

**Filed**  
**APR 15 2015**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION, )  
)  
  Petitioner, )  
)  
v. )  
)  
ANTONIO FRENCH, ) Case No. 14E048  
)  
AND )  
)  
FRIENDS OF ANTONIO FRENCH, )  
)  
  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 French and Friends of Antonio French violated Section 130.041.1(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. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$45 pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.
3. Respondents French and Friends of Antonio French shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 15<sup>th</sup> day of April, 2015

By: *C. E. Weedman, Jr.*

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

P. 003  
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**BEFORE THE  
MISSOURI ETHICS COMMISSION**

|                             |   |                 |
|-----------------------------|---|-----------------|
| MISSOURI ETHICS COMMISSION, | ) |                 |
|                             | ) |                 |
| Petitioner,                 | ) |                 |
|                             | ) |                 |
| v.                          | ) |                 |
|                             | ) |                 |
| ANTONIO FRENCH,             | ) | Case No. 14E048 |
|                             | ) |                 |
| and                         | ) |                 |
|                             | ) |                 |
| FRIENDS OF ANTONIO FRENCH,  | ) |                 |
| 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, Antonio French and Friends of Antonio French, 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 French was a successful candidate for alderman in the April 2013 election in the City of Saint Louis.
3. Respondent Friends of Antonio French is the candidate committee formed to support Respondent French's candidacy.
4. 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.
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. In the November 2012 general election, Respondents paid six campaign workers \$75 each, totaling \$450.

7. The six campaign workers engaged in "get out of the vote" activities, such as distributing leaflets reminding voters of the election date in the days leading up to the election.

8. Some of the six campaign workers also distributed sample ballots at polling places on election day.

9. On information and belief, the sample ballots supported some candidates in the November election.

10. Respondents did not pay for the sample ballots.

11. Respondents' campaign finance disclosure reports should have included a "Direct Expenditure" supplemental statement disclosing any candidates supported by the sample ballots distributed by paid campaign workers on election day.

12. The amounts for the "Direct Expenditure" listed on the report for any candidate should have included a portion of the amounts paid to campaign workers, apportioned reasonably among the candidates.

#### JOINT PROPOSED CONCLUSIONS OF LAW

13. Committees must file regular reports disclosing "expenditures for or against a candidate . . . during the period covered and the cumulative amount of expenditures for or against that candidate . . . , with each candidate being listed by name, mailing address and office sought." § 130.041.1(7), RSMo.

14. "For the purpose of disclosure reports, expenditures made in support of more than one candidate . . . shall be apportioned reasonably among the candidates . . ." § 130.041.1(7), RSMo.

15. "In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures." § 130.041.1(7), RSMo.

16. There is probable cause to believe that Respondents violated Section 130.041.1(7), RSMo, by paying campaign workers who distributed sample ballots, but did not file a "Direct Expenditure" supplemental statement disclosing the candidates supported by the sample ballots.

**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 \$45, 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.
  - c. Respondents French and Friends of Antonio French 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.

SO AGREED:

RESPONDENT ANTONIO FRENCH

PETITIONER MISSOURI ETHICS COMMISSION

By: [Signature] 4/8/15  
Antonio French Date

By: [Signature] 4/15/15  
James Klahr Date  
Executive Director

By: [Signature] 4-15  
Alan Mandel Date  
Attorney for Respondent

By: [Signature] 4/15/15  
Curtis R. Stokes Date  
Attorney for Petitioner

RESPONDENT FRIENDS OF ANTONIO FRENCH

By: [Signature] 4/8/15  
Antonio French Date  
Candidate

By: [Signature] 4-8-15  
Alan Mandel Date  
Attorney for Respondent