

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed

NOV 08 2023

**Missouri Ethics
Commission**

| | | |
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| MISSOURI ETHICS |) | |
| COMMISSION, |) | |
| |) | |
| Petitioner, |) | |
| |) | Case No. 23-0034-I |
| v. |) | |
| |) | |
| CARLA WRIGHT, |) | |
| Candidate, |) | |
| |) | |
| and |) | |
| |) | |
| WRIGHT FOR 11, |) | |
| Candidate Committee, |) | |
| |) | |
| Respondents. |) | |

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

The Missouri Ethics Commission (“MEC”), together with Carla Wright and Wright for 11 (“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 enters into this agreement and agrees 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. Respondent Carla Wright was a candidate for the City of Saint Louis Ward 11 Alderman in the April 2023 election.

2. Wright for 11 was a candidate committee formed to support Carla Wright's candidacy for Ward 11 Alderman for the Saint Louis Board of Aldermen, in the April 2023 election.

3. Pursuant to § 105.961, RSMo, the MEC's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

4. Based upon the investigation report, the Commission determined there were reasonable grounds to believe violations of the law occurred and authorized a hearing pursuant to § 105.961.3, RSMo.

Count I – Failure to a “Paid for by” disclosure.

5. Respondents purchased and distributed flyers in support of Carla Wright's candidacy for Ward 11 Alderman for the Saint Louis Board of Aldermen, in the April 4, 2023 election.

6. Respondents purchased and distributed yard signs in support of Carla Wright's candidacy for Ward 11 Alderman for the Saint Louis Board of Aldermen, in the April 4, 2023 election.

7. The flyers and yard signs should have contained the clear and conspicuous statement: “Paid for by Wright for 11” followed by the committee treasurer's name and title but some did not.

Count II – Failure to Timely Report Contributions and an Expenditure

8. Respondents received two in-kind contributions totaling \$1,400.46 and failed to include them on the required April 2023 Quarterly Report.

9. Respondents made a \$319.76 expenditure and failed to include it on the required April 2023 Quarterly Report.

CONCLUSIONS OF LAW

Count I – Failure to a “Paid for by” disclosure.

10. “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.

11. “[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.

12. Section 130.031.8, RSMo, further states the following:

(2) 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.

13. There is probable cause to believe that Respondents violated § 130.031.8, RSMo, by creating and purchasing flyers and yard signs which some failed to include an accurate “Paid for by” disclosure.

Count II – Failure to Timely Report Contributions and an Expenditure

14. Section 130.041.1 lays out what is required of committees in disclosure reports, including:

(3) Receipts for the 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...

...

(d) Total dollar value of all in-kind contributions received;
(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;

(4) Expenditures for the period, 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[.]

15. Where Respondents failed to report two in-kind contributions and one expenditure, there is probable cause to believe Respondents violated § 130.041.

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 §§ 130.031.8 and 130.041, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
2. Respondents shall comply with all relevant sections of Chapter 130.
3. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,820.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$272.00 within forty-five days after the date of the Consent 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.
4. Regardless of the stay in paragraph 3 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 fees. The fee will be due immediately upon final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.
5. 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.

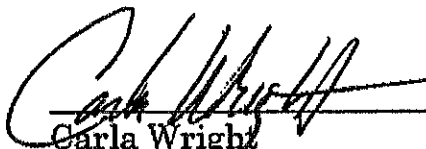
4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, 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 that 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 Proposed Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

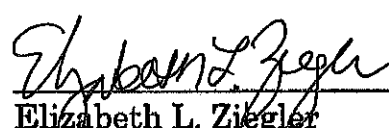
SO AGREED:

RESPONDENTS CARLA WRIGHT
AND WRIGHT FOR 11



Carla Wright Date

MISSOURI ETHICS COMMISSION

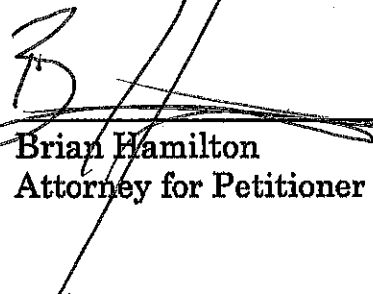
 11/7/23

Elizabeth L. Ziegler Date
Executive Director

ATTORNEY FOR RESPONDENTS

 11/6/23

Matthew Vianello Date
Jacobson Press PC

 11/8/23

Brian Hamilton Date
Attorney for Petitioner

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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 fees. The fee will be due

immediately upon final adjudication finding that there was probable cause to believe 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 13th day of November, 2023

A handwritten signature in black ink that reads "Robert C. Cook". The signature is written in a cursive style with a horizontal line underneath the name.

Robert Cook, Chair
Missouri Ethics Commission