

## IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

In re the Matter of: Karin Derry, Complainant And Concerning: Eddie Andrews, in the Capacity as Candidate for Eddie Andrews for Iowa, Respondent	FC 2022-14  Order Vacating Civil Penalty
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THIS MATTER comes before the Iowa Ethics and Campaign Disclosure Board this 6<sup>th</sup> day of April, 2023, to consider vacating a civil penalty.

On November 3, 2022, the Board issued an order reprimanding Respondent and ordering a civil penalty of \$500. At the time, evidence had been presented that Respondent violated Iowa Code section 68A.405 by failing to include attribution statements on campaign materials, specifically campaign signs.

No information or evidence had been presented by Respondent refuting the claims made by the Complainant or indicating that the signs at issue were exempt from the attribution statement requirement. Additionally, shortly before the Board's November 3, 2022, meeting, Respondent's campaign representative communicated with Board staff acknowledging non-compliant campaign signs and worked to add attribution statements to the signs to bring them into compliance.

Following the Board's order, Respondent retained counsel for the matter. On November 22, 2022, Board staff received a letter from Respondent's counsel requesting an appeal along with information showing the signs as exempt from the attribution statement requirement in Iowa Code section 68A.405.

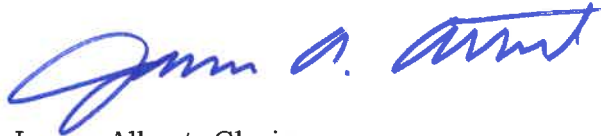
Iowa Code section 68A.406(3) exempts campaign signs with dimensions less than thirty-two square feet from the attribution statement requirement. Based on information provided by Respondent's counsel, the campaign signs at issue are exempt from the attribution statement requirement in Iowa Code section 68A.405.

For the aforementioned reasons, we find the Eddie Andrews for Iowa committee did not violate Iowa Code section 68A.405 by failing to disclose required information on campaign signs.

It is important to note the ability of the Board to investigate and correctly rule on an issue is hindered when any side does not cooperate to provide the Board with complete and accurate information necessary to make a ruling. In this matter, the complete and accurate information surrounding the campaign signs at issue was not provided until an appeal was requested and Respondent's counsel provided the information.

IT IS SO ORDERED: The civil penalty of \$500 issued by the Board in this matter on November 3, 2022, is hereby vacated. The reprimand issued on November 3, 2022, against Eddie Andrews, in his capacity as Candidate for Eddie Andrews for Iowa, is not vacated for failure to cooperate with the Board's investigation. Furthermore, FC 2022-14 is dismissed.

BY DIRECTION AND VOTE OF THE BOARD:



James Albert, Chair  
Elaine Olson, Vice Chair  
Jonathan Roos  
Mary Rueter  
Daniel Jessop  
Leah Rodenberg

SUBMITTED BY:

Zachary S. Goodrich, Executive Director and Legal Counsel

CERTIFICATE OF MAILING

This document was sent by electronic mail on this 11<sup>th</sup> day of April, 2023, to:

Karin Derry, Complainant  
Bill Gustoff, Counsel for Respondent