

SWORN COMPLAINT
BEFORE
THE TEXAS ETHICS COMMISSION

Revised 01/05/2000

Office Use Only

Docket Number

§
§
§
§
§

I. IDENTITY OF COMPLAINANT

I, Joe Merrill, complainant,
(full name of individual filing the complaint)

hereby file this sworn complaint with the Texas Ethics Commission. My address is
123 East Mistybreeze Circle, The Woodlands, TX 77381
(full mailing or street address, including P.O. box number or street, city, state, and zip code)

My telephone number is 281-419-9757
(telephone number, including area code)

II. IDENTITY OF RESPONDENT

The respondent is Bruce C. Tough
(full name of respondent)

The respondent holds the position or title of Conroe Independent School District
(position or title held by respondent)
Board Trustee

The respondent's address is 1 Rolling Stone Place
(full mailing or street address, including P.O. box number or street, city, state, and zip code of respondent)
The Woodlands, TX 77381

The respondent's telephone number is 936-321-2303
(telephone number of respondent, including area code)

Attach additional pages, if necessary.

Revised 01/05/2000

III. NATURE OF ALLEGED VIOLATION

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

- 1) Campaign Finance Report (03/24/03)
 - a) Missing "Principal Occupation/Job Title" and "Employer" from a contributor of more than \$500.00, in violation of Section 254.031.
 - b) Missing affidavit page, in violation of Section 254.036.
- 2) Campaign Finance Report (04/25/03)
 - a) Missing "Principal Occupation/Job Title" and "Employer" from a contributor of more than \$500.00, in violation of Section 254.031.
- 3) Campaign Finance Report (07/15/03)
 - a) Missing "Principal Occupation/Job Title" and "Employer" from a contributor of more than \$500.00, in violation of Section 254.031.
 - b) Missing affidavit page, in violation of Section 254.036.
- 4) Campaign Finance Report (07/15/04)
 - a) Failed to sign and notarize affidavit page, in violation of Section 254.036.
- 5) Campaign Finance Report (01/15/05)
 - a) Contains incorrect "Contribution Balance" (\$189.38 should be \$201.38), in violation of Section 254.031.
- 6) As a Conroe Independent School District Board Trustee, Bruce Tough has not filed the following Campaign Finance Reports:

Attach additional pages, if necessary. Cont'd on page 2

Revised 01/05/2000

III. NATURE OF ALLEGED VIOLATION

Cont'd from page 1

(Include the specific law or rule alleged to have been violated, if possible. The Texas Ethics Commission has jurisdiction to enforce *only* Chapters 302, 305, and 572 of the Government Code and Title 15 of the Election Code.)

01/15/04 - January 15 Report, in violation of Section 254.093.

07/15/05 - July 15 Report, in violation of Section 254.093.

01/15/06 - January 15 Report, in violation of Section 254.093.

07/15/06 - July 15 Report, in violation of Section 254.093.

01/15/07 - January 15 Report, in violation of Section 254.093.

Attach additional pages, if necessary.

IV. STATEMENT OF FACTS

(State the facts constituting the alleged violation, including the dates on which or the period of time in which the alleged violation occurred. Identify allegations of fact not personally known to the complainant but alleged on information and belief. Please use simple, concise, and direct statements.)

As noted, Mr. Tough has filed incomplete Campaign Finance Reports (missing affidavit page, unsigned affidavit page, etc.) for three reports.

Since 2004, as a Conroe Independent School District Board Trustee, Mr. Tough has filed only two semiannual reports and failed to file five semiannual reports (required under Section 254.093).

Rhonda Tate, Legal Assistant for Conroe Independent School District, has independently confirmed (by phone call) that Mr. Tough did not file any Campaign Finance Reports for 2006 and 2007.

Attach additional pages, if necessary.

Revised 01 05 2000

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

(List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.)

Open Records Request (03/19/07)

Campaign Finance Reports:

03/24/03

04/25/03

07/15/03

07/15/04

01/15/05

Attach additional pages, if necessary.

VI. AFFIDAVIT
BASED ON PERSONAL KNOWLEDGE
(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

I, _____, complainant,
swear that I have knowledge of the facts alleged in this complaint
and that the information contained in this complaint is true
and correct.

Signature of complainant

AFFIX NOTARY STAMP SEAL ABOVE

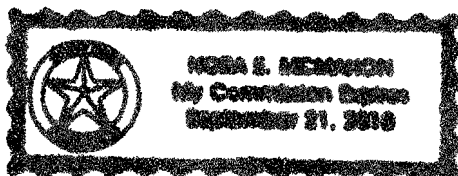
Sworn to and subscribed before me, by the said _____, this
the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Print name of officer administering oath Title of officer administering oath

VII. AFFIDAVIT
BASED ON INFORMATION AND BELIEF
(Execute this affidavit if the acts alleged are not within your
direct personal knowledge, but are based on reasonable belief.)

I, Joe Merrill, complainant,
swear that I have reason to believe and do believe that the violation alleged in
this complaint has occurred. The source and basis of my information and belief
is response to Open Records Request

Campaign Finance Reports



Joe Merrill
Signature of complainant

AFFIX NOTARY STAMP SEAL ABOVE

Sworn to and subscribed before me, by the said Joe Merrill, this
the 11th day of April, 20 07, to certify which, witness my hand and seal of office.

Nora E McMahon Nora E McMahon Notary
Signature of officer administering oath Print name of officer administering oath Title of officer administering oath