

Filed
DEC 27 2019
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
)
 v.)
)
 SANDERS FOR JACKSON COUNTY,) Case No. 18-0005-A
 Committee,)
)
 MIKE SANDERS, Candidate,)
)
 and)
)
 GEORGIA SANDERS, Treasurer,)
)
 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, Mike Sanders, Georgia Sanders, and Sanders for Jackson County, acknowledge that they have received and reviewed a copy of the Legal 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;

EXHIBIT
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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 § 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.¹

2. Respondent Mike Sanders first established a candidate committee with the MEC on or about August 30, 2002. The Statement of Committee Organization was amended multiple times over the years, notably on or about November 14, 2014, to reflect that Mike Sanders would be running for County Executive of Jackson County in the August 2018 primary.

3. Respondent Sanders for Jackson County is and was at all relevant times the candidate committee formed by Respondent Mike Sanders to support his candidacy and is presently active.

4. Respondent Georgia Sanders is the current Treasurer for the Sanders for Jackson

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2017).

County, and she has been the Treasurer since January 18, 2016. Although Georgia Sanders was the Treasurer, Mike Sanders was ultimately responsible for committee reporting.

5. Until his resignation on or about December 31, 2015, Mike Sanders was County Executive for Jackson County.

6. Pursuant to Section 105.959, RSMo, the Commission's staff has investigated the reports and statements filed with the Commission and reported the investigation's findings to the Commission.

7. Based on the report of the Commission's staff, 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.

COUNT I

Unauthorized use of committee funds

8. From February 2016 through June 2017, Respondents used contributions in a manner inconsistent with the authorized uses in Chapter 130, RSMo by using money from the official fund depository to pay for cellular telephones issued to and used by Mike Sanders, his former chief of staff, and Georgia Sanders.

9. As this chart shows, the reported monthly cost for cellular telephones did not decrease after Mike Sanders' resignation at the end of 2015, even though Mr. Sanders was no longer in elective office.

	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec
2015	\$200.71	\$198.51	\$252.59	\$233.58	\$389.46	\$227.30	\$295.84	\$347.79	\$297.49	\$322.62	\$295.51	\$352.39
2016	\$429.86	\$310.36	\$292.87	\$290.37	\$292.27	\$325.28	\$305.86	\$410.99	\$309.63	\$251.38	\$248.30	\$248.30
2017	\$248.30	\$248.20	\$248.20	\$249.20	\$251.94	\$254.44						

10. Between January of 2016 and August of 2017,
 - a. Mike Sanders made or received at least 20,000 cellular telephone calls on the phone paid for by the Sanders for Jackson County Committee;
 - b. Georgia Sanders made or received at least 14,000 cellular telephone calls on the phone paid for by the Sanders for Jackson County Committee;
 - c. Mike Sanders's former chief of staff made or received at least 8,000 cellular telephone calls on the phone paid for by the Sanders for Jackson County Committee.

11. In late summer of 2016:
 - a. There were approximately 50 international calls made or received by Mike Sanders;
 - b. There were approximately 25 international calls made or received by Georgia Sanders; and,
 - c. There were approximately three international calls made or received by Mike Sanders's former chief of staff.

12. After leaving office, Mike Sanders worked as an attorney for a law firm. During that time, he represented a number of clients under investigation by the MEC:
 - a. On multiple occasions, the contact number provided by Mike Sanders to the MEC was the cellular telephone paid for by the Sanders for Jackson County committee;
 - b. Call records show approximately 187 calls made from that cellular telephone to the law firm, and there were also a handful of emails sent from the cellular telephone paid for by the Sanders for Jackson County committee.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Unauthorized use of committee funds

13. Contributions received by any committee shall not be converted to any personal use. § 130.034, RSMo.

14. Contributions may be used for any ordinary expenses incurred relating to a campaign. § 130.034.2, RSMo.

15. "The candidate . . . is ultimately responsible for all reporting requirements pursuant to this chapter." § 130.058, RSMo.

