

BEFORE THE  
MISSOURI ETHICS COMMISSION

**Filed**  
**MAY 27 2011**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION )  
)  
Petitioner, )  
)  
v. )  
)  
JIM GLOVER, Candidate ) No. 09A270  
)  
and )  
)  
KANSAS CITY FOR JIM GLOVER, Committee )  
)  
)  
Respondents. )

**CONSENT ORDER**

The parties having filed a Joint Stipulation of Facts, Waiver of Hearings before the Missouri Ethics Commission, 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 the Respondents Jim Glover and Kansas City for Jim Glover violated §130.041.1(3)(a), RSMo, §130.041.1(4)(d), RSMo, §130.037, RSMo, §130.021.8, RSMo, and §130.046.7, RSMo as stated in the Joint Stipulation.

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

a. Respondents agree that they will 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 the Respondents Jim Glover and Kansas City for Jim Glover in

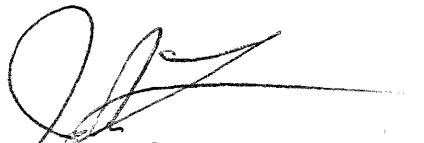
the amount of \$4,000.00 pursuant to § 105.961.4(6) RSMo. However, if either Respondent pays \$400.00 of that fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents Jim Glover and Kansas City for Jim Glover have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, during the two year stay then Respondents will not be required to pay the remainder of this fee.

If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding probable cause of such a violation.

SO ORDERED this 27<sup>th</sup> day of May, 2011.

By:



Jim Wright



provided to the 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 Hearings 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 FINDINGS OF FACT**

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to § 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Respondent Jim Glover was a successful candidate for Kansas City Council, Second District in the March 28, 1995 Election.
3. Respondent Kansas City for Jim Glover is a Candidate Committee in support of Respondent Glover registered with Petitioner and was in existence at all relevant times.
4. On July 8, 2008, Respondents filed a Statement of Committee Organization converting Respondent Committee to a debt service committee and maintained an outstanding debt based upon a personal loan from Respondent Jim Glover in the 1990’s. At the time the committee was converted to debt service and during the period of this complaint, Respondent was not an officeholder.

5. On April 14, 2010, Respondents filed the following Quarterly Disclosure Reports: October 2008, April 2009, July 2009, October 2009 and January 2010 Quarterly Disclosure Reports.

6. The Commission mailed notices of the Committee's failure to file reports for the purposes of assessing late fees to the addresses on file with the Commission pursuant to the Statements of Committee Organization filed with the Commission.

7. During the period that reports were not filed Respondent's wife suffered a terminal illness.

8. On June 1, 2010 Respondents filed a termination statement, which was due no later than January 8, 2010.

9. Respondents failed to report timely the following contributions, including the name and address of the contributor which were deposited into the official fund depository:

<b>Date</b>	<b>Item</b>	<b>Contributor</b>	<b>Amount</b>
7/10/2008	46043	John Bowen & Assoc	\$300.00
7/11/2008	11450	P. Brent Koprivica MD & Assoc	\$250.00
7/21/2008	8079	Anita/Gary Robb	\$500.00
7/17/2008	3126	Law Offices of K Louis Caskey LLC	\$250.00
7/23/2008	1105	Business Custom Capital	\$250.00
7/23/2008	10934	Law Ofcs Brian Timothy Meyer	\$250.00
7/21/2008	1549	John R Cullom & Assoc	\$250.00
7/22/2008	3564	William/Julia Sanders	\$100.00
7/22/2008	4354	Randy James & Assoc	\$250.00
7/24/2008	4810	Wm. Dirk Vandever	\$250.00
7/24/2008	21007	The RedFearn Law Firm	\$250.00
7/31/2008	6515	Mary Duffy	\$250.00
7/30/2008	6427	Hollis Hanover	\$275.00
8/5/2008	1712	Independent Medical Examiners	\$250.00
2/16/2009	4265	Althea/Marcus Moses	\$500.00
3/8/2009	3179	Terrence/Peggy Dunn	\$100.00
		<b>TOTAL</b>	<b>\$4,275.00</b>

