

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 Reprimanding and Issuing Civil Penalty
---	---

THIS MATTER comes before the Iowa Ethics and Campaign Disclosure Board this 3rd day of November, 2022, to consider a reprimand and the issuance of a civil penalty.

For the following reasons, the Board hereby reprimands Eddie Andrews, in the capacity as Candidate for Eddie Andrews for Iowa, and orders him to pay a civil penalty in the amount of \$500.

On June 3, 2022, Karin Derry filed FC 2022-14 alleging that Eddie Andrews violated Iowa Code chapter 68A beginning in June 2022. Complainant alleges that Respondent failed to include attribution statements on large campaign signs (colloquially known as barn signs¹) as required by Iowa Code section 68A.405.² Complainant provided photographic evidence showing barn signs with no visible attribution statement.

In response to the Complainant's allegations and evidence, Board staff first contacted Respondent for photographic evidence of compliance with the law on June 20, 2022.³ Following an additional attempt by Board staff to contact Respondent in late June 2022, Respondent indicated that photographic evidence would be provided. No such evidence of compliance was received before the September 22, 2022, Board meeting. On September 22, 2022, the Board voted to accept the complaint and authorized an investigation into the allegations. Also on September 22, 2022, Respondent provided photographic evidence proving that his campaign signs were in violation of the law by including an inaccurate attribution statement.⁴

Board staff contacted Respondent on October 28, 2022, asking for an update regarding the status of attribution statements on the barn signs at issue and for probative photographic evidence.⁵ No response was received from Respondent. Board staff again contacted Respondent on October 31, 2022, asking for the same.⁶ Again, no response was received from Respondent.

¹ Large campaign signs, i.e. barn signs, measure four feet by eight feet, or thirty-two square feet.

² Iowa Code section 68A.405 requires that any published material, including campaign signs, designed to expressly advocate the nomination/election of a candidate for public office shall include an attribution statement disclosing who is responsible for the published material.

³ See Attachment A.

⁴ See Attachment B.

⁵ See Attachment C.

⁶ See Attachment D.

On October 31, 2022, Board staff communicated with a member of the public regarding an unrelated matter. During the conversation, the member of the public identified themselves as a volunteer with Respondent's campaign and offered to assist in providing photographic evidence for this matter. On November 1, 2022, the volunteer provided Board staff with photographic evidence showing that proper attribution statements had been added to the barn signs at issue.⁷ The volunteer confirmed that all barn signs now have the requisite attribution statement.⁸


From the first time Board staff contacted Respondent on June 20, 2022, until the volunteer provided photographic evidence on November 1, 2022, the burden of proof was on the Respondent to prove to the Board that he was in compliance with Iowa law concerning his barn signs. Yet, for nearly five months, Respondent ignored the Board's requests for proof that his campaign had followed the law. In this matter, the public has been deprived of information from Respondent that Iowa law requires.

For the aforementioned reasons, we find probable cause to believe the Eddie Andrews for Iowa committee violated Iowa Code section 68A.405 and Iowa Administrative Code rule 4.38 by failing to include the required attribution statement on certain campaign signs.

Pursuant to Iowa Administrative Code rule 351-9.4(2), the Board elects to handle this matter by administrative resolution rather than through a contested case proceeding.

IT IS SO ORDERED: In his capacity as Candidate for the Eddie Andrews for Iowa committee, Eddie Andrews is hereby reprimanded and ordered to pay a civil penalty of \$500. Upon payment of the penalty, FC 2022-14 is dismissed as administratively resolved pursuant to Iowa Administrative Code rule 9.4(2).

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

⁷ See Attachment E, which also includes photos provided by the Complainant.

⁸ See Attachment F.

CERTIFICATE OF MAILING

This document was sent by electronic mail on this 4th day of November, 2022, to:

Karin Derry, Complainant
Eddie Andrews, Respondent



Goodrich, Zach <zachary.goodrich@iowa.gov>

Attribution Statements

Goodrich, Zach <zachary.goodrich@iowa.gov>
To: win@eddie4iowa.com

Mon, Jun 20, 2022 at 2:08 PM

Good afternoon -

Our office received a complaint regarding a potential violation of Iowa Code section 68A.405 which requires an attribution statement on campaign signs.

The complainant raised the issue specifically about three large campaign signs at the following addresses in Johnston:

- 6654 NW Beaver Drive
- West side of 86th Street south of Windsor Parkway
- West side of Merle Hay Road south of 66th Avenue

Based on the evidence provided, it appears that those signs should have attribution statements indicating who paid for them.

Please either add attribution statements to the signs, remove them, or respond to let us know why they are not in violation of 68A.405.

If you have any questions, please contact our office.

