

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**OCT 08 2014**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
AIRICK LEONARD WEST,	)	Case No. 14E091
	)	
and	)	
	)	
AIRICK LEONARD WEST PAC,	)	
	)	
	)	
Respondents.	)	

**CONSENT ORDER**

The parties having filed a Joint Stipulation of Facts, Waiver of Hearing, and Consent Order with Proposed Findings of Fact and Conclusions of Law (“Joint Stipulation”) with the Missouri Ethics Commission in this matter, the Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that Respondents Airick Leonard West and Airick Leonard West PAC violated Sections 130.011(10), 130.021.5, 130.041, 130.046 and 130.031.8, RSMo, as stated in the Joint Stipulation.

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 \$3,100, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$400 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 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 Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed such a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 8<sup>th</sup> day of October,  
2014

By:



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Charles Weedman, Chair  
Missouri Ethics Commission

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AIRICK LEONARD WEST,                    )     Case No. 14E091  
                                                  )  
and                                            )  
                                                  )  
AIRICK LEONARD WEST PAC,             )  
Continuing 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, Airick Leonard West and Airick Leonard West PAC, 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 West is an individual who supported two at-large candidates for the Kansas City School Board in the April 8, 2014, election.
3. Respondent Airick Leonard West PAC is a continuing committee registered with the Missouri Ethics Commission on April 10, 2014, for purposes of disclosing contributions accepted and expenditures made by Respondent West to support candidates in the April 8, 2014 election.
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.

**COUNT I**

*Failure to timely form committee, file statement of committee organization, and failure to timely file campaign finance disclosure reports*

6. On or about March 25, 2014, Respondents incurred an expenditure of \$250 to reserve a room for a political event on April 1, 2014.

7. On or about March 26, 2014, Respondents incurred an expenditure of \$344.52 for 10,000 postcards.

8. Originally, Respondents intended to deliver the postcards personally, but prior to the election, Respondents decided to mail them, and received in-kind contributions from five individuals totaling \$2,488.01 top pay for postage.

9. On April 10, 2014, the Missouri Ethics Commission received a statement of committee organization for Airick Leonard West PAC.

10. On April 11, 2014, the Missouri Ethics Commission received a statement of committee termination for Airick Leonard West PAC, on which Respondents reported no contributions or expenditures.

11. Respondents should have disclosed on Respondents' committee disclosure reports the contributions made by those five individuals and the expenditures made by Respondents for the April 8 election.

**COUNT II**

*“Paid for by” disclosure*

12. Respondents published, circulated, and/or distributed the postcards, a true and accurate example of which is attached hereto as Exhibit A, by mailing it to voters prior to the April 8, 2014 election.

13. The postcards referred to in Exhibit A state “Airick Leonard West” but do not contain the words “Paid for by.”

**JOINT PROPOSED CONCLUSIONS OF LAW**

**COUNT I**

*Failure to timely form committee, file statement of committee organization, and failure to timely file campaign finance disclosure reports*

14. For purposes of Chapter 130, RSMo, a “committee” is “a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates . . . .” § 130.011(7), RSMo.

15. However, an individual is not a committee if the individual accepts no contributions and deals only with the individual’s own funds or property, and a person or group of persons is not a committee “if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions.” § 130.011(7)(a), RSMo.

16. A “continuing committee” is “a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate

committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter.” § 130.011(10), RSMo.

17. A continuing committee “shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures.” § 130.011(10), RSMo.

18. A statement of committee organization is due within twenty days of becoming a committee. § 130.021.5, RSMo.

19. A continuing committee must file regular reports of cash on hand, together with the committee’s receipts and expenditure for each reporting period. § 130.041, RSMo.

20. These campaign finance disclosure reports are due at the time and for the reporting periods designated at Section 130.046, RSMo. § 130.041, RSMo.

21. Under Section 130.046, RSMo, continuing committee must file the following reports for the following reporting periods:

a. A report due by the eighth day prior to an election for the reporting period closing on the twelfth day prior to the election for any election in which the committee has made any contribution or expenditure. § 130.046.1(1), RSMo.

b. A report due by the thirtieth day after an election for the reporting period closing on the twenty-fifth day prior to the election for any election in which the committee has made any contribution or expenditure. § 130.036.1(2), RSMo.

c. A report no later than the fifteenth day following the close of each calendar quarter. §§ 130.046.1(3); 130.046.3, RSMo.

§ 130.046, RSMo.

22. There is probable cause to believe that Respondents violated Sections 130.011(10), 130.021.5, 130.041, and 130.046, RSMo, by forming as a committee less than sixty days prior to an election for which it accepted contributions and made expenditures, filed the statement of committee organization with the Missouri Ethics Commission after the April 8, 2014 election in which Respondents participated, and failed to timely and accurately disclose the committee's contributions and expenditures on campaign finance disclosure reports.

## COUNT II

### *"Paid for by" disclosure*

23. Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure 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. For the purposes of this section, "printed matter" shall be defined to include 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; but "printed matter" is defined to exclude materials printed and purchased prior to May 20, 1982, if the candidate or committee can document that delivery took place prior to May 20, 1982; any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is



paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person.

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. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by publishing, circulating, and distributing the postcards referred to in Exhibit A without a full and accurate “paid for by” disclosure statement.

## 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 B.

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 \$3,100, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$400 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 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 Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed such a violation.

d. Respondents West and Airick Leonard West PAC shall be jointly and severally liable for all fees imposed under this order.

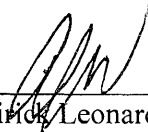
3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

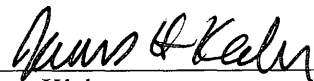
4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited 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 AIRICK LEONARD WEST


PETITIONER MISSOURI ETHICS  
COMMISSION

By:  10.3.14  
Airick Leonard West Date

By:  10/3/14  
James Klahr Date  
Executive Director

RESPONDENT AIRICK LEONARD WEST PAC

By:  10/3/14  
Curtis R. Stokes Date  
Attorney for Petitioner

By:  10.3.14  
Airick Leonard West Date

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-KC Star on Bailey

"Mansur can serve as a bridge to get more parents, community groups and businesses involved in the schools."  
-KC Star on Mansur

"Janette and Patric have the experience and ideas necessary to support the educational achievement of our scholars."  
-Aurick Leonard West

**Support Our Scholars**

**VOTE APRIL 8TH**

For a list of sponsors contact Aurick Leonard West, 3728 Wabash, KCMO 65109

tabbies®

**EXHIBIT**

**A**

**Endorsed by the KC Star Editorial Board**



**Vote April 8th for both At-Large candidates!**

**Pattie Mansur**

[www.PattieforKCSchools.com](http://www.PattieforKCSchools.com)



**Janelle Bailey**

[www.JanelleBailey.com](http://www.JanelleBailey.com)