



**MISSOURI ETHICS COMMISSION**

PO Box 1370  
Jefferson City, MO 65102  
[www.mec.mo.gov](http://www.mec.mo.gov)  
(573) 751-2020 / (800) 392-8660

James Klahr  
Executive Director

June 6, 2016

Hawley for Missouri  
Tom Walsh, Treasurer  
PO Box 1073  
Columbia MO 65201

Re: File No. 16-0059-I

Dear Mr. Walsh:

The Commission received a complaint filed against you and Hawley for Missouri on June 3, 2016. Because this complaint was received within sixty days prior to the primary election at which you were running for office, the Commission was required to investigate and consider the complaint within 15 business days of receipt for a determination of whether there were reasonable grounds to believe that a violation of law occurred within the jurisdiction of the Commission pursuant to section 130.054, RSMo. In addition, the Commission, according to the statute, the Commission could consider whether there were violations of campaign finance provisions under chapter 130 as specifically alleged in the complaint, sections 130.054 and 105.957.3, RSMo.

On June 24, 2016, the Commission considered the complaint under the guidelines set forth above. The Commission did not find reasonable grounds to support a violation of chapter 130, RSMo., and voted to dismiss the complaint for the reasons set forth below.

The complaint alleges that you and Hawley for Missouri did not comply with the Missouri campaign finance law, Chapter 130, RSMo. Allegations include that you used two not for profit corporations to campaign for the office of Missouri Attorney General before and after you officially declared as a candidate and registered a candidate committee; that you met the definition of a candidate without registering a committee under the required statutory guidelines; and that you failed to report the use of the not for profit's Twitter account as an in-kind contribution to the campaign.

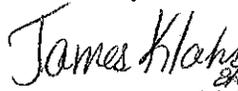
Based on the evidence considered, the Commission did not find reasonable grounds to believe that you violated campaign finance law. You have maintained that your work and activities for the not for profits were not used to promote your candidacy and prior to declaring your candidacy for office. In July 2015 you resigned your positions with the not for profits.

The Commission did not identify any evidence to establish reasonable grounds that the not for profits were used to promote your candidacy, nor did they make contributions or expenditures on your behalf. Evidence was not found that you met the definition of a candidate prior to officially declaring as a candidate and registering a committee. Specifically alleged was the use of a Twitter account belonging to the not for profits and the transfer of such an account's value to the

committee. Evidence was not found to support the Twitter account belonged to the not for profits thus requiring the reporting of an in-kind contribution by the committee. A determination of the fair market value for uncompensated internet activity has not been sufficiently established for the purpose of guidance in campaign finance reporting at this time.

As previously stated, any allegations beyond violations of the campaign finance provisions under chapter 130 could not be considered by the Commission under section 105.957.3, RSMo. In this case, while the Commission took the complaint because of the campaign finance allegations raised, the Commission consistent with Section 105.957.3, RSMo, did not entertain the allegation related to the use of university resources for political purposes.

Sincerely,

  
James Klahr  
Executive Director

*JK*  
*6/24/2016*