

Filed

APR 1 2025

Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS
COMMISSION,

Petitioner,

v.

CHRISTOPHER JOHNSON,
Secretary, Western Cass Fire
District Board,

Respondent.

Case No. 23-0028-I

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

The Missouri Ethics Commission ("MEC"), together with Christopher Johnson ("Respondent"), collectively the "parties" jointly stipulate and consent to action as set forth here (the "agreement").

Respondent acknowledges his right to have this agreement reviewed by counsel. Respondent further acknowledges he has received actual notice of the legal complaint filed by the MEC in this case, has reviewed the contents of the Complaint, and submit to the jurisdiction of the Missouri Ethics Commission.

Respondent further acknowledges he is 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 Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and

the right to a decision upon the record of the hearing. Being aware of these rights, Respondent knowingly and voluntarily waives 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. At all relevant times, Christopher Johnson was the secretary and custodian of records for the Western Cass Fire District Board.

2. Tom Reintjes was a successful candidate for the Western Cass Fire Protection Board in the April 4, 2023, election.

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

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

Count I – Failure to Timely File Statement of Committee

5. Respondent received contributions totaling at least \$1,000 and a single person contributed more than \$250.

6. Respondent has not filed a Statement of Committee Organization or any required reports with the Missouri Ethics Commission.

Count II - Failure to File Non-Committee Expenditure Reports

7. Respondent made expenditures in the amount equal to or greater than \$500 when he purchased flyers and signs in support of Tom Reintjes's candidacy for the Western Cass Fire Protection District Board.

8. Respondent did not file a Non-Committee Expenditure Report with the Missouri Ethics Commission.

CONCLUSIONS OF LAW

Count I - Failure to Timely File Statement of Committee

9. Section 130.011(7) defines a committee as:

a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates.

10. The provision defining a committee goes on to set the threshold limits before activity requires forming a committee, § 130.011(7)(a) excludes the following from the definition of a committee:

a person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions[.]

11. In evaluating whether activity reaches the threshold of requiring a committee, the definition of contribution is probative, § 130.011(12) defines a contribution as any:

payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office[.]

12. Lastly, upon meeting the definition of a committee, §130.021.5 requires formation to be undertaken, stating, in relevant part:

any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011... shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046.

13. Where Respondent accepted contributions totaling approximately \$1,000 and accepted more than \$250 from a single contributor and failed to register a committee by filing a Statement of Committee Organization with the MEC, there is probable cause to believe he violated §130.021, giving this commission the power to act as permitted under § 105.961.

Count II - Failure to File Non-Committee Expenditure Reports

14. Pursuant to § 130.047, RSMo,

Any person who is not a defined committee who makes an expenditure or expenditures aggregating five hundred dollars or more in support of... one or more candidates... shall file a report signed by the person making the expenditures, or that person's authorized agent. The report shall include the name and address of the person making the expenditure, the date and amount of the expenditure or expenditures, the name and address of the payee, and a description of the nature and purpose of each expenditure. Such report shall be filed with the appropriate officer having jurisdiction over the election of the candidate... in question as set forth in section 130.026 no later than fourteen days after the date of making an expenditure which by itself or when added to all other such expenditures during the same campaign equals five hundred dollars or more.

15. The definition of expenditure, defined in §130.011(16), as any:

payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office[.]

16. Where Respondent made expenditures in support of Tom Reintjes' candidacy equal to or greater than \$500 requiring Respondent to file a Non-Committee Expenditure Report with the MEC and failed to do so; there is probable cause to believe he violated § 130.047, giving this commission the 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 Respondent violated §§ 130.021 and 130.047, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapters 130.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 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 105 or 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.

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.

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 CHRISTOPHER
JOHNSON

Christopher Johnson 3-31-2025
Christopher Johnson Date

MISSOURI ETHICS COMMISSION

Stacey Heislen 4/1/2025
Stacey Heislen Date
~~Interim~~ Executive Director

ATTORNEY FOR RESPONDENT

Aaron J. Racine 3/31/25
Aaron J. Racine Date

Monaco, Sanders, Gotfredson,
Racine & Powell, L.C.

MO BAR #48667

Brian Hamilton 4/1/25
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 Respondent commits any further violation of the campaign finance laws under Chapter 105 or 130, RSMo, within the two-year period from the date of this order, then the Respondent will be required to pay the remainder of the \$2,000.00 fee. The fee will be due immediately upon final adjudication, finding that there was probable cause to believe that Respondent has committed such a violation.

SO ORDERED this 3rd day of April, 2025

Robin Wheeler Sanders

Robin Wheeler Sanders, Chair
Missouri Ethics Commission