

Filed
SEP 10 2020
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
 Petitioner,)
)
v.)
)
)
UNIFIED DEMOCRATIC TOWNSHIP)
ORGANIZATIONS, LLC,)
Committee,)
)
and)
)
)
CHEVON WEAVER,)
Treasurer,)
)
)
 Respondents.)

Case No. 19-0045-I

**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, Unified Democratic Township Organizations, LLC and Chevon Weaver, 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 Unified Democratic Township Organizations, LLC is a continuing committee that registered with the Missouri Ethics Commission on June 16, 2016.

3. Respondent Chevon Weaver is the Treasurer listed on the Statement of Committee Organization filed with the Missouri Ethics Commission.

4. Pursuant to Sections 105.959 and 105.961, RSMo, the Commission's staff received a complaint filed with the Commission. The Commission's staff investigated the complaint and reported the investigation findings to the Commission.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2019).

5. Based on the investigation reports, the Commission determined that there were reasonable grounds to believe that violations of the law had occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

COUNT I

Failure to accurately report money on hand

6. Respondents inaccurately reported money on hand on the Amended 30 Day After Report for the August 7, 2018 primary election and the 2018 July Quarterly Report.

Report Name	From	To	Reported		Actual	
			MOH Beginning of Period	MOH End of Period	MOH Beginning of Period	MOH End of Period
2018 July Quarterly Report	1/1/17	6/30/18	\$0.00	\$4,500.00	unknown	\$4,857.38
Amended 30 Day After Primary - 8/7/18	8/6/18	9/1/18	\$313.94	\$118.89	\$2,193.89	\$118.89

COUNT II

Failure to timely file campaign finance disclosure reports

7. Respondents failed to file three 24 Hour Expenditure Reports prior to the August 7, 2018 primary election.

Report Name	Report Year	Start Date	End Date	Due Date
24 Hour Expenditure Report	2018	7/1/18	7/31/18	8/1/18
24 Hour Expenditure Report	2018	8/1/18	8/5/18	8/6/18
24 Hour Expenditure Report	2018	8/6/18	8/6/18	8/7/18

COUNT III

Failure to timely and accurately report contributions received

8. Respondents failed to report a \$1,000.00 contribution from J.G. Keller received on July 26, 2018.

9. Respondents inaccurately reported a \$2,500.00 contribution from Vincent Schoemehl received on July 16, 2018 on the 30 Day After Primary Election Report. The contributor's employer and occupation were both listed as "n/a."

10. On June 25, 2018, Respondents received a \$4,500.00 contribution from Mark Mantonvani. This contribution was reported on the 2018 July Quarterly Report and also the 30 Day After Primary Election Report. There was only one \$4,500.00 deposit from Mark Mantonvani found in the official fund depository account.

11. On July 6, 2018, Respondents received a \$1,000.00 contribution from Financial & Marketing Solutions, LLC. This contribution was reported twice on the 2018 July Quarterly Report. There was only one \$1,000.00 deposit from Financial & Marketing Solutions, LLC found in the official fund depository account.

COUNT IV

Failure to report expenditures, file direct expenditure reports and independent contractor forms

12. Respondents failed to report three expenditures totaling \$68.44.

Expenditure Name	Date	Amount	Report Not Showing Expenditure
Kiener West Garage	6/7/18	\$5.00	2018 July Quarterly Report
Quiktrip	6/8/18	\$20.00	2018 July Quarterly Report
Qdoba	7/20/18	\$43.44	2018 July Quarterly Report
		\$68.44	

13. Respondents inaccurately reported two expenditures, totaling \$3,000.00, on the 30 Day After Primary Election Report for the August 7, 2018 primary, by failing to itemize expenditures made to campaign workers. Two \$1,500.00 checks were written to separate individuals, each with a reported purpose of "pay poll workers." The names of the recipients of these payments were not itemized as required.

14. Respondents did not file Direct Expenditure Reports for five itemized expenditures totaling \$5,200.00. These expenditures were reported on the 30 Day After Primary Election Report for the August 7, 2018 primary.

