

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	
COURTNEY CURTIS,)	
Candidate)	Case No. 15-0006-A
)	
and)	
)	
CURTIS FOR MO,)	
Candidate committee)	
)	
and)	
)	
CURTIS FOR MISSOURI,)	
Candidate committee)	
)	
)	
Respondents.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER**

This is the decision and order of the Missouri Ethics Commission following a hearing on a complaint filed by Petitioner by and through counsel, pursuant to Section 105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Nancy Hagan, Chair, Bill Deeken, Vice Chair, Kim Benjamin, Eric L. Dirks, George Ratermann, and Don Summers.

This case was first set for a hearing on February 17, 2017. Respondent Curtis appeared at the hearing before the Commissioners upon oral motion was granted a continuance. The case was reset for hearing on April 28, 2017. Respondent Curtis appeared and again orally requested a continuance. The Commission held the closed hearing on April 28, 2017, at the offices of the Missouri Ethics Commission at 3411A Knipp Drive, Jefferson City, Missouri 65109. The

Commission was represented by Elizabeth L. Ziegler. Respondent Curtis appeared in person without counsel. At the close of evidence, the Commission granted Respondent Curtis until June 16, 2017 to provide additional evidence for the Commission to consider. The Commission granted Respondent Curtis until July 12, 2017 to submit all legal responses and objection to the evidence presented at the April 28, 2017 hearing. The Commission sent Respondent Curtis a letter reminding him of these deadlines on May 9, 2017. Respondent Curtis was also notified that the Commission would deliberate on this matter at its July 14, 2017 meeting.

The Commission admitted into evidence Petitioner's Exhibits 1 through 13, and A, B, and C. Respondents offered no exhibits and no legal response under the deadlines imposed. Having considered all the competent and substantial evidence upon the whole record, the Commission finds by a unanimous vote as follows:

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.¹

FACTS RELEVANT TO ALL COUNTS

2. Respondent Curtis was a candidate for the Missouri House of Representatives, District 73, and was elected as a member of the House of Representatives, District 73, in the 2012, 2014 and 2016 general elections.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2015).

Curtis for Missouri

3. Respondent Curtis registered his candidate committee, Respondent Curtis for Missouri, with the Commission on March 16, 2012 for the August and November 2012 primary and general elections,
4. The original treasurer for Curtis for Missouri was Emil Porter.
5. The official fund depository account for Curtis for Missouri was PNC Bank *8943.
6. On January 15, 2013, following the Respondent Curtis' successful election, an amended statement of committee organization was filed for the August 2014 primary election. Respondent Curtis was named treasurer and the official fund depository account was changed to Regions Bank *4720
7. Respondents terminated Curtis for Missouri on January 21, 2014.

Curtis for Mo

8. Respondent Curtis registered his current candidate committee, Respondent Curtis for MO with the Commission on January 16, 2014 for the August 2014 primary election.
9. The Statement of Committee Organization named Respondent Curtis as treasurer and the official fund depository account as Regions Bank *3364.
10. No amended statement of committee organization has been filed with the Commission.
11. Pursuant to Sections 105.959 and 105.961, RSMo, the Commission's staff investigated the reports and statements filed with the Commission and reported the investigation findings to the Commission.

12. Based on the investigation report, 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 update statement of committee organization and

Failure to timely update statement of committee organization to reflect office sought

13. Respondent Curtis was successful in the November 2014 general election for Missouri House of Representatives.

14. After the November 2014 general election, Respondents did not amend their statement of committee organization to reflect Respondent Curtis's updated office sought and election date before accepting contributions and making expenditures from Respondents' official depository account.

Not updating changes to Respondents' official fund depository accounts

15. Respondents utilized the following six (6) accounts as official fund depository accounts as follows:

Curtis for Missouri

	Account	Bank	Account Name	Opened	Reported to Commission?	Closed	Closing Reported to Commission?
1.	*8943	PNC Bank	Curtis for Missouri	3/12/2012	Yes (timely)	7/20/2012	No
2.	*4720	Regions Bank	Curtis for Missouri	3/20/2012	Yes (late 1/15/13-	5/31/ 2013	No
3.	*7729	Regions Bank	Curtis for MO	5/6/2013	No	12/3/2013	Committee Terminated

Curtis for Mo – 01/16/2014 to Present

	Account	Bank	Account Name	Opened	Reported to Commission?	Closed	Closing Reported to Commission?
4.	*3364	Regions Bank	Curtis for MO	1/3/2014	Yes	2/17/ 2014	No
5.	*3380	Regions Bank	Courtney Curtis DBA Curtis for MO	3/7/2014	No	5/19/2015	No
6.	*2990	Regions Bank	Courtney A Curtis Curtis for MO DBA	1/16/2016	No		

16. Respondents opened an account, ending in number *8943, at PNC Bank on March 12, 2012, in the name Curtis for Missouri.

17. Respondents timely reported their first account (*8943) on a statement of committee organization filed with the Commission on March 16, 2012.