10. Respondents failed to report the following expenditures timely as identified as being paid from the official fund depository, including the name and address of each to whom the expenditure was made or incurred from the official fund depository:

<b>Date</b>	<b>Item</b>	<b>Expenditure</b>	<b>Amount</b>
8/1/2008	Transfer	To DDA 306304	\$525.00
7/28/2008	Transfer	To DDA 306304	\$500.00
7/24/2008	Temporary Check	James Glover III	\$1,100.00
7/22/2008	Temporary Check	Jim Glover	\$750.00
7/14/2008	Temporary Check	Jim Glover	\$550.00
8/8/2008	Transfer	To DDA 306304	\$250.00
3/3/2009	Transfer		\$500.00
3/20/2009	Withdrawal	Jim Glover	\$95.00
4/3/2009	Bank Charge	Service Charge	\$5.00
		<b>TOTAL</b>	<b>\$4,275.00</b>

11. Pursuant to § 130.026, RSMo, the Missouri Ethics Commission and the Kansas City Board of Elections are the appropriate officers designated to receive campaign finance reports under Chapter 130 for candidate committees.

12. Respondent Glover, as Candidate, was ultimately responsible for filing campaign finance reports for Respondent Committee, pursuant to § 130.041.1 and §130.058 RSMo.

13. Pursuant to § 105.959, RSMo 2000, the Commission's staff has audited the files of the Commission and reported its findings to the Commission.

### **JOINT CONCLUSIONS OF LAW**

1. §130.046. 1, RSMo provides, in pertinent part:

The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

...

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

2. There is probable cause that Respondents have violated §130.046.1, by failing to file timely five campaign finance disclosure reports.

3. According to § 130.041.1(3)(a) , RSMo:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor.;

4. According to §130.021.4. (1), RSMo:

Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name... All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. ...

5. There is probable cause that Respondents have violated §130.041.1(3)(a) , RSMo by failing to report timely contributions totaling \$4,275.00, which were deposited in the official fund depository.

COUNT III- Failure to Accurately Report Expenditures

6. §130.041. 1(4)(d), RSMo provides:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

- (4) Expenditures for the period, including:

...

(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.

7. There is probable cause to believe that Respondents violated §130.041.1(4)(d), RSMo by failing to report timely \$4,275.00 in expenditures, including the name and address of each to whom the expenditure was made or incurred from the official fund depository.

COUNT IV– Failure to Terminate Timely

8. According to §130.037, RSMo, no debt service committee shall be in existence more than eighteen months.

9. §130.021.8, RSMo provides as follows:

Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

10. §130.046.7, RSMo provides:

In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

11. There is probable cause to believe that Respondents violated §130.037, RSMo, §130.021.8, RSMo, and §130.046.7, RSMo by failing to terminate Respondent Committee within eighteen months of forming as a debt service committee.

## 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 agree that they will 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 the Respondents Jim Glover and Kansas City for Jim Glover in the amount of \$4,000.00 pursuant to § 105.961.4(6) RSMo. However, if either Respondent pays

\$400.00 of that fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents Jim Glover and Kansas City for Jim Glover do not commit any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, during the two year stay then Respondents will not be required to pay the remainder of this fee.

If, however, either Respondent violates the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding probable cause of 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 attorney 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 and their attorney now have or which they may hereafter have, which is based upon or arises out of the above case.

RESPONDENTS

PETITIONER

By: Jim Glover 5/25/2011  
Jim Glover Date  
Respondent

By: Julie A. Allen 5/27/11  
Julie A. Allen Date  
Executive Director

By: Jim Glover 5/25/2011  
Kansas City for Jim Glover Date

By: Elizabeth L. Ziegler 5/27/11  
Elizabeth L. Ziegler Date  
General Counsel

By: Bradley J. Ketcher 5/25/11  
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Attorney for Petitioner

Attorney for Respondent