Expenditure Name	Purpose	Amount	Date
Anthony Weaver, Sr.	Campaign worker	\$1,500.00	8/5/18
Anthony Weaver, Jr.	Poll worker	\$1,500.00	8/6/18
Janay Mosley	Poll worker	\$1,500.00	8/6/18
A&W Services	Printing	\$500.00	8/6/18
Yolonda Henderson	Campaign worker	\$200.00	8/7/18
		\$5,200.00	

15. Respondents failed to file an Independent Contractor form for two \$1,500.00 payments for “consulting services” totaling \$3,000.00 that appeared on the Amended 30 Day After Primary Election Report for the August 7, 2018 primary election.

Expenditure Name	Date	Purpose Given	Amount
James Cotter	8/6/18	Consulting services	\$1,500.00
Rochelle Gray	8/7/18	Consulting services	\$1,500.00
			\$3,000.00

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to accurately report money on hand

16. Pursuant to Sections 130.041.1(2) and 130.041.1(5), RSMo, Respondents were required to disclose the amount of cash on hand as of the beginning of the reporting period and the closing date of the reporting period.

17. There is probable cause to believe that Respondents violated Sections 130.041.1(2) and 130.041.1(5), RSMo, by failing to accurately report money on hand on two full disclosure reports.

COUNT II

Failure to timely file campaign finance disclosure reports

18. “The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than twenty-four hours after receipt. For purposes of this subsection the term ‘late contribution or loan’ means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself.” §130.050.3, RSMo.

19. There is probable cause to believe that Respondents violated Section 130.050.3, RSMo, by failing to file three 24 Hour Expenditure Reports.

COUNT III

Failure to timely and accurately report contributions received

20. 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.

21. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to report a contribution, by inaccurately reporting a contribution, and by reporting two contributions twice.

COUNT IV

Failure to report expenditures, file direct expenditure reports and independent contractor forms

22. Committees are required to report expenditures at the times and for the periods prescribed in section 130.046, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

...

(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. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker[.]

§ 130.041.1(4), RSMo.

23. Pursuant to Section 130.041.1(7), RSMo, continuing committees are required to report "the amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought[.]"

24. "The words 'consulting or consulting services, fees, or expenses', or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or

opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.” § 130.041.4, RSMo

25. There is probable cause to believe that Respondents violated Sections 130.041.1(4), 130.041.1(7), and 130.041.4, RSMo, by failing to report three expenditures, by inaccurately reporting two expenditures, by failing to file Direct Expenditure Reports for five expenditures, and by failing to file an Independent Contractor form for two payments for consulting services.

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 \$3,068.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$306.00 of that fee within forty-five days after the date of the 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.

c. Regardless of the stay in paragraph 3.b above, if there is probable cause to believe that any Respondent commits any further violation or violations 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 final adjudication finding that there was probable cause to believe 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 this case.

RESPONDENT UNIFIED DEMOCRATIC
TOWNSHIP ORGANIZATIONS, LLC

PETITIONER MISSOURI ETHICS
COMMISSION

By: Chevon Weaver 9/13/20
Chevon Weaver Date

By: Elizabeth L. Ziegler 9/10/20
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT CHEVON WEAVER

By: Chevon Weaver 9/13/20
Chevon Weaver Date

By: Brian Hamilton 9/10/20
Brian Hamilton Date
Attorney for Petitioner

Filed
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 Missouri Ethics
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**BEFORE THE
 MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)	
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Petitioner,)	
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v.)	Case No. 19-0045-I
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UNIFIED DEMOCRATIC TOWNSHIP)	
ORGANIZATIONS, LLC,)	
)	
and)	
)	
CHEVON WEAVER,)	
)	
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 there is probable cause to believe that Respondents violated Sections 130.041.1(2), 130.041.1(3), 130.041.1(4), 130.041.1(5), 130.041.1(7), 130.041.4, and 130.050.3, 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 \$3,068.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$306.00 of that fee within forty-five 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. Regardless of the stay in paragraph 2 above, if there is probable cause to believe that any Respondent commits any further violation or violations 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 final adjudication finding that there was probable cause to believe such Respondent has committed such a violation.

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

SO ORDERED this 10th day of September, 2020

By: 
Cheryl D. S. Walker, Chair
Missouri Ethics Commission