

# TEXAS ETHICS COMMISSION

**IN THE MATTER OF**  
**JAMAL R. HUMPHRIES,**  
**RESPONDENT**

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**BEFORE THE**  
**TEXAS ETHICS COMMISSION**  
**SC-32212449CI**

## **ORDER and AGREED RESOLUTION**

### **I. Recitals**

The Texas Ethics Commission (Commission) met on June 27, 2023 to consider sworn complaint SC-32212449CI at a preliminary review hearing. A quorum of the Commission was present. The Commission determined that there is credible evidence of violations of Section 252.002(a) of the Election Code, Section 12.52 of the Ethics Commission Rules, and Section 571.1242 of the Government Code, laws administered and enforced by the Commission. To resolve and settle this complaint without further proceedings, the Commission proposed this resolution to the respondent.

### **II. Allegations**

On December 13, 2022, the Commission, by its own motion, initiated a preliminary review in accordance with Section 571.124(b) of the Government Code. The Commission alleges that, on September 27, 2022, the respondent filed a campaign treasurer appointment (Form GTA) for the general-purpose committee, Community Partners, that falsely listed the campaign treasurer's name, the campaign treasurer's residence or business street address, and the campaign treasurer's telephone number, in violation of Section 252.002(a) of the Election Code.

The Commission also considered whether the respondent failed to respond to the complaint, in violation of Section 571.1242 of the Government Code and Section 12.52 of the Ethics Commission Rules.

### **III. Findings of Fact and Conclusions of Law**

Credible evidence available to the Commission supports the following findings of fact and conclusions of law:

1. On September 27, 2022 a campaign treasurer appointment form for Community Partners ("the PAC"), a general-purpose committee, was emailed to the Commission, naming Jose Ramon as the campaign treasurer and listing his street address and telephone number. Jamal R. Humphries was identified on the form as the person appointing the treasurer and as the sole contribution and expenditure decision-maker for the PAC. The form was submitted to the Commission from an e-mail address containing the username "Jamal.Humphries." The campaign treasurer appointment form was filed by the Commission on September 27, 2022.

2. On November 21, 2022, the Commission sent a notice of late report to Jose Ramon for the PAC's November 2022 monthly campaign finance report, which had not been filed. In response to the notice of late report, on November 30, 2022, Jose Ramon filed an affidavit with the Commission swearing that he never consented to be campaign treasurer and that he had no knowledge of the PAC. Jose Ramon provided the Commission with a copy of a "cease and desist" letter he sent to the respondent on December 5, 2022. Mr. Ramon also provided to Commission staff the respondent's address and telephone number. The address provided for the respondent is the same address listed for the PAC on the campaign treasurer appointment form. The Commission also obtained a copy of an Assumed Name filing for Community Partners that the respondent filed with the Harris County Clerk's Office on October 4, 2022. The Assumed Name filing contained the same address for the respondent as the PAC and identified the respondent as the sole owner.
3. On December 13, 2022, the Commission voted to initiate a preliminary review against Jamal Humphries. On December 14, 2022, Commission staff attempted to contact the respondent by telephone and email to notify him of the complaint. Voicemail messages were left for the respondent to contact the Commission.
4. On December 19, 2022, the Commission sent notice of the complaint to the respondent by both United States Postal Service (USPS) certified mail and delivery confirmation to the address listed for the PAC on the campaign treasurer appointment form. The notice of complaint was also sent to the e-mail address from which the campaign treasurer appointment was submitted to the Commission. USPS records indicate that the notice letter was delivered on December 27, 2022. The notice letter designated the alleged violation as a Category One violation, to which a response was required within ten business days of receipt of the notice letter. The respondent did not respond to the complaint.
5. On March 13, 2023, Commission staff made contact with the respondent by telephone. The respondent confirmed that he received notice of the complaint but stated that he got busy with midterm exams and forgot about the matter. The respondent confirmed that the mailing address and e-mail address used by the Commission to notify him of the complaint were correct. The respondent admitted to filling-out the campaign treasurer appointment form and signing Jose Ramon's name; however, the respondent stated that he had two conversations with Jose Ramon about forming the committee, and that Mr. Ramon agreed to be the treasurer. Commission staff reminded the respondent that, by law, he was required to submit a written response to the complaint, and requested that the respondent submit a sworn affidavit detailing the conversations he claims he had with Jose Ramon. The respondent did not submit a written response or respond to any further notices that were sent by the Commission.
6. On April 11, 2023, Commission staff contacted Jose Ramon by telephone. Mr. Ramon maintained that he had no knowledge of the PAC and stated that he did not have any conversation with the respondent about a political committee. Mr. Ramon stated that he is acquainted with the respondent but indicated that it had been more than one year since he had

any communication with the respondent. Mr. Ramon agreed to testify as a witness at the preliminary review hearing.

