

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
DEC 09 2021
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 21-0001-A
KC LEADERSHIP FUND,)	
)	
and)	
)	
GREGORY CORWIN,)	
)	
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, KC Leadership Fund and Gregory Corwin, 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; 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

the reports and statements filed with the Commission and reported the findings to the Commission.

9. Based on the audit report, 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 maintain a qualified treasurer

10. Eric Hanley was the committee's Treasurer from the fall of 2017 until he resigned on or about April 14, 2019.

11. Hanley was not replaced until Jessica Mease was identified as the new Treasurer on an amended Statement of Committee Organization dated June 3, 2019. Jessica Mease resigned on October 17, 2019.

12. Between April 15, 2019 and June 2, 2019, the committee did not have a treasurer.

13. Mease was not replaced until Gregory Corwin was identified as the new Treasurer on an amended Statement of Committee Organization dated January 24, 2020 and filed with the MEC on February 18, 2021.

14. Between October 18, 2019 and January 2020, the committee did not have a qualified treasurer.

15. Gregory Corwin resides in Overland Park, Kansas.

16. Corwin assumed the treasurer's duties when the committee had no properly designated treasurer in place.

17. Corwin was identified as the treasurer for the committee, effective January 24, 2020, in an amended Statement of Committee Organization that was filed with the MEC on

February 18, 2020.

18. Corwin was at all relevant times a member of the Board for the committee.

19. The committee's bank account was titled, "Gregory P. Corwin DBA KC Leadership Fund."

20. Contributions were accepted, and expenditures made during the times when there was no qualified treasurer.

COUNT II

Failure to timely and accurately report contributions received

21. Respondent Gregory Corwin assumed responsibility for the Treasurer's duties when Eric Hanley resigned on April 14, 2019.

22. Corwin inaccurately reported a \$10,000.00 contribution by including it on the wrong report and with an incorrect aggregate amount. The March 18, 2019 contribution from Northwest Missouri Leasing, LLC was reported on the April 2019 Quarterly Report, but it should have been on the 8-Day Before April 2 General Election Report. The aggregate amount was incorrectly reported as \$20,000.00 instead of \$10,000.00.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to maintain a qualified treasurer

23. "Every committee shall have a treasurer who . . . shall be a resident of this state and reside in the district or county in which the committee sits." § 130.021.1, RSMo.

24. "Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate." § 130.021.4(1), RSMo.

25. No expenditure shall be made by a committee when the office of committee treasurer is vacant[.]” § 130.021.4(1), RSMo.

26. There is probable cause to believe that KC Leadership and Gregory Corwin violated Section 130.021, RSMo, by accepting contributions and making expenditures during the times when there was no qualified treasurer.

COUNT II

Failure to timely and accurately report contributions received

27. All committees are required to report receipts for each reporting period, 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.

28. “The candidate or the committee treasurer of any committee except a candidate committee is ultimately responsible for all reporting requirements pursuant to this chapter.”
Section 130.058, RSMo.

29. There is probable cause to believe that Corwin violated Section 130.041.1(3), RSMo, by reporting a contribution on the wrong report and with an inaccurate aggregate.

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. 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 \$2,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 of that fee within forty-five days after the date of this 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 there is probable cause to believe that any Respondent commits 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 due immediately upon final adjudication finding that such Respondent has committed such a violation.

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


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 Legal Complaint filed by the Petitioner in this 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

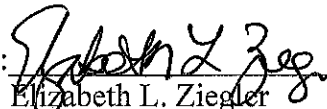
any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of this case.

SO AGREED:

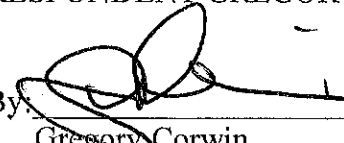
RESPONDENT KC LEADERSHIP FUND

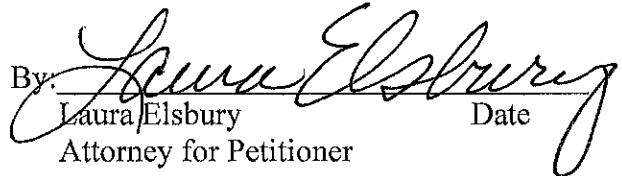
By:  _____
Gregory Corwin Date 11/9/21

PETITIONER MISSOURI ETHICS COMMISSION

By:  _____
Elizabeth L. Ziegler Date
Executive Director

RESPONDENT GREGORY CORWIN

By:  _____
Gregory Corwin Date 11/9/21

By:  _____
Laura Elsbury Date
Attorney for Petitioner

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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 there is probable cause to believe that Respondents violated Sections 130.021, 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 \$2,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 of that fee within forty-five days after the date of this 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 commits 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 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 9th day of December, 2021

By:



Cheryl D. S. Walker, Chair
Missouri Ethics Commission