

Filed
MAR 13 2014
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
) Petitioner,)
)
) v.)
)
) MISSOURI FEDERATED WOMEN’S) Case No. 13A088
) DEMOCRATIC CLUB, 7TH DISTRICT,)
)
) AND)
)
) RUTH THOMPSON,)
)
) Respondents.)

CONSENT ORDER

The parties having filed a Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Proposed Findings of Fact and Conclusions of Law (“Joint Stipulation”) with the Missouri Ethics Commission in this matter, the Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that Respondents Missouri Federated Women’s Democratic Club, 7th District (MFWDC 7th District), and Thompson violated Sections 130.046.1, 130.046.5(2), 130.031.1, 130.110, 130.031.6, 130.031.2, 130.041.1(3), 130.041.1(4), 130.021.7, and 130.036.1, RSMo, as stated in the Joint Stipulation.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

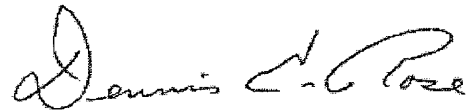
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents Missouri Federated Women’s Democratic Club, 7th District and

Thompson in the amount of \$15,420 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$1,000 of that fee within forty-five (45) days of the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

3. If any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, as amended, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that such Respondent committed such a violation.
4. Respondents Missouri Federated Women's Club, 7th District and Thompson shall be jointly and severally liable for all fees imposed under this order, subject to the terms in paragraph 3 above.

SO ORDERED this 13th day of March, 2014

By:



Dennis Rose, Chair
Missouri Ethics Commission

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**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
MISSOURI FEDERATED WOMEN'S) Case No. 13A088
DEMOCRATIC CLUB, 7TH DISTRICT,)
Continuing Committee,)
)
HELEN PEAVLER,)
Former Treasurer,)
)
and)
)
RUTH THOMPSON,)
Treasurer)
)
Respondents.)

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING
BEFORE THE MISSOURI ETHICS COMMISSION, AND
CONSENT ORDER WITH JOINT PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, Missouri Federated Women's Democratic Club, 7th District ("MFWDC 7th District") and Thompson acknowledge that they have received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that they are aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all charges against Respondents be proven upon the

record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

JOINT PROPOSED FINDINGS OF FACT

1. The Missouri Ethics Commission ("the Commission") is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Respondent MFWDC 7th District is a continuing committee registered with the Missouri Ethics Commission since April 2000.
3. In May 2009, the MFWDC 7th District opened its official depository account with Respondent Peavler and Sue Cowen as the only signatures on the committee's account.
4. Respondent MFWDC 7th District filed an amended statement of committee organization on August 3, 2009, identifying Respondent Peavler as the committee's treasurer, and Respondent Peavler signed and filed that amendment statement.

5. On or about November 9, 2011, Respondent MFWDC 7th District elected Respondent Thompson as the committee's new treasurer.

6. On November 9, 2011, Respondent Thompson's signature was added to the committee's official depository account.

7. Respondents have not filed an amended statement of committee organization updating the treasurer or the committee's contact information since 2009.

8. Between December 2011 and June 2013, the Missouri Ethics Commission repeatedly attempted to contact Respondents to update the committee's contact information and treasurer on an amended statement of committee organization.

9. Beginning with the January 2012 quarterly report, Respondents repeatedly failed to file reports, and letters to Respondents regarding these failures were regularly returned unclaimed.

10. On June 3, 2013, the Ethics Commission sent to Respondent MFWDC 7th District and Peavler a letter asking them to file reports and come into compliance with Missouri's campaign finance laws by June 17, 2013.

11. The letter of June 3 was not answered.

12. On June 19, 2013, the Ethics Commission commenced its investigation.

13. Pursuant to Section 105.961, RSMo, the Commission's staff has investigated the reports and statements filed with the Commission and reported the investigation's findings to the Commission.

14. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

COUNT I

Failure to timely and accurately file reports

Inaccurate statements of limited activity

15. Respondents improperly filed three statements of limited activity when the committee's contributions and/or expenditures exceeded \$500.

