

News from the FPPC



California Fair Political Practices Commission
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FPPC Enforcement Decisions: May 17, 2012

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, May 17, 2012. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the May agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

Kai Stinchcombe and Vote for Kai – Assembly 2010. Kai Stinchcombe was a candidate for California State Assembly District 21 in the June 8, 2010, primary election; however, he withdrew as a candidate in approximately December 2009. Vote for Kai – Assembly 2010 was his controlled committee. At all relevant times, Kai Stinchcombe was the committee's treasurer. Kai Stinchcombe and Vote for Kai – Assembly 2010 failed to file semi-annual campaign statements in a timely manner for the reporting period of July 1, 2009, through December 31, 2009, by the February 1, 2010, due date, and for the reporting periods of January 1, 2010, through June 30, 2010, due on or before August 2, 2010, and July 1, 2010, through December 31, 2010, due on or before February 1, 2011. **\$4,000 fine.**

Committee to Elect Elvia Aguilar; Elvia Aguilar; and, Christina Aguilar, Treasurer. Committee to Elect Elvia Aguilar, Elvia Aguilar, and Christina Aguilar, the committee's treasurer, failed to timely file two semiannual campaign statements for the reporting periods of January 1, 2011, through June 30, 2011, due August 1, 2011, and July 1, 2011, through December 31, 2011, due January 31, 2012. **\$400 fine.**

Late Contribution Violation

When contributions of \$1,000 or more are made during the final days of an election—the time between the last campaign statement required to be filed and the end of the election—late contribution reports must be filed within 24 hours of making or receiving the “late” contribution. The following failed to file a late contribution report as required by law:

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Sacramento Central Labor Council C.O.P.E. and Bill Camp, Treasurer. Sacramento Central Labor Council-C.O.P.E. is a state general purpose committee and Bill Camp is the committee's treasurer. The Franchise Tax Board Political Audit Division identified two late contribution reports that they failed to file for contributions of \$17,050 made in connection with the November 4, 2008, election. They also failed to timely file a late contribution report for contributions of \$13,000 given in connection with the June 8, 2010, election; and failed to file two late contribution reports for contributions amounting to \$32,800 given in connection with the November 2, 2010, election. **\$9,427 fine.**

Mass Mailing Violation

California law requires slate mailer organizations to file campaign statements to include specified information, including the name and jurisdiction of a candidate or ballot measure that was supported or opposed in a slate mailer but did not pay to be included in the mailer. The following slate mailer organization failed to disclose the required information:

Women's Voter Guide and Tracey Pomerance-Poirier, Treasurer. Women's Voter Guide is a slate mailer organization and Tracey Pomerance-Poirier is the organization's treasurer. In 2010, Women's Voter Guide produced and sent slate mailers supporting various candidates and ballot measures being voted on in the general election. Some of these candidates and ballot measures did not pay for the support of the slate mailers. Women's Voter Guide and Tracey Pomerance-Poirier were required to disclose this on a campaign statement filed for the period ending December 31, 2010, but they failed to provide this required disclosure as to seven candidates and one ballot measure. **\$2,000 fine.**

Money Laundering Violation

California law requires those giving or receiving monetary contributions of \$100 or more to affect the outcome of political contests to provide certain information identifying the contributor, their employer and the amount of the contribution. Providing the public with the sources of contributions is a fundamental component of the philosophy of the Political Reform Act. The following concealed the true source of campaign contributions:

Matter of Glen Gerson and Malibu Conference Center, Inc. Glen Gerson is the Chief Executive Officer, President, Chief Financial Officer, Secretary, and sole Director of Malibu Conference Center, Inc. In July and October 2008, five contributions (in the amount of \$1,000 each) were made to the Committee to Reelect Barbra Williamson (to the Simi Valley City Council). At the time, the local contribution limit for this election was \$1,000, but the limits were circumvented by making each contribution in the name of another (one affiliated corporation and four management level employees of Malibu Conference Center). **\$25,000 fine.**

Statement of Economic Interests Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media. The following individuals failed to file their Statement of Economic Interests forms on time or failed to include all required information:

David Pallinger, Planning Commissioner for the County of San Diego, failed to disclose a source of income on his Statement of Economic Interests for the reporting period January 1, 2010, through December 31, 2010, due April 1, 2011. **\$200 fine.**

John K. Anderson, former Finance Director for the City of Dunsmuir, left his position with the City of Dunsmuir on April 1, 2010. He failed to file in a timely manner a leaving office Statement of Economic Interests by the due date. **\$200 fine.**