

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
JAN 27 2015
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
JORDAN W. CHAMBERS 19TH WARD) Case No. 13A129
REGULAR DEMOCRATIC)
ORGANIZATION,)
CONTINUING COMMITTEE,)
)
AND)
)
COLUMBUS EDWARDS, TREASURER,)
)
AND)
)
MARLENE DAVIS,)
)
Respondents.)

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents Jordan W. Chambers 19th Ward Regular Democratic Organization and Edwards violated Sections 130.041.1(3), 130.041.1(4), 130.021.4, 130.046.1, 130.044.1, 130.036, and 130.021.7, RSMo and that Respondent Davis violated Section 130.021.7, RSMo.

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. For Counts 1 through 4, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Jordan W Chambers 19th Ward Regular Democratic Organization and Edwards in the amount of \$9,000, pursuant to Section 105.961.4(6), RSMo. However, if those Respondents pay \$900 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.

3. Regardless of the stay in paragraph 2 above, if Respondent Jordan W Chambers 19th Ward Regular Democratic Organization or Edwards 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.

4. For Count 5, it is the Order of the Missouri Ethics Commission that a fee is imposed against all Respondents in the amount of \$1,000, 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.

5. Regardless of the stay in paragraph 4 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 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.

6. Respondents Jordan W Chambers 19th Ward Regular Democratic Organization and Edwards shall be jointly and severally liable for all fees imposed under this order for Counts 1 through 4.

7. Respondents Jordan W Chambers 19th Ward Regular Democratic Organization, Edwards, and Davis shall be jointly and severally liable for all fees imposed under this order for Count 5.

SO ORDERED this 27th day of January,
2015

By:



Charles E. Weedman, Jr., Chair
Missouri Ethics Commission

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MISSOURI ETHICS COMMISSION,)	
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JORDAN W CHAMBERS 19th WARD)	Case No. 13A129
REGULAR DEMOCRATIC)	
ORGANIZATION,)	
Continuing Committee,)	
)	
COLUMBUS EDWARDS,)	
Treasurer,)	
)	
and)	
)	
MARLENE DAVIS,)	
)	
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, Jordan W. Chambers 19th Ward Regular Democratic Organization, Edwards, and Davis, 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 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 Jordan W Chambers 19th Ward Regular Democratic Organization is a continuing committee registered with the Missouri Ethics Commission since 1996.
3. Respondent Edwards has been the named treasurer of Respondent Jordan W Chambers 19th Ward Regular Democratic Organization from 2008 to present.
4. Respondent Davis is the assistant secretary of Respondent Jordan W Chambers 19th Ward Regular Democratic Organization, and she is the only person with a signature on file

with Respondent Jordan W Chambers 19th Ward Regular Democratic Organization's official depository account.

5. 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.

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 and accurately report contributions

7. Respondents failed to timely and accurately report the following two (2) monetary contributions totaling \$2,750:

Contributor Name	Date	Amount
Citizens for McMillan	03/15/2010	\$2,500.00
Clay Jr. for Congress	07/09/2012	\$250.00
	TOTAL	\$2,750.00

8. Respondents failed to timely and accurately report the following eight (8) in-kind contributions totaling \$1,867.57 that were each over \$100:

Contributor Name	Date	Amount
Citizens for McMillan	05/05/2011	\$126.09
Citizens for McMillan	06/08/2011	\$110.27
Citizens for McMillan	12/15/2011	\$261.49
Citizens for McMillan	12/16/2011	\$331.39
Citizens for McMillan	03/09/2012	\$517.49
Citizens for McMillan	03/12/2012	\$157.80
Citizens for McMillan	03/21/2012	\$212.55
Citizens for McMillan	05/10/2012	\$150.49
	TOTAL	\$1,867.57

9. Respondents failed to timely and accurately report the following four (4) in-kind contributions totaling \$255.77 that were each \$100 or less:

Contributor Name	Date	Amount
Citizens for McMillan	05/06/2011	\$89.67
Citizens for McMillan	06/21/2011	\$70.07
Citizens for McMillan	01/17/2012	\$86.65
Citizens for McMillan	07/02/2012	\$9.38
	TOTAL	\$255.77

10. Respondents reported receiving a monetary contribution of \$250 from the candidate committee Friends of Gregory F.X. Daly, but that contribution was not deposited into Respondents' official depository account.

