

Filed

DEC 19 2023

Missouri Ethics  
Commission

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS )  
 COMMISSION, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 TAKING KC BACK )  
 Continuing Committee, )  
 )  
 RONDA SMITH, Treasurer, )  
 )  
 and )  
 )  
 RONDA SMITH FOR KC, )  
 Candidate Committee, )  
 )  
 RONDA SMITH, Candidate, )  
 )  
 Respondents. )

Case No. 23-0003-I

JOINT FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER

The Missouri Ethics Commission ("MEC"), together with Ronda Smith, Taking KC Back, and Ronda Smith for KC ("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. Taking KC Back is a continuing committee registered with the MEC in October 2020.
2. At all times relevant, Respondent Ronda Smith was treasurer of Taking KC Back.

3. Ronda Smith for KC is a candidate committee registered with the MEC in July 2022 to support Ronda Smith's candidacy for Kansas City council person in the April 2023 election.

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

5. The Commission determined there were reasonable grounds to believe a violation of the law occurred and authorized a hearing pursuant to § 105.961.3.

#### **Count I – Making an Expenditure by Party Other Than Treasurer**

6. Respondent Taking KC Back made a check contribution of \$1,085.03 signed by Rita Olson-Stawicki to Ronda for KC as reported on their Termination Report.

7. Rita Olson-Stawicki was the president of Taking KC Back.

#### **Count II – Failure to Timely Report a Contribution**

8. Respondent Taking KC Back reported making a \$200 in-kind contribution on August 3, 2022 to Ronda Smith for KC on their Termination Report.

9. Respondent Ronda Smith for KC should have included this contribution on their October 2022 Quarterly Report but did not.

## CONCLUSIONS OF LAW

### Count I – Making an Expenditure by Party Other Than Treasurer

10. “[E]xpenditures shall not be made by a committee except through an official depository account and the committee treasurer, deputy treasurer or candidate.” § 130.021.4(1), RSMo.

11. Except for expenditures from a petty cash fund, “each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee’s depository and signed by the committee treasurer, deputy treasurer, or candidate.” § 130.031.2, RSMo.

12. There is probable cause to believe Respondents violated §§ 130.021.4(1) and 130.031.2 when Rita Olson-Stawicki signed a check contribution to committee Ronda Smith for KC and was not Treasurer of Taking KC Back.

### Count II – Failure to Timely Report a Contribution

13. Section 130.041.1(3), RSMo requires committees to report receipts for each reporting period on all disclosure reports, requiring:

(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[.]

14. Where Respondents failed to report an in-kind contribution, there is probable cause to believe they violated § 130.041.1(3), 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:

### CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.021.4(1), 130.031.2, and 130.041.1(3) 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 \$1,200.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$120.00 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:

RESPONDENT RONDA SMITH

MISSOURI ETHICS COMMISSION

Ronda Smith 12-4-2023  
Ronda Smith Date

Elizabeth L. Ziegler 12/19/23  
Elizabeth L. Ziegler Date  
Executive Director

RESPONDENT RONDA SMITH FOR KC

Ronda Smith 12-4-2023  
Ronda Smith Date

Brian Hamilton 12/19/23  
Brian Hamilton Date  
Attorney for Petitioner

RESPONDENT TAKING KC BACK

Ronda Smith 12-4-2023  
Ronda Smith Date

Filed

DEC 19 2023

Missouri Ethics  
Commission

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS )  
 COMMISSION, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 TAKING KC BACK )  
 Continuing Committee, )  
 )  
 RONDA SMITH, Treasurer, )  
 )  
 and )  
 )  
 RONDA SMITH FOR KC, )  
 Candidate Committee, )  
 )  
 RONDA SMITH, Candidate, )  
 )  
 Respondents. )

Case No. 23-0003-I

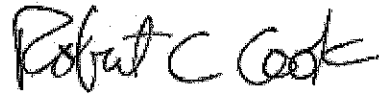
**CONSENT ORDER**

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 130.021.4(1), 130.031.2, and 130.041.1(3) and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapter 130.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,200.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$120.00 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.

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 19<sup>th</sup> day of December, 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 it.

Robert Cook, Chair  
Missouri Ethics Commission