

Filed

JUL 24 2023

Missouri Ethics  
Commission

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS )  
 COMMISSION, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 AMANDA MEDLOCK, )  
 Candidate, )  
 )  
 and )  
 )  
 CITIZENS FOR AMANDA )  
 MEDLOCK, )  
 Candidate Committee, )  
 )  
 Respondents. )

Case No. 22-0021-A

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

The Missouri Ethics Commission ("MEC"), together with Amanda Medlock and Citizens for Amanda Medlock ("Respondents"), collectively the "parties" jointly stipulate and consent to action as set forth here (the "agreement.")

Respondents acknowledge their right to have this agreement reviewed by counsel. Respondents further acknowledge they have received actual notice of the legal complaint filed by the MEC in this case, have reviewed the contents of the Complaint, and submit to the jurisdiction of the Missouri Ethics Commission.

Respondents further acknowledge 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 at a hearing before the MEC; the right to have all allegations against Respondents 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, Respondents knowingly and voluntarily waive each one of these rights and freely enter into this agreement and agree to abide by its terms.

#### I.

The parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Findings of Fact and Conclusions of Law in this matter:

#### FINDINGS OF FACT

1. Amanda Medlock was a candidate for Ward 2 councilperson in the City of Liberty, MO, for the April 6, 2021, general election.

2. Citizens for Amanda Medlock was a candidate committee registered with the Missouri Ethics Commission on January 7, 2021.

3. Pursuant to § 105.959, the Commission's staff audited the reports and statements filed with the Commission and reported the audit findings to the Commission.

4. The Commission determined there was reasonable grounds to believe violations of the Chapter 130 occurred and authorized a hearing pursuant to § 105.961.3.

5. Figure A details seven (7) separate reports filed by Respondents as well as the date received and the date the report was due.

<b>Figure A - Late Report Filings</b>			
<b>Report</b>	<b>Due Date</b>	<b>Received</b>	<b>Days Late</b>
40 Day Before 4/6/2021 Election	February 25, 2021	February 28, 2021	3
8 Day Before 4/6/2021 Election	March 29, 2021	April 2, 2021	4
April 2021 Quarterly Limited Activity	April 15, 2021	June 27, 2022	438
July 2021 Quarterly Limited Activity	July 15, 2021	June 27, 2022	347
October 2021 Quarterly Limited Activity	October 15, 2021	June 27, 2022	255
January 2022 Quarterly Limited Activity	January 18, 2022	June 27, 2022	160
April 2022 Quarterly Activity	April 15, 2022	June 27, 2022	73

6. Respondent Amanda Medlock was an unsuccessful candidate for councilperson for the City of Liberty, MO, Ward 2, in the April 6, 2021, general election.

7. Citizens for Amanda Medlock did not have any debt reported to the Commission at the time of the unsuccessful election.

8. Citizens for Amanda Medlock did not terminate until June 27, 2022.

## CONCLUSIONS OF LAW

### Count I: Failure to Timely File Reports

9. Section 130.041 requires the candidate and/or treasurer or deputy treasurer of every committee to file disclosure reports of all receipts and expenditures, as prescribed in § 130.046.

10. Section 130.046 lists the timing for the filing of reports required by § 130.041, stating, in part:

1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

- (1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;
- (2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee

under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

- (3) Not later than the fifteenth day following the close of each calendar quarter.

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

...

3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September.

11. Respondents accepted contributions and made expenditures during the time periods described in § 130.046.1(1) (8 Day Before Election Report), which also met the standard detailed in § 130.046.1(3) (40 Day Before Election Report), requiring the filing of both reports.

12. Where each of the seven (7) reports in Figure A above were required to be filed by § 130.041, and where Respondents failed to do so timely,

there is probable cause to believe Respondents violated §130.041, giving this Commission power to act, as permitted under § 105.961.

**Count II: Failure to Terminate**

13. Section 130.011(9) defines the limits of a candidate committee under Missouri's campaign finance scheme, stating in part:

(9) "**Candidate committee**", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed...

14. Under the definition of candidate committee in § 130.011(9), where Citizens for Amanda Medlock was without debt, Respondents were required to terminate within 30 days of the election on May 6, 2021.