18. Eight days after opening their first account (*8943) Respondents opened a second account, ending in number *4720, at Regions Bank, also in the name Curtis for Missouri.

19. Respondents closed their first account (*8943) on July 20, 2012, but did not report this closure to the Commission within twenty (20) days.

20. Respondents closed their second account (*4720) on May 31, 2013, but did not report this closure to the Commission within twenty (20) days.

21. Respondents did not report their second account (*4720) to the Commission until January 15, 2013.

22. Respondents opened a third account, ending in number *7729, at Regions Bank on May 6, 2013, in the name Curtis for MO, and closed it on December 3, 2013.

23. Respondent did not report their third account (*7729) to the Commission.
24. Respondents opened a fourth account, ending in number *3364, at Regions Bank on January 3, 2014, in the name Curtis for MO.
25. Respondents timely reported their fourth account (*3364) to the Commission on January 16, 2014.
26. Respondents closed their fourth account (*3364) one month after reporting it to the Commission on February 17, 2014.
27. Respondents have not reported closing their fourth account (*3364) to the Commission.
28. On March 7, 2014, Respondents opened a fifth account, ending in number *3380, at Regions Bank, in the name Curtis for MO.
29. Respondents never disclosed their fifth account (*3380) to the Commission as Respondents' official fund depository account.
30. Respondents closed their fifth account (*3380) on May 19, 2015.
31. On January 19, 2016, Respondents opened a sixth account (*2990) at Regions Bank in the name, Curtis for Mo.
32. Respondents never disclosed their sixth account (*2990) to the Commission as Respondents' official fund depository account.

COUNT II

Failure to maintain an official fund depository account in the candidate committee's name through which all contributions are deposited and all expenditures are made

33. Between 2012 and 2016, Respondents maintained at least eleven (11) separate accounts into which Respondents deposited campaign contributions or from which Respondents made campaign expenditures or both. Only three (3) accounts were identified as an official fund depository account to the Commission, and five (5) accounts were not in the name of the committee:

Account	Bank	Account Name	Opened	Reported to Commission?	Closed	Closing Reported to Commission?
*8623	Regions Bank	Courtney A. Curtis	Before 2012	No		
*8943	PNC Bank	Curtis for Missouri	3/12/2012	Yes	7/20/2012	No
*4720	Regions Bank	Curtis for Missouri	3/20/2012	Yes	5/31/ 2013	No
*7729	Regions Bank	Curtis for MO	5/6/2013	No	12/3/2013	
*5235	Regions Bank	Courtney A. Curtis d/b/a/ Social Nametags	8/6/2013	No		
*3364	Regions Bank	Curtis for MO	1/3/2014	Yes	2/17/ 2014	No
*0451	Regions Bank	Courtney A. Curtis	2/3/2014	No		
*3380	Regions Bank	Curtis for MO	3/7/2014	No	5/19/2015	No
*3372	Regions Bank	Courtney Curtis d/b/a Social Name Tags	3/7/2014	No		
*5098	Regions Bank	Courtney A. Curtis DBA Courtney for MO	8/14/2015	No		
*2990	Regions Bank	Courtney A Curtis Curtis for MO DBA	1/16/2016	No		

Failure to maintain an account in name of committee

34. Respondents did not maintain an official fund depository account in the committee's name, when Respondents closed account *7729 on December 3, 2013 and terminated Curtis for Missouri January 14, but opened account *3364 for Curtis for MO on January 3, 2014 and registered Curtis for Mo on January 21, 2014.

35. Respondents did not maintain an official fund depository account in the committee's name between February 17, 2014, when Respondents closed account *3364, and March 7, 2014, when Respondents opened account *3380.

36. Respondents did not maintain an official fund depository account in the committee's name between May 19, 2015, when Respondents closed account *3380 to present, and January 16, 2016 when Respondents opened account *2990.

Maintaining more than one official fund depository institution

37. Between March 20, 2012, and July 20, 2012, Respondents maintained official fund depository accounts at two separate official fund depository institutions, PNC Bank and Regions Bank.

Making expenditures through accounts that were not Respondents' official fund depository account

38. Respondents made at least three hundred forty-two (342) expenditures, totaling \$51,500.54, from accounts that were not Respondents' reported official fund depository accounts, including the accounts listed at paragraph 33 above.

Accepting contributions through account that was not Respondents' official fund depository account

39. Respondents deposited at least thirty (30) contributions, totaling \$63,709.06, into accounts that were not Respondents' reported official fund depository accounts.

COUNT III

Unauthorized use of campaign contributions

40. In 2014 and 2015, Respondent Curtis received payments for travel from his district to Jefferson City for sessions of the Missouri House of Representatives, pursuant to Article III, Section 16 of the Missouri Constitution.

41. Respondent Curtis received a payment of \$91.02 for travel to and from Jefferson City and his district for a session of the House of Representatives lasting January 27 through January 30, 2014, but despite this payment, Respondent Curtis on Thursday, January 30, 2014, used candidate committee funds to purchase \$50.63 worth of gas at McCarty Phillips in Jefferson City, Missouri.