16. On October 18, 2010, Respondents filed a statement of limited activity in lieu of the October 2010 quarterly report. Respondent MFWDC 7th District actually had \$114 in contributions and \$800 in expenditures during the October 2010 quarterly reporting period.

17. On January 20, 2012, Respondents filed a statement of limited activity in lieu of the January 2012 quarterly report. Respondent MFWDC 7th District actually had \$453.50 in contributions and \$97.65 in expenditures during the January 2012 quarterly reporting period.

18. On July 16, 2012, Respondents filed a statement of limited activity in lieu of the April 2012 quarterly report. Respondent MFWDC 7th District actually had \$626 in contributions and \$90 in expenditures during the April 2012 quarterly reporting period.

Failure to file reports until after audit commenced

19. Respondents failed to file four quarterly campaign finance reports until after the Ethics Commission had already commenced its audit.

20. The Ethics Commission sent reminders to Respondents to file the October 2012 quarterly report on October 16, October 23, and December 4, 2012.

21. The Ethics Commission sent reminders to Respondents to file the January 2013 quarterly report on January 23, 2013.

22. The Ethics Commission sent reminders to Respondents to file the April 2013 quarterly report on March 29 and April 16, 2013.

23. Respondents filed the October 2012, January 2013, April 2013, and July 2013 quarterly reports on July 25, 2013.

Failure to timely file reports

24. Respondents failed to timely file six (6) campaign finance reports with the Ethics Commission:

- a. The April 2010 quarterly report was due on April 15, 2010. Respondents filed this report on May 21, 2010, which was thirty-six (36) days after it was due.
- b. The July 2010 quarterly report was due on July 15, 2010. Respondents filed this report July 31, 2010, which was sixteen (16) days late.
- c. The October 2010 quarterly report was due on October 15, 2010. Respondents filed a statement of limited activity in lieu of a full report three (3) days late; moreover, this statement of limited activity incorrectly certified that Respondents did not exceed the contribution and expenditure limits for a statement of limited activity.
- d. The “30 Day After” report for the November 2010 general election was due on December 2, 2010. Respondents filed this report on December 10, 2010, which was eight (8) days late.
- e. The January 2012 quarterly report was due on January 17, 2012. The Ethics Commission sent reminders to Respondents on January 13, January 18, and January 20. Respondents filed this report on January 20, 2012, which was three (3) days late.
- f. The April 2012 quarterly report was due on April 16, 2012. Respondents filed a statement of limited activity in lieu of a full report on July 16, 2012, which

was ninety-one (91) days late; moreover, this statement of limited activity incorrectly certified that Respondents did not exceed the contribution and expenditure limits for a statement of limited activity.

COUNT II

Cash contributions received, cash expenditures made, and fundraising reports

Anonymous cash contributions and cash contributions over \$50

25. On September 27, 2010, Respondent Peavler deposited \$49 in cash into Respondents' official depository account. Respondents did not identify on campaign finance disclosure reports the identity of the contributor or contributors for this cash, and Respondents did not maintain accurate committee records that identify the contributor or contributors for this cash.

26. On October 17, 2011, Respondent Peavler deposited \$220 in cash into Respondents' official depository account (withholding \$16 in cash from that deposit). Respondents did not identify on campaign finance disclosure reports the identity of the contributor or contributors for this cash, and Respondents did not maintain accurate committee records that identify the contributor or contributors for this cash.

27. On November 9, 2011, Respondent Peavler deposited \$86.50 in cash into Respondents' official depository account. Respondents did not identify on campaign finance disclosure reports the identity of the contributor or contributors for this cash, and Respondents did not maintain accurate committee records that identify the contributor or contributors for this cash.

Fundraising

28. Respondents held fundraiser events on or about February 13, 2012, and February 12, 2013.

29. At the 2012 fundraiser, Respondents received approximately \$463 from contributors whose names and addresses could not be obtained, and received approximately \$155.50 from contributors whose name and addresses are contained in committee records

30. At the 2013 fundraiser, Respondents received approximately \$269.50 from contributors whose names and addresses could not be obtained, and received approximately \$229.50 from contributors whose name and addresses are contained in committee records.

