

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: July 12, 2012

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FPPC Enforcement Decisions: July 12, 2012

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, July 12, 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 July 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.

Advertisement Violation

Under the Political Reform Act, as implemented by regulations adopted by the Commission, a television advertisement is subject to specified disclosure requirements. The following committee failed to meet each of the requirements:

Yes on Proposition A, which was formed in 2012 as a primarily formed ballot measure committee supporting Proposition A on the June 5, 2012, ballot in the City of San Diego, failed to provide written disclosure for a period of at least five seconds with a reasonable degree of color contrast between the background and text of the disclosure statement on a television advertisement. **\$2,500 fine.**

Campaign Reporting Violations

Joe Moreno and the Committee to Re-elect Joe Moreno. Joe Moreno was a candidate for re-election to the Mountain View School District Board in 2009, and treasurer for the Committee to Re-elect Joe Moreno. He failed to file a semi-annual campaign statement in a timely manner for the reporting period of January 1, 2011, through June 30, 2011, due July 31, 2011, and a semi-annual campaign statement for the reporting period July 1, 2011, through December 31, 2011, due January 31, 2012. **\$1,500 fine.**

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Lady Cage-Barile, and Cage for Assembly 2010. Lady Cage-Barile was a successful candidate for the 47th Assembly District in the June 8, 2010, primary election, and an unsuccessful candidate for the 47th Assembly District in the November 2, 2010, general election. She was the treasurer of her controlled committee, Cage for Assembly 2010. She failed to file in a timely manner one pre-election campaign statement for the reporting period of March 18, 2010, through May 22, 2010, due May 27, 2010; and failed to file one post-election semi-annual campaign statement in a timely manner for the reporting period of May 23, 2010, through June 30, 2010, due August 2, 2010. **\$400 fine.**

Desley Brooks, Friends of Desley Brooks, and Darleen Brooks. Desley Brooks, Friends of Desley Brooks, his candidate-controlled committee, and Darleen Brooks, the committee's treasurer, failed to file two semi-annual 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.**

Kasey Cotulla for Sacramento City Council 2010, and Kasey Cotulla, Treasurer. Kasey Cotulla for Sacramento City Council 2010 and Kasey Cotulla, Treasurer, failed to file four semi-annual campaign statements in a timely manner for the reporting periods of March 18, 2010, through June 30, 2010, due August 2, 2010; July 1, 2010, through December 31, 2010, due January 31, 2011; January 1, 2011, through June 30, 2011, due August 1, 2011; and July 1, 2011, through December 31, 2011, due January 31, 2012. **\$800 fine.**

Malibu Democratic Club, and Jean Goodman, Treasurer. Malibu Democratic Club, a state general purpose committee, and Jean Goodman, the committee's treasurer, failed to file paper and electronic semi-annual campaign statements in a timely manner for the period covering July 1, 2011, through December 31, 2011, due January 31, 2012. **\$800 fine.**

Conflict of Interest Violation

California law states that, absent an exception, a public official may not make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. The following official made governmental decisions in which he had a financial interest:

Theodore Park. Between the approximate dates of February and June 2010, Theodore Park, in his capacity as acting deputy director of the Real Estate Services Division of the California Department of General Services, made a series of governmental decisions in which he knew he had a financial interest. **\$3,500 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:

Putting Riverside First - Bill Emmerson for Senate 2010, funded by California Dental Association Independent Expenditure PAC and California Real Estate Independent Expenditure Committee; Thomas W. Hiltachk, Treasurer. This case arose from an audit of Putting Riverside First - Bill Emmerson for Senate 2010, funded by California Dental Association Independent Expenditure PAC and California Real Estate Independent Expenditure Committee by the Franchise Tax Board. The committee received a contribution in the amount of \$10,000 from Quality Health Care for Californians, sponsored by CAHHS, during the late contribution reporting period in connection with the April 13, 2010, special election and failed to report the contribution in a timely manner. **\$1,500 fine.**

Slate Mailer Organization Violation

California law requires slate mailer organizations to file campaign reports, which must contain specified information, including subvendor payment information. The following did not report in a timely manner the required subvendor payment information:

Election Education Guide and Tracey Pomerance-Poirier. Election Education Guide is a slate mailer organization and Tracey Pomerance-Poirier is the organization's treasurer. For the reporting periods ending June 30, 2010, and December 31, 2010, subvendor information for payments totaling approximately \$652,549 was not reported in a timely manner. **\$2,000 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 individual failed to include all economic interests that were required to be disclosed in his Statement of Economic Interests:

Gary Townsend, Chief Deputy Assessor for the County of Los Angeles, failed to disclose an interest in a source of income on his Statement of Economic Interests for the reporting period of January 1, 2010, through December 31, 2010, due April 1, 2011. **\$200 fine.**

The following individuals failed to file their Statement of Economic Interests forms on time:

Ivan Altamirano, a member of the City of Commerce Planning Commission, failed to file a Statement of Economic Interests in a timely manner for the period covering January 1, 2010, through December 31, 2010. **\$200 fine.**

Chad Anderson, a planning group member of the Ramona Community Planning Group, failed to file a Statement of Economic Interests in a timely manner for the reporting period January 1, 2010, through December 31, 2010, due April 1, 2011, **\$200 fine.**

Inez Rozar, Registered Nursing Board member for the California Department of Consumer Affairs, failed to file an annual and leaving office Statement of Economic Interests in a timely manner, covering the period January 1, 2009, through August 31, 2010, by the September 30, 2010, due date. **\$200 fine.**

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