

Filed

JAN 12 2024

Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS)
 COMMISSION,)
)
 Petitioner,)
)
 v.)
)
 UNIFIED DEMOCRATIC)
 TOWNSHIP ORGANIZATION)
 LLC,)
 Continuing Committee,)
)
 and)
)
 CHEVON WEAVER,)
 Treasurer,)
)
 Respondents.)

Case No. 22-0043-I(A); 22-0063-I

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

The Missouri Ethics Commission (“MEC”), together with Unified Democratic Township Organization LLC and Chevon Weaver (“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 Unified Democratic Township Organization (the "Committee") is a continuing committee first registered with the MEC on June 16, 2016.

2. From its inception through January 24, 2023, the times relevant here, Chevon Weaver was the treasurer of the Committee.

3. Pursuant to § 105.961, the Commission's staff received two complaints against Respondents. Upon investigation of the allegations, reports were presented to the Commission.

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

Failure to Report Direct Expenditures

5. On 8 Day Before Election report for the August 2022 general municipal election, Respondents failed to list the candidates which the card stock referenced previously was meant to benefit, despite the expenditure occurring during the period covered by the report.

6. On June 24, 2022, Respondent's amended this report to reflect the fourteen (14) candidates the expenditures were made to support, as required by § 130.041.1(7).

Failure to Report In-Kind Contribution/Expenditures

7. The previously mentioned expenditures on card stock, of \$1,287.09, in coordination with Rochelle Gray and Citizens to Elect Gray, were something of value.

8. This in-kind contribution was never reported as an in-kind contribution to Citizens to Elect Gray.

Failure to File 48 Hour Report

9. On May 31, 2022, Respondent's received a \$10,000 contribution from Page PAC, a continuing committee registered with the MEC.

10. The contribution was not reported until June 30, 2022, on its July Quarterly Report.

Failure to Accurately Report Contributions

11. Respondents improperly double reported two contributions, \$ 200 from Linda Weaver on July 16, 2023 and \$ 200 from James Cotter on July 13, 2023.

12. The contributions were reported on both the 8 Day Before Election report for the 2020 primary election and the October 2020 Quarterly Report.

13. Further, this improper reporting made the money on hand totals for Respondents inaccurate.

CONCLUSIONS OF LAW

14. Section 130.041.1 requires committees to report receipts for each reporting period on all disclosure reports, requiring, in part:

(3) Receipts for the period, including:

...
(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:

...

(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...

...

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

15. Section 130.044.1 further lays out specific reporting requirements for contributions exceeding \$5,000. It states, in relevant part:

All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any

contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution.

Failure to Report Direct Expenditures

16. Where Respondent's failed to timely report the candidate information in a direct expenditure report, there is probable cause to believe a violation of § 130.041.1(7) occurred, giving this Commission the power to act.

Failure to Report In-Kind Contribution/Expenditures

17. Where Respondents failed to report a \$1,287.09 contribution to Citizens to Elect Gray, there is probable cause to believe they violated § 130.041, giving this Commission the power to act.

Failure to File 48 Hour Report

18. Where Respondents failed to file a 48 Hour Report, as required by § 130.044.1, there is probable cause to believe they violated said provision, giving this Commission the power to act.

Failure to Accurately Report Contributions

19. Where Respondents failed to accurately report the two contributions, there is probable cause to believe they violated § 130.041.1(3), giving this Commission the power to act.

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, 130.041.1(3), 130.041.1(7), and 130.044.1, 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 \$3,287.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$328.00 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.

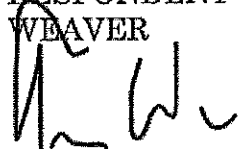
4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, 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 CHEVON
WEAVER



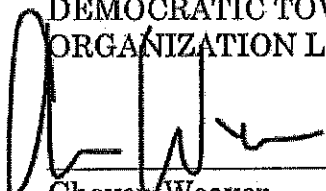
Chevon Weaver Date 1.9.24

MISSOURI ETHICS COMMISSION




Elizabeth L. Ziegler Date 1/12/24
Executive Director

RESPONDENT UNIFIED
DEMOCRATIC TOWNSHIP
ORGANIZATION LLC



Chevon Weaver Date 1.9.24



Brian Hamilton Date 1/12/24
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 16th day of January, 2024.

By:



Robert Cook, Chair
Missouri Ethics Commission