

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**SEP 25 2015**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	Case No. 14E089, 14E098
v.	)	
	)	
MELISSA ROBINSON,	)	
Candidate	)	
	)	
COMMITTEE TO ELECT MELISSA	)	
ROBINSON,	)	
Candidate Committee,	)	
Respondent.	)	

**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 Robinson and Committee to Elect Melissa Robinson violated Sections 130.031.8, 130.041.1(4)(d), 130.041.1(3)(d), and 130.041.1(f), RSMo.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

- 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 Robinson and Committee to Elect Melissa Robinson in the amount of \$2,400 pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$240 of that fee within forty-five days after the date of this 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 b above, if Respondent Robinson or Committee to Elect Melissa Robinson commits 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 Respondent Robinson or Committee to Elect Melissa Robinson has committed such a violation.

SO ORDERED this 25<sup>th</sup> day of September, 2015

By:



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



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 Robinson was a candidate running for the Kansas City School Board in the April 8, 2014 election.
3. Respondent Robinson's opponent in that election was Joseph Jackson.
4. Clinton Adams, Jr., worked with Print Media Design to prepare a negative mailer opposing Mr. Jackson, including drafting language.
5. The mailer was printed and mailed by Action Mailing between April 3 and April 7, 2014, prior to the April 8 election.
6. Respondent Robinson was aware that Mr. Adams worked with Print Media Design to prepare a negative mailer opposing Mr. Jackson.

7. Print Media Design requested "paid for by" disclosure information for the mailers.

8. Mr. Adams told Print Media Design that he did not believe that a "paid for by" disclosure was required for the mailer in question.

9. Mr. Adams suggested Print Media Design use the phrase "Parents and Neighbors for Quality Education" for the mailer, but did not include the words "paid for by" or an address. A bulk mail permit belonging to Action Mailing was used for the mailer.

10. "Parents and Neighbors for Quality Education" is not registered as a committee with the Missouri Ethics Commission, nor is it registered as an entity with the Missouri Secretary of State or any other agency of the State of Missouri.

11. Mr. Adams emailed a copy of the proposed mailer to Respondent Robinson.

12. Respondent Robinson read that email after the mailer was sent.

13. Mr. Adams issued a check to Print Media Design in the amount of \$480, paying a portion of the costs to print and mail the mailer.

14. The invoice for the mailer included printing and postage, totaling \$1,430.06.

15. Mr. Adams stated that he believed the \$480 check was a loan made to Respondents Robinson and Committee to Elect Melissa Robinson.

16. Mr. Adams stated that he expected Respondent Robinson to ultimately pay for the mailer.

17. Respondent Robinson did pay \$200 in cash from her own personal funds for the mailer.

18. Respondent Robinson did not report the \$480 check from Mr. Adams to Print Media Design as a loan or as an in-kind contribution on the campaign finance disclosure reports for Respondent Committee to Elect Melissa Robinson.

19. Respondent Robinson did not report her cash payment to Print Media Design as a loan or as an in-kind contribution on the campaign finance disclosure reports for Respondent Committee to Elect Melissa Robinson.

20. Pursuant to Section 105.961, RSMo, the Commission's staff investigated complaints filed with the Commission and reported the investigation findings to the Commission.

21. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

## **JOINT PROPOSED CONCLUSIONS OF LAW**

### **COUNT I**

#### *"Paid for by" disclosure*

22. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office . . . 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.

23. 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.

24. "In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for." § 130.031.8(2), RSMo.

25. "It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section . . . to refuse to provide the information required or to purposely provide false, misleading, or incomplete information." § 130.031.11, RSMo.

26. "No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection." § 130.031.8(4), RSMo.

27. Respondents agree that there is probable cause to believe that there is a violation of Sections 130.031.8 and 130.031.11, RSMo, but assert that they believed that they were not required to be identified as paying for the mailers under Sections 130.031.8 and 130.031.11, but agree that circulating the mailers was a violation of Sections 130.031.8 and 130.031.11, RSMo.

28. There is probable cause to believe that Respondents Robinson and Committee to Elect Melissa Robinson violated Section 130.031.8, RSMo, by publishing, circulating, and distributing a mailer relating to a candidate, without including a proper "paid for by" disclosure.

## COUNT II

### *Campaign Finance Reporting*

29. Candidates and candidate committees are required to file campaign finance disclosure reports that set forth expenditures for the period, including the:

(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.

§ 130.041.1(4), RSMo.

30. Candidates and candidate committees are also required to report all contributions received during the reporting period, including the "Total dollar value of all in-kind contributions received." § 130.041.1(3)(d), RSMo.

31. Candidates and candidate committees are also required to report all loans received during the reporting period, including the "lender and date and amount of the loan." §130.041.1(f), RSMo.

32. For loans over \$100, "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(f), RSMo.

33. "Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of, or opposition to, one or more candidates or in support of, or in opposition to, the qualification or passage of one or more ballot measures, other than a contribution made directly to a candidate or committee, shall file a



report signed by the person making the expenditures, or that person's authorized agent.”  
§ 130.047, RSMo.

34. “Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate or ballot measure in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more.”  
§ 130.047, RSMo.

35. The requirement to file a non-committee expenditure report under Section 130.047, RSMo, does not apply “to a person who uses only the person's funds or resources to make an expenditure or expenditures in support of or in coordination or consultation with a candidate or committee; provided that, any such expenditure is recorded as a contribution to such candidate or committee and so reported by the candidate or committee being supported by the expenditure or expenditures.” § 130.047, RSMo.

36. There is probable cause to believe that Respondents Robinson and Committee to Elect Melissa Robinson violated Sections 130.041.1(4)(d), 130.041.1(3)(d) and 130.041.1(f), RSMo, by failing to timely and accurately report the amount of an incurred expense, loan, and in-kind contribution received in the amount of \$480 from Mr. Adams and \$200 from Respondent Robinson, to Respondent Committee to Elect Melissa Robinson.

## 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 Robinson and Committee to Elect Melissa Robinson, jointly, in the amount of \$2,400, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$240 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 Respondent Robinson or Committee to Elect Melissa Robinson 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 Respondent Robinson or Committee to Elect Melissa Robinson 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.

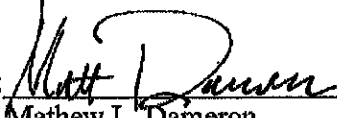
SO AGREED:


RESPONDENT MELISSA ROBINSON

PETITIONER MISSOURI ETHICS  
COMMISSION

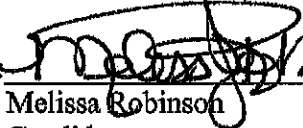
By:  9/24/15  
Melissa Robinson Date


By:  9-24-15  
James Klahr Date  
Executive Director

By:  9/24/15  
Mathew L. Dameron Date  
Attorney for Respondent  
Robinson

By:  9/24/15  
Curtis R. Stokes Date  
Attorney for Petitioner

RESPONDENT COMMITTEE TO ELECT  
MELISSA ROBINSON

By:  9/24/15  
Melissa Robinson Date  
Candidate

By:  9/24/15  
Matthew L. Dameron Date  
Attorney for Respondent  
Committee to Elect  
Melissa Robinson