COUNT II

Failure to timely and accurately report expenditures

11. Respondents failed to timely and accurately report the following five (5) expenditures totaling \$1,471.64 that were each over \$100:

Date	Payee	Amount
01/10/2011	Acuity Insurance	\$359.00
03/18/2011	Acuity Insurance	\$359.00
03/23/2011	Laclede Gas	\$170.64
07/01/2013	PNC Bank	\$423.00
10/22/2013	Cash [purchase of cashier's check to pay late fee]	\$160.00
	TOTAL	\$1,471.64

12. Respondents failed to timely and accurately report the following three (3) expenditures totaling \$175 to a campaign worker:

Date	Payee	Amount
7/23/12	Tydrell Stevens	\$50.00
7/23/12	Tydrell Stevens	\$75.00
8/27/12	Tydrell Stevens	\$50.00
	TOTAL	\$175.00

13. Respondents failed to timely and accurately report forty-six (46) expenditures totaling \$453.01 that were each \$100 or less.

14. Respondents failed to accurately report the amount of the following five (5) expenditures:

Date	Payee	Report	Amount Reported	Amount Paid	Difference
01/24/2010	Laclede Gas	April 2010 Quarterly	\$506.27	\$689.51	\$183.24
02/20/2010	Laclede Gas	April 2010 Quarterly	\$336.47	\$331.47	\$5.00
04/11/2010	Ameren UE	July 2010 Quarterly	\$103.04	\$105.79	\$2.75
07/01/2010	AT&T	October 2010 Quarterly	\$174.40	\$342.22	\$167.82
01/14/2011	Ameren UE	April 2011 Quarterly	\$177.36	\$180.10	\$2.74

15. Respondents reported the following four (4) expenditures that were not made from Respondents' official depository account:

Date	Payee	Amount	Report
04/01/2010	Laclede Gas	\$92.99	July 2010 Quarterly
07/01/2010	Laclede Gas	\$293.10	October 2010 Quarterly
07/01/2010	AT&T	\$167.82	October 2010 Quarterly
07/01/2010	Laclede Gas	\$30.42	October 2010 Quarterly
	TOTAL	\$584.33	

COUNT III

Failure to file campaign finance disclosure reports and notices

16. Respondents failed to timely file seven (7) campaign finance disclosure reports as follows:

Report	Due Date	Date Filed	Days Late
April 2010 Quarterly	04/15/2010	04/16/2010	1
July 2010 Quarterly	07/15/2010	07/16/2010	1
October 2010 Quarterly	10/15/2010	10/18/2010	3
April 2011 Quarterly	04/15/2011	04/22/2011	7
July 2013 Quarterly	07/15/2013	07/31/2013	16
October 2013 Limited Activity	10/15/2013	02/05/2014	113
January 2014 Limited Activity	01/15/2014	02/05/2014	21

17. Respondents received a \$10,000 contribution from the candidate committee Citizens for McMillan on August 26, 2010, but Respondents have not filed an electronic 48-hour notice with the Missouri Ethics Commission for this contribution.

COUNT IV

Failure to maintain committee records

18. Petitioner issued a subpoena for committee records to Respondent Jordan W Chambers 19th Ward Regular Democratic Organization and to Respondent Edwards on November 18, 2013.

19. Respondents failed to provide all committee records to the Commission.

COUNT V

Expenditures made by non-treasurer

20. Respondent Davis acted as a treasurer or deputy treasurer for Respondent Jordan W Chambers 19th Ward Regular Democratic Organization by preparing campaign finance disclosure reports for, depositing contributions made to the committee, and making expenditures for the committee, but Respondents did not within twenty (20) days timely update the Statement of Committee Organization for Respondent Jordan W Chamber 19th Ward Regular Democratic Organization on file with the Missouri Ethics Commission to identify Respondent Davis as the treasurer or deputy treasurer.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to timely and accurately report contributions

21. 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

§ 130.041.1(3), RSMo.

22. "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, RSMo.

23. "Contributions shall not be accepted . . . by a committee except by or through an official depository account." § 130.021.4, RSMo.

