

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
APR 20 2017
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
v.)
) Case No. 17-0012-I
KHALIL ABDUL-MUMIN,)
)
 Respondent.)

**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 Respondent, Khalil Abdul-Mumin, acknowledges that he has 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 Respondent further acknowledges that he is 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 Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters 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 agrees to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondent 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 Mumin was an unsuccessful candidate for Director of the Spanish Lake Fire District in St. Louis, MO for the April, 2015 and the April, 2017 election.
3. Pursuant to Section 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
4. Based on the investigation report, the Commission determined that there were reasonable grounds to believe that a violation of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.
5. Respondent Mumin purchased printed material on March 10, 2015 for the April, 2015 election.
6. The material Respondent Mumin purchased for the April, 2015 election included door hangers with a disclosure of "Paid For By Friends of the Lake."
7. Friends of the Lake was not a registered committee with either the Commission or the St. Louis County Board of Elections in 2015.

8. The printed material for the April, 2015 election should have read, "Paid for By Khalil Abdul-Mumin."

9. Respondent Mumin purchased printed material on February 10, 2017 for the April, 2017 election.

10. The material Respondent purchased for the April, 2017 election included door hangers and yard signs with a disclosure of "Paid For By Friends to Elect Khalil Abdulmumin (Mumin)."

11. Friends to Elect Khalil Abdulmumin (Mumin) is not a registered committee with either the Commission or the St. Louis county Board of Elections.

12. The printed material for the April, 2017 election should have read, "Paid for By Khalil Abdul-Mumin."

JOINT PROPOSED CONCLUSIONS OF LAW

13. "Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

14. Printed matter includes "any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material." § 130.031.8, RSMo.

15. "In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known" § 130.031.8(1), RSMo.

16. There is probable cause to believe that Respondent Mumin violated Section 130.031.8(3), RSMo, by publishing, circulating, and distributing door hangers and yard signs with an incorrect "paid for by" disclosure statement for the 2015 and 2017 April elections, and that Respondent 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. Respondent 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 Respondent Khalil Abdul-Mumin in the amount of \$100.00, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

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. Respondent, together with his heirs, successors, and assigns, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or

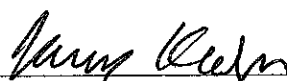
from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

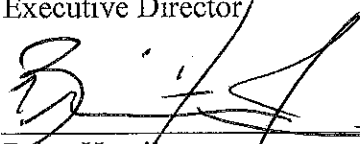
5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondent from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondent understands that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT KHALIL ABDUL-MUMIN

PETITIONER MISSOURI ETHICS
COMMISSION

By:  4/14/2017
Khalil Abdul-Mumin Date

By:  4/24/17
James Klahr Date
Executive Director

By:  4/20/17
Brian Hamilton Date
Attorney for Petitioner

