

Filed
DEC 13 2010
Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION)	
)	
Petitioner,)	
)	
v.)	
)	
JOY CAMP, Treasurer)	No. 09A057
)	
and)	
)	
58 TH DEMOCRATIC LEGISLATIVE DISTRICT)	
COMMITTEE,)	
)	
Respondents.)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This is the Final Decision and Order of the Missouri Ethics Commission following a hearing on a Complaint filed by Petitioner, by and through Counsel, pursuant to §105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Jim Wright, Jim Tweedy, Vernon Dowdy, Louis J. Leonatti, Dennis Rose and Jeff Davison.

A closed hearing took place on September 10, 2010 and December 9, 2010 at the offices of the Missouri Ethics Commission at 3411 A Knipp Drive, Jefferson City, Missouri 65109. The Commission was represented by Elizabeth L. Ziegler, Legal Counsel. Respondents appeared in person and with counsel.

On September 10, 2010, Petitioner and Respondents entered into a Joint Stipulation of Facts and Law which is incorporated into to this Findings of Fact, Conclusions and Order. The

Commission admitted into evidence Petitioner's Exhibits 1 through 14. Having considered all the competent and substantial evidence upon the whole record, the Commission finds as follows:

FINDINGS OF FACT

1. The Missouri Ethics Commission ("the Commission") is an agency of the State of Missouri established pursuant to § 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent 58TH Democratic Legislative District Committee was a political party committee registered with Petitioner and was in existence at all relevant times.

3. Respondent Joy Camp was the Treasurer of Committee.

4. Pursuant to § 130.026, RSMo, the Missouri Ethics Commission is the appropriate officer designated to receive campaign finance reports under Chapter 130 for candidate committees.

5. Respondent Camp, as Treasurer, was responsible for filing campaign finance reports for Respondent Committee, pursuant to §130.041.1 and §130.058 RSMo.

6. Pursuant to § 105.959, RSMo, the Commission's staff audited the files of the Committee and reported its findings to the Commission.

Failure to Maintain Complete and Accurate Reports

7. On October 25, 2009, Respondent Joy Camp was duly served with a subpoena *duces tecum* for all records and documents relating to Respondent Committee in the possession of the Respondent.

8. On December 10, 2009, Petitioner received committee records and documents which were subject to the subpoena *duces tecum* served on Respondents.

9. The documents provided which were subject to the subpoena *duces tecum* were not accurate records and accounts containing all bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to Chapter 130.

Campaign Finance Disclosure Reports

10. Respondents filed the following reports, all due on the 15th of the month: April 2007 for the period of 1/1/07 through 3/31/07, on April 24, 2007; July 2007 Quarterly Report for the period of 4/1/07 through 6/30/07, on July 25, 2007; October 2007 Quarterly Report for the period 7/1/07 through 9/30/07, on December 16, 2007; January 2008 Quarterly Report for the period 10/1/08 through 12/31/07 on January 17, 2008; July 2008 Quarterly Report for the period of 4/1/08 through 6/30/08, on August 19, 2008; October 2008 Quarterly Report for the period 7/1/08 through 9/30/08, on October 27, 2008; April 2009 Quarterly Report for the period 1/1/09 through 3/31/09, on April 26, 2009; October 2009 Quarterly Report for the period 7/1/09 through 9/30/09, on October 26, 2009; January 2010 Quarterly Report for the period 10/1/10 through 12/31/10, on January 27, 2010.

11. The following contributions were received and the following expenditures were made from the official fund depository as follows:

Type	Check Number	Date	Transaction	Amount
Check	1106	7/2/2008	Carl Bruce	\$500.00
Check	1109	7/2/2008	Ebony Washington	\$400.00
Check	1111	7/3/2008	Charles Prete	\$500.00
Bank Charges		7/9/2008	Overdraft Charge	\$37.50
Bank Charges		7/11/2008	Continuous Overdraft Charges	\$8.00
Check	1124	7/11/2008	Alzalea Henderson	\$164.00

Check	1112	7/11/2008	David Irons	\$208.00
Check	1123	7/11/2008	Ebony Washington	\$368.00
Check	1125	7/11/2008	Evelyn Sutton	\$132.00
Check	1126	7/11/2008	Marsha Dinkins	\$88.00
Bank Charges		7/14/2008	Continuous Overdraft Charges	\$24.00
Bank Charges		7/14/2008	Overdraft Charge	\$37.50
Check	1132	7/14/2008	Schnucks	\$66.76
Bank Charges		7/15/2008	Overdraft Charge	\$37.50
Bank Charges		7/15/2008	Overdraft Charge	\$37.50
Bank Charges		7/15/2008	Overdraft Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Bank Charges		7/15/2008	Returned Check Charge	\$37.50
Check	1107	7/15/2008	Donna Shead	\$1,000.00
Check	1133	7/15/2008	Ink Spot	\$2,700.00
Check	1134	7/16/2008	4th Ward Democratic	\$750.00
Check	1136	7/17/2008	Rodney Hubbard, Sr	\$500.00
Check	1135	7/17/2008	Schnucks	\$91.58
Check	1148	7/18/2008	Alzalea Henderson	\$152.00
Check	1141	7/18/2008	Cheryl Jackson	\$192.00
Check	1154	7/18/2008	David Irons	\$248.00
Check	1149	7/18/2008	Evelyn Sutton	\$152.00
Check	1145	7/18/2008	Jasmine McClain	\$120.00
Check	1139	7/18/2008	Kevin Byrd	\$192.00
Check	1143	7/18/2008	Larry Thompson	\$168.00
Check	1144	7/18/2008	Marcus Wynn	\$192.00
Check	1150	7/18/2008	Marsha Dinkins	\$92.00
Check	1153	7/18/2008	Rochelle Bronaugh	\$160.00
Check	1147	7/18/2008	Shequita Phillips	\$192.00

