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June 11, 2014

Gary Winuk
Chief of Enforcement
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

Dear Mr. Winuk,

I just want to thank you for finally taking action against Mr. Libby and naming Mr. Carter and Mrs. Miller as co-conspirators in the malicious actions against six other candidates in the 2012 Council election in Indian Wells. As I am sure you are aware, other Indian Wells residents were complicate in this behavior and violations. Another candidate's entire campaign committee was involved in this malicious behavior, yet there is no mention of them in your stipulation. What I don't understand is why you reduced Mr. Libby's fine since he committed all of the violations in Regulation 18361.5 subdivision (d)(1) and (6) including:

- Intent to deceive the voting public.
- Committing a serious violation of the law.
- The action was deliberate and negligent.
- Committed an action with "malicious intent" to destroy one's reputation/integrity to win an election.

To quote your opinion, "the failure to provide proper identification on a mass mailer is a serious violation of the act." Because Mr. Libby "demonstrated good faith in consulting with the commission staff" does not condone such vicious actions on Mr. Libby's part. He only cooperated because he was caught! We know Mr. Libby gave you in writing other names and facts, yet they do not appear in your decision.

There should be no sympathy on the part of the FPPC considering the deceitful slanderous and malicious actions of Mr. Libby and those associated with Mr. Libby.

Sincerely,



Edward Ty Peabody
City Councilor of Indian Wells

Watchdog wants Libby fined for mailers

By Xochitl Peña
The Desert Sun

INDIAN WELLS — The state's campaign ethics watchdog is looking to fine former Indian Wells council candidate Haddon Libby \$3,500 for not properly disclosing he sent negative campaign mailers about his 2012 political opponents.

The Fair Political Practices Commission on June 19 will vote on a settlement that its investigative division reached with Libby, a former banker who rose to local fame in 2011 during a public spat and lawsuit that



Libby

led to the firing of then-City Manager Greg Johnson.

"The city of Indian Wells, the residents of Indian Wells have been waiting and it's taken way too long," said Mayor Ted Mertens, one of the six candidates targeted by the mailers.

"I am just thankful that it's now brought to a conclusion. We can move forward."

A report from the commission's investigations division

states that Libby "designed, paid for and caused to be sent" four mass mailings without identifying the sender. The commission found it to be a violation of the Political Reform Act.

The four mailers, some which named more than one candidate, were sent to homes in October 2012. They targeted Mertens, Mayor Pro Tem Ty Peabody, then-Councilman Bill Powers as well as candidates Dana Reed, Larry "Bear" Bona-fide and Mitch Blumberg.

The FPPC investigation was spurred by "multiple" com-

plaints, according to the report.

Three other candidates, including Councilman Doug Hanson, were on the 2012 ballot but not targeted in the mailings.

Libby said he agreed to the settlement and takes responsibility for the mailers.

But he insisted Tuesday that only one of the four mailings was his idea. He declined to say who else was involved.

"I did one piece on Powers and Blumberg," he said Tuesday.

The commission report said Libby worked in conjunction with two others: Edwin "Ed"

Carter, an Indian Wells resident that the FPPC said paid for the postage costs; and political consultant Steffani Miller, who is the wife of Indian Wells Councilman Glenn Miller.

The FPPC did not fine Carter or Miller, or suggest any wrongdoing by them.

Libby stands by the matter he sent about Powers and Blumberg, because he thought the public deserved more details about their backgrounds.

But in hindsight, he said the other mailers were "personal attacks" and regrets his involvement.