

## Sasha Linker

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**From:** Steven Presberg <[REDACTED]>  
**Sent:** Thursday, October 17, 2019 6:23 AM  
**To:** CommAsst  
**Cc:** Susan Shelley  
**Subject:** Case No. 15/003 - Susan Shelley

I am submitting this to add to the public comments already forwarded to you in this matter.

I believe that most of the relevant issues have been addressed by others. However, one issue I wish to focus on is the combined issue of proportionality and appropriateness of a penalty.

As to proportionality, it seems that selecting the exact midrange penalty for each of five offenses, especially under circumstances where the enforcement division found a good faith effort to comply, does significant harm to the concept of penalty appropriate to an offense. A good faith finding implies that a penalty might find an "appropriate" level near the low end prescribed by the statute.

I have served as an Administrative Law Judge, and currently serve as a Hearing Officer for Los Angeles County, presiding over cases of wrongdoing alleged against County employees, including sworn law enforcement. I have read the ALJ's recommended decision in this case, and I find it lacking significant explanation or analysis as to precisely how the penalties imposed were reached. Where property interests are involved, such as a job, or money, true due process compels a very searching and thorough analysis. On my docket, not all wrongdoers lose their jobs. Nor in cases of less serious offenses do all charges receive identical penalties. Each requires its own careful analysis.

I believe that not only are the fines imposed excessive, but that the setting of identical penalties for each charge bespeaks a lack of sufficient independent judicial analysis.

I urge your Commission to reflect on the penalties Ms. Shelley has already paid to the Secretary of State, before imposing any further penalty upon this first (and only) time candidate for the lowest level office regulated by your Commission.

Steven Presberg  
Woodland Hills, California