Check	1155	7/18/2008	Shop N Save	\$79.98
Check	1146	7/18/2008	Stephanie Wilson	\$192.00
Check	1140	7/18/2008	Terrell Coleman	\$144.00
Check	1142	7/18/2008	Timothy Lawson	\$168.00
Check	1156	7/20/2008	Sam's	\$172.24
ATM		7/21/2008	Cash Withdrawal	\$40.00
Bank Charges		7/21/2008	Check Printing Charge	\$124.25
Check	1229	4/21/2008	A.D. French & Associates	\$1,000.00
Check	1159	7/23/2008	Joy Camp	\$1,507.00
Check	1157	7/24/2008	Radio One - St. L	\$1,500.00
ATM		7/25/2008	Cash Withdrawal	\$40.00
Check	1160	7/27/2008	Schnucks	\$100.34
Debit Card		7/28/2008	BP Oil	\$36.09
Debit Card		7/28/2008	Burger King #111	\$17.38
Bank Charges		7/30/2008	Overdraft Charge	\$37.50
Check	1161	7/30/2008	Donna Shead	\$1,000.00
Check	1163	7/31/2008	Advertisers Printing Co	\$5,000.00
Check	1164	7/31/2008	Kwane Building	\$800.00
ATM		8/1/2008	Cash Withdrawal	\$350.00
ATM		8/1/2008	Cash Withdrawal	\$500.00
Check	1165	8/1/2008	Joy Camp	\$6,207.00
ATM		8/4/2008	Sinclair	\$36.91
Bank Charges		8/4/2008	Overdraft Charge	\$37.50
Bank Charges		8/4/2008	Overdraft Charge	\$37.50
Bank Charges		8/4/2008	Overdraft Charge	\$37.50
Bank Charges		8/4/2008	Overdraft Charge	\$37.50
Check	1175	8/4/2008	Cheryl Jackson	\$84.00
Check	1180	8/4/2008	Cornelius Turner	\$84.00
Check	1172	8/4/2008	Earl Wright	\$84.00
Check	1178	8/4/2008	Edward Howard	\$48.00
Check	1170	8/4/2008	Evelyn Sutton	\$87.00
Check	1193	8/4/2008	Joy Camp	\$4,500.00
Check	1168	8/4/2008	Joy Camp	\$1,600.00
Check	1181	8/4/2008	Keith Holden	\$84.00
Check	1173	8/4/2008	Kimzell Stancill	\$84.00
Check	1182	8/4/2008	Oscar Jenkins	\$84.00

Check	1169	8/4/2008	Schnucks	\$98.80
Check	1174	8/4/2008	Theresa Wright	\$84.00
Check	1171	8/4/2008	Tiffany Hubbard	\$48.00
Check	1192	8/4/2008	Women for Hubbard	\$1,500.00
ATM		8/5/2008	Southwest Airlines	\$69.00
ATM		8/5/2008	Southwest Airlines	\$1,766.50
ATM		8/5/2008	Southwest Airlines	\$1,766.50
Check	1198	8/5/2008	Antwon Garrett	\$24.00
Check	1196	8/5/2008	Joy Camp	\$718.00
Check	1206	8/5/2008	Joy Camp	\$1,300.00
Check	1204	8/5/2008	Timothy Parker	\$72.00
ATM		8/6/2008	Sinclair	\$32.84
Bank Charges		8/6/2008	Overdraft Charge	\$37.50
Bank Charges		8/6/2008	Overdraft Charge	\$37.50
Bank Charges		8/6/2008	Overdraft Charge	\$37.50
ATM		8/7/2008	BP Oil	\$75.20
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Overdraft Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank Charges		8/7/2008	Returned Check Charge	\$37.50
Bank		8/8/2008	Continuous Overdraft Charges	\$8.00

Charges				
Bank Charges		8/8/2008	Overdraft Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/8/2008	Returned Check Charge	\$37.50
Bank Charges		8/11/2008	Continuous Overdraft Charges	\$24.00
Bank Charges		8/11/2008	Returned Check Charge	\$37.50
Bank Charges		8/11/2008	Returned Check Charge	\$37.50
Bank Charges		8/11/2008	Returned Check Charge	\$37.50
Bank Charges		8/12/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/13/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/14/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/14/2008	Returned Check Charge	\$37.50
Bank Charges		8/15/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/15/2008	Returned Check Charge	\$37.50
Bank Charges		8/18/2008	Continuous Overdraft Charges	\$24.00
Bank Charges		8/19/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/20/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/21/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/22/2008	Continuous Overdraft Charges	\$8.00

Bank Charges		8/25/2008	Continuous Overdraft Charges	\$24.00
Bank Charges		8/26/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/27/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/28/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		8/29/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/2/2008	Continuous Overdraft Charges	\$32.00
Bank Charges		9/3/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/4/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/5/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/8/2008	Continuous Overdraft Charges	\$24.00
Bank Charges		9/8/2008	Returned Check Charge	\$37.50
Bank Charges		9/9/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/10/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/11/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/12/2008	Continuous Overdraft Charges	\$8.00
Bank Charges		9/15/2008	Continuous Overdraft Charges	\$24.00
Deposit		7/1/2008	Alan Mandel, Atty at Law	\$2,700.00
Deposit		7/14/2008	Gateway Contractors	\$2,000.00
Deposit		7/16/2008	AJ's Kids LLC	\$3,000.00
Deposit		7/16/2008	Bernard Charbonnet	\$2,000.00
Deposit		7/17/2008	Ameristar Casino St Charles	\$1,000.00
Deposit		7/21/2008	Maxine Fox	\$1,000.00
Deposit		7/21/2008	Stone, Leyton & Gershman	\$2,500.00
Deposit		7/22/2008	Ameristar Casino KC	\$1,000.00
Deposit		7/28/2008	All Children Matter - MO	\$1,000.00
Deposit		7/29/2008	Citizens for McMillan	\$5,000.00
Deposit		7/29/2008	Thomas Burcham III LLC	\$1,000.00
Deposit		7/30/2008	Bosley & Assoc	\$2,000.00