Sincerely,

Zach Goodrich
Executive Director and Legal Counsel
Iowa Ethics and Campaign Disclosure Board
(515) 725-3500 • ethics.iowa.gov

ATTACHMENT A



ATTACHMENT B

Goodrich, Zach <zachary.goodrich@iowa.gov>

Attribution Statements

Eddie Andrews <eddie@eddie4iowa.com>

To: "Goodrich, Zach" <zachary.goodrich@iowa.gov>

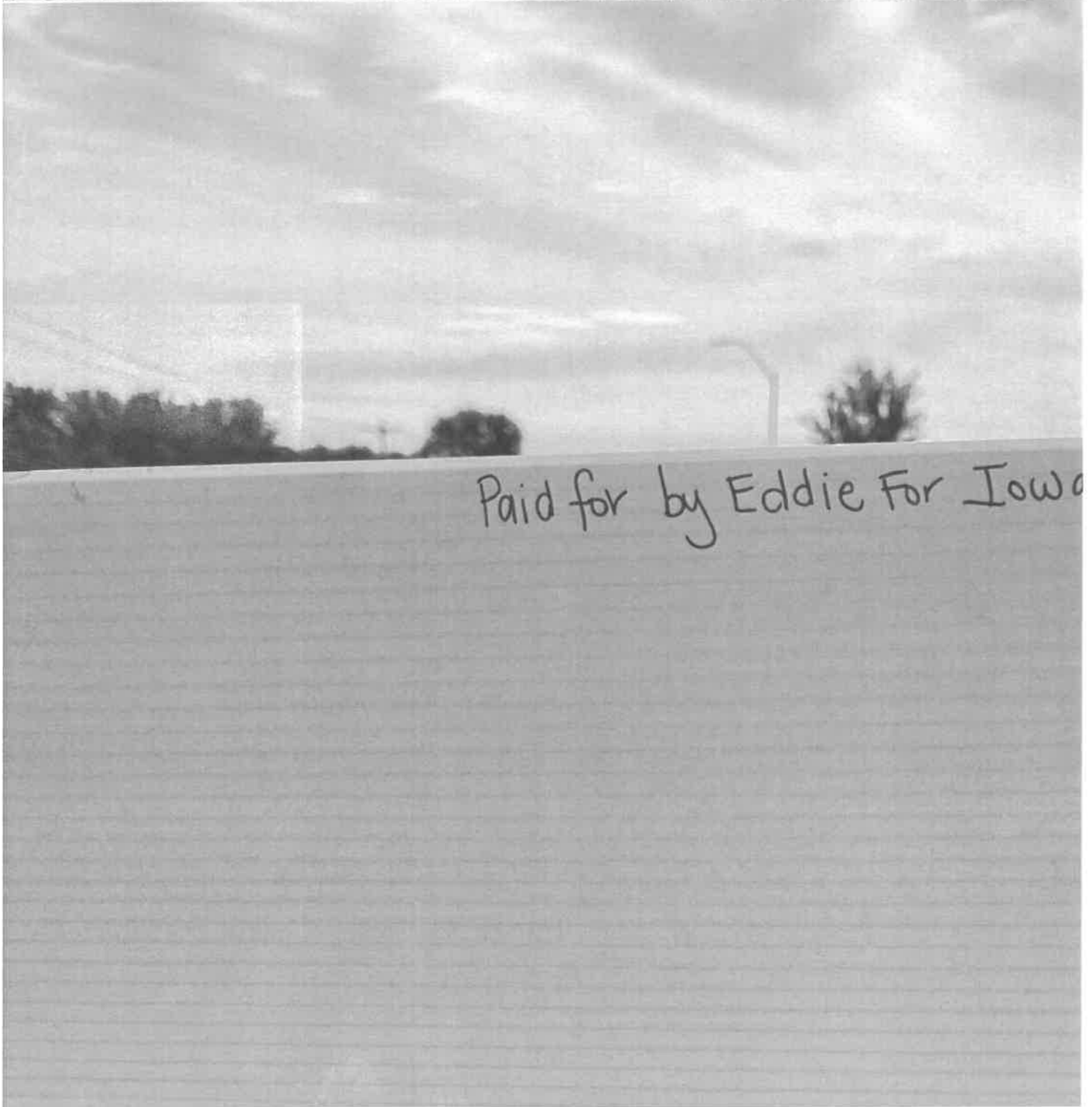
Good afternoon.

