

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION**

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|--|---|-----------------|
| Board of Ethics | : | |
| of the City of Philadelphia | : | |
| 1515 Arch Street, 18 th Floor | : | |
| Philadelphia, PA 19102 | : | |
| | : | June 2017 Term |
| v. | : | |
| | : | |
| Citizens Organizing | : | Case No. 000475 |
| Pennsylvania's Security PAC, | : | |
| AKA C.O.P.S. PAC | : | |
| 1209 Tribbit Ave. | : | |
| Sharon Hill, PA 19079 | : | |
| | : | |
| Kevin Price | : | |
| Treasurer, Citizens Organizing | : | |
| Pennsylvania's Security PAC, | : | |
| AKA C.O.P.S. PAC | : | |
| 419 Titan Street | : | |
| Philadelphia, PA 19147 | : | |
| | : | |
| <u>Respondents.</u> | : | |

ORDER

AND NOW, this 12th day of April, 2018, upon consideration of Petitioner's Petition for Contempt and the parties' Stipulation of Settlement, it is hereby ORDERED that:

- (i) The Court approves the Stipulation of Settlement filed by the parties on March 28, 2018.
- (ii) A judgment is entered that Respondents shall pay the full aggregate civil monetary penalty of \$60,000 because they did not file adequate campaign finance reports by October 19, 2017, as directed by the Court in its Order of October 12, 2017.

Phila Board Of Ethics V-STPAP



Case ID: 170600475

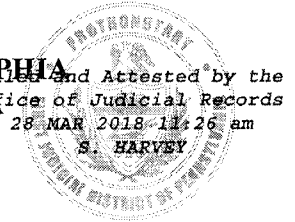
Control # 17110929

- (iii) Respondents shall pay the aggregate civil monetary penalty of \$60,000 on the following schedule:
 - a. \$5,000 within 60 days of the date of this Order;
 - b. At least \$2,000 every 90 days thereafter until the full amount is paid, provided that the full amount shall be paid by December 31, 2019.
- (iv) All payments shall be made by check or money order made payable to the City of Philadelphia and delivered to the offices of the Board of Ethics.
- (v) The Court shall retain jurisdiction of this matter as necessary to enforce the terms of this Order and the Stipulation of Settlement.
- (vi) Petitioner's Petition for Contempt shall be marked by the Clerk as withdrawn.

BY THE COURT:

Asse F. F.
J.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION



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Attorneys for Petitioner

Board of Ethics :
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Philadelphia, PA 19102 :
 :
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Citizens Organizing :
Pennsylvania's Security PAC, :
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419 Titan Street :
Philadelphia, PA 19147 :
 :
Respondents, :
_____ :

June 2017 Term
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STIPULATION OF SETTLEMENT

This Stipulation of Settlement is made and entered into by the Board of Ethics of the City of Philadelphia and Citizens Organizing Pennsylvania's Security PAC, AKA C.O.P.S. PAC, and Kevin Price.

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RECORDS

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1. Petitioner, the Board of Ethics of the City of Philadelphia, filed this action on June 7, 2017 in order to address Respondents' failure to file campaign finance reports as required by Philadelphia's Campaign Finance Law.

2. On October 12, 2017, the Honorable Abigail Fletman held a hearing on the merits of the Petition to Enforce Philadelphia's Campaign Finance Law filed by the Board. At the hearing, Respondents admitted the facts alleged in the Petition. After hearing argument, Judge Fletman informed the parties that she would issue an order later that day.

3. The Order Judge Fletman subsequently issued on October 12, 2017 stated, in pertinent part:

- i. Respondents shall electronically file with the Board a 2015 Cycle 2 and a 2015 Cycle 3 campaign finance report for Citizens Organizing Pennsylvania's Security PAC, a.k.a. C.O.P.S. PAC on or before October 19, 2017.
- ii. A judgment is entered that respondents C.O.P.S. PAC and Kevin Price violated Philadelphia Code Section 20-1006 by failing to file a 2015 Cycle 2 campaign finance report with the Board of Ethics. As provided by Philadelphia Code Section 20-1301(2) respondents shall pay a civil monetary penalty of \$31,000 for this violation.
- iii. A judgment is entered that respondents violated Philadelphia Code Section 20-1006 by failing to file a 2015 Cycle 3 campaign finance report with the Board. As provided by Philadelphia Code Section 20-1301(2) respondents shall pay a civil monetary penalty of \$29,000 for this violation.
- iv. The penalties imposed in paragraphs 2 and 3 will be reduced to an aggregate of \$40,000 if the 2015 Cycle 2 and 2015 Cycle 3 reports are filed on or before October 19, 2017. Additional penalties may be imposed, upon request, if the reports were not filed by that date.

4. On October 18, 2017, Respondents submitted a Cycle 2 campaign finance report to the Board that disclosed contributions totaling \$111,500 for the time period of April 1, 2015 through May 4, 2015, but failed to disclose any expenditures for that time period. However, C.O.P.S. PAC spent approximately \$47,500 from April 1, 2015 through May 4, 2015, according to bank records as alleged in the Petition.

5. On October 18, 2017, Respondents submitted a Cycle 3 report that disclosed contributions totaling \$45,700 for the time period of May 5, 2015 through June 8, 2015, but again failed to disclose any expenditures for that time period. The next day, on October 19, 2017, Respondents submitted an amended Cycle 3 report that disclosed contributions totaling \$45,700 for the time period of May 5, 2015 through June 8, 2015, but only \$4,097.65 in expenditures for that time period. However, C.O.P.S. PAC spent approximately \$110,000 from May 5, 2015 through June 8, 2015, according to bank records as alleged in the Petition.

6. The filings Respondents submitted as of October 19, 2017 failed to comply with Judge Fletman's Order of October 12, 2017. The parties agree that Respondents failure to file adequate campaign finance reports by October 19, 2017 means that they are not entitled to a reduction of the aggregate civil monetary penalty from \$60,000 to \$40,000.

7. On November 7, 2017, Petitioner filed a Petition for Contempt to remedy Respondent's failure to comply with Judge Fletman's Order of October 12, 2017. Between November 7, 2017 and February 26, 2018, Respondents filed amended 2015 Cycle 3 reports that adequately disclosed C.O.P.S. PAC's transactions during that reporting period.

8. On February 26, 2018, Judge Fletman held a hearing on the Petition for Contempt. After hearing argument, Judge Fletman continued the hearing to give the parties time to resolve the matter by agreement.

9. On March 14, 2018, after consultation with counsel for Petitioner, Respondents filed an amended 2015 Cycle 2 report that adequately discloses C.O.P.S. PAC's transactions during that reporting period, including expenditures made by C.O.P.S. PAC to influence City Council elections.

10. Petitioner and Respondents enter into this Stipulation of Settlement to resolve the Petition for Contempt.

11. Petitioner shall file this Stipulation of Settlement with the Court along with the proposed order attached hereto as Exhibit A.

By Citizens Organizing Pennsylvania's Security
PAC, AKA C.O.P.S. PAC:

Dated: 3/26/18



Kevin Price, Treasurer

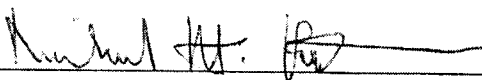
By Kevin Price:

Dated: 3/26/18



By the Board of Ethics:

Dated: 3/26/18



Michael H. Reed
Chair