

Filed

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Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,)
Petitioner,)
v.) Case No. 24-0049-I (A) & 24-0060-I
JOHN ASHCROFT,)
Candidate, and)
ASHCROFT FOR MISSOURI,)
Candidate Committee,)
Respondents.)

JOINT FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

The Missouri Ethics Commission ("MEC"), together with John Ashcroft and Ashcroft for Missouri ("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. John Ashcroft was an unsuccessful candidate for Missouri Governor in the August 6, 2024 primary election.

2. Ashcroft for Missouri is a candidate committee that was registered with the MEC on January 6, 2015.

3. Pursuant to § 105.961, the MEC's staff received a complaint against Respondents. Upon investigation of the allegations, a report was presented to the Commission.

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

5. On or about March 8, 2024, a letter signed by Respondent Ashcroft on Ashcroft for Missouri's letterhead was mailed to donors discussing Ashcroft's political platform.

6. The letter included a return envelope, a request for donations, and used language in support of Respondent Ashcroft's candidacy for Missouri Governor and in opposition to his opponents.

7. The letter included a paid for by disclosure which read, "PAID FOR BY ASHCROFT FOR MISSOURI, GENE MCNARY, TREASURER, AND COMMITTEE FOR LIBERTY, MARK MILTON, TREASURER"

8. Committee for Liberty is a continuing committee registered with the MEC on August 15, 2019.

9. Respondents paid \$5,361.74 for the letter which was reported as an expenditure on their July 2024 Quarterly Report.

10. Committee for Liberty paid \$5,361.74 for the letter which was reported as an expenditure on its July 2024 Quarterly Report.

11. Respondents did not report the expenditure identified on Ashcroft for Missouri's July 2024 Quarterly Report as in-kind contribution made to Committee for Liberty.

12. Respondents did not report the expenditure identified on Committee for Liberty's July 2024 Quarterly Report as an in-kind contribution received from Committee for Liberty.

13. Committee for Liberty did not report the expenditure identified on its July 2024 Quarterly Report as in-kind contribution made to Respondents.

14. Committee for Liberty did not report the expenditure identified on Ashcroft for Missouri's July 2024 Quarterly Report as an in-kind contribution received from Respondents.

CONCLUSIONS OF LAW

COUNT I

Contribution in Excess of Limits

15. Article VIII, Section 23.3(1) of the Missouri Constitution, states in relevant

part:

the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(a) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, office of state senator, office of state representative or any other state or judicial office, two thousand six hundred dollars.

16. Contribution limits are adjusted every four years by the Missouri Secretary of State based on the United States Bureau of Labor Statistics Consumer Price Index for Kansas City and St. Louis and are implemented through rules promulgated in accordance with Chapter 536. Mo. Const. art. VIII, § 23.3(18).

17. The Missouri Code of State Regulations 15 CSR 30-14.010, states in relevant part:

(1) Notwithstanding Article III, Section 2(c), the campaign contribution limits set forth in Article VIII, Section 23.3, as adjusted pursuant to Article VIII, Section 23.3(18) are as follows:

(A) By any person, other than the candidate, to a candidate running for governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, office of state senator, office of state representative or any other state or judicial office under Article VIII, Section 23.3(1), two thousand eight hundred twenty-five dollars (\$2,825)[.]

18. Section 130.011(12) defines 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[.]

19. Section 130.011(16) defines expenditure as

a 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[.]

20. Pursuant to Section 130.011(19), a contribution in the form other than

money is an in-kind contribution.

21. Where Respondents and Committee for Liberty jointly paid for a the cost of the letter described above which resulted in Respondents receiving something of value from Committee for Liberty that exceeded \$2,825, there is probable cause to believe Respondents violated Missouri Constitution Article VIII, § 23.3(1)(a), giving this Commission power to act, as permitted under § 105.961.

COUNT II

Failure to Report In-kind Contributions

22. Section 130.041.1(8) sets forth the requirements for committees to report receipts for each reporting period on all disclosure reports:

A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution[.]

23. Section 130.041.1(9), RSMo requires committees to report receipts for each reporting period on all disclosure reports, requiring:

A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution[.]

24. Section 130.041.1(3)(d) requires committees to report receipts for the "total value of all in-kind contributions received."

25. Where Respondents made a contribution of something of value to Committee for Liberty and failed to report an in-kind contribution made to Committee for Liberty; and where Respondents received a contribution of something of value from Committee for Liberty and failed to report the in-kind contribution received, there is

probable cause to believe Respondents violated §§ 130.041.1(8), 130.041.1(9), and 130.041.1(3)(d), 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 that: a) Respondents' cost of the letter is something of value given to Committee for Liberty by Respondents; b) Committee for Liberty's cost of the letter is something of value given to Respondents by Committee for Liberty; c) Committee for Liberty's cost of the letter is something of value given to Respondents by Committee for Liberty that exceeded \$2,825, and c) Respondents, by not reporting Ashcroft for Missouri's expenditure as an in-kind contribution to Committee for Liberty, and by not reporting Committee for Liberty's expenditure as an in-kind contribution received from Committee for Liberty, thereby coordinated their efforts to purchase the letter in support of Ashcroft's candidacy and in opposition to his opponents, dividing the total cost of the letter between the two committees in violation of §§ 130.041.1(8), 130.041.1(9), 130.041.1(3)(d), Missouri Constitution Article VIII, § 23.3(a)(a) 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 \$8,781 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$3,558 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.

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 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.

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 JOHN ASHCROFT

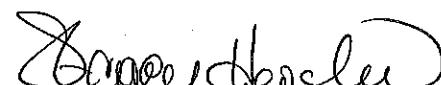

John Ashcroft 2/2/2026
Date

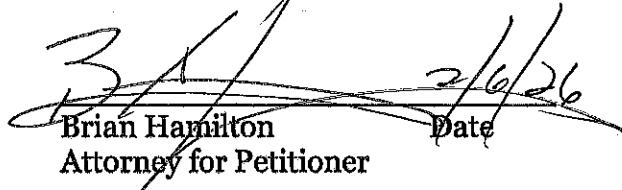
RESPONDENT ASHCROFT FOR
MISSOURI


John Ashcroft 2/2/2026
Date


Matthew B. Vianello 2/2/2026
Attorney for Respondents

MISSOURI ETHICS COMMISSION


Stacey Heislen 2/6/26
Executive Director


Brian Hamilton 2/6/26
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 or the Missouri Constitution, 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 6th day of February 2026,



Jeremy Schneider, Chair
Missouri Ethics Commission