16. There is probable cause to believe that Respondents Mike Sanders, Georgia Sanders, and the Sanders for Jackson County committee violated §130.034, RSMo, by converting committee funds to personal use or by using committee funds for unauthorized uses.

II.

Based on the foregoing, the parties 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. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. Respondent Mike Sanders agrees to issue a reimbursement to the Sanders for Jackson County Committee in the amount of \$2,500.00.

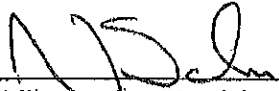
c. Upon proof of the payment referenced in the preceding paragraph, it is the order of the Missouri Ethics Commission that a letter be issued that no further action shall be taken.

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.

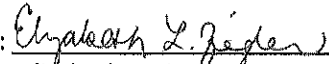
4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees, which Respondents or Respondents' attorney may now have or hereafter have, based upon or arising out of this case.

SO AGREED:

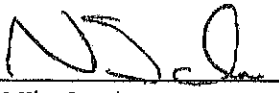
RESPONDENT SANDERS FOR JACKSON COUNTY

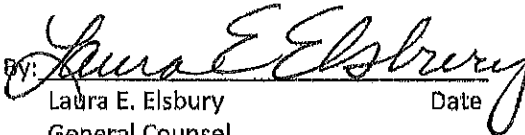
By:  12-12-19
Mike Sanders, Candidate Date

PETITIONER MISSOURI ETHICS COMMISSION

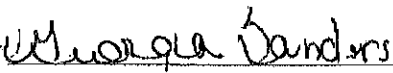
By:  12/27/19
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT MIKE SANDERS

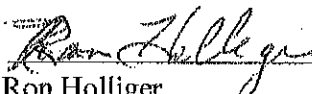
By:  12-12-19
Mike Sanders Date

By:  12-27-19
Laura E. Elsbury Date
General Counsel
Attorney for Petitioner

RESPONDENT GEORGIA SANDERS

By:  12-12-19
Georgia Sanders Date

ATTORNEY FOR RESPONDENTS

By:  12-19-19
Ron Holliger Date

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CONSENT ORDER

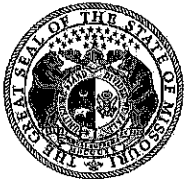
The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents violated Section 130.034, RSMo. The Commission directs that the Joint Stipulation be adopted.

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. Respondent Mike Sanders agrees to issue a reimbursement to the Sanders for Jackson County Committee in the amount of \$2,500.00.
3. Upon proof of the payment referenced in the preceding paragraph, it is the order of the Missouri Ethics Commission that a letter be issued that no further action shall be taken.

SO ORDERED this 27th day of December, 2019

By: Don Summers
Don Summers, Chair
Missouri Ethics Commission





MISSOURI ETHICS COMMISSION

P.O. Box 1370

Jefferson City, MO 65102

www.mec.mo.gov

(573) 751-2020 / (800) 392-8660

Elizabeth L. Ziegler
Executive Director

December 27, 2019

Mike and Georgia Sanders
Sanders for Jackson County
17808 Cliff Drive
Independence, MO 64055

RE: Case Number 18-0005-A

Dear Mr. and Mrs. Sanders:

A Letter of No Further Action is issued to you pursuant to the authority granted to the Missouri Ethics Commission in Section 105.961.4(5).

The Commission has accepted the submission of the 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 in this matter, a copy of which is marked as Exhibit B and incorporated herein by reference.

The Commission has found probable cause to believe that you violated Section 130.034, RSMo, by converting committee funds to personal use or by using committee funds for unauthorized uses. However, Mr. Sanders has since reimbursed the Sanders for Jackson County committee in the amount of \$2500.00.

The Commission hereby issues this letter that it will take no further action for violation of Section 130.034, RSMo.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Summers". The signature is written in a cursive, somewhat stylized font.

Don Summers, Chair
Missouri Ethics Commission