24. There is probable cause to believe that Respondents Edwards and Jordan W Chambers 19th Ward Regular Democratic Organization violated Sections 130.041.1(3) and 130.021.4, RSMo, by failing to timely and accurately report a total of \$4,873.34 in contributions, including \$2,750 in monetary contribution that were over \$100 each, \$1,867.57 in in-kind contributions that were each over \$100, and \$255.77 in in-kind contributions that were each \$100 or less, and by reporting a \$250 contribution that was not deposited into Respondents' official depository account, and that Respondents did so knowingly.

COUNT II

Failure to timely and accurately report expenditures

25. Committees are required to report all expenditures, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

...

(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 expenditures 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;

§130.041.1(4), RSMo.

26. “[E]xpenditures shall not be made by a committee except by or through an official depository account.” § 130.021.4, RSMo.

27. There is probable cause to believe that Respondents Edwards and Jordan W Chambers 19th Ward Regular Democratic Organization violated Sections 130.041.1(4) and 130.021.4, RSMo, by failing to timely report a total of \$2,099.65 in expenditures, including \$1,471.64 in expenditures that were each over \$100, \$175 in expenditures that were made to

campaign workers, and \$453.01 in expenditures that were each \$100 or less, by failing to accurately report the amount of five expenditures, and by reporting four expenditures that were not made from Respondents' official depository account, and that Respondents did so knowingly.

COUNT III

Failure to file campaign finance disclosure reports and notices

28. Committees are required to file campaign finance disclosure reports at the following times and for the following periods:

...

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

...

§ 130.046.1, RSMo.

29. Additionally, Committees are required to report any contributions over \$5,000 from a single contributor within 48 hours:

(1) All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri Ethics Commission within forty eight hours of receiving the contributions. Such reports shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem

necessary to promulgate for the effective administration of this section.

§130.044.1, RSMo.

30. There is probable cause to believe that Respondents Edwards and Jordan W Chambers 19th Ward Regular Democratic Organization violated Sections 130.046.1 and 130.044.1, RSMo, by failing to timely file seven (7) campaign finance disclosure reports and by failing to timely file an electronic 48-hour notice for a contribution that exceeded \$5,000, and that Respondents did so knowingly.

COUNT IV

Failure to maintain committee records

31. Respondents are required to maintain committee records:

The candidate, treasurer or deputy treasurer of a committee shall maintain accurate records and accounts on a current basis. The records and accounts shall 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.

32. “Such records shall be available for inspection” by the Missouri Ethics Commission and its duly authorized representatives. § 130.036.8, RSMo.

33. There is probable cause to believe that Respondents Edwards and Jordan W Chambers 19th Ward Regular Democratic Organization violated Section 130.036, RSMo, by

failing to maintain accurate records of each contribution and expenditure and failing to make them available for inspection by the Ethics Commission, and that Respondents did so knowingly.

COUNT V

Expenditures made by non-treasurer

34. Within twenty (20) days of changing the treasurer or deputy treasurer for a committee, a committee must amend its statement of committee organization on file with the appropriate authority. § 130.21.7, RSMo.

35. There is probable cause to believe that Respondents Jordan W Chambers 19th Ward Regular Democratic Organization, Edwards, and Davis violated Section 130.021.7, RSMo, by failing to timely update the committee's statement of committee organization within twenty (20) days of Respondent Davis becoming treasurer or deputy treasurer 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. For Counts 1 through 4, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents Jordan W Chambers 19th Ward Regular Democratic Organization and Edwards in the amount of \$9,000, pursuant to Section 105.961.4(6), RSMo. However, if those Respondents pay \$900 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 paragraphs 2.b above, if Respondent Jordan W Chambers 19th Ward Regular Democratic Organization or Edwards 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. For Count 5, it is the Order of the Missouri Ethics Commission that a fee is imposed against all Respondents in the amount of \$1,000, 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.

e. Regardless of the stay in paragraphs 2.c 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 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..

f. Respondents Jordan W Chambers 19th Ward Regular Democratic Organization and Edwards shall be jointly and severally liable for all fees imposed under this order for Counts 1 through 4.

g. Respondents Jordan W Chambers 19th Ward Regular Democratic Organization, Edwards, and Davis shall be jointly and severally liable for all fees imposed under this order for Count 5.

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.

