

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
FEB 06 2017
Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
) Petitioner,)
) Case No. 16-0087-I
)
) v.)
)
) JENNIFER SIMPSON,)
)
) and)
)
) SIMPSON FOR SCHOOLS,)
) 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, Jennifer Simpson and Simpson for Schools, 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 allegations 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 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 Jennifer Simpson filed a Statement of Committee Organization for Simpson for Schools on February 19, 2016, with the St. Charles County Election Authority.

3. Respondent Jennifer Simpson was a successful candidate for Wentzville School Board in the April 5, 2016 Election.

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

5. 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.

6. On April 4, 2016 Respondent Simpson personally made an expenditure of \$198.00 for "robo-calls" on behalf of her committee.

7. Respondents failed to report the in-kind contribution of \$198.00 made by Respondent Simpson for the "robo calls" on the 30 Day After Election Report.

JOINT PROPOSED CONCLUSIONS OF LAW

8. Committees are 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. . . .

(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;

§130.041.1(3), RSMo.

9. There is probable cause to believe that Respondents violated Sections 130.041.1(3) RSMo, by failing to report an in-kind contribution of \$198.00 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 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 \$500, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$100 of that fee within forty-five days after the date of the 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.

c. Regardless of the stay in paragraph 2.b above, 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..

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.

SO AGREED:

RESPONDENT JENNIFER SIMPSON

By: Jennifer Simpson 1/23/17
Jennifer Simpson Date

PETITIONER MISSOURI ETHICS COMMISSION

By: James Klahr 2/6/17
James Klahr Date
Executive Director

RESPONDENT SIMPSON FOR SCHOOLS

By: Jennifer Simpson 1/23/17
Jennifer Simpson Date

By: Brian Hamilton 2/6/17
Brian Hamilton Date
Attorney for Petitioner

Filed
FEB 06 2017
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

| | | |
|-----------------------------|---|--------------------|
| MISSOURI ETHICS COMMISSION, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | |
| JENNIFER SIMPSON |) | Case No. 16-0087-I |
| |) | |
| AND |) | |
| |) | |
| SIMPSON FOR SCHOOLS, |) | |
| |) | |
| Respondents. |) | |

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents violated Section 130.041.1(3), RSMo.

The Commission directs that the Joint Stipulation be adopted.

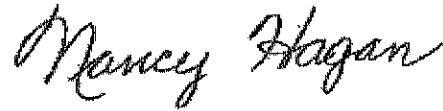
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$500, pursuant to Section 105.961.4(6), RSMo. However, if either Respondent pays \$100 of that fee within forty-five (45) days after 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.
3. If Respondents commit any further violation of the campaign finance laws pursuant to 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 be due immediately upon final adjudication finding that Respondents committed such a violation.

4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 6th day of February, 2017

By:



Nancy Hagan, Chair
Missouri Ethics Commission