42. Similarly, Respondent Curtis received a payment of \$91.02 for travel to and from Jefferson City and his district for a session of the House of Representatives lasting January 20 through 22, 2015, but despite this payment, Respondent Curtis on Thursday, January 22, 2015, used candidate committee funds to purchase \$19.12 worth of gas at McCarty Phillips in Jefferson City, Missouri.

COUNT IV

Commingling committee fund with funds of others

43. Respondents deposited a contribution of \$2,000 made payable to Curtis for MO on October 13, 2015 from Rivertown Enterprises into account *8623, which is Respondent Curtis's personal account, and not his candidate committee's official fund depository account.

COUNT V

Cash contributions and expenditures in excess of limits

44. Respondents accepted the following five (5) cash contributions that were in excess of \$100 each, totaling \$3,590:

Date Deposited	Amount
June 6, 2012	\$610.00
June 20, 2012	\$344.00
June 29, 2012	\$2,100.00
July 11, 2012	\$325.00
November 23, 2012	\$211.00
TOTAL	\$3,590.00

45. Respondents made the following six (6) cash expenditures that were in excess of \$50 each, totaling \$3,754.52:

Date of Withdrawal	Amount
July 2, 2012	\$641.00
July 20, 2012	\$119.52
October 16, 2012	\$1,150.00
November 1, 2012	\$560.00
August 26, 2013	\$184.00
July 29, 2016	\$1,100.00
TOTAL	\$3,754.52

COUNT VI

Failure to timely and accurately file campaign finance disclosure reports with cumulative information from the date of the last report

46. Respondents incorrectly filed statements of limited activity for the following nine (9) campaign finance reports that should have been full campaign finance disclosure reports:

- a. July 2014 quarterly report
- b. 8 Day Before August 2014 primary election report
- c. 30 Day After August 2014 primary election report
- d. 30 Day After November 2014 general election report
- e. April 2015 quarterly report
- f. July 2015 quarterly report
- g. October 2015 quarterly report
- h. January 2016 quarterly report
- i. April 2016 quarterly report

47. Respondents failed to timely file the following nineteen (19) campaign finance disclosure reports:

Report Name	Date Due	Date Filed	Days Late
July 2012 Quarterly	7/15/12	7/25/12	10
30 Day After August 2012 Primary Election	9/6/12	10/31/12	55
October 2012 Quarterly	10/15/12	10/31/12	16
24 Hour Notice of Late Contribution	11/2/12	11/3/12	1
April 2013 Quarterly	4/15/13	5/13/13	27
July 2013 Quarterly	7/15/13	7/22/13	16
October 2013 Quarterly	10/15/13	10/21/13	6
July 2014 Quarterly	7/15/14	7/31/14	16
30 Day After August 2014 Primary Election	9/4/14	1/7/15	121
October 2014 Quarterly	10/15/14	10/16/14	1
24 Hour Notice of Late Contribution	10/25/14	10/27/14	2
24 Hour Notice of Late Contribution	10/25/14	10/30/14	5
30 Day After November 2014 General Election	12/4/14	1/7/15	32
July 2015 Quarterly	7/15/15	7/17/15	2
October 2015 Quarterly	10/15/15	2/7/16	111
January 2016 Quarterly	1/15/16	2/7/16	23
April 2016 Quarterly	4/15/16	4/18/16	3
July 2016 Quarterly	7/15/16	7/19/16	4
8 Day Before August 2016 Primary Report	7/25/2016	7/26/2016	1

48. On or about July 11, 2015, Respondents made an expenditure of \$420.98 in cash to Drakes' Place for thirty-five (35) meals, and on the same date received six contributions, totaling \$920, two (2) of which included checks with the word "fundraiser" on the memo. Respondents did not report the \$420.98 cash expenditures, and did not file a fundraising statement for this fundraiser.

49. Respondents incorrectly reported the committee's money on hand on at least thirteen (13) campaign finance disclosure reports.

50. Respondents incorrectly reported the committee's outstanding indebtedness on at least thirteen (13) campaign finance disclosure reports.

51. Respondents incorrectly reported the start date on the October 2014 Quarterly disclosure.

COUNT VII

Failure to timely and accurately report contributions received

52. Respondents failed to timely and accurately report the following thirty-six (36) monetary contributions over \$100 each, totaling \$27,376.66:

Contributor Name	Amount	Bank Statement Date	Report Not Showing Contribution	
Unknown - Cash	\$325.00	7/11/12	8 Day Before August 2012	
The Abbey Care Center	\$500.00	10/30/12	30 Day After November 2012	
Missouri Podiatry PAC	\$250.00	1/14/13	April Quarterly 2013	
Penman & Winton Consulting	\$350.00	1/21/14	April Quarterly 2014	
Credit Union PAC	\$250.00	1/21/14		
Anheuser Busch Companies	\$500.00	5/16/14	July Quarterly 2014	
Home Building Industry PAC	\$325.00	5/20/14		
Penman & Winton Consulting	\$350.00	6/20/14		
Missouri Independent Accountants PAC	\$300.00	6/20/14	July Quarterly 2014	
Glazer's Missouri PAC	\$300.00	7/9/14	8 Day Before August 2014 Primary	
Bank of American State & Federal PAC	\$300.00	7/9/14		
Pinnacle Entertainment	\$200.00	9/23/14	October Quarterly 2014	
AGC of St. Louis PAC	\$350.00	9/23/14		
Credit Union PAC	\$250.00	10/2/14	8 Day Before General	
Safer Families for Missouri	\$500.00	10/2/14		
Missourians for Excellence in Government	\$250.00	10/17/14		
Eli Lilly and Company PAC	\$500.00	10/24/14		
Ameren Missouri PAC	\$325.00	10/27/14		
Friends of Rick Stream	\$2,500.00	10/27/14		
Citizens for Maria Chappelle-Nadal	\$10,000.00	10/28/14	30 Day After November 2014	
K12 Managements, Inc.	\$500.00	10/29/14		
Good Government for Missouri	\$500.00	10/31/14		
Missouri Deer Association	\$300.00	11/10/14		
Unite Here Tip Missouri State & Local Fund	\$500.00	11/10/14		
Monsanto Company	\$500.00	11/10/14		
Express Scripts, Inc.	\$500.00	1/23/15		April Quarterly 2015
Jeffry & Jennifer Quinn	\$500.00	8/14/15		October Quarterly 2015
Stanphany Steward	\$300.00	8/14/15		

Contributor Name	Amount	Bank Statement Date	Report Not Showing Contribution
Express Scripts, Inc.	\$500.00	8/14/15	
Noranda Aluminum	\$500.00	10/6/15	January Quarterly 2016
Rivertown Enterprises	\$2,000.00	10/13/15	
Boeing	\$500.00	1/19/16	April Quarterly Report 2016
Pinnacle	\$200.00	1/19/16	
Comprehensive Health Management	\$500.00	1/19/16	
International Union of Painters and Allied Trades, District Council No. 58	\$300.00	3/21/16	
Fannie Lou Hamer Coalition	\$651.66	8/8/16	30 Day After Primary
TOTAL	\$27,376.66		

53. Respondents failed to timely and accurately report the following ten (10) in-kind contributions received over \$100 each, totaling \$3,746.93, which were paid out of Respondent Curtis's personal or business accounts or other accounts not Respondents' official fund depository account:

Recipient of in-kind contribution	Amount	Bank Statement Date	Report Not Showing Contribution
Tearrance Chisholm	\$1,113.00	N/A	October Quarterly 2013
Best Buy	\$377.03	3/24/14	April Quarterly 2014
Sprint Store	\$271.23	7/18/14	8 Day Before August 2014
Delta Airlines	\$215.60	9/23/14	October Quarterly 2014
Money Order	\$493.00	11/5/14	30 Day After November 2014
Weekends Only Furniture Outlet	\$246.97	12/14/14	April Quarterly 2015
Weekends Only Furniture Outlet	\$245.00	N/A	
Drunken Fish	\$114.12	5/20/15	July Quarterly 2015
Drakes Place	\$420.98	N/A	October Quarterly 2015
Washington Court Hotel	\$250.00	N/A	
TOTAL	\$3,746.93		

54. Respondents failed to timely and accurately report fifteen (15) monetary contributions of \$100 or less each, totaling \$677.

55. Respondents failed to timely and accurately report one hundred and fifty-three (153) in-kind contributions of \$100 or less each, totaling \$5,028.51.

56. Respondents failed to timely and accurately report seven (7) miscellaneous receipts totaling \$794.04.

57. Respondents reported the following two (2) contributions over \$100 each on the October 2014 Quarterly report, but should have reported them earlier, on the 30 Day After August 2014 Primary report:

Contributor	Date	Amount
Friends of Jeremy Lafaver	8/28/14	\$250.00
CHIPP Political Account	8/28/14	\$1,500.00
	TOTAL	\$1,750.00

58. Respondents inaccurately reported twenty (20) contributions, including reporting in-kind contributions received as expenditures made, not reporting employer or occupation information, and not accurately reporting the name of the contributor.

59. Respondents reported the following five (5) contributions over \$100.00 which were not deposited into the Respondents' official depository account:

Contributor	Bank Statement Date	Amount	Report Showing Contribution
MO Health Care Association	10/30/12	\$500.00	30 Day After November 2012 Election
MHA	8/5/16	\$500.00	30 Day After Primary August 2016 Election
Boeing	8/8/16	\$500.00	
North Park Partners	8/15/16	\$250.00	
Lawrence Chapman	8/16/16	\$250.00	
	TOTAL	\$2,000.00	

60. Respondents reported non-itemized contributions in the amount of \$1,277.30 on the 8 Day Before Primary Report (July 1, 2016 through July 21, 2016) which were not deposited into the Respondents' official depository account.