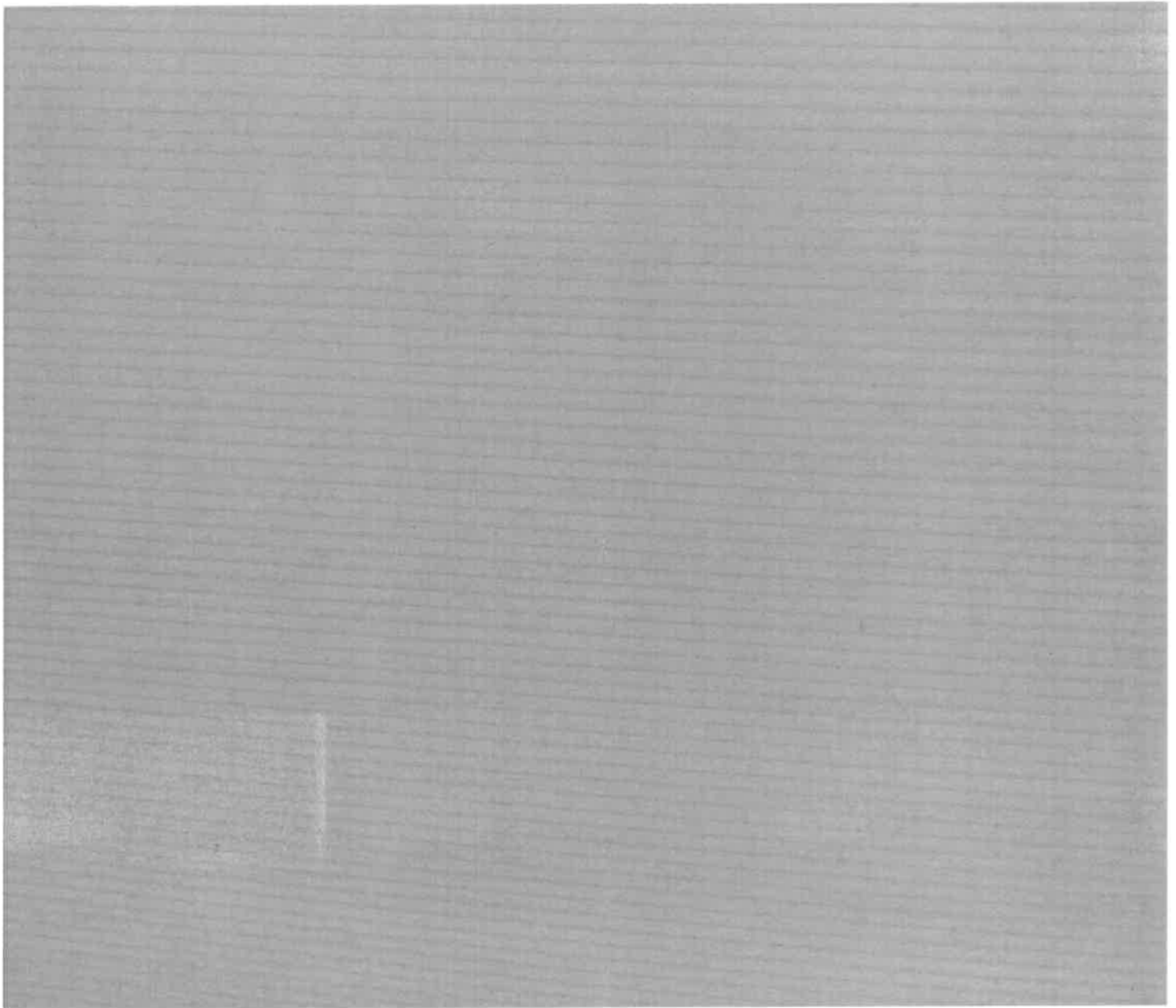
It's possible that an email went to spam but to my knowledge I was not informed by the board of today's meeting and found out at the last minute. The attributions have already been placed o

Here's an example from earlier for one of the addresses in question. The others have similar attribution unless they've been taken down or removed by those with impure interests.

It's interesting how those people use your office, whether valid or not, for political gain. I urge you to dismiss this nonsensical complaint.







Thank you.

Eddie Andrews
State Representative, Iowa House
Johnston, Urbandale, Saylorville, Saylor and Crocker Townships, Grimes
515-800-IOWA (4692)
eddie@eddie4iowa.com

Sign up for my newsletter and stay connected <http://eepurl.com/hn5roj>

On Jun 20, 2022, at 2:09 PM, Goodrich, Zach <zachary.goodrich@iowa.gov> wrote:

[Quoted text hidden]



ATTACHMENT C

Goodrich, Zach <zachary.goodrich@iowa.gov>

Sign Update

Goodrich, Zach <zachary.goodrich@iowa.gov>
To: eddie@eddie4iowa.com

Fri, Oct 28, 2022 at 1:18 PM

Good afternoon -

Please confirm whether your campaign signs have had the requisite attribution statements added to them. If there is any additional evidence you have beyond the photos sent on 9/22, please send those as well.

I am waiting to hear back from Board members regarding a meeting next week, but I anticipate that we will have a meeting to adjudicate this matter as our Board Chair would like for this complaint to be resolved before November 8th.

Right now, it's looking like the meeting will be next Thursday, November 3rd, but I will let you know for sure once we get a date/time confirmed.