Deposit		7/31/2008	MO Supporting Teach Ex Bootheel	\$2,000.00
Deposit		7/31/2008	MO Supporting Teach Ex Central	\$1,800.00
Deposit		7/31/2008	MO Supporting Teach Ex East	\$2,200.00
Deposit		8/1/2008	Cx'd M.O. issued to 18th Ward	\$500.00
Deposit		8/1/2008	Cx'd M.O. issued to 28th Ward	\$500.00
Deposit		8/4/2008	Paric Corp	\$7,500.00
Deposit		8/4/2008	Stone, Leyton & Gershman	\$2,500.00
Deposit		9/13/2008	Joy Camp	\$2,500.00
Deposit		9/16/2008	Hubbard for Senate	\$16.45
			Total	\$92,747.52
Deposit		10/28/2008	Southwest Airlines - refund	245.73
Deposit		11/25/2008	Joy Camp	15.00
Check	1601	11/8/2008	Christine Moore	245.00
Check	1602	11/9/2008	Better Family Life	85.00
Debit Card		11/10/2008	ExxonMobil	16.01
Check	1605	11/19/2008	Alro Heating & Cooling	1,000.00
Debit Card		11/21/2008	Aldi	31.93
Debit Card		11/24/2008	Kmart	112.21
			Total	\$1,750.88

12. Respondents filed a limited activity statement for October 2008, for the period of July 1, 2008 through September 30, 2008. During that period, there were \$92,747.52 in contributions and expenditures.

13. Respondents filed a limited activity statement for January 2009, for the period of October 1, 2008 through December 31, 2008. During that period, there were \$1750.88 in contributions and expenditures.

Failure to Accurately Report Contributions Received

14. Respondents failed to report the following contributions, including the name, address of the contributor which were deposited into the official fund depository:

Deposit Date	Item Date	Contributor	Amount
7/27/2007	7/27/2007	Hubbard for Senate	\$1,000.00
12/19/2007	12/12/2007	Realtors PAC - Missouri	\$650.00
12/27/2007	12/20/2007	Rosenblum, Schwartz, Rogers & Glass PC	\$250.00
3/20/2008	3/20/2008	Cash Deposit	\$1,000.00
3/31/2008	3/28/2008	Network in Human Services Inc	\$100.00
3/31/2008	3/31/2008	Cash Deposit	\$1,000.00
7/14/2008	7/1/2008	Alan Mandel, Atty at Law	\$2,700.00
7/14/2008	7/14/2008	Gateway Contractors	\$2,000.00
7/18/2008	7/16/2008	Bernard Charbonnet	\$2,000.00
7/18/2008	7/16/2008	AJ's Kids LLC	\$3,000.00
9/17/2008	7/17/2008	Ameristar Casino St Charles	\$1,000.00
7/22/2008	7/21/2008	Stone, Leyton & Gershman	\$2,500.00
7/27/2008	7/21/2008	Maxine Fox	\$1,000.00
9/17/2008	7/22/2008	Ameristar Casino KC	\$1,000.00
7/31/2008	7/28/2008	All Children Matter - MO	\$1,000.00
7/31/2008	7/29/2008	Citizens for McMillan	\$5,000.00
7/31/2008	7/29/2008	Thomas Burcham III LLC	\$1,000.00
8/1/2008	7/29/2008	Health Care Prof for Change	\$1,400.00
7/30/2008	7/30/2008	Bosley & Assoc	\$2,000.00
7/31/2008	7/31/2008	MO Supporting Teach Ex East	\$2,200.00
7/31/2008	7/31/2008	MO Supporting Teach Ex Central	\$1,800.00
7/31/2008	7/31/2008	MO Supporting Teach Ex Bootheel	\$2,000.00
9/2/2008	8/1/2008	Cx'd M.O. issued to 18th Ward	\$500.00
9/2/2008	8/1/2008	Cx'd M.O. issued to 28th Ward	\$500.00
8/4/2008	8/4/2008	Stone, Leyton & Gershman	\$2,500.00
8/4/2008	8/4/2008	Paric Corp	\$7,500.00
9/3/2008	9/13/2008	Joy Camp	\$2,500.00
9/16/2008	9/16/2008	Hubbard for Senate	\$16.45
11/25/2008	11/25/2008	Joy Camp	\$15.00
		TOTAL	\$49,131.45

15. Respondents failed to report the following contributions which were deposited into the official fund depository but which were reported as received by Hubbard for Senate, a candidate committee registered under Chapter 130.