61. Respondents reported six (6) loans, totaling \$2,300.74 that were not deposited into Respondents' official depository account, and inaccurately reported the details of two (2) loans totaling \$871.83.

COUNT VIII

Failure to timely and accurately report expenditures and contributions made

62. Respondents failed to timely and accurately report the following forty-eight (48) expenditures over \$100 each, totaling \$21,929.65, made from Respondents' fund official depository account:

Expenditure Recipient	Amount	Date	Report Not Showing Expenditure
Olakunle Solar	\$180.00	7/27/12	30 Day After August 2012
Missouri Legislative Black Caucus Foundation	\$250.00	6/24/13	July Quarterly 2013
Courtney Curtis	\$149.00	7/9/13	October Quarterly 2013
Courtney Curtis	\$150.00	7/12/13	
Courtney Curtis	\$300.00	7/25/13	
Cash withdrawal	\$184.00	8/26/13	January Quarterly 2014
Ferguson Youth Initiative	\$530.00	1/13/14	Termination
MEC	\$510.00	1/23/14	April Quarterly 2014
CCS City Broiler	\$116.91	1/27/14	
Hampton Inn, Florissant, MO	\$108.45	3/31/14	
Missouri Democratic Party	\$500.00	4/1/14	
Live Well Events	\$261.00	5/21/14	July Quarterly 2014
Transfer to business account	\$510.00	5/23/14	
Transfer to personal account	\$330.00	6/3/14	
Transfer to personal account	\$400.00	6/24/14	
Transfer to personal account	\$200.00	6/25/14	
Hilton Garden Inn, St Louis MO	\$208.82	8/26/14	30 Day After August 2014
Frontier Air	\$114.20	9/12/14	October Quarterly 2014
Congressional Black Caucus	\$150.00	9/26/14	
Hampton Inn, Columbia, MO	\$117.57	10/28/14	30 Day After November 2014
Charter Media	\$8,549.30	10/30/14	
Walgreens	\$400.00	11/10/14	

Expenditure Recipient	Amount	Date	Report Not Showing Expenditure
Transfer to personal account	\$300.00	11/10/14	
Doubletree Hotel, Jefferson City, MO	\$275.97	11/10/14	
Bar Louie	\$223.06	11/10/14	
Schnucks	\$194.33	11/10/14	
Bar Louie	\$161.47	11/10/14	
Bar Louie	\$134.01	11/10/14	
Frontier Air	\$124.20	11/10/14	
Baymont Inn, Jefferson City, MO	\$109.14	11/10/14	
Bar Louie	\$106.90	11/10/14	
William R. Ray, Jr.	\$1,753.96	11/10/14	
Drakes Place	\$124.90	11/17/14	
Stans Restaurant, Washington, DC	\$127.71	11/20/14	
Marriot, Washington, DC	\$158.58	11/24/14	
Kyle Johnson	\$800.00	12/5/14	
AT&T*bill payment	\$134.00	12/16/14	
AT&T*bill payment	\$172.27	1/2/15	
Hilton 360 Bar	\$185.77	1/26/15	
Best Buy	\$577.39	2/9/15	
Doubletree Hotel, Jefferson City, MO	\$231.74	2/10/15	
Hoteltonight CA	\$150.00	3/24/15	
Hoteltonight CA	\$127.00	3/24/15	
Transfer to personal account	\$600.00	8/20/15	October Quarterly 2015
Transfer to personal account	\$250.00	8/24/15	
Transfer to personal account	\$400.00	10/8/15	
Regions Bank	\$180.00	10/16/15	January Quarterly 2016
Regions Bank	\$108.00	10/27/15	
TOTAL	\$21,929.65		

63. Respondents failed to report the following eleven (11) expenditures over \$100 each, totaling \$3,896.93, made from accounts other than Respondents' official fund depository account:

Expenditure Name	Amount	Date	Report Not Showing Expenditure
Tearrance Chisholm	\$1,113.00	8/26/13	October Quarterly 2013
MO State Democratic Committee	\$150.00	2/18/14	April Quarterly 2014
Best Buy	\$377.03	3/24/14	
Sprint Store	\$271.23	7/18/14	8 Day Before August 2014
Delta Airlines	\$215.60	9/23/14	October Quarterly 2014
Money Order	\$493.00	11/5/14	30 Day After November 2014
Weekends Only Furniture Outlet	\$246.97	12/14/14	April Quarterly 2015
Weekends Only Furniture Outlet	\$245.00	12/14/14	

Expenditure Name	Amount	Date	Report Not Showing Expenditure
Drunken Fish	\$114.12	5/20/15	July Quarterly 2015
Drakes Place	\$420.98	7/11/15	October Quarterly 2015
Washington Court Hotel	\$250.00	7/27/15	
TOTAL	\$3,896.93		

