

Filed
AUG 28 2019
Missouri Ethics Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
)
 v.) Case No. 19-0004-I
)
 CITIZENS TO ELECT JAMILAH)
 NASHEED,)
)
 and)
)
 JAMILAH NASHEED,)
)
 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, Jamilah Nasheed and Citizens to Elect Jamilah Nasheed, 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 allegations 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.¹

2. Respondent Nasheed is a candidate for statewide office in 2024.

3. Respondent Nasheed registered a candidate committee, Citizens to Elect Jamilah Nasheed, by filing a Statement of Committee Organization in 2005. The Statement of Committee Organization was last amended on November 8, 2018.

4. Pursuant to Sections 105.957 and 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 investigation report, the Commission determined that there were reasonable grounds to believe that violations of law had occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2018).

6. Respondents failed to timely report three itemized contributions totaling \$2,500.00.

Contributor Name	Amount	Date
MO Dental PAC	\$500.00	7/5/18
MBA Gateway Region PAC	\$1,000.00	7/17/18
MADA Dealers Interested in Government	\$1,000.00	7/24/18
Total	\$2,500.00	

JOINT PROPOSED CONCLUSIONS OF LAW

7. Candidate committees are required to report receipts at the times and for the periods prescribed in section 130.046, 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. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

...

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution[.]

§ 130.041.1(3), RSMo.

8. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to report three itemized contributions totaling \$2,500.00.

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. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
3. 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 in the amount of \$2,500.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$250.00 of that fee within forty-five days after the date of the Order, the remainder 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 3.b above, if there is probable cause to believe that any Respondent committed any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon a final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.
 - d. Respondents shall be jointly and severally liable for all fees imposed under this order.
4. 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.

5. 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 CITIZENS TO ELECT
JAMILAH NASHEED

PETITIONER MISSOURI ETHICS
COMMISSION

By: Jamilah Nasheed 8/16/19
Jamilah Nasheed Date

By: Elizabeth L. Ziegler 8/19/19
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT JAMILAH NASHEED

By: Jamilah Nasheed 8/16/19
Jamilah Nasheed Date

By: Brian Hamilton 8/16/19
Brian Hamilton Date
Attorney for Petitioner

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MISSOURI ETHICS COMMISSION,)	
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CITIZENS TO ELECT JAMILAH NASHEED,)	Case No. 19-0004-I
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and)	
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JAMILAH NASHEED,)	
)	
Respondents.)	

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 Respondents violated Section 130.041.1(3), RSMo.

The Commission directs that the Joint Stipulation be adopted.

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 \$2,500.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$250.00 of that fee within forty-five days after the date of this Consent Order, the remainder 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 there is probable cause to believe that any Respondent committed any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon a final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation

4. Respondents shall be jointly and severally liable for all fees imposed under this Consent Order.

SO ORDERED this 28th day of August, 2019

By: 

Don Summers, Chair
Missouri Ethics Commission