Date	Contribution and Deposit	Amount	Hubbard for Senate Report
12/28/2007	Rosenblum, Schwartz, Rodgers, & Glass PC –deposited into 58 th 12/27/07	\$250.00	JanQ08
12/20/2007	Realtor (PAC)- deposited into 58 th 12/19/07	\$650.00	JanQ08
3/28/2008	Network In Human Services Inc.- deposited in 58 th 3/31/08	\$100.00	AprlQ08
7/30/2008	Missourians Supporting Teaching Excellent – deposited in 58 th 7/31/08	\$1,800.00	30Day After
7/30/2008	Missourians Supporting Teaching Excellent – deposited in 58 th 7/31/08	\$2,000.00	30Day After
7/30/2008	Missourians Supporting Teaching Excellent – deposited in 58 th 7/31/08	\$2,200.00	30Day After
	Total	\$7,000.00	

16. Respondents failed to maintain and make available records of contributions which are the subject of this count.

Failure to Accurately Report Expenditures

17. Respondents failed to report the following expenditures as identified as being paid from the official fund depository, including the name and address of each to whom the expenditure was made or incurred from the official fund depository:

Item Date	Item	Expenditure	Amount	
4/2/2007	Bank Chg	Continuous Overdraft Charges	\$21.00	Apr-07
12/13/2007	Cash	Cash Withdrawal	\$2,500.00	Dec-07
12/29/2007	1209	Carl Bruce	\$300.00	Jan-08
1/7/2008	1210	Hubbard for Senate	\$6,500.00	Jan-08
1/7/2008	1211	Salama Market	\$3,000.00	Jan-08
1/18/2008	Bank Chg	Overdraft Charge	\$34.00	Jan-08

1/18/2008	Temp	65th District Leg Comm	\$6,500.00	
2/4/2008	1212	Gregory's Creative Cuisine	\$90.00	Feb-08
2/5/2008	1214	Joy Camp	\$2,000.00	Feb-08
2/15/2008	Bank Chg	Analysis Service Charge	\$6.00	Feb-08
2/16/2008	1215	UAPO	\$1,000.00	Feb-08
3/2/2008	1217	Joy Camp	\$300.00	Mar-08
3/4/2008	1219	Joy Camp	\$10,014.00	Mar-08
3/20/2008	Cash	Cash Withdrawal	\$85.00	Mar-08
3/24/2008	1224	Wal-Mart	\$94.21	Mar-08
4/1/2008	Bank Chg	Returned Check Charge	\$35.00	Apr-08
4/21/2008	1228	Donna Shead	\$675.00	Jun-08
4/21/2008	1229	AD French & Associates	\$1,000.00	Apr-10
6/6/2008	1230	Chilenski Strategy Group	\$5,000.00	Jun-08
6/9/2008	1231	Hubbard for Senate	\$6,750.00	Jun-08
6/9/2008	1232	Chris Carter for State Rep	\$3,250.00	Jun-08
6/9/2008	1233	Adolphus Pruitt	\$6,000.00	Jun-08
6/9/2008	1234	4th Ward Dem org	\$1,000.00	Jun-08
6/13/2008	1235	Alzalce Henderson	\$320.00	Jun-08
6/13/2008	1236	Evelyn Sutton	\$328.00	Jun-08
6/13/2008	1237	Marsha Dinkins	\$56.00	Jun-08
6/13/2008	1238	Samela Bolden	\$120.00	Jun-08
6/13/2008	1239	Robbie Williams	\$112.00	Jun-08
6/13/2008	1246	Deborah Cason	\$80.00	Jun-08
6/13/2008	1247	Presnus Jones	\$112.00	Jun-08
6/13/2008	1249	Ebony Washington	\$312.00	Jun-08
6/13/2008	1250	Maria Curtis	\$88.00	Jun-08
6/13/2008	1251	Priya McKinis	\$88.00	Jun-08
6/13/2008	1252	Shirley James	\$192.00	Jun-08
6/13/2008	1253	Sarah Reed	\$40.00	Jun-08
6/13/2008	1255	Daphyne Garrett	\$128.00	Jun-08
6/13/2008	1257	Joe Davis	\$144.00	Jun-08
6/13/2008	1258	Antonio Garrett	\$88.00	Jun-08
6/13/2008	1259	Cherrie Irons	\$88.00	Jun-08
6/13/2008	1260	David Irons	\$224.00	Jun-08
6/13/2008	1261	John Jones	\$128.00	Jun-08
6/13/2008	1263	Catherine Morgan	\$80.00	Jun-08
6/13/2008	1264	Reneta McIntosh	\$184.00	Jun-08
6/13/2008	1265	Curtis Morgan	\$56.00	Jun-08
6/13/2008	1266	Samuel Terrell	\$152.00	Jun-08
6/13/2008	1267	Kevin Tilson	\$80.00	Jun-08