64. Respondents failed to timely and accurately report two hundred and seventy-three (273) expenditures of \$100 or less each, totaling \$7,714.51, made from Respondents' official fund depository account.
65. Respondents failed to timely and accurately report one hundred and fifty-three (153) expenditures of \$100 or less each, totaling \$5,007.53, made from accounts other than Respondents' official fund depository account.
66. Respondents failed to timely and accurately report three (3) contributions made to other committees, totaling \$260.
67. Respondents made expenditures totaling \$1,043.32 to O.R. Pechman for yard signs for the Fannie Lou Hamer Coalition, but did not file a direct expenditure report disclosing the names of the candidates supported or opposed by this expenditure.
68. Respondents reported a payment of \$1,753.96 to William R. Ray, Jr., with the purpose "Campaign consulting," and \$7,877.00 to Linda Williams as "Campaign Worker, but did not file an independent contractor form identifying the specific service or services provided.
69. Respondents failed to accurately report eighteen (18) expenditures, including reporting incorrect amounts, and reporting in-kind contributions from Respondent Curtis's personal account as expenditures made from Respondents' official fund depository account.

70. Respondents reported at least six (6) expenditures that were not made from Respondents' official fund depository account.

71. Respondents reported the following payments to campaign workers which were not found in the official fund depository account:

Recipient Name	Date	Amount	Report
Linda Wilson	7/1/16	\$7,877.00	8 Day Before Primary 2016
Hannah Taylor	7/29/16	\$100.00	Amended 30 Day After Primary 2016
Janiesha Griggs	8/3/16	\$100.00	
	TOTAL	\$8,077.00	

72. Respondents reported a \$100 expenditure on July 29, 2016, to Marshland McAllister, as campaign worker, on the Amended 30 Day After 2016 Primary Report although \$50.00 was made from the official fund depository account.

73. Respondents reported expenditures of \$100 or less totaling \$1,375.14 that were not made from Respondents' official fund depository account.

74. Respondents reported two (2) loan repayments to Respondent Curtis from his committee, totaling \$828.35, that were not made from Respondents' official fund depository account.

75. Respondents inaccurately reported the following three (3) expenditures on the Amended 30 Day After 2016 Primary Report as follows:

Recipient Name	Date	Amount	Reason for Inaccuracy
Hannah Taylor	7/29/16	\$320.00	Three expenditures reported as one: \$100, \$100 & \$120.
Drakes Place	8/3/16	\$1,332.19	Reported as "campaign worker", memo states "lunch & dinner campaign".
Linda Perkins	8/8/16	\$3,800.00	Two expenditures reported as one: \$3,600 & \$200.
	TOTAL	\$5,452.19	

COUNT IX

Failure to maintain committee records in accordance with accepted normal bookkeeping procedures

76. On February 18, 2016, Respondent Curtis produced committee records pursuant to a subpoena for committee records issued July 30, 2015. Respondent Curtis signed an affidavit stating that the records were all of the committee records in his possession.

77. Respondents did not maintain records in accordance with accepted normal bookkeeping procedures, including failure to maintain records necessary to prepare and substantiate some of the contributions that Respondents received.

78. Respondents did not maintain records in accordance with accepted normal bookkeeping procedures, including failure to maintain records necessary to prepare and substantiate some of the expenditures and contributions that Respondents made

CONCLUSIONS OF LAW

COUNT I

Failure to timely and accurately update statement of committee organization

1. A candidate for the Missouri House of Representatives “shall form a candidate committee.” § 130.021.2, RSMo.
2. The candidate “shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee.” § 130.021.5, RSMo.
3. The appropriate officer for a candidate for the Missouri House of Representatives is the Missouri Ethics Commission. § 130.026.2(2), RSMo.
4. The statement of committee organization must include the “name and mailing address of its depository, and the name and account number of each account the committee has in the depository.” § 130.021.5, RSMo.
5. The statement of committee organization must include the name and office sought by the candidate. § 130.021.5(9), RSMo.
6. If there is any change to the office sought or account number, “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.” § 130.021.7, RSMo.
7. There is probable cause to believe that Respondents violated §130.021.5 and §130.021.7, RSMo, by failing to timely update the election date and office sought by Respondent Curtis after he was successful in the November 2014 general election, and by failing to timely report changes to Respondents’ official fund depository account to the Commission, and that Respondents did so knowingly.

COUNT II

Failure to maintain an official fund depository account in the candidate committee's name through which all contributions are deposited and all expenditures are made

8. All contributions received by a candidate "and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section." § 130.021.2, RSMo.
9. Every committee must maintain 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." § 130.021.4(1), RSMo.
10. "All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account." § 130.021.4(1), RSMo.
11. "Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account." § 130.021.4(1), RSMo.
12. There is probable cause to believe that Respondents violated §130.021.2 and §130.021.4(1), RSMo, by failing to maintain an official fund depository account in the committee's name at all times, by maintaining two separate accounts at two separate depository fund institutions at the same time, by making at least three hundred forty-two (342) expenditures, totaling \$51,500.54 in expenditures from accounts other than Respondents' official fund depository account, and by depositing at least thirty (30) contributions, totaling \$63,709.06, into accounts other than Respondents' official fund depository account, and that Respondents did so knowingly.

