

BEFORE THE  
MISSOURI ETHICS COMMISSION

**Filed**  
**DEC 12 2017**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
)  
v. ) Case No. 17-0042-I  
)  
DEIDRE LEWIS, )  
President, Robinwood West Community )  
Improvement District )  
)  
Respondent. )

**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 Respondent, Deidre Lewis, acknowledges that she has 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 Respondent further acknowledges that she is 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 allegations against Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives 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 Respondent 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 and Section 115.646, RSMo.
2. Respondent Lewis was at all times relevant to this complaint the President of Robinwood West Community Improvement District in West St. Louis County, Missouri.
3. Robinwood West Community Improvement District was created in 1999 as a political subdivision under the authority contained in the Community Improvement District Act Sections 67.1401 to 67.1571, RSMo.
4. Robinwood West Community Improvement District is authorized to raise funds by levying and collecting property taxes.
5. Robinwood West Community Improvement District distributes a monthly newsletter to those living within the district.
6. The Robinwood West Community Improvement District monthly newsletter is paid for using public funds.

7. In the Robinwood West Community Improvement District monthly newsletter there is a section entitled "President's Message" in which the president of the district writes a message to the residents.

8. 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.

9. 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

#### *Use of Public Funds*

10. According to the bylaws, the President of the Robinwood West Community Improvement District is an officer of the Board of Directors and shall preside over all meetings of the Board. The President will assure all orders and resolutions of the Board are carried out; sign all contracts, leases, promissory notes, mortgages, deeds and other written instruments.

11. According to the bylaws, as the President and a member of the Board of Directors, Respondent Lewis' powers and duties include the approval of the Annual Financial Report and Annual Budget that funds the Robinwood West Community Improvement District monthly newsletter.

12. In June 2017, the June newsletter was distributed throughout the Robinwood West community. In the "President's Message" section of this publication, part of Respondent Lewis' message read:

"I feel there are going to be some exciting activities this summer for Robinwood and I would love for you to participate. With that being said; my time as your president is winding down unless you elect to have me for another 3 years. I will admit that this is a challenging role and some

attempt to steal my joy. But there are some many of you that offer me encouragement and compliment my efforts in this role and that is what reminds me that this is my home and your home and it's worth the effort. If you are willing to vote for me in June; I promise to continue to strive with the support of the board to move us forward so we can maintain our area, keep our property value up and our community center striving so it can benefit the entire community."

13. Respondent Lewis wrote and approved the "President's Message" section of the June newsletter.

14. The June newsletter was printed by Office Deport/OfficeMax and paid for by the Robinwood West Community Improvement District on June 26, 2017 for \$300.00.

## **JOINT PROPOSED CONCLUSION OF LAW**

### **COUNT I**

#### *Use of Public Funds*

1. "No contribution or expenditure of public funds shall be made directly by any officer, employee or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. This section shall not be construed to prohibit any public official of a political subdivision from making public appearances or from issuing press releases concerning any such ballot measure." § 115.646, RSMo.

2. There is probable cause to believe that Respondent violated Section 115.646, RSMo, by making an expenditure of public funds of the Robinwood West Community Improvement District in her capacity as President and a member of the Board of Directors, in support of her candidacy for President of the district, and that Respondent did so knowingly.

## 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. Respondent shall comply with all relevant sections of Chapter 115, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pay \$100.00 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 the Respondent commits any further violation of the use of public funds laws under Chapter 115, RSMo, within the two-year period from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that Respondent has committed such a violation..

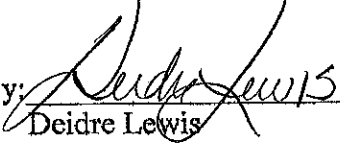
3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.


4. Respondent, together with her 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 Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.


SO AGREED:

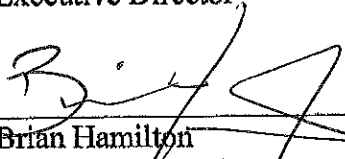
RESPONDENT DEIDRE LEWIS

PETITIONER MISSOURI ETHICS  
COMMISSION

By:  12-2-17  
Deidre Lewis Date

By:  12/12/17  
James Klahr Date  
Executive Director

By:  12-6-17  
Stephanie Karr Date  
Attorney for Respondent

By:  12/12/17  
Brian Hamilton Date  
Attorney for Petitioner

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**DEC 12 2017**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	Case No. 17-0042-I
v.	)	
	)	
DEIDRE LEWIS,	)	
	)	
Respondent.	)	

**CONSENT ORDER**

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondent Lewis violated Section 115.646, RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapter 115, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent Lewis in the amount of \$1,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$100 of that fee within forty-five (45) days after the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.
3. If Respondent commits any further violation of the use of public funds laws within the two-year period from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that Respondent committed such a violation.



SO ORDERED this 17<sup>th</sup> day of December, 2017

By: *Nancy Hagan*

---

Nancy Hagan, Chair  
Missouri Ethics Commission