6/13/2008	1268	David Thomas	\$72.00	Jun-08
6/13/2008	1269	Salem Pruitt	\$80.00	Jun-08
6/13/2008	1270	Gary Williams	\$152.00	Jun-08
6/13/2008	1271	Y C Young	\$104.00	Jun-08
6/13/2008	1272	A.D. French & Associates	\$1,200.00	Jun-08
6/13/2008	1273	Salama Market	\$1,600.00	Jun-08
6/13/2008	1274	Anya Shead	\$96.00	Jun-08
6/13/2008	1275	Donna Shead	\$1,000.00	Jun-08
6/13/2008	1276	Debbie Pilson	\$472.00	Jun-08
6/13/2008	1277	Sam's Club	\$265.95	Jun-08
6/14/2008	1278	United State Post Office	\$136.00	Jun-08
6/17/2008	1279	Sam's Club	\$177.85	Jun-08
6/20/2008	1280	Giovanni Bland	\$200.00	Jun-08
6/20/2008	1282	Shirley James	\$204.00	Jun-08
6/20/2008	1283	Cherrie Irons	\$220.00	Jun-08
6/20/2008	1284	David Irons	\$256.00	Jun-08
6/20/2008	1285	John Jones	\$180.00	Jun-08
6/20/2008	1286	Debbie Tilson	\$280.00	Jun-08
6/20/2008	1287	Renata McIntosh	\$104.00	Jun-08
6/20/2008	1288	Catherine Morgan	\$180.00	Jun-08
6/20/2008	1289	Curtis Morgan	\$132.00	Jun-08
6/20/2008	1290	Samuel Terrell	\$320.00	Jun-08
6/20/2008	1291	Kevin Tilson	\$180.00	Jun-08
6/20/2008	1292	David Thomas	\$124.00	Jun-08
6/20/2008	1293	Salim Pruitt	\$124.00	Jun-08
6/20/2008	1294	Gary Williams	\$332.00	Jun-08
6/20/2008	1295	Y C Young	\$156.00	Jun-08
6/20/2008	1296	Evelyn Sutton	\$320.00	Jun-08
6/20/2008	1298	Marsha Dinkins	\$32.00	Jun-08
6/20/2008	1299	Samela Bolden	\$40.00	Jun-08
6/20/2008	1300	Robbie Williams	\$32.00	Jun-08
6/24/2008	Bank Chg	Overdraft Charge	\$35.00	Jun-08
6/24/2008	Bank Chg	Overdraft Charge	\$35.00	Jun-08
6/24/2008	Bank Chg	Overdraft Charge	\$35.00	Jun-08
6/24/2008	Bank Chg	Overdraft Charge	\$35.00	Jun-08
6/24/2008	Bank Chg	Overdraft Charge	\$35.00	Jun-08
6/25/2008	Bank	Overdraft Charge	\$35.00	Jun-08

	Chg			
6/26/2008	1081	St. Louis Cardinals	\$5,300.00	Jul-08
6/26/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Jun-08
6/27/2008	1082	Y C Young	\$152.00	Jul-08
6/27/2008	1083	Salim Pruitt	\$24.00	Jul-08
6/27/2008	1084	Gary Williams	\$24.00	Jul-08
6/27/2008	1085	Catherine Morgan	\$152.00	Jul-08
6/27/2008	1086	Samuel Terrell	\$24.00	Jul-08
6/27/2008	1087	David Thomas	\$24.00	Jul-08
6/27/2008	1088	Shirley James	\$152.00	Jul-08
6/27/2008	1089	Cherrie Irons	\$24.00	
6/27/2008	1090	David Irons	\$144.00	Jul-08
6/27/2008	1091	Alzalea Henderson	\$116.00	Jul-08
6/27/2008	1092	Evelyn Sutton	\$168.00	Jul-08
6/27/2008	1093	Ebony Washington	\$240.00	Jul-08
6/27/2008	1094	Sarah Reed	\$96.00	Jul-08
6/27/2008	1095	Debbie Tilson	\$24.00	Jul-08
6/27/2008	1096	Charles Prete	\$600.00	Jul-08
6/27/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Jul-08
6/30/2008	1097	Donna Shead	\$1,000.00	Jul-08
6/30/2008	1100	Maria Curtis	\$32.00	Jul-08
6/30/2008	1101	Evelyn Sutton	\$200.00	Jul-08
6/30/2008	1102	Priya McKinnis	\$32.00	Jul-08
7/2/2008	1106	Carl Bruce	\$500.00	Jul-08
7/2/2008	1109	Ebony Washington	\$400.00	Jul-08
7/3/2008	1111	Charles Prete	\$500.00	Jul-08
7/9/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08
7/11/2008	1112	David Irons	\$208.00	Jul-08
7/11/2008	1123	Ebony Washington	\$368.00	Jul-08
7/11/2008	1124	Alzalea Henderson	\$164.00	Jul-08
7/11/2008	1125	Evelyn Sutton	\$132.00	
7/11/2008	1126	Marsha Dinkins	\$88.00	Jul-08
7/11/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Jul-08
7/14/2008	1132	Schnucks	\$66.76	Jul-08
7/14/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Jul-08
7/14/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08

7/15/2008	1107	Donna Shead	\$1,000.00	Jul-08
7/15/2008	1133	Ink Spot	\$2,700.00	Jul-08
7/15/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.20	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.50	Jul-08
7/15/2008	Bank Chg	Returned Check Charge	\$37.50	Jul-08
7/16/2008	1134	4th Ward Democratic	\$750.00	Jul-08
7/17/2008	1135	Schnucks	\$91.58	Jul-08
7/17/2008	1136	Rodney Hubbard, Sr	\$500.00	Jul-08
7/18/2008	1139	Kevin Byrd	\$192.00	Jul-08
7/18/2008	1140	Terrell Coleman	\$144.00	Jul-08
7/18/2008	1141	Cheryl Jackson	\$192.00	Jul-08
7/18/2008	1142	Timothy Lawson	\$168.00	Jul-08
7/18/2008	1143	Larry Thompson	\$168.00	Jul-08
7/18/2008	1144	Marcus Wynn	\$192.00	Jul-08
7/18/2008	1145	Jasmine McClain	\$120.00	Jul-08
7/18/2008	1146	Stephanie Wilson	\$192.00	Jul-08
7/18/2008	1147	Shequita Phillips	\$192.00	Jul-08
7/18/2008	1148	Alzalea Henderson	\$152.00	Jul-08
7/18/2008	1149	Evelyn Sutton	\$152.00	Jul-08
7/18/2008	1150	Marsha Dinkins	\$92.00	Jul-08
7/18/2008	1153	Rochelle Bronaugh	\$160.00	Jul-08
7/18/2008	1154	David Irons	\$248.00	Jul-08
7/18/2008	1155	Shop N Save	\$79.98	Jul-08
7/20/2008	1156	Sam's	\$172.24	Jul-08
7/21/2008	Bank Chg	Check Printing Charge	\$124.25	Jul-08
7/21/2008	Cash	Cash Withdrawal	\$40.00	Jul-08
7/23/2008	1158	Wal-Mart	\$65.53	Jul-08