COUNT III

Unauthorized use of campaign contributions

13. "Contributions may be used for any purpose allowed by law including, but not limited to ... [a]ny *ordinary and necessary* expenses incurred in connection with the duties of a holder of elective office." § 130.034.2(2), RSMo (emphasis added).
14. It is not "ordinary and necessary" to use campaign contributions for a purchase if an elected official has or will receive personal reimbursement from the State for that purchase.
15. There is probable cause to believe that Respondents violated §130.034.2(2), RSMo, by using campaign contributions for purposes not allowed by law, and specifically by using campaign contributions to purchase approximately \$69.75 in gasoline for traveling to and from sessions of the Missouri House of Representatives that were not ordinary and necessary because Respondent Curtis was already paid a weekly mileage allowance for travel to and from sessions of the Missouri House of Representatives, and that Respondents did so knowingly.

COUNT IV

Commingling committee fund with funds of others

16. "Contributions received by a committee shall not be commingled with any funds of an agent of the committee, a candidate or any other person, except that contributions from a candidate of the candidate's own funds to the person's candidate committee shall be deposited to an official depository account of the person's candidate committee." §130.021.4(1), RSMo.
17. There is probable cause to believe that Respondents violated §130.021.4(1), RSMo, by commingling at least \$2,000 in committee funds with the funds of other persons, including Respondent Curtis's personal funds, and that Respondents did so knowingly.

COUNT V

Cash contributions and expenditures in excess of limits

18. For purposes of Chapter 130, RSMo, cash means “currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor.” § 130.011(4), RSMo.
19. “No contribution of cash in an amount of more than one hundred dollars shall be ... accepted from any single contributor for any election by a ... candidate committee.” § 130.031.1, RSMo.
20. “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.
21. “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.
22. “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.” §130.031.2, RSMo.
23. “A single expenditure from a petty cash fund shall not exceed fifty dollars.” § 130.031.2, RSMo.
24. “A check made payable to ‘cash’ shall not be made except to replenish a petty cash fund.” § 130.031.2, RSMo.

25. A committee's records "shall indicate which transactions, either contributions received or expenditures made, were cash transactions or in-kind transactions." §130.036.6, RSMo.
26. There is probable cause to believe that Respondents violated §130.031.1, §130.031.2, and §130.110, RSMo, by accepting five (5) cash contributions that were in excess of \$100 each, totaling \$3,590, and by making six (6) cash expenditures that were in excess of \$50 each, totaling \$3,754.52, and that Respondents did so knowingly.

COUNT VI

Failure to timely and accurately file campaign finance disclosure reports with cumulative information from the date of the last report

27. Candidate committees must file regular 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.

28. "The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars." § 130.046.3, RSMo.

29. "The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September." § 130.046.3, RSMo.

30. "Each report by such committee shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization." § 130.046.3, RSMo.
31. "Every candidate, treasurer or deputy treasurer shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section." § 130.046.3, RSMo.
32. The disclosure reports must contain the total amount of money on hand at the beginning and end of the reporting period, and the total amount of outstanding indebtedness as of the closing date of the reporting period. § 130.041.1, RSMo.
33. There is probable cause to believe that Respondents violated §130.041.1 and §130.046, RSMo, by incorrectly filing nine (9) statements of limited activity when full campaign finance disclosure reports were required, by failing to timely file nineteen (19) campaign finance disclosure reports, by failing to file a fundraising report, by incorrectly reporting money on hand, by incorrectly reporting outstanding indebtedness, and by incorrectly reporting the starting date on the October 2014 quarterly report, and that Respondents did so knowingly.

COUNT VII

Failure to timely and accurately report contributions received

34. Candidate committees are required to report receipts for each reporting period, including:
- (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.

35. There is probable cause to believe that Respondents violated §130.041.1(3), RSMo, by failing to timely and accurately report thirty-six (36) monetary contributions over \$100 each, totaling \$27,376.66, by failing to timely and accurately report ten (10) in-kind contributions received over \$100 each, totaling \$3,746.93, by failing to timely and accurately report fifteen (15) monetary contributions of \$100 or less each, totaling \$677, by failing to timely and accurately report one hundred and fifty-three (153) in-kind contributions received of \$100 or less each, totaling \$5,028.51, by failing to timely and accurately report seven (7) miscellaneous receipts totaling \$794.04, by failing to timely report two (2) contributions over \$100 each totaling \$1,750, by inaccurately reporting twenty (20) contributions, by reporting \$2,000 in five (5) contributions over \$100.00 and \$1,277.30 in non-itemized contributions that were not deposited into Respondents' official depository account, and by reporting six (6) loans totaling \$2,300.74 that were not deposited into Respondents' official depository account, and that Respondents did so knowingly.

COUNT VIII

Failure to timely and accurately report expenditures and contributions made

36. Candidate committees are required to report expenditures for each reporting period, including:

- (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.