31. Respondents did not file fundraiser reports supplementing their campaign finance disclosure forms for the 2012 and 2013 fundraisers relating to the approximately \$463 and \$269.50 in contributions from contributors whose names and addresses could not be obtained from these fundraisers.

COUNT III

Failure to timely and accurately report contributions received

Reporting of contributions over \$100

32. Respondents failed to timely report two contributions totaling \$470, each over \$100:

- a. On October 17, 2011, Respondent Peavler deposited into Respondent MFWDC 7th District's official depository account \$220 in cash. Respondents did not report this contribution and did not file any fundraising activity statements.

b. On May 20, 2013, Respondent Peavler deposited into Respondent MFWDC 7th District's official depository account a \$250 check from the 9th District Women's Democratic Club. The check was dated February 25, 2013, and had the words "hospitality room" on the memo line. Respondents did not report this contribution.

Reporting contributions \$100 and less

33. Respondents failed to timely report the following \$665 in contributions of \$100 or less:

Contributor	Amount	Check Date	Bank Transaction Date	Check Number
Hillary Clinton Democratic Women's Club	\$20.00	04/02/10	09/27/10	1289
Linda Palmisano	\$15.00	04/16/10	09/27/10	5446
Franklin D Roosevelt Club	\$20.00	04/17/10	09/27/10	1322
John Buck	\$5.00	04/22/10	09/27/10	4346
Alice Wadsworth	\$5.00	06/12/10	09/27/10	1606
CASH	\$49.00		09/27/10	
Vera Conradi	\$33.50	10/26/11	11/06/11	3672
Douglas Greiner	\$85.00	10/22/11	11/09/11	8356
CASH	\$86.50		11/09/11	
Joseph Cowen	\$22.00	11/11/11	11/16/11	6364
Hillary Clinton Democratic Women's Club	\$30.00	02/24/12	03/02/12	1300
Barry County Democrat Central Committee	\$90.00	04/12/12	04/13/12	1055
Steven Stepp	\$20.00	04/21/12	04/24/12	1159
Ruth Thompson	\$56.00	11/16/12	11/23/12	599860288
Barry County Democrat Central Committee	\$35.00	04/15/13	04/29/13	1065
Franklin D Roosevelt Club	\$20.00	04/17/13	04/29/13	1350
The Hillary Clinton Women's Democratic Club	\$23.00	04/20/13	04/29/13	5005
Gateway Women's Democratic Club	\$50.00	05/13/13	05/20/13	1008
	\$665.00			

Inaccurate contributions

34. Respondents reported the following ten contributions on the April 2010 quarterly disclosure report, totaling \$257.50, that were not deposited into the committee's official depository account:

Reported Contributor	Reported Date	Reported Amount
Rayma Conrad	02/06/10	\$29.50
Janetta Tracy	02/06/10	\$18.50
Dawn Moehr	02/06/10	\$27.50
Wanda McClane	02/06/10	\$22.50
Janice Anderson	02/06/10	\$21.50
Charles Thompson	02/06/10	\$17.50
Barbara Ray	02/06/10	\$17.50
Deanna Hodges	02/06/10	\$56.00
June Higgins	02/06/10	\$29.50
Lanae Gillespie	02/06/10	\$17.50
		\$257.50

COUNT IV

Failure to timely and accurately report expenditures and contributions made

Reporting expenditures over \$100

35. Respondents failed to report an expenditure of \$380 to the "MFWDC" on June 4, 2013.

Reporting expenditures \$100 and less

36. Respondents failed to timely report the following \$466.30 in expenditures of \$100 or less:

Recipient	Amount	Bank Transaction Date	Check Date	Check Number	Purpose
Green County Democratic Central	\$90.00	03/04/11	03/25/11	515	Ad for Jackson Days
Helen Peavler	\$97.65	11/09/11	11/09/11	516	Website
Helen Peavler	\$16.00	10/17/11			CASH