7/23/2008	1159	Joy Camp	\$1,507.00	Jul-08
7/24/2008	1157	Radio One - St. L	\$1,500.00	Jul-08
7/25/2008	Cash	Cash Withdrawal	\$40.00	Jul-08
7/27/2008	1160	Schnucks	\$100.34	Jul-08
7/28/2008	Debit	BP Oil	\$36.09	Jul-08
7/28/2008	Debit	Burger King #111	\$17.38	Jul-08
7/30/2008	1161	Donna Shead	\$1,000.00	Aug-08
7/30/2008	Bank Chg	Overdraft Charge	\$37.50	Jul-08
7/31/2008	1163	Advertisers Printing Co	\$5,000.00	Aug-08
7/31/2008	1164	Kwane Building	\$800.00	Aug-08
8/1/2008	1165	Joy Camp	\$6,207.00	Aug-08
8/1/2008	Cash	Cash Withdrawal	\$350.00	Aug-08
8/1/2008	Cash	Cash Withdrawal	\$500.00	Aug-08
8/4/2008	1168	Rodney Hubbard Sr.	\$1,600.00	Aug-08
8/4/2008	1169	Schnucks	\$98.80	Aug-08
8/4/2008	1170	Evelyn Sutton	\$87.00	Aug-08
8/4/2008	1171	Tiffany Hubbard	\$48.00	
8/4/2008	1172	Earl Wright	\$84.00	
8/4/2008	1173	Kimzell Stancill	\$84.00	
8/4/2008	1174	Theresa Wright	\$84.00	
8/4/2008	1175	Cheryl Jackson	\$84.00	
8/4/2008	1180	Cornelius Turner	\$84.00	Aug-08
8/4/2008	1181	Keith Holden	\$84.00	Aug-08
8/4/2008	1182	Oscar Jenkins	\$84.00	Aug-08
8/4/2008	1192	Women for Hubbard	\$1,500.00	Aug-08
8/4/2008	1193	Joy Camp	\$4,500.00	Aug-08
8/4/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/4/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/4/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/4/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/4/2008	Debit	Sinclair	\$36.91	Aug-08
8/5/2008	1196	Joy Camp	\$718.00	Aug-08
8/5/2008	1198	Antwon Garrett	\$24.00	Aug-08
8/5/2008	1204	Timothy Parker	\$72.00	Aug-08
8/5/2008	1206	Joy Camp	\$1,300.00	Aug-08
8/5/2008	Debit	Southwest Airlines	\$69.00	Aug-08

8/5/2008	Debit	Southwest Airlines	\$1,766.50	Aug-08
8/5/2008	Debit	Southwest Airlines	\$1,766.50	Aug-08
8/6/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/6/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/6/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/6/2008	Debit	Sinclair	\$32.84	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/7/2008	Debit	BP Oil	\$75.20	Aug-08
8/8/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/8/2008	Bank Chg	Overdraft Charge	\$37.50	Aug-08
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08

	Chg			
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/8/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/11/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Aug-08
8/11/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/11/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/11/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/12/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/13/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/14/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/14/2008	Bank Chg	Returned Check Charge	\$37.50	Aug-08
8/15/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/15/2008	Bank Chg	Returned Check Charge	\$37.50	
8/18/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Aug-08
8/19/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/20/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/21/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/22/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/25/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Aug-08
8/26/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/27/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/28/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08
8/29/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Aug-08

9/2/2008	Bank Chg	Continuous Overdraft Charges	\$32.00	Sep-08
9/3/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/4/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/5/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/8/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Sep-08
9/8/2008	Bank Chg	Returned Check Charge	\$37.50	Sep-08
9/9/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/10/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/11/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/12/2008	Bank Chg	Continuous Overdraft Charges	\$8.00	Sep-08
9/15/2008	Bank Chg	Continuous Overdraft Charges	\$24.00	Sep-08
11/8/2008	1601	Christine Moore	\$245.00	Nov-08
11/9/2008	1602	Better Family Life	\$85.00	Nov-08
11/10/2008	Debit	ExxonMobil	\$16.01	Nov-08
11/19/2008	1605	Alro Heating & Cooling	\$1,000.00	Nov-08
11/21/2008	Debit	Aldi	\$31.93	Nov-08
11/24/2008	Debit	Kmart	\$112.21	Nov-08
		TOTAL	\$122,018.76	

18. Respondents reported the following expenditures on campaign finance disclosure reports which were not expended through the official fund depository as required by §130.021.4.

(1), RSMo:

Date	Expenditure Reported	Amount
3/10/2008	Mo Democratic Party	\$1,250.00
3/10/2008	Nixon for Governor	\$8,750.00
	TOTAL	\$10,000.00

19. Respondents failed to report the following expenditures which were paid from the official fund depository but which were reported as received by Hubbard for Senate, a candidate committee registered under Chapter 130.