15. Where (1) Respondent Amanda Medlock was unsuccessful candidate at the April 6, 2021, election; (2) her candidate committee Citizens for Amanda Medlock had no debt; and (3) Citizens for Amanda Medlock failed to terminate by May 6, 2021, there is probable cause to believe Respondents violated § 130.011(9), giving this Commission the power to act as permitted by § 105.961.

## II.

Based on the foregoing, the parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Order issued by the Missouri Ethics Commission in this matter:

### CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.041 & 130.011(9), RSMo, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130;
2. Respondents are assessed a fee in the amount of \$2,000, pursuant to Section 105.961.4(6), due by check or money order and payable to the Missouri Ethics Commission within sixty (60) days of the issuance of this Order;
3. If Respondents pay \$200 of the assessed fee within forty-five (45) days of the issuance of this Order, the remainder of the fee will be stayed for a period of two years. If Respondents do not commit any further violations of Chapter 130, the remainder of the fee shall be dissolved. If there is probable cause to believe Respondents committed any further violations of the campaign finance laws under Chapter 130 within the two-year period, the remainder of the fee shall be due immediately upon such a finding.

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

### III.

1. The parties understand the Missouri Ethics Commission will maintain this agreement as an open record of the Commission.
2. This agreement does not bind the Missouri Ethics Commission or restrict the remedies available concerning any violations not expressly detailed here, including any future violations.
3. Each party agrees to pay all of their own fees and expenses incurred as a result of this case, its litigation, and/or its disposition.
4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, of, or from any liability, claim, actions, causes of action, fees, costs, expenses and compensation, including, but not limited to, any claim for attorney's fees and expenses, whether or not now known or contemplated, including, but not limited to, any claims pursuant to Section 536.087, RSMo, as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case or its litigation or from the negotiation

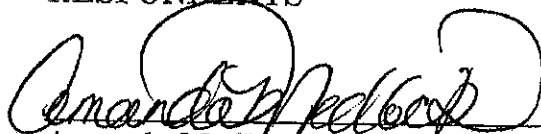


or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the event any court or administrative tribunal deems this agreement or any portion thereof void or unenforceable.

5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of an Order by the Commission, without any further action of the parties.

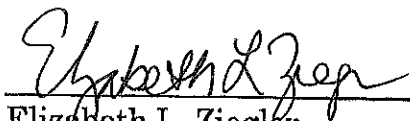
SO AGREED:

RESPONDENTS


  
Amanda Medlock  
Respondent and Candidate

Date

MISSOURI ETHICS COMMISSION

  
Elizabeth L. Ziegler  
Executive Director

7/24/23  
Date

  
Brian Earl  
Attorney for Petitioner

7/21/23  
Date

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**

JUL 27 2023

Missouri Ethics  
Commission

MISSOURI ETHICS	)	
COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No.: 22-0021-A
	)	
AMANDA MEDLCOK,	)	
Candidate,	)	
	)	
and	)	
	)	
CITIZENS FOR AMANDA	)	
MEDLOCK,	)	
Candidate Committee,	)	
	)	
Respondents.	)	

**CONSENT ORDER**

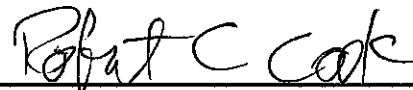
The Missouri Ethics Commission finds probable cause to believe that Amanda Medlock and Citizens for Amanda Medlock violated §§ 130.041 & 130.011(9), RSMo, and hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo;
2. Respondents are assessed a fee in the amount of \$2,000, pursuant to Section 105.961.4(6), due by check or money order and payable to the Missouri Ethics Commission within sixty (60) days of the issuance of this Order;

3. If Respondents pay \$200 of the assessed fee within forty-five (45) days of the issuance of this Order, the remainder of the fee will be stayed for a period of two years. If Respondents do not commit any further violations of Chapter 130, the remainder of the fee shall be dissolved. If there is probable cause to believe Respondents committed any further violations of the campaign finance laws under Chapter 130 within the two-year period, the remainder of the fee shall be due immediately upon such a finding.
4. Respondents shall be jointly and severally liable for all fees imposed under this Order.

SO ORDERED, this 27<sup>th</sup> day of July, 2023.

By:



Robert Cook, Chair  
Missouri Ethics Commission