mailing and receipt of the Bank of America statement ending on March 8, 2017, which contained this expense.

Holland faces up to twenty years in federal prison, with a potential fine up to \$250,000.

The Federal Bureau of Investigation (FBI) and South Carolina Law Enforcement Division (SLED) investigated the case. Assistant United States Attorneys Winston D. Holliday, Jr., Alyssa Leigh Richardson, and William C. Lewis of the Columbia office are prosecuting the case.

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Topic(s):

Public Corruption

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Component(s):

USAO - South Carolina

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