Date	Expenditure	Amount	Report filed by Hubbard for Senate	Paid by Respondent
7/8/2008	Alzalce Henderson	\$164.00	8Day Before	Paid by 58 th Dem 7/11/08
7/8/2008	Marsha Dinkins	\$88.00	8Day Before	Paid by 58 th Dem 7/11/08
7/8/2008	Ebony Washington	\$368.00	8Day Before	Paid by 58 th Dem 7/11/08
7/1/2008	Alzalce Henderson	\$116.00	8Day Before	Paid by 58 th Dem 6/27/08
7/1/2008	Evelyn Sutton	\$168.00	8Day Before	Paid by 58 th Dem 6/27/08
7/1/2008	Ebony Washington	\$240.00	8Day Before	Paid by 58 th Dem 6/27/08
7/1/2008	Debbie Tilson	\$24.00	8Day Before	Paid by 58 th Dem 6/27/08
7/1/2008	Shirley James	\$152.00	8Day Before	Paid by 58 th Dem 6/27/08
7/1/2008	Catherine Morgan	\$152.00	8Day Before	Paid by 58 th Dem 6/27/08
7/3/2008	Samuel Terrell	\$24.00	8Day Before	Paid by 58 th Dem 6/27/08
7/3/2008	David Thomas	\$24.00	8Day Before	Paid by 58 th Dem 6/27/08
7/3/2008	Salim Pruitt	\$24.00	8Day Before	Paid by 58 th Dem 6/27/08
7/3/2008	Gary Williams	\$24.00	8Day Before	Paid by 58 th Dem 6/27/08
7/3/2008	YC Young	\$152.00	8Day Before	Paid by 58 th Dem 6/27/08
8/5/2008	18th Ward Regular Democratic Org	\$500.00	30Day After	Paid by 58 th Dem 8/1/08
8/8/2008	28th Ward Democratic Organization	\$500.00	30Day After	Paid by 58 th Dem 8/1/08
	Total	\$2,720.00		

20. Respondents failed to maintain and make available records of expenditures which are the subject of this count.

Cash Contributions

21. The following cash deposits in excess of \$100, were made into the official fund depository, and not identified as disclosed on any campaign finance report filed by Respondents as contributions which were \$100.00 or less by a single contributor:

Date	Cash Deposit	Amount
3/20/2008	Cash Deposit	\$1,000.00
3/31/2008	Cash Deposit	\$1,000.00
	TOTAL	\$2,000.00

22. Respondents failed to produce committee records which identified contributions received in these amounts which were reported on campaign finance disclosure reports.

Cash Expenditures

23. Respondents made the following cash withdrawals from the official fund depository totaling \$3,435.00 as follows:

Type	Date	Cash Withdrawal	Amount
ATM	8/1/2008	Cash Withdrawal	\$350.00
ATM	8/1/2008	Cash Withdrawal	\$500.00
Withdrawal	3/20/2008	Cash Withdrawal	\$85.00
Withdrawal	12/13/2007	Cash Withdrawal	\$2,500.00
		TOTAL	\$3,435.00

24. Cash in excess of \$50.00 was withdrawn two times from the committee's official fund depository through Automatic Transaction Machines (ATM) transactions from the

depository, totaling \$850.00 as detailed in paragraph 23. Respondents failed to report the purpose of the transactions as required by 130.041. 1(4)(d), RSMo.

25. Cash in excess of \$50.00 was withdrawn from the committee's official fund depository through a "counter withdrawal" two times for a total of \$2,585.00 as detailed in paragraph 23. Respondents failed to report the purpose of the transactions as required by 130.041. 1(4)(d), RSMo.

Consulting Services

26. The following expenditures were made to A.D. French & Associates and Chilenski Strategy Group. Both reported with the purpose of "consultant" by Respondents:

Type	Number	Date	Payee	Amount	Rptd
Check	1227	3/22/2008	A.D. French & Associates	\$1,500.00	Apr08Q
Check	1220	3/10/2008	Chilenski Group & Associates	\$1,278.47	Apr08Q
			TOTAL	\$2,778.47	

Expenditures Not Made by Committee Treasurer or Deputy Treasurer

27. On December 13, 2007, a cash withdrawal in the amount of \$2,500 was made by Rodney Hubbard from the committee's official depository account.

28. In December 13, 2007, Rodney Hubbard was a State Representative from the 58th Legislative District and a candidate for State Senate in the 5th District.

29. Rodney Hubbard was not a treasurer or deputy treasurer of Respondent Committee.

30. The cash withdrawal was made in violation of §130.021.4(1), RSMo and §130.031.2, RSMo.

CONCLUSIONS OF LAW

Failure to Maintain Complete and Accurate Reports

1. Section 130.034, RSMo provides as follows concerning the use of contributions by a committee established under Chapter 130 as follows:

1. Contributions as defined in section 130.011, received by any committee shall not be converted to any personal use.
2. Contributions may be used for any purpose allowed by law including, but not limited to:
 - (1) Any ordinary expenses incurred relating to a campaign;
 - (2) Any ordinary and necessary expenses incurred in connection with the duties of a holder of elective office;
 - (3) Any expenses associated with the duties of candidacy or of elective office pertaining to the entertaining of or providing social courtesies to constituents, professional associations, or other holders of elective office;
 - (4) The return of any contribution to the person who made the contribution to the candidate or holder of elective office;
 - (5) To contribute to a political organization or candidate committee as allowed by law;
 - (6) To establish a new committee as defined by this chapter;
 - (7) To make an unconditional gift which is fully vested to any charitable, fraternal or civic organizations or other associations formed to provide for some good in the order of benevolence, if such candidate, former candidate or holder of elective office or such person's immediate family gain no direct financial benefit from the unconditional gift;
 - (8) Except when such candidate, former candidate or holder of elective office dies while the committee remains in existence, the committee may make an unconditional gift to a fund established for the benefit of the spouse and children of the candidate, former candidate or holder of elective office. The provisions of this subdivision shall expire October 1, 1997.