Recipient	Amount	Bank Transaction Date	Check Date	Check Number	Purpose
Green County Democratic Central	\$90.00	03/13/12	02/29/12	541	1/4 p ad Jackson Days
MFWDC	\$75.00	04/24/12	04/21/12	542	1/2 page ad in "add book"
Shelly Peavler	\$97.65	04/30/12	04/23/12	543	website expense
	\$466.30				

Reporting contributions made to other committees

37. Respondents failed to timely report on the October 2012 quarterly report the following thirteen (13) contributions, totaling \$2,350, made to other committees:

Recipient Committee	Amount	Bank Transaction Date	Check Date	Check Number	Date Reported
Clint Zweifel for Missouri	\$50.00	09/25/12	09/18/12	550	07/25/13
Owen for the Ozarks	\$100.00	09/25/12	09/18/12	544	07/25/13
Missourians for Koster	\$50.00	09/25/12	09/18/12	545	07/25/13
Keep Stokely Assessor	\$100.00	09/26/12	09/18/12	546	07/25/13
Committee to Elect Bob Rubino	\$100.00	09/24/12	09/18/12	547	07/25/13
Citizens for Casey Clark	\$100.00	09/24/12	09/18/12	548	07/25/13
Citizens for Charlie Norr	\$500.00	09/24/12	09/18/12	549	07/25/13
Montee for Missouri	\$200.00	09/24/12	09/18/12	552	07/25/13
Jay Nixon for Missouri	\$50.00	09/24/12	09/18/12	553	07/25/13
McCaskill for Missouri	\$500.00	10/03/12	09/18/12	554	07/25/13
Elect Jim Evans	\$500.00	09/25/12	09/18/12	555	07/25/13
Comm to Elect Robert Evenson for Sherriff	\$50.00	09/24/12	09/18/12	556	07/25/13
Kander for Missouri	\$50.00	10/15/12	09/18/12	551	Not Reported
TOTAL	\$2,350.00				

COUNT V

Failure to timely amend statement of committee organization after naming new treasurer

38. In or about November 2011, Respondent Thompson was elected as the new treasurer of Respondent MFWDC 7th District.

39. On November 9, 2011, Respondents added Respondent Thompson as a person authorized to sign for Respondents' official depository account.

40. Respondent Thompson began signing checks from Respondent MFWDC 7th District's official depository account in February 2012.

41. On January 13, 2012, Respondent Peavler informed the Ethics Commission that she was the president of Respondent MFWDC 7th District, and no longer the treasurer.

42. The Ethics Commission requested Respondents to file an amended statement of committee organization on multiple occasions, including:

- a. By phone call on January 20, 2013. During this phone call, Respondent Peavler informed the Ethics Commission that Respondent MFWDC 7th District would be meeting and choosing a new treasurer.
- b. By phone call on March 12, 2012. During this phone call, Respondent Peavler stated that she could not and would not talk with the Ethics Commission staff member who called her.
- c. By email dated March 12, 2012.
- d. By phone call on May 1, 2012. Respondent Peavler stated in this phone call that she intended to file the April 2012 quarterly report that weekend, then she will file paperwork with new treasurer information. Respondents did neither of those things in May 2012.
- e. By email dated March 29, 2013, with a deadline to respond by April 5, 2013.

43. To date, Respondents have not filed an amended statement of committee organization naming the actual treasurer.

44. Respondents did not amend their statement of committee organization to name Respondent Thompson as the new treasurer within twenty days of Respondent Thompson actually becoming the new treasurer.

COUNT VI

Failure to maintain committee records

45. On July 3, 2013, the Ethics Commission requested the committee records from Respondents MFWDC 7th District and Peavler. The request was accompanied by a subpoena.

46. On July 29, 2013, the president of Respondent MFWDC 7th District provided the bank records maintained by Respondents.

47. Respondents did not produce records supporting fundraising events or cash contributions deposited by Respondents into Respondents' official depository account.

48. Respondents did not produce records, such as receipts or invoices, relating to the cash withdrawals made by Respondents from Respondents' official depository account.

