

COPY

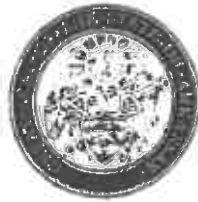
ARKANSAS ETHICS COMMISSION

Alice Eastwood
Chairman

Lori Klein
Vice Chairman

Scott Irby
Denese Fletcher
Wendy L. Johnson
Commissioners

Post Office Box 1917
Little Rock, Arkansas 72203-1917
(501) 324-9600 Fax (501) 324-9606
Toll Free (800) 422-7773



Graham F. Sloan
Director

Jill Rogers Barham
Drew Blankenship
Josh Hardin
Elaine Frigon
Staff Attorneys

Dona Bowry
Julie Bauser
Jennifer Mooney
Directors of Compliance

July 13, 2021

Mr. Ronnie Jackson
900 Apperson Street
Little Rock, Arkansas 72202

Re: Case No. 2021-CO-003

Dear Mr. Jackson:

On April 7, 2021, the Ethics Commission mailed you a letter containing a copy of the citizen complaint filed against you in the above-referenced case. That complaint was brought against you in your capacity as a candidate for Little Rock City Board of Directors during the 2018 election cycle.

Briefly restated, the essential allegations of the complaint were as follows:

1. You filed a Campaign Contribution and Expenditure ("C&E") report on October 30, 2018, that listed a \$500.00 contribution from a business Carson & Associates.
2. You filed an amended C&E report on November 5, 2020, that still reflected the illegal contribution from the business Carson & Associates.
3. You failed to file a final C&E report at the end of the campaign.

On May 21, 2021, the Ethics Commission mailed you a letter informing you that the Commission decided that the affirmative defense provision provided in Ark. Code Ann. § 7-6-229 was applicable in this case and had been successfully met with respect to allegation numbers 1 and 2. Further, the commission had instructed staff to go forward with the investigation of allegation number 3.

Please be advised that the Ethics Commission is in receipt of the written Offer of Settlement which you signed and returned to us. Pursuant to the terms of that offer, you have been issued a Public Letter of Caution. We are enclosing a copy of the public letter.

In accordance with Ark. Code Ann. § 7-6-218(b)(1)(C), this letter serves as notice of the Commission's final action together with the reasons for such action. In that regard, we note that the final action concerning this matter was the issuance of a Public Letter of Caution.

The foregoing action was taken as a result of your signing a written Offer of Settlement pursuant to which it was agreed that the Commission make a finding that you unintentionally violated Ark. Code Ann. § 7-6-208(a)(2) in your capacity as a candidate for Little Rock City Board of Directors during the 2018 election cycle by failing to timely file a final C&E report. It is noted that you filed your final C&E report on June 17, 2021.

This letter is a public document and a copy is being sent to the complainant, Russ Racop, to notify him of the outcome of these proceedings.

If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Graham F. Sloan". The signature is written in a cursive style with a large initial "G".

Graham F. Sloan
Director

Enclosures

cc: Mr. Russ Racop (w/encls.)

ARKANSAS ETHICS COMMISSION

Alice Eastwood
Chairman

Lori Klein
Vice Chairman

Scott Irby
Denese Fletcher
Wendy L. Johnson
Commissioners

Post Office Box 1917
Little Rock, Arkansas 72203-1917
(501) 324-9600 Fax (501) 324-9606
Toll Free (800) 422-7773



Graham F. Sloan
Director

Jill Rogers Berham
Drew Blankenship
Josh Hardin
Elaine Frigon
Staff Attorneys

Dona Bowry
Julie Bauser
Jennifer Mooney
Directors of Compliance

July 14, 2021

Ms. Joan Adcock
6808 Mabelvale Pike
Little Rock, AR 72209

COPY

Re: Case No. 2021-CO-004

Dear Ms. Adcock:

On April 8, 2021, the Ethics Commission mailed you a certified letter containing a copy of the complaint filed against you in the above-referenced case. The complaint was brought against you in your capacity as a candidate for Little Rock City Board of Directors during the 2020 election cycle.

Briefly restated, the essential allegations of the complaint were as follows:

1. On October 27, 2020, you filed a Campaign Contribution and Expenditure ("C&E") report which reflected acceptance of an impermissible campaign contribution in the amount of \$500.00 from "David Parker Trust" on July 31, 2020.
2. On the C&E report you filed on October 27, 2020, you listed that you loaned your campaign \$5,000.00 and documented \$40,500.00 in contributions. However, on page 1, line #7 of the October 27th C&E report, you listed that monetary contributions totaled \$46,980.00 for the reporting period, which constituted a \$6,480.00 difference.
3. The same report had \$10,000.00 missing from the balance of campaign funds at the end of the reporting period (June 1, 2020 through October 27, 2020).
4. Shortly after this C&E report was filed, the complainant made a phone call to Ronnie Jackson, the individual listed as your campaign chairperson/treasurer and apprised Mr. Jackson of the impermissible contribution.