2. §130.036.1., RSMo, requires a treasurer or deputy treasurer to maintain accurate and records of accounts and records of a committee to prepare and substantiate a campaign finance report filed by the Committee as follows:

The candidate, treasurer or deputy treasurer of a committee shall maintain accurate records and accounts on a current basis. The records and accounts shall be maintained in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to this chapter...

3. According to §130.036.8, RSMo, in pertinent part:

All records and accounts of receipts and expenditures shall be preserved for at least three years after the date of the election to which the records pertain. Records and accounts regarding supplemental disclosure reports or reports not required pursuant to an election shall be preserved for at least three years after the date of the report to which the records pertain. Such records shall be available for inspection by the campaign finance review board and its duly authorized representatives.

4. There is probable cause the Respondents violated §130.036.1, RSMo by failing to maintain accurate records and accounts for Respondent Committee, including the bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to this chapter, and that Respondents did so knowingly.

Campaign Finance Disclosure Reports

5. §130.046. 1 and 5(2) , RSMo provides:

§130.046. 1 .The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(3) Not later than the fifteenth day following the close of each calendar quarter.

§130.046. 5(2) Notwithstanding any other provisions of this chapter to the contrary:

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than three hundred dollars from any single contributor and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period.

6. There is probable cause that Respondents have violated §130.046.1, RSMo and §130.046.5(2), RSMo by failing to file timely 9 quarterly disclosure reports including the April,

July, October 2007, January, July and October 2008; April and October 2009; and January 2010 Quarterly Reports; and that Respondents filed limited activity statement for the reporting periods of October 2008 and January 2009 when there was activity totaling \$92,747.52 and \$1750.88 respectively, and that Respondents did so knowingly.

Failure to Accurately Report Contributions Received

7. According to § 130.041.1(3)(a), RSMo:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(3) Receipts for the period, including:

Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor.;

8. According to §130.021.4.(1), RSMo:

Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name... All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. ...

9. There is probable cause that Respondents have violated §130.041.1(3)(a), RSMo by failing to report contributions totaling \$49,131.45, including the name and address of the

contributor which were deposited into the official fund depository, and that Respondents did so knowingly.

Failure to Accurately Report Expenditures

10. §130.041.1(4)(d), RSMo provides:

§130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(4) Expenditures for the period, including:

...

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure.

11. There is probable cause to believe that Respondents violated §130.041. 1(4)(d), RSMo by failing to report \$122,018.76 in expenditures, including the name and address of each to whom the expenditure was made or incurred from the official fund depository, and by reporting \$10,000.00 in expenditures which were not expended from the official fund depository, and that Respondents did so knowingly.

Cash Contributions

12. According to §130.031. RSMo:

No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a continuing committee, a campaign committee, a political party committee, an exploratory committee or a candidate committee.

13. There is probable cause to believe that Respondents violated §130.031. RSMo and §130.041. 1(3), RSMo by receiving cash contributions in excess of \$100.00 and by failing to

report identifiable contributions which were deposited as cash, and that Respondents did so knowingly.

Cash Expenditures

14. According to §130.031.2, RSMo:

Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the committee during that calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash fund.

15. There is probable cause the Respondents violated §130.036.1, RSMo by failing to maintain accurate records and accounts for Respondent Committee, including the bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to this chapter, and that Respondents did so knowingly.

Consulting Services

16. According to §130.041. 4, RSMo:

The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production,

postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

17. There is probable cause the Respondents violated §130.041.4, RSMo by improperly reporting \$2,778.47 expenditures to an independent contractor, and by failing to include identification of the specific service or services provided , and that Respondents did so knowingly.

Expenditures Not Made by Committee Treasurer or Deputy Treasurer

18. According to §130.021.4(1) RSMo:

.... Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate.

19. According to §130.031.2, RSMo:

Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate.

20. There is probable cause to believe that Respondents violated §130.021.4(1), RSMo and §130.031.2, RSMo by making an expenditures of cash of \$2,500.00 on December 13, 2007 through Rodney Hubbard who was not the Committee Treasurer or Deputy Treasurer, and that Respondents did so knowingly.

ORDER

The Commission finds probable cause that Respondents Joy Camp and 58TH Democratic Legislative District Committee knowingly violated, and has knowingly violated §130.036.1, RSMo, §130.046.1, RSMo, §130.046.5(2), RSMo, §130.041.1(3)(a), RSMo, §130.041.1(4)(d), RSMo, §130.031 RSMo, §130.041.1(3), RSMo, §130.031.2, RSMo and §130.041.4, RSMo.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Joy Camp and 58TH Democratic Legislative District Committee in the amount of \$18,000 pursuant to § 105.961.4(6) RSMo. However, if either Respondent pays \$1,800 of that fee within ninety (90) days after the date of the Order and all required campaign finance disclosure reports are filed within 45 days of the date of the order, the remainder of the fee will be stayed for two years, subject to the provisions below.

If Respondents Joy Camp and 58TH Democratic Legislative District Committee have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, during the two year stay then Respondents will not be required to pay the balance of this fee.

If, however, either Respondent Joy Camp or 58TH Democratic Legislative District Committee is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents Joy Camp and 58TH Democratic Legislative District Committee will be required to pay the balance of the fee as originally imposed by the Commission. The amount of the balance will be due immediately upon final adjudication finding probable cause of such a violation.

Date: 12/13/10



Jim Wright, Chairman
MISSOURI ETHICS COMMISSION