

Filed
NOV 19 2015
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	
BRAD THOMAS,)	Case No. 15-0026-I, 15-0032-I, 15-0033-I
)	
)	
Respondent.)	

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondent Thomas violated Section 130.031.8, RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
 - a. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Thomas in the amount of \$100 pursuant to Section 105.961.4(6), RSMo.

SO ORDERED this 19th day of November, 2015

By:



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

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**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
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 Petitioner,)
)
 v.) Case No. 15-0026-I, 15-0032-I, 15-0033-I
)
 BRAD THOMAS,)
)
 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 Respondent, Brad Thomas, acknowledges that he has 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 Respondent further acknowledge that 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; the right to have all allegations against Respondent be 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 provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters 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 agrees to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondent 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

41. 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 130, RSMo.

42. Selena Amerson was a successful candidate for School Board for the Ritenour School District in the April 7, 2015, election.

43. The Ritenour School District is a public school district located in St. Louis County, Missouri.

44. Respondent Thomas is an incumbent member of the School Board for the Ritenour School District, and has been so for approximately fourteen years.

45. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated three complaints and reported the investigation findings to the Commission.

46. 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.

"Paid for by" disclosure

47. Respondent Thomas published, circulated, and/or distributed approximately 100 yard signs, a true and accurate copy of which attached hereto as Exhibit B, which read "Committee to Elect Amerson," and later altered with a sticker to read "Committee to Elect Amerson, Brad Thomas, Treasurer."

48. At the time the yard signs were purchased, Ms. Amerson had no candidate committee registered with the St. Louis County Board of Elections, and there was no committee with the name "Committee to Elect Amerson" registered with the St. Louis County Board of Elections.

JOINT PROPOSED CONCLUSIONS OF LAW

"Paid for by" disclosure

49. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office ... shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

50. Printed matter includes "any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material." § 130.031.8, RSMo.

51. "In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for." § 130.031.8(2), RSMo.

52. "In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses...." § 130.031.8(4), RSMo.

53. There is probable cause to believe that Respondent Thomas violated Section 130.031.8, RSMo, by publishing, circulating, and distributing yard signs relating to Ms. Amerson's candidacy in the April 7, 2015 election for School Director for the Ritenour School District with an incorrect "paid for by" disclosure statement, and that Respondent Thomas knew the "paid for by" disclosure statement was not correct.

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:

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

6. The Commission shall issue its Consent Order in the form attached hereto as Exhibit C.

a. Respondent 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 Respondent Thomas in the amount of \$100, pursuant to Section 105.961.4(6), RSMo.

7. 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.

8. Respondent, together with his heirs, successors, and assigns, does 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 Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

SO AGREED:

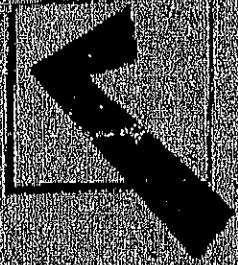
RESPONDENT BRAD THOMAS

PETITIONER MISSOURI ETHICS
COMMISSION

By: Brad Thomas 11/13/15
Brad Thomas Date

By: James Klahr 11/12/15
James Klahr Date
Executive Director

By: Curtis R. Stokes 11/18/15
Curtis R. Stokes Date
Attorney for Petitioner



ELECT

selena

AMERSON

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EXHIBIT

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