

Filed  
MAR 14 2014  
Missouri Ethics  
Commission

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
DAMON JONES,	)	Case No. 13A091
	)	
and	)	
	)	
COMMITTEE TO ELECT DAMON	)	
JONES,	)	
	)	
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 Jones and Committee to Elect Damon Jones violated Sections 130.011(9), 130.046.1 and 130.046.1(4), RSMo, as stated in the Joint Stipulation.

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

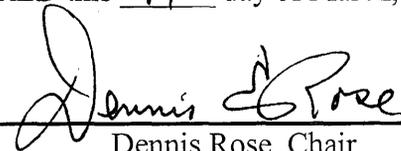
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents Jones and Committee to Elect Damon Jones in the amount of \$2,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200 of that fee within forty-five (45) days after the date of this Order, the remainder of the fee

will be stayed. 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. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that any Respondent has committed such a violation.
4. Respondents Jones and Committee to Elect Damon Jones shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 14 day of March, 2014

By:



Dennis Rose, Chair  
Missouri Ethics Commission

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BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	Case No. 13A091
v.	)	
	)	
DAMON JONES,	)	
Candidate	)	
	)	
and	)	
	)	
COMMITTEE TO ELECT DAMON A.	)	
JONES,	)	
Candidate Committee	)	
	)	
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, Jones and Committee to Elect Damon A. Jones, 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 Jones was an unsuccessful candidate in the March 5, 2013, election.
3. Respondent Committee to Elect Damon A. Jones was the candidate committee formed by Respondent Jones to support his candidacy in the March 2013 election.
4. Respondent Jones served as his own treasurer.
5. 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.

6. 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 terminate and file termination statement*

7. Respondent Jones was unsuccessful in the March 5, 2013, election, which was the primary for the April 8, 2013, general election.

8. Respondents reported no debt after the March 2013 election.

9. Respondents did not terminate and file statement of termination and termination report within thirty (30) days of the April 8, 2013 election.

10. Respondents filed a termination statement on November 12, 2013, which is more than two-hundred days after the April 2013 election.

### **COUNT II**

#### *Failure to timely file campaign finance disclosure reports*

11. Respondents filed with the Ethics Commission a 30 day after report for the April 2013 election on July 18, 2013.

12. Respondents did not timely file the April 2013 quarterly, July 2013 quarterly, or October 2013 quarterly reports.

13. Respondents filed a termination report on November 12, 2013.

### **COUNT III**

#### *Failure to report expenditures*

14. Respondents reported seven (7) bank fees totaling \$126 on Respondents' termination report, but these were not timely reported.

### **JOINT PROPOSED CONCLUSIONS OF LAW**

#### **COUNT I**

##### *Failure to timely terminate and file termination statement*

15. A candidate committee "shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election." § 130.011(9), RSMo.

16. There is probable cause to believe that Respondents violated Section 130.011(9), RSMo, by not terminating and by not filing a termination statement thirty days after the April 8, 2013, election, and that Respondents did so knowingly.

#### **COUNT II**

##### *Failure to timely file campaign finance disclosure reports*

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

...

(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; ...

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

§ 130.046.1, RSMo.

18. There is probable cause to believe that Respondents violated Section 130.046.1, RSMo, by failing to timely and accurately file five (5) campaign finance reports, and that Respondents did so knowingly.

### **COUNT III**

#### *Failure to report expenditures*

19. 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.

20. There is probable cause to believe that Respondents violated Section 130.046.1(4), RSMo, by failing to timely and accurately report seven (7) expenditures of \$100 and less, totaling \$126 in expenditures, and that Respondents did so knowingly.

## 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 in the amount of \$2,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200 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 any 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 Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed such a violation..

d. Respondents Jones and Committee to Elect Damon A. Jones shall be jointly and severally liable for all fees imposed under this order.

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 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 DAMON JONES

By: [Signature] 3/13/14  
Damon Jones Date

PETITIONER MISSOURI ETHICS  
COMMISSION

By: [Signature] 3/14/14  
James Klahr Date  
Executive Director

RESPONDENT COMMITTEE TO ELECT  
DAMON A. JONES

By: [Signature] 3/13/14  
Damon Jones Date  
Candidate

By: [Signature] 3/14/14  
Curtis R. Stokes Date  
Attorney for Petitioner