

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**OCT 07 2015**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
JAMEKIA KENDRIX, TREASURER	)	Case No. 14-0002-A
	)	
AND	)	
	)	
KANSAS CITIANS UNITED FOR EDUCATIONAL ACHIEVEMENT (KCU4EA),	)	
	)	
Respondents.	)	

**CONSENT ORDER**

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Jamekia Kendrix and Kansas Citians United for Educational Achievement (KCU4EA) violated Sections 130.021.4(1), 130.021.7, 130.031.4, 130.041.1(2), 130.041.1(7), 130.046.3, 130.046.5(2), 130.041.1(3) 130.041.1(4)(d), 130.046.1(7) and 130.036, RSMo.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

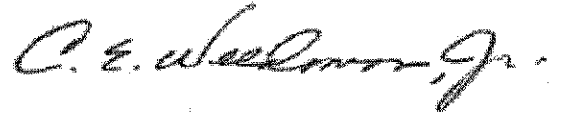
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$5,250 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$525 of that fee within forty-five (45) days after the

date of this 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 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, Respondents Kendrix and Kansas Citizens United for Educational Achievement (KCU4EA) shall be jointly and severally liable for all fees imposed under this order.
4. Respondents Kendrix and Kansas Citizens United for Education Achievement (KCU4EA) shall be jointly and severally liable for all fees imposed under this order, subject to the terms in paragraph 3 above.

SO ORDERED this 7<sup>th</sup> day of October, 2015

By:



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Charles E. Weedman, Jr., Chair  
Missouri Ethics Commission

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MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,            )  
  )  
  Petitioner,    )  
  )  
v.    )  
  )  
JAMEKIA KENDRIX,                        )    Case No. 14-0002-A  
Treasurer                                 )  
  )  
and    )  
  )  
KANSAS CITIANS UNITED FOR            )  
EDUCATIONAL ACHIEVEMENT            )  
(KCU4EA),                                 )  
Political Action Committee             )  
  )  
  Respondents.    )

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, Kendrix and Kansas Citians United for Educational Achievement (KCU4EA), acknowledge that they have received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that 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; the right to have all allegations against Respondents be 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 provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

### I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

#### **JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 139, RSMo.
2. Respondent Kansas Citizens United for Educational Achievement (KCU4EA) is a continuing committee which has been registered with the Commission since March, 2010.
3. Respondent Kendrix is the treasurer of the committee and was treasurer during all relevant times of this complaint.
4. Pursuant to Sections 105.959 and 105.961, RSMo, the Commission's staff investigated the reports and statements filed with the Commission and reported the investigation findings to the Commission.

5. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

### COUNT I

#### *Failure to maintain an official fund depository and failure to timely report changes in the official fund depository*

6. Respondent's committee account at Central Bank, account number ending \*1057, was closed in March 2013.

7. Respondents opened a new account with Arvest Bank, account number ending \*7211, in April 2014.

8. Between March 2013 and April 2014, Respondents did not have an official depository account.

9. After March 2013, Respondents did not file a statement of committee termination.

10. Respondents did not timely file an amended statement of committee organization reporting changes in the committee's official fund depository account until November 21, 2014, approximately seven months after they opened account at Arvest Bank.

### COUNT II

#### *Failure to accurately report money on hand and failure to timely file reports*

11. Respondents failed to accurately report money on hand on four disclosure reports filed in 2012. Specifically, on the amended 24 hour expenditure report filed for March 22 through March 29, 2012, Respondents reported \$2,740 in contributions compared to only \$2,390 in contributions actually deposited into Respondents' official depository account, and Respondents reported \$2,107 in expenditures, compared to \$3,334.44 in expenditures actually made from Respondents' official depository account. Similarly, on the amended 30 Day After

report filed for April 1 through April 28, 2012, Respondents reported \$1,234.44 in expenditures compared to \$1,112 in expenditures actually made from Respondents' official depository account.

