

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**

**NOV 13 2023**

Missouri Ethics  
Commission

MISSOURI ETHICS	)	
COMMISSION,	)	
	)	
P.O. Box 1370	)	
Jefferson City, MO 65102	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 22-0002-A
	)	
STANLEY "STASH" PETTON	)	
JR,	)	
Candidate,	)	
	)	
AND	)	
	)	
COMMITTEE TO ELECT	)	
STASH PETTON,	)	
Candidate Committee,	)	
	)	
	)	
Respondents.	)	

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

The Missouri Ethics Commission ("MEC"), together with Stash Petton and Committee to Elect Stash Petton ("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. Respondent Stanley "Stash" Petton, Jr. was a candidate for Associate Commissioner for Bollinger County in the August 4, 2020, primary election.

2. Respondent Committee to Elect Stash Petton is a candidate committee which registered with the Missouri Ethics Commission on March 17, 2020.

3. Pursuant to §§ 105.959 and 105.961, 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.

**Count I: Failure to Terminate Committee**

5. Respondent Stash Petton withdrew as a candidate for Associate Commissioner in Bollinger County before the August 4, 2020, primary election, and did not appear on the ballot in the November 3, 2020, general election.

6. On its July 2020 Quarterly Report, Respondent Committee to Elect Stash Petton did not have any debt reported to the Commission.

7. Respondent Committee to Elect Stash Petton had not terminated as of the filing of the Complaint in this matter on March 10, 2023.

**Count II: Failure to Amend Statement of Committee Organization**

8. Respondents' original statement of committee organization, filed March 17, 2020, listed an address of Rt. 6 Box 40 Marquand, MO.

9. The same address was also listed on the December 2021 bank statement for the official bank account for the Committee, which records show was returned to the bank as undeliverable.

10. On subsequent committee bank statements, 35669 State Highway 51 Marble Hill, Mo, 63764 was listed, and mail was deliverable to that address.

11. The Committee's address changed, as reflected above.

12. The Statement of Committee Organization was never amended to reflect this new address.

**Count III: Failure to Accurately and Timely Report**

*Failure to Timely File Campaign Disclosure Reports*

13. Figure A details seven (7) separate reports required to be filed by Respondents under §§ 130.041 & 130.046 as a candidate committee and the actual date each report was received.

<b>Figure A - Late Report Filings</b>			
<b>Report</b>	<b>Due Date</b>	<b>Received</b>	<b>Days Late</b>
2020 July Quarterly Report <sup>1</sup>	July 15, 2020	July 28, 2020	13
2020 October Quarterly Report - Limited Activity	October 15, 2020	April 20, 2021	187
2021 April Quarterly Report - Limited Activity	April 15, 2021	April 20, 2021	5
2021 July Quarterly Report - Limited Activity	July 15, 2021	Not Filed	

<sup>1</sup> While Respondents filed a full disclosure report, no activity occurred during the reporting period.

2021 October Quarterly Report - Limited Activity	October 15, 2021	Not Filed	
2022 January Quarterly Report - Limited Activity	January 15, 2022	Not Filed	
2022 April Quarterly Report - Limited Activity	April 15, 2022	Not Filed	

*Failure to Accurately Report Contributions*

14. Respondents failed to accurately report a \$100 contribution from Respondent Petton on the April 2020 Quarterly Report. Respondents erroneously listed the \$100 contribution as an investment, when records show it was deposited into the bank account upon being opened. As such, it should have been reported as a monetary contribution.

15. Respondents inaccurately reported a \$600.76 in-kind contribution as monetary on the April 2020 Quarterly Report, when Respondent Petton used his personal credit card to purchase signs and newspaper advertisements in support of his candidacy. As the credit card expenditure was not paid for with committee funds, the contribution should have been reported as an in-kind contribution.

16. The \$600.76 was also erroneously reported as an expenditure on the April 2020 Quarterly Report, causing errors in the money on hand reporting, discussed below.

*Failure to Accurately Report Money on Hand*

17. Respondents reported \$100 on hand at the beginning of the 2020 April Quarterly Report period, when they had \$0 on hand.