7. The respondent and Jose Ramon each appeared at the preliminary review hearing remotely. Mr. Ramon testified that he had no knowledge of the PAC and maintained that he never discussed forming a PAC with the respondent. The respondent admitted to filling-out the treasurer appointment form and signing Mr. Ramon's name, however, the respondent maintained that he received verbal permission from Mr. Ramon. The respondent admitted to receiving notice of the complaint and knowingly failing to submit a written response. During the hearing, the respondent also admitted that the PAC accepted two political contributions totaling \$450 and that all of the money was currently in his possession.

### **Filing of False Campaign Treasurer Appointment**

8. Section 252.002(a) of the Election Code states that a campaign treasurer appointment must be in writing and include: (1) the campaign treasurer's name; (2) the campaign treasurer's residence or business street address; (3) the campaign treasurer's telephone number; and (4) the name of the person making the appointment.
9. There is credible evidence to show that the campaign treasurer appointment form submitted to the Commission by Jamal Humphries and filed on September 27, 2022 contained the following false information: (1) the campaign treasurer's name; (2) the campaign treasurer's residence or business street address; and (3) the campaign treasurer's telephone number. Therefore, there is credible evidence of violations of Section 252.002(a) of the Election Code.

### **Failure to Respond to Sworn Complaint**

10. If an alleged violation is a Category One violation, a respondent must respond to the notice required by Section 571.123(b) of the Government Code not later than the 10th business day after the date the respondent receives the notice. Tex. Gov't Code § 571.1242(a). A respondent's failure to timely respond as required by Subsection (a) is a Category One violation. *Id.* § 571.1242(c). The response required by Subsection (a) must include any challenge the respondent seeks to raise to the Commission's exercise of jurisdiction. In addition, the respondent may: (1) acknowledge the occurrence or commission of a violation; (2) deny the allegations contained in the complaint and provide evidence supporting the denial; or (3) agree to enter into an assurance of voluntary compliance or other agreed order, which may include an agreement to immediately cease and desist. *Id.* § 571.1242(d).
11. The response required by Section 571.1242 of the Government Code must: (1) be in writing; (2) admit or deny the allegations set forth in the complaint; and (3) be signed by the respondent. 1 Tex. Admin. Code § 12.52(a).

12. If a respondent does not submit a response within the time period prescribed by Section 571.1242 of the Government Code, the Commission may issue an order imposing a civil penalty for failure to file a response. *Id.* § 12.52(b).
13. If a respondent does not submit a response that satisfies the requirements of subsection (a) of this section, the Commission may issue an order imposing a penalty for failure to file a complete response. *Id.* § 12.52(c).
14. A notice required to be sent to a respondent under Chapter 571 of the Government Code shall be sent to the address provided by the complainant or to the address most recently provided by the respondent. *Id.* § 12.21(b).
15. The respondent was required to file a written response to the complaint. The respondent did not file a written response to the complaint, despite receiving multiple notices from the Commission that he was required to respond in writing within 10 business days under Section 571.1242(a) of the Government Code. Although the respondent spoke on the telephone with Commission staff after the initial response deadline had passed, the respondent did not submit a written response to the complaint. Therefore, there is credible evidence of a violation of Section 571.1242 of the Government Code and Section 12.52 of the Ethics Commission Rules.

#### **IV. Representations and Agreement by Respondent**

By signing this order and agreed resolution and returning it to the Commission:

1. The respondent neither admits nor denies the findings of fact and conclusions of law described under Section III, and consents to the entry of this order and agreed resolution solely for the purpose of resolving this sworn complaint.
2. The respondent consents to this order and agreed resolution and waives any right to further proceedings in this matter.
3. The respondent acknowledges the requirements of Section 252.002(a) of the Election Code, Section 12.52 of the Ethics Commission Rules, and Section 571.1242 of the Government Code. The respondent agrees to comply with these requirements of the law.

#### **V. Confidentiality**

This order and agreed resolution describes violations that the Commission has determined are neither technical nor *de minimis*. Accordingly, this order and agreed resolution is not confidential under Section 571.140 of the Government Code and may be disclosed by members and staff of the Commission.

**VI. Sanction**

After considering the nature, circumstances, and consequences of the violations described under Section III, and after considering the sanction necessary to deter future violations, the Commission imposes a \$1,000 civil penalty to be paid within 6 months of the date of this Order. If the civil penalty is not paid within that time, then the civil penalty will be referred to the Office of the Attorney General for collection.

The Commission also orders that the respondent, within 30 days of the date of this Order, dispose of the \$450 in political contributions in accordance with Section 254.204(a) of the Election Code and furnish to the Commission proof of the disposition.

**VII. Order**

The Commission hereby orders that if the respondent consents to the proposed resolution, this order and agreed resolution is a final and complete resolution of SC-32212449CI.

AGREED to by the respondent on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jamal R. Humphries, Respondent

EXECUTED by the Commission on: \_\_\_\_\_.

Texas Ethics Commission

By: \_\_\_\_\_  
J.R. Johnson, Executive Director