In the meantime, let me know if you have any questions. I am out of the office this afternoon but will be checking my email through the weekend.

Sincerely,

Zach Goodrich
Executive Director and Legal Counsel
Iowa Ethics and Campaign Disclosure Board
(515) 725-3500 • ethics.iowa.gov

*ATTACHMENT D*

Goodrich, Zach <zachary.goodrich@iowa.gov>

Sign Update

Goodrich, Zach <zachary.goodrich@iowa.gov>
To: eddie@eddie4iowa.com, win@eddie4iowa.com

Mon, Oct 31, 2022 at 1:53 PM

Good afternoon -

We have scheduled our Board meeting for this Thursday, November 3rd at 3pm. We will be using Zoom and once our Secretary has the agenda and Zoom event created I will forward that information so you can participate.

If you have any additional information to provide before I conclude our investigation (beyond the two photos sent on 9/22), I will need that information no later than 12:00 pm tomorrow, November 1st. If you would like to provide any kind of written statement to the Board ahead of the meeting, I will need that by noon tomorrow as well.

As always, let me know if you have any questions.

Sincerely,

Zach Goodrich
Executive Director and Legal Counsel
Iowa Ethics and Campaign Disclosure Board
(515) 725-3500 • ethics.iowa.gov

[Quoted text hidden]

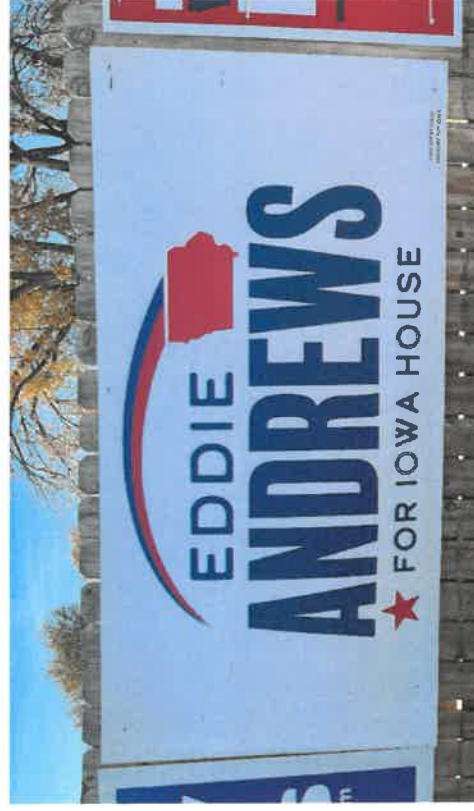
ATTACHMENT 3 E

1) 6654 NW Beaver Drive

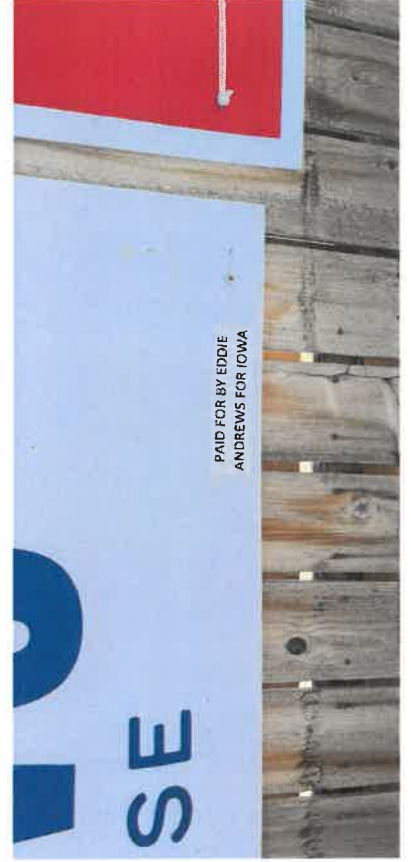
As of 7/7/2022



As of 11/1/2022



Zoomed in:



2) West side of 86th Street

No picture provided by Complainant.

As of 11/1/22:



Zoomed in:



3) West side of Merle Hay Road

As of 9/1/22:



As of 11/1/22:



Zoomed in:





Goodrich, Zach <zachary.goodrich@iowa.gov>

Sign Update*Volunteer's email
redacted § 22.7(18)***Melissa Collins**

Tue, Nov 1, 2022 at 2:39 PM

To: "Goodrich, Zach" <zachary.goodrich@iowa.gov>, Eddie Andrews <Eddie@eddie4iowa.com>

Hello there -

I retook photos again today of the barn signs and sent them to you in 3 separate emails. I corrected the 2 that omitted the word Andrews. All barn signs have attributions on them. Please let me know if you need anything further.

~ Missy Collins

Eddie Andrews Volunteer

[Quoted text hidden]

ATTACHMENT B F
Email from Andrews campaign volunteer
confirming corrections