There is probable cause to believe that Respondents violated Section 130.036.1, RSMo, by failing to maintain committee records in accordance with accepted normal bookkeeping procedures, including failure to maintain bills, receipts, and other detailed information necessary to prepare and substantiate campaign finance statements or reports filed with the Missouri Ethics Commission.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to timely and accurately file reports

49. Respondents were required to file campaign finance disclosure reports at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

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

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional

disclosure report not later than the fortieth day before the election
for the period closing on the forty-fifth day before the election.

§ 130.046.1, RSMo.

50. A committee need not file a full disclosure report if, during the applicable 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.” § 130.046.5(2), RSMo.

51. This statement of limited activity may not be filed “in lieu of the report for two or more consecutive disclosure periods if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars.” § 130.046.5(2), RSMo.

52. There is probable cause to believe that Respondents violated Sections 130.046.1 and 130.046.5(2), RSMo, by failing to timely and accurately file campaign finance disclosure reports, and by incorrectly filing statements of limited activity in lieu of full campaign finance reports when Respondents’ contributions and expenditures exceeded the limits permissible for a statement of limited activity.

COUNT II

Cash contributions received, cash expenditures made, and fundraising reports

53. “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” committee. § 130.031.1, RSMo.

54. “No contribution in cash in an amount in excess of one hundred dollars shall be made or accepted from any single contributor for any election.” § 130.110(1), RSMo.

55. “Candidates and candidate committees shall not accept contributions of cash that, in the aggregate, are in excess of one hundred dollars per person per election cycle.” § 130.110(2), RSMo.

56. “No anonymous contribution in excess of twenty-five dollars shall be made by any person, and no anonymous contributions in excess of twenty-five dollars shall be accepted by any ... committee.” § 130.110(3), RSMo.

57. “If any anonymous contribution in excess of twenty-five dollars is received, it shall be returned immediately to the contributor if his or her identity can be ascertained, and if the contributor's identity cannot be ascertained, the candidate or the committee treasurer shall immediately transmit that portion of the contribution which exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.” §130.110(3), RSMo.

58. “Notwithstanding the provisions of subsection 5 of this section, contributions from individuals whose names and addresses cannot be ascertained which are received from a fund-raising activity or event, such as defined in section 130.011, shall not be deemed anonymous contributions, provided the following conditions are met:

(1) There are twenty-five or more contributing participants in the activity or event;

(2) The candidate, committee treasurer, deputy treasurer or the person responsible for conducting the activity or event makes an announcement that it is illegal for anyone to make or receive a contribution in excess of one hundred dollars unless the

contribution is accompanied by the name and address of the contributor;

(3) The person responsible for conducting the activity or event does not knowingly accept payment from any single person of more than one hundred dollars unless the name and address of the person making such payment is obtained and recorded pursuant to the record-keeping requirements of section 130.036;

(4) A statement describing the event shall be prepared by the candidate or the treasurer of the committee for whom the funds were raised or by the person responsible for conducting the activity or event and attached to the disclosure report of contributions and expenditures required by section 130.041. The following information to be listed in the statement is in addition to, not in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of contributions and expenditures:

(a) The name and mailing address of the person or persons responsible for conducting the event or activity and the name and address of the candidate or committee for whom the funds were raised;

(b) The date on which the event occurred;

(c) The name and address of the location where the event occurred and the approximate number of participants in the event;

- (d) A brief description of the type of event and the fund-raising methods used;
- (e) The gross receipts from the event and a listing of the expenditures incident to the event;
- (f) The total dollar amount of contributions received from the event from participants whose names and addresses were not obtained with such contributions and an explanation of why it was not possible to obtain the names and addresses of such participants;
- (g) The total dollar amount of contributions received from contributing participants in the event who are identified by name and address in the records required to be maintained pursuant to section 130.036.

§130.031.6, RSMo.

59. There is probable cause to believe that Respondents violated by Sections 130.031.1, 130.110, 130.031.6, and 130.031.2, RSMo, by accepting cash and anonymous contributions in excess of the limits imposed by Chapter 130, RSMo, and by failing to file fundraiser reports supplementing campaign finance disclosure reports relating to anonymous contributions received during those fundraisers, and that Respondents did so knowingly.