12. Respondents failed to timely file the following disclosure reports:

<b>Report</b>	<b>Due Date</b>	<b>Date Filed</b>	<b>Days Late</b>
30 Day After General Election 2012	05/03/2012	05/07/2012	4
2013 October Quarterly	10/15/2013	10/22/2013	7
2014 April Quarterly	04/15/2014	04/16/2014	1
2014 October Quarterly	10/15/2014	10/16/2014	1

**COUNT III**

*Violation of Missouri law prohibiting the acceptance of anonymous contributions in excess of allowable limits*

13. Respondents reported a \$60 contribution with contributor "anonymous" on a 24 Hour Expenditure report filed in March 2012.

**COUNT IV**

*Failure to timely and accurately report contributions*

14. Respondents failed to report a contribution of \$250 on the 24 Hour Expenditure report that was filed March 29, 2012:

<b>Contributor</b>	<b>Date</b>	<b>Amount</b>
Lyn Knox	03/27/2012	\$250

15. Respondents reported the following contributions with inaccurate or missing information:

<b>Contributor</b>	<b>Date</b>	<b>Amount</b>	<b>Inaccurate/Missing Info</b>
Citizens for Mike Talboy	03/29/2012	\$500	Reported as contribution from individual, not individual's candidate committee
Michale Casserly	03/22/2012	\$1,000	Missing employer info. Field says merely "CEO"

<b>Contributor</b>	<b>Date</b>	<b>Amount</b>	<b>Inaccurate/Missing Info</b>
Jeffrey Oddo	03/26/2012	\$600	Missing employer info. Field says merely "President"

**COUNT V**

*Failure to accurately report expenditures and failure to file direct expenditure report*

16. Respondents failed to report five expenditures totaling \$91.75.
17. On April 2, 2012 Respondents filed a 24 Hour Expenditure report that listed two expenditures for mailers, one to Almar Printing for \$1,000 and another one to Zoom Print for \$112.
18. On April 25, 2014, Respondents filed an amended 24 Hour Expenditure report with another expenditure to Almar Printing for sample ballots for \$1,234.44.
19. Respondents did not report the candidate(s) or ballot measure(s) supported or opposed by the three expenditures for mailers and sample ballots.

**COUNT VI**

*Failure to maintain committee records*

20. In response to the Ethics Commission request and subpoena, Respondents failed to provide all committee records that were necessary to document and support the campaign finance reports filed by the committee.

## JOINT PROPOSED CONCLUSIONS OF LAW

### COUNT I

#### *Failure to maintain an official fund depository and failure to timely report changes in the official fund depository*

21. Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name....All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account . . . ." § 130.021.4(1), RSMo.

22. Section 130.021.7, RSMo specifies that every committee shall file an amended statement of organization within twenty days after a change has occurred in information previously reported.

23. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Sections 130.041.1(2), 130.041.1(7), 130.046.3 and 130.046.5(2), RSMo, by failing to accurately report money on hand on four different reports and failing to timely file four disclosure reports, and that Respondents did so knowingly.

24. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Sections 130.021.4(1) and 130.021.7, RSMo, by failing to maintain an official fund depository, by failing to timely file a statement of committee termination after the committee's account was closed in March 2013, by failing to timely report a change in the committee's



official fund depository after the committee opened a new account in April 2014, and that Respondents did so knowingly.

## COUNT II

### *Failure to accurately report money on hand and failure to timely file reports*

25. §130.041.1(2), RSMo, required Respondents to report the amount of money on hand, including cash on hand at the beginning of each reporting period.

26. Respondents were required to file campaign finance disclosure reports that set forth 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.” § 130.041.1(7), RSMo.

27. “Each report by such committee shall be cumulative from the date of the last report.” §130.046.3, RSMo,

28. Section 130.046.5(2), RSMo, provides:

Notwithstanding any other provisions of this chapter to the contrary:

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditures aggregating more than five hundred dollars and has not received contributions aggregating more than three hundred dollars from any single contributor and if the committee's treasurer files a statement with the appropriate officer that the committee has

not exceeded the identified thresholds in the reporting period. Any contributions received or expenditures made which are not reported because this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. This statement shall not be filed in lieu of the report for two or more consecutive disclosure periods if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars . . . .

29. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Sections 130.041.1(2), 130.041.1(7), 130.046.3 and 130.046.5(2), RSMo, by failing to accurately report money on hand on four different reports and failing to timely file four disclosure reports, and that Respondents did so knowingly.

### COUNT III

*Violation of Missouri law prohibiting the acceptance of anonymous contributions in excess of allowable limits*

30. “No anonymous contribution of more than twenty-five dollars shall be made by any person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any candidate or committee.” §130.031.4, RSMo.

31. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Section 130.031.4, RSMo, by accepting and reporting an anonymous contribution that exceeded the allowable limits, and that Respondents did so knowingly.

32. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Sections 130.041.1(2), 130.041.1(7), 130.046.3 and 130.046.5(2), RSMo, by failing to

accurately report money on hand on four different reports, failing to file direct expenditure reports for three expenditures and failing to timely file four disclosure reports, and that Respondents did so knowingly.

**COUNT IV**

*Failure to timely and accurately report contributions*

33. Respondents were required to file campaign finance disclosure reports that set forth receipts for the period, including the:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

...

(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;

§ 130.041.1(3), RSMo.

34. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Section 130.041.1(3), RSMo, by failing to report a \$250 contribution and failed to accurately report three contributions, and that Respondents did so knowingly.

#### COUNT V

##### *Failure to accurately report expenditures*

35. Respondents were required to file campaign finance disclosure reports that set forth expenditures for the period, including the:

The full name and mailing address of each person to whom an expenditures 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. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign works by name, address, date, amount and purposed of each payment and the aggregate amount paid to each such worker;

§130.041.1(4)(d), RSMo.

36. Respondents were required to file campaign finance disclosure reports that set forth

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.

§ 130.041.1(7), RSMo.

37. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Sections 130.041.1(4)(d) and 130.046.1(7), RSMo, by failing to report five expenditures totaling \$91.75, and by and that Respondents did so knowingly.

#### COUNT VI

##### *Failure to maintain committee records*

38. A candidate shall maintain records of each contribution and expenditure made for three years after the date of the report to which the records pertain. §130.036, RSMo.

39. “The records shall include name, address and amount pertaining to each contribution received or expenditure made and any bills, receipts, cancelled checks or other documents relating to each transaction.” § 130.036.7 and 8, RSMo.

40. “Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give

testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry.” § 105.961.8(4), RSMo.

41. There is probable cause to believe that Respondents KCU4EA and Kendrix violated Section 130.036, RSMo, by failing to provide complete and accurate committee records, and that Respondents did so knowingly.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$5,250, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$525 of that fee within forty-five days after the date of the 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.

c. Regardless of the stay in paragraph 2.b above, if 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, Respondents Kendrix and Kansas Citizens United for Education Achievement (KCU4EA) shall be jointly and severally liable for all fees imposed under this order..

d. Respondents Kendrix and Kansas Citians United for Educational Achievement (KCU4EA) shall be jointly and severally liable for all fees imposed under this order, subject to the terms in subparagraph c above.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

SO AGREED:

RESPONDENT JAMEKIA KENDRIX

PETITIONER MISSOURI ETHICS  
COMMISSION

By: *Jkendrix* 08/27/16  
Jamekia Kendrix Date

By: *James Klahr* 10/7/15  
James Klahr Date  
Executive Director

RESPONDENT KANSAS CITIANS UNITED  
FOR EDUCATIONAL ACHIEVEMENT  
(KCU4EA)

By: *Curtis Stokes* 10/7/15  
Curtis R. Stokes Date  
Attorney for Petitioner

By: *Jkendrix* 08/27/15  
Jamekia Kendrix, Treasurer Date  
Kansas Citians United for Educational  
Achievement (KCU4EA)