

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: April 5, 2012

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FPPC Enforcement Decisions: April 5, 2012

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, April 5, 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 April 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

American Resort Development Association Resort Owners' Coalition PAC and Sandra DePoy. American Resort Development Association Resort Owners' Coalition PAC is a general purpose recipient committee sponsored by the American Resort Development Association, and Sandra DePoy is the committee's treasurer. On semi-annual campaign statements filed for the reporting periods ending June 30 and December 31, 2008, they failed to report the making of five contributions totaling approximately \$64,800. **\$2,500 fine.**

Cynthia Lashbrook and Cindy Lashbrook For Merced College Trustee 2010. Cynthia "Cindy" Lashbrook, a successful candidate for Merced Community College Trustee for Area 1 in the November 2, 2010, election, and Cindy Lashbrook For Merced College Trustee 2010, her candidate controlled committee, failed to file a pre-election campaign statement for the reporting period of October 1 - 16, 2010, due by the October 21, 2010, in a timely manner. **\$2,500 fine.**

Kings County Democratic Central Committee and Walter Johnson, Treasurer. Kings County Democratic Central Committee and its treasurer at the time of the violations, Walter Johnson, failed to file semi-annual campaign statements in a timely manner for the reporting periods of January 1, 2010, through June 30, 2010, due by August 2, 2010; July 1, 2010, through December 31, 2010, due by January 31, 2011; and January 1, 2011, through June 30, 2011, due by August 1, 2011, with the Secretary of State. **\$200 fine.**

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Matthew Stadler, Board Member for Los Angeles County San Gabriel Unified School District Governing Board, failed to file a Form 470, Campaign Statement - Short Form, in a timely manner for the reporting period January 1, 2011, through December 31, 2011, by the August 1, 2011, due date. **\$200 fine.**

Vazquez for National School District 2010; Elizabeth Vazquez; Carlos M. Solorzano, Jr. Vazquez for National School District 2010, Elizabeth Vazquez and Carlos M. Solorzano, Jr., Treasurer, failed to file two semiannual campaign statements in a timely manner 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.**

Doris Neel, Treasurer. Doris Neel is the only named respondent in this Default Decision and Order. Ms. Neel was the treasurer for the Committee to Elect Mike Glover for 70th AD, 2010 ("Committee 2010") from February 19, 2010, through July 30, 2010. Michael Glover was a successful candidate for California State Assembly, 70th District, in the June 6, 2006, primary election and the June 3, 2008, primary election. However, Glover was an unsuccessful candidate for California State Assembly in the November 7, 2006, general election, the November 4, 2008, general election, and the June 8, 2010, primary election. The Commission entered a Default Decision and Order against Michael Glover and Committee 2010 at the March 15, 2012, Commission meeting and therefore, Respondent Doris Neel is the only named respondent in this Default Decision and Order. In this matter, Glover, Committee 2010, and Ms. Neel: 1) failed to file pre-election campaign statements in electronic format; and 2) failed to file a semi-annual campaign statement in electronic format. **\$6,000 fine.**

Mass Mailing Violation

California law requires a candidate or committee that sends over 200 substantially similar pieces of mail in a calendar month to include specific information about the candidate or committee. The following did not include the required information:

L.A. County Firefighters Local 1014 Organized, Ready & Committed in Emergencies, and John Smolin, Treasurer. L.A. County Firefighters Local 1014 Organized, Ready & Committed in Emergencies and the committee's treasurer, John Smolin, failed to include L.A. County Firefighters Local 1014 in the committee's name and failed to disclose L.A. County Firefighters Local 1014 as a sponsor on the committee's statement of organization. Additionally, on or about October 31, 2011, and again on or about November 2, 2011, L.A. County Firefighters Local 1014 Organized, Ready & Committed in Emergencies mailed over two hundred substantially similar pieces of mail without displaying the sender's name on the outside of each piece of mail. **\$8,000 fine.**

Statement of Economic Interests Violation

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:

Nicholas Mitchell, Butteville Elementary School District Governing Board Member, failed to file an assuming office Statement of Economic Interests in a timely manner for the reporting period of August 31, 2010, through August 31, 2011, by the September 30, 2011, due date. **\$200 fine.**

Consideration of Administrative Law Judge Proposed Decision

In the Matter of Chris Norby, Norby for Supervisor, and Betty Presley. At all relevant times, Respondent Chris Norby was a member of the Orange County Board of Supervisors, Respondent Norby for Supervisor was his controlled committee, and Respondent Betty Presley was the committee's

treasurer. On August 1, 2007, Mr. Norby checked into the Fullerton A Inn and paid, in advance, for one week of lodging. He claimed that the expense was for a study of homeless/motel families, and he obtained reimbursement from his committee for the lodging expense. At the administrative hearing of this matter, Senior Commission Counsel Luisa Menchaca and Commission Counsel Milad Dalju established that Mr. Norby checked into the Fullerton A Inn the same day that his marriage ended. The Respondents were charged with using campaign funds for purposes not directly related to political, legislative or governmental purposes where there was a substantial personal benefit to Mr. Norby. Following the hearing in Los Angeles, Administrative Law Judge Ralph Dash issued a proposed decision in favor of Respondents. The Enforcement Division does not take issue with the proposed decision insofar as it exonerates Respondents Presley and Norby for Supervisor because they do not appear to have been responsible for Respondent Norby's actions. However, to the extent that the proposed decision exonerates Respondent Norby for personal use of campaign funds, the Enforcement Division respectfully recommended that the Commission reject the proposed decision and decide the case on the record. Specifically, the Enforcement Division requests that the Legal Division be delegated to review the record for the purpose of drafting a final, revised decision to be submitted to the Commission for its consideration. **Commission voted in closed session to approve the proposed decision of the Administrative Law Judge, which found no violation of the Political Reform Act.**

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