COUNT III

Failure to timely and accurately report contributions received

60. Respondents were required to file campaign finance disclosure reports that set forth receipts for the period, including the:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money

or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

§ 130.041.1(3), RSMo.

61. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to timely and accurately report in an itemized manner all contributions Respondents received that were over \$100, by failing to timely and accurately report all contributions Respondents received that were \$100 or less, and that Respondents did so knowingly.

COUNT IV

Failure to timely and accurately report expenditures and contributions made

62. Respondents were required to file campaign finance disclosure reports that set forth expenditures for the period, including the:

- (a) The total dollar amount of expenditures made by check drawn on the committee's depository;
- (b) The total dollar amount of expenditures made in cash;
- (c) The total dollar value of all in-kind expenditures made;

- (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. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;
- (e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

§ 130.041.1(4), RSMo.

63. There is probable cause to believe that Respondents violated Section 130.041.1(4), RSMo, by failing to timely and accurately reporting in an itemized manner all expenditures Respondents made that were over \$100, by failing to timely and accurately report all expenditures Respondents made that were \$100 or less, by failing to timely and accurately report all contributions Respondents made to other committees, and that Respondents did so knowingly.

COUNT V

Failure to timely amend statement of committee organization after naming new treasurer

64. “The candidate or the committee treasurer of any committee except a candidate committee is ultimately responsible for all reporting requirements pursuant to this chapter.” § 130.058, RSMo.

65. When there is a change in any information in a committee’s statement of committee organization, “an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.” § 130.021.7, RSMo.

66. There is probable cause to believe that Respondents violated Section 130.021.7, RSMo, by failing to file an amended statement of committee organization with the Missouri Ethics Commission within twenty (20) days of appointing a new treasurer, and that Respondents did so knowingly.

COUNT VI

Failure to maintain committee records

67. Each candidate and committee must maintain accurate records and accounts on a current basis. § 130.036.1, RSMo.

68. The records must 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.” § 130.036.1, RSMo.

69. On July 3, 2013, the Ethics Commission requested the committee records from Respondents MFWDC 7th District and Peavler. The request was accompanied by a subpoena.

70. On July 29, 2013, the president of Respondent MFWDC 7th District provided the bank records maintained by Respondents.

71. Respondents did not produce records supporting fundraising events or cash contributions deposited by Respondents into Respondents' official depository account.

72. Respondents did not produce records, such as receipts or invoices, relating to the cash withdrawals made by Respondents from Respondents' official depository account.

73. There is probable cause to believe that Respondents violated Section 130.036.1, RSMo, by failing to maintain committee records in accordance with accepted normal bookkeeping procedures, including failure to maintain bills, receipts, and other detailed information necessary to prepare and substantiate campaign finance statements or reports filed with the Missouri Ethics Commission.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Missouri Federated Women's Democratic Club, 7th District and Thompson in the amount of \$15,420, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$1,000 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. If a Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that such Respondent has committed such a violation.

d. Respondents Missouri Federated Women's Club, 7th District and Thompson shall be jointly and severally liable for all fees imposed under this order, subject to the terms in subparagraph c above.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondents or its former Treasurer, Peavler, from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondents understand that late filing fees accrue automatically under Section 105.963, RSMo.

SO AGREED:

RESPONDENT MISSOURI FEDERATED
WOMEN'S DEMOCRATIC CLUB, 7th
DISTRICT

PETITIONER MISSOURI ETHICS
COMMISSION

By: Peggy Stepp 3/6/2014
MFWDC 7th District Date

By: James Klahr 3/13/14
James Klahr Date
Executive Director

RESPONDENT RUTH THOMPSON

By: Curtis R. Stokes 3/13/14
Curtis R. Stokes Date
Attorney for Petitioner

By: Ruth Thompson 3/6/2014
Ruth Thompson, Treasurer Date
MFWDC 7th DISTRICT