5. You never filed an amended C&E report or listed on any subsequent filings that any funds had been returned to the impermissible contributor.
6. Additionally, there were no amended C&E reports filed to correct the unaccounted-for contributions or discrepancy in the balance of campaign funds on hand on October 27, 2020.
7. On December 3, 2020, you filed two additional C&E reports. One report, marked final report, listed that the balance of campaign funds was \$2,132.97. However, you failed to indicate how surplus funds were disposed or if they were being carried over.
8. The other report, also marked final report, indicated that you had carryover funds in the amount of \$2,032.97 with a note at the bottom of the page that stated "holding onto \$100.00 to replace a lost check. If found will then donate it to the Animal Village." Also, there was a photocopy of a cashier's check in the amount of \$2,032.97 made payable to the Little Rock Animal Village attached to the report.
9. You did not file amended or supplemental C&E reports to reflect the disposition of the \$100.00 you claimed you were holding for a "lost check".
10. On the October 27th report, you also listed that the balance of campaign funds at the close of the reporting period was \$8,026.47 (line #9, page 1). This amount is questionable as according to what you had listed in that C&E report, loans and contributions totaled \$45,500.00 and expenditures totaled \$33,953.53. Based on those amounts, the balance of funds on hand should have been \$11,546.47 not \$8,026.47.

In that letter, you were notified that an investigation was being commenced as follows:

- a. With respect to allegation numbers 1, 4, and 5 above, the focus of the investigation would be whether or not you violated Ark. Code Ann. § 7-6-203(a)(1) in your capacity as a candidate for Little Rock City Board of Directors during the 2020 election cycle by accepting a campaign contribution from a type of entity not found on the list of permissible contributors.
- b. With respect to allegation numbers 2, 3, 6, 7, 8, 9, and 10 above, the focus of the investigation would be whether or not you violated Ark. Code Ann. § 7-6-208(b) in your capacity as a candidate for Little Rock City Board of Directors during the 2020 election cycle by failing to correctly report on your preelection C&E report the amount of contributions received and expenditures made during the filing period from June 1, 2020, through October 27, 2020, by failing to dispose of all surplus funds and indicate on your final C&E report which option was used to dispose of such funds, and by failing to correctly report on your final C&E report the amount of contributions received and

expenditures made during the filing period from October 28, 2020, through December 31, 2020.

You were also notified that, with respect to an unintentional error in a C&E Report, Act 1280 of 2015 established Ark. Code Ann. § 7-6-229, which sets forth the following affirmative defense provision:

(a) It is an affirmative defense to prosecution or disciplinary action if a person required to file a report under this subchapter amends the report within thirty (30) days of discovering or learning of an unintentional error in the report.

(b)(1) The Arkansas Ethics Commission shall not proceed with an investigation of an alleged error in a report filed under this subchapter if the commission determines that a person would be eligible to raise the affirmative defense under subsection (a) of this section.

(2) If the commission does not proceed with an investigation of an alleged error in a report under subdivision (b)(1) of this section, the person shall not be considered to have committed a violation of the applicable statute.

(c) This section shall not be construed to:

(1) Remove the duty to file a report under this subchapter; or

(2) Authorize a person to knowingly fail to file a report under this subchapter.

You were further notified that it been determined that the foregoing affirmative defense provision was potentially applicable to allegation numbers 2, 3, 6, 7, 8, 9, and 10 of the complaint, and that when this matter comes before the Ethics Commission, violations concerning Ark. Code Ann. § 7-6-208(b) regarding alleged errors in your C&E reports filed during the 2020 election cycle and any amendments to such reports you may have filed within thirty (30) days of discovering or learning of the alleged violation(s) would be considered for a determination of whether or not the alleged errors in the C&E reports were unintentional and whether or not the filing of any amendments occurred within the required 30-day time period. You were notified via letter dated June 10, 2021, that your case would be on the agenda for the meeting scheduled for June 18, 2021.

At the June 18th meeting, you presented evidence with respect to whether or not the alleged errors in the reports were unintentional and whether or not the filing of any amendments occurred within the required 30-day time period. The Commission concluded that the affirmative defense provision provided in Ark. Code Ann. § 7-6-229 had been met with respect to the alleged violations of Ark. Code Ann. § 7-6-208(b) in your capacity as a candidate for Little Rock City Board of Directors during the 2020 election cycle by failing to correctly report on your preelection C&E report the amount of contributions received and expenditures made during the filing period from June 1, 2020, through October 27, 2020, by failing to dispose of all surplus funds and indicate on your final C&E report which option was used to dispose of such funds, and by failing to correctly

Ms. Joan Adcock

Page 4

report on your final C&E report the amount of contributions received and expenditures made during the filing period from October 28, 2020, through December 31, 2020. You presented evidence that the conduct identified represented unintentional errors in reports and that you corrected your reports within thirty (30) days discovering or learning of the errors. Accordingly, the Commission decided, by a vote of 4-0 with Commissioner Klein not present, that no further action investigation shall take place with respect to those particular allegations and you shall not be considered to have committed a violation of the applicable statute.

Please be advised that the Ethics Commission is in receipt of the Consent Order which you signed and returned to us. A file stamped copy is being returned for your records.

In accordance with Ark. Code Ann. § 7-6-218(b)(1)(C), this letter serves as notice of the Commission's final action together with the reasons for such action. In that regard, we note that the final action concerning this matter was the issuance of a Public Letter of Caution. A copy of the public letter is also enclosed.

The foregoing action was taken as a result of your signing a Consent Order, pursuant to which it was agreed that the Commission make a finding that you violated Ark. Code Ann. § 7-6-203(a)(1) in your capacity as a candidate for Little Rock City Board of Directors during the 2020 election cycle by accepting a campaign contribution from a type of entity not found on the list of permissible contributors. It should be noted that you have since returned the contribution in question to the David Parker Trust and filed an amended C&E report disclosing the returned contribution.

This letter is a public document. A copy is being sent to the complainant, Russ Racop, to notify him of the outcome of the proceedings. If you should have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,



Graham F. Sloan
Director

cc: Russ Racop

Enclosures