18. Respondents reported \$700.76 on hand at the end of the 2020 April Quarterly Report period, when they had \$100 on hand.

**CONCLUSIONS OF LAW**

19. The Missouri Ethics Commission (MEC) is an agency of the State of Missouri established pursuant to § 105.955, in part for the purpose of enforcing provisions Chapter 130.

**Count I: Failure to Terminate Committee**

20. 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...

21. Under the definition of candidate committee in § 130.011(9), where the committee was without debt, Respondents were required to terminate within 30 days of the general election on December 3, 2020.

22. Where Respondent Stash Petton was not a successful candidate in the November 2022 general election, where Respondent Committee to Elect Stash Petton had no debt, and finally, and where Respondent Committee to Elect Stash Petton failed to terminate by December 3, 2020, there is probable cause to believe Respondents violated §§ 130.011(9) & 130.021, giving this Commission the power to act, as permitted under § 105.961.

**Count II: Failure to Amend Statement of Committee Organization**

23. Section 130.021.5 lays out the requirements of what must be reported to the MEC in a statement of committee organization, including “the following information: (1) The name, mailing address and telephone number, if any, of the committee filing the statement of statement of organization[.]”

24. Section 130.021.7 creates a requirement that said information be updated, stating:

A committee which has filed a statement of organization and has not terminated shall not be required to file another statement of organization, except that when there is a change in any of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section an amended statement of organization shall be filed within twenty days after the change occurs, but no later than the date of the filing of the next report required to be filed by that committee by section 130.046.

25. There is probable cause to believe that Respondents violated Section 130.021.7, by failing to amend their Statement of Committee

Organization with the proper address within twenty days of the change, giving this Commission the power to act, as permitted under § 105.961.

**Count III: Failure to Accurately and Timely Report**

*Failure to Timely File Campaign Disclosure Reports*

26. 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.

27. 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:

...

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

...

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.

28. Where each of the seven (7) reports in Figure A above were required to be filed on time by §§ 130.041 & 130.046, and where Respondents



failed to do so, there is probable cause to believe Respondents violated §§130.041 & 130.046, giving this Commission power to act, as permitted under § 105.961.

*Failure to Accurately Report Contributions*

29. All committees are required to report all receipts for each reporting period, including all monetary and in-kind contributions. § 130.041.1(3).

30. There is probable cause to believe that Respondents violated Section 130.041.1(3), by failing to properly report contributions, as detailed above, giving this Commission power to act, as permitted under § 105.961.

*Failure to Accurately Report Money on Hand*

31. Section 130.041.1(5) discusses cash on hand, requiring reporting of “[t]he amount of money, including cash on hand at the beginning of the reporting period [.]”

32. These requirements also include cash on hand at the close of the period, specifically “[t]he total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund[.]” § 130.041.1(2).

33. There is probable cause to believe that Respondents violated § 130.041.1, by failing to accurately report the beginning and ending money on hand on the April 2020 Quarterly Report, giving this Commission power to act, as permitted under § 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:

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.011(9), 130.021 & 130.041, RSMo, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130;
2. Respondents shall amend or correct any report, statement, or other document, as required by Chapter 130;
3. Respondents are assessed a fee in the amount of \$3,000, 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;
4. If Respondents pay \$300 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.

### 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



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 Petitioner, )  
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 v. )  
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 STANLEY "STASH" PETTON )  
 JR, )  
 Candidate, )  
 )  
 and )  
 )  
 COMMITTEE TO ELECT )  
 STASH PETTON, )  
 Candidate Committee, )  
 )  
 )  
 Respondents. )

Case No. 22-0002-A

**CONSENT ORDER**

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.011(9), 130.021 & 130.041, RSMo, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130.
2. Respondents shall amend or correct any report, statement, or other document, as required by Chapter 130.

3. Respondents are assessed a fee in the amount of \$3,000, 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.
4. If Respondents pay \$300 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.
5. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 14th day of November, 2023



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Robert Cook, Chair  
Missouri Ethics Commission