

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

<p>In re the Matter of:</p> <p>Ashley Vanorny, Complainant</p> <p>And Concerning:</p> <p>Brett McCormick, in the Capacity as Candidate for Brett McCormick for Cedar Rapids City Council, Respondent;</p> <p>Craig McCormick, in the Capacity as Candidate for Craig McCormick for Cedar Rapids City Council, Respondent, and;</p> <p>Rocky Wicher, in the Capacity as Candidate for Rocky Wicher for Cedar Rapids City Council, Respondent</p>	<p>Case Numbers: FC 2021-10, FC 2021-11, FC 2021-12</p> <p>Dismissal Order</p>
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THIS MATTER comes before the Iowa Ethics and Campaign Disclosure Board (IECDB) this 17<sup>th</sup> day of February, 2022, to consider the dismissal of formal complaints.

On November 1, 2021, Ashley Vanorny filed Formal Complaints 2021-10, 2021-11, 2021-12, alleging that Brett McCormick, Craig McCormick, and Rocky Wicher violated Iowa Code chapter 68A on or about October 30 to November 1, 2021.<sup>1</sup>

Complainant alleged that Respondents collectively purchased two digital advertisements as write-in candidates for the Cedar Rapids City Council and failed to form candidate committees or file campaign disclosure reports due October 28, 2021. Complainant further alleged that after contacting the number listed to advertise on the billboard where Respondents' advertisements appeared, she was informed that the average cost for one digital advertisement is \$1,500.

Upon review of the Respondents' subsequent campaign disclosure reports, the financial activity at issue occurred on October 25, 2021, and amounted to expenditures of \$1,216.67 each. The report due October 28, 2021, covered activity through October 23, 2021.<sup>2</sup> Respondents were not required to file a report due October 28, 2021, for the financial activity at issue.

The purchase of digital advertisements on October 25, 2021, exceeded \$1,000 for each Respondent. Iowa Code section 68A.201(1)(a) requires candidate committees to register with the IECDB by filing a Statement of Organization within ten days of exceeding \$1,000 in campaign activities. Accordingly, the respective filings were due no later than November 4, 2021. Respondent B. McCormick filed his Statement of Organization on

<sup>1</sup> Complainant was also a candidate running for the Cedar Rapids City Council.

<sup>2</sup> October 23, 2021, was ten days before the date of the election, November 2, 2021. See Iowa Code section 68A.402(3) covering disclosure report due dates for city offices.

November 8, 2021. Respondents C. McCormick and Wicher filed their Statements of Organization on December 26, 2021.

In response to their late filings and pursuant to Iowa Administrative Code rule 351-9.4(6), Respondents and their respective committees were admonished on January 31, 2022, to exercise care in the future to ensure full compliance with the campaign laws and rules.<sup>3</sup>

Upon completion of legal review, this complaint does not state an allegation that is legally sufficient. At the time the complaint was filed, Respondents were not in violation of Iowa Code chapter 68A. Furthermore, the subsequent violations caused by their late filings have been addressed with Admonishments.

IT IS SO ORDERED: Formal Complaints 2021-10, 2021-11, and 2021-12 are dismissed as legally insufficient pursuant to Iowa Code section 68B.32B and Iowa Administrative Code rule 351-9.1(2).

BY DIRECTION AND VOTE OF THE BOARD:

James Albert, Chair  
Elaine Olson, Vice Chair  
Jonathan Roos  
Mary Rueter  
Carole Tillotson  
John Walsh

SUBMITTED BY:

Zachary S. Goodrich, Executive Director and Legal Counsel

#### CERTIFICATE OF MAILING

This document was sent by electronic mail on this \_\_\_\_ day of February, 2022, to:

Ashley Vanorny, Complainant  
Brett McCormick, Respondent  
Craig McCormick, Respondent  
Rocky Wicher, Respondent

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<sup>3</sup> See Attachments A, B, and C.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

IN THE MATTER OF:

BRETT MCCORMICK candidate and  
BRETT MCCORMICK FOR CEDAR  
RAPIDS CITY COUNCIL, candidate  
committee

ADMONISHMENT FOR LATE  
STATEMENT OF ORGANIZATION

Iowa Code section 68A.201 requires a campaign committee to register with the Iowa Ethics and Campaign Disclosure Board by filing a Statement of Organization within ten days of exceeding \$1,000 in campaign activities. The above named committee filed its Statement of Organization on NOVEMBER 8, 2021. However, subsequent campaign disclosure reports indicate the Statement of Organization should have been filed no later than NOVEMBER 4, 2021. Pursuant to Board rule 351—9.4(6), the committee is hereby admonished to exercise care in the future to ensure full compliance with the campaign laws and rules.

Dated this 31ST day of JANUARY 2022

Served by:



Director & Counsel for the Board

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

IN THE MATTER OF:

CRAIG MCCORMICK candidate and  
CRAIG MCCORMICK FOR CEDAR  
RAPIDS CITY COUNCIL, candidate  
committee

ADMONISHMENT FOR LATE  
STATEMENT OF ORGANIZATION

Iowa Code section 68A.201 requires a campaign committee to register with the Iowa Ethics and Campaign Disclosure Board by filing a Statement of Organization within ten days of exceeding \$1,000 in campaign activities. The above named committee filed its Statement of Organization on DECEMBER 26, 2021. However, subsequent campaign disclosure reports indicate the Statement of Organization should have been filed no later than NOVEMBER 4, 2021. Pursuant to Board rule 351—9.4(6), the committee is hereby admonished to exercise care in the future to ensure full compliance with the campaign laws and rules.

Dated this 31ST day of JANUARY 2022

Served by:



Director & Counsel for the Board

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

IN THE MATTER OF:

ROCKY WICHER candidate and  
ROCKY WICHER FOR CEDAR  
RAPIDS CITY COUNCIL, candidate  
committee

ADMONISHMENT FOR LATE  
STATEMENT OF ORGANIZATION

Iowa Code section 68A.201 requires a campaign committee to register with the Iowa Ethics and Campaign Disclosure Board by filing a Statement of Organization within ten days of exceeding \$1,000 in campaign activities. The above named committee filed its Statement of Organization on DECEMBER 27, 2021. However, subsequent campaign disclosure reports indicate the Statement of Organization should have been filed no later than NOVEMBER 3, 2021. Pursuant to Board rule 351—9.4(6), the committee is hereby admonished to exercise care in the future to ensure full compliance with the campaign laws and rules.

Dated this 31ST day of JANUARY 2022

Served by:   
Director & Counsel for the Board