

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**OCT 20 2020**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	Case No. 20-0021-I
CRAIG WESTBROOK, Candidate,	)	
	)	
and	)	
	)	
CITIZENS FOR WESTBROOK,	)	
Committee,	)	
	)	
Respondents.	)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

This is the decision and order of the Missouri Ethics Commission following a hearing on a Complaint filed by Petitioner pursuant to Section 105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Cheryl D.S. Walker, Sherman W. Birkes, Jr., Wayne Henke, and Robert C. Cook, and Helene J. Frischer.

The Commission held the closed hearing on October 20, 2020, at the offices of the Missouri Ethics Commission at 3411A Knipp Drive, Jefferson City, Missouri 65109. The Commission was represented by Brian Hamilton. Respondents Craig Westbrook and Citizens for Westbrook did not appear after due notice.

Having considered all the competent and substantial evidence upon the whole record, the Commission finds by a unanimous vote as follows:

## 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.<sup>1</sup>

2. Respondent Craig Westbrook was an unsuccessful candidate for 12<sup>th</sup> Ward Alderman in St. Louis, Missouri in the June 23, 2020 special election.

3. Respondent Citizens for Westbrook is a candidate committee that was registered with the Missouri Ethics Commission by the filing of a Statement of Committee Organization on May 15, 2020.

4. Joseph Hodes was listed as Treasurer on the Statement of Committee Organization.

5. Respondents purchased a billboard in support of Respondent Westbrook's candidacy for 12<sup>th</sup> Ward Alderman in St. Louis, Missouri.

6. On May 28, 2020, the billboard was placed without a "paid for by" disclosure statement.

7. On June 4, 2020, Respondents added, "paid for by Craig Westbrook, 314-435-4597" on the billboard.

8. The added "paid for by" disclosure statement did not include the name of the committee and the committee's treasurer.

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

## CONCLUSIONS OF LAW

9. “Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words ‘Paid for by’ followed by the proper identification of the sponsor pursuant to this section.” § 130.031.8, RSMo.

10. “[P]rinted matter’ shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material[.]” § 130.031.8, RSMo.

11. “In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for.” § 130.031.8(2), RSMo.

12. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by failing to include an accurate “paid for by” disclosure statement on a billboard in support of Respondent Westbrook’s candidacy.

**ORDER**

The Missouri Ethics Commission finds probable cause to believe that Respondents Craig Westbrook and Citizens for Westbrook violated Section 130.031.8, RSMo.

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 \$1,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$100 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.
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 final adjudication finding that there is 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 20<sup>th</sup> day of October, 2020.

  
Cheryl D. Walker, Chair