37. "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." § 130.041.4, RSMo.

38. "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." § 130.041.4, RSMo.
39. There is probable cause to believe that Respondents violated § 130.041.1(4) and §130.041.4, RSMo, by failing to timely and accurately report forty-eight (48) expenditures over \$100 each, totaling \$21,929.65, made from Respondents' official depository account, by failing to timely and accurately report eleven (11) expenditures over \$100 each, totaling \$3,896.93, made from accounts other than Respondents' official depository account, by failing to timely and accurately report two hundred and seventy-three (273) expenditures of \$100 or less each, totaling \$7,714.51, made from Respondents' official depository account, by failing to timely and accurately report one hundred and fifty-three (153) expenditures of \$100 or less each, totaling \$5,007.53, that were made from accounts other than Respondents' official depository account, by failing to timely and accurately report three (3) contributions made to other committees, totaling \$260, by failing to timely and accurately file a direct expenditure report identifying the candidates who were supported and opposed by an expenditure of \$1,043.32 for yard signs, by reporting the purpose of an expenditure of \$1,753.96 to William R. Ray, Jr., as "Campaign consulting," and to \$7,877.00 to Linda Williams as "Campaign Worker: without filing an independent contractor form identifying the specific services provided, and by reporting expenditures

and loans not made from Respondents' official depository account, including but not limited to, \$8,077.00 to "campaign workers", and reporting a \$100 expenditure on July 29, 2016, to Marshland McAllister, as campaign worker, on the Amended 30 Day After 2016 Primary Report although \$50.00 was made from the official fund depository account, and by inaccurately reporting three (3) expenditures on the Amended 30 Day After 2016 Primary Report, and that Respondents did so knowingly.

COUNT IX

Failure to maintain committee records in accordance with accepted normal bookkeeping procedures

40. "The candidate, treasurer or deputy treasurer of a committee shall maintain accurate records and accounts on a current basis." §130.036.1
41. "The records and accounts shall be maintained in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts, deposit records, cancelled 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.
42. "Notwithstanding the provisions of section 130.041 that only contributors of more than one hundred dollars shall be reported by name and address for all committees, the committee's records shall contain a listing of each contribution received by the committee, including those accepted and those which are rejected and either returned to the donor or transmitted to the state treasurer." § 130.036.3, RSMo.
43. "Each contribution, regardless of the amount, shall be recorded by date received, name and address of the contributor and the amount of the contribution, except that any contributions from unidentifiable persons which are received through fund-raising activities and events as permitted in subsection 6 of section 130.031 shall be recorded to show the dates and

amounts of all such contributions received together with information contained in statements required by subsection 6 of section 130.031.” § 130.036.3, RSMo.

44. “The procedure for recording contributions shall be of a type which enables the candidate, committee treasurer or deputy treasurer to maintain a continuing total of all contributions received from any one contributor.” § 130.036.3, RSMo.

45. The committee’s records “shall include a listing of each expenditure made and each contract, promise or agreement to make an expenditure, showing the date and amount of each transaction, the name and address of the person to whom the expenditure was made or promised, and the purpose of each expenditure made or promised.” § 130.036.4, RSMo.

46. “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” and “shall be available for inspection” by the Missouri Commission. § 130.036.8, RSMo.

47. There is probable cause to believe that Respondents Curtis, Curtis for MO, and Curtis for Missouri violated §130.036, RSMo, by failing to maintain Respondents’ campaign finance records and accounts in accordance with accepted normal bookkeeping procedures, including bills, receipts, deposit records, cancelled checks and other detailed information necessary to prepare and substantiate any statement or report required under Chapter 130, RSM, and that Respondents did so knowingly.

ORDER

The Missouri Ethics Commission finds probable cause that Respondents Courtney Curtis, Curtis for Mo and Curtis for Missouri violated, and have knowingly violated, Sections §130.021.2, §130.021.5, §130.021.7, §130.021.4(1), §130.031.1, §130.031.2, §130.034.2(2), §130.036 §130.041.1, §130.041.1(3), § 130.041.1(4), §130.041.4, §130.046 and §130.110, RSMo.

1. The Commission orders Respondents to file accurately all necessary campaign finance reports and statements pursuant to Sections 105.961.4(2) and 105.961.5(3), RSMo.
2. The Missouri Ethics Commission further orders a fee be imposed against Respondents Courtney Curtis, Curtis for Mo and Curtis for Missouri in the amount of \$114,050.00 pursuant to Section 105.961.4(6), RSMo. If any Respondent pays \$11,400.00 of that fee within 45 days of the date of this Order and files all required campaign finance disclosure reports, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.
3. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violation 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 Courtney Curtis, Curtis for Mo and Curtis for Missouri 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 Courtney Curtis, Curtis for Mo and Curtis for Missouri shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 14th day of July, 2017.

Nancy Hagan

Nancy Hagan., Chair
MISSOURI ETHICS COMMISSION