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8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
9 **STATE OF CALIFORNIA**

10
11 In the Matter of

FPPC Case No. 15/165

12 PASADENA LATINO PAC and
13 ALEXANDER KELEDJIAN,

STIPULATION, DECISION AND ORDER

14 Respondents.
15

16 **INTRODUCTION**

17 In 2015, Sandra Siraganian was running against Lawrence Torres for an open seat on the
18 Pasadena Unified School District Board of Education. Shortly before the election, an anonymous “hit
19 piece” mass mailing was sent out in opposition to Torres, but Torres won the election.

20 Investigation by the Enforcement Division, revealed that the anonymous mailing was sent by an
21 individual named Alexander Keledjian—in his capacity as principal officer and treasurer of the Pasadena
22 Latino PAC. (For ease of reference, the Pasadena Latino PAC is referred to as the PAC, and Alexander
23 Keledjian is referred to as Keledjian—not to be confused with his father, Haig Keledjian, who is
24 mentioned later in this stipulation.)

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1 This case involves multiple violations of the Political Reform Act by Keledjian and the PAC,
2 including failure to disclose proper sender identification with respect to the mass mailing and unlawful
3 cash transactions.¹

4 **SUMMARY OF THE LAW**

5 The Act and its regulations are amended from time to time. All legal references and discussions
6 of law are intended to be citations to statutes and regulations as they existed in 2015—at the time of the
7 violations in this case.

8 **Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act**

9 When enacting the Political Reform Act, the people of California found and declared that
10 previous laws regulating political practices suffered from inadequate enforcement by state and local
11 authorities.² Thus, it was decreed that the Act “should be liberally construed to accomplish its
12 purposes.”³

13 One purpose of the Act is to promote transparency by requiring “paid for by” disclosures for mass
14 mailings.⁴ Also, the Act imposes certain rules/safeguards, which are designed to create a paper trail to aid
15 the audit and enforcement process, including rules against cash contributions and expenditures of \$100 or
16 more.⁵ Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act will
17 be “vigorously enforced.”⁶

18 **Required Disclosures for Senders of Mass Mailings**

19 A “mass mailing” is over 200 substantially similar pieces of mail sent in a calendar month, not
20 including form letters or other mail sent in response to an unsolicited request, letter or other inquiry.⁷ The
21 “sender” of a mass mailing is the candidate or committee who pays for the largest portion of expenditures
22

23 ¹ The Political Reform Act—sometimes simply referred to as the Act—is contained in Government Code sections
24 81000 through 91014. All statutory references are to this code. The regulations of the Fair Political Practices Commission
25 are to this source.

26 ² Section 81001, subdivision (h).

27 ³ Section 81003.

28 ⁴ Section 84305, subdivision (a).

⁵ Section 84300, subdivisions (a) and (b).

⁶ Section 81002, subdivision (f).

⁷ Section 82041.5 and Regulation 18435.

1 attributable to the designing, printing, and posting of the mailing.⁸ The phrase “pay for” means to make,
2 promise to make, or incur an obligation to make payment.⁹

3 When a single candidate or committee sends a mass mailing, the Act provides that the name,
4 street address, and city of the sender must be disclosed on the outside of each piece of mail in the mass
5 mailing. Also, the required disclosure must be preceded by the words “Paid for by.”¹⁰

6 **Unlawful Cash Transactions**

7 No campaign contribution of \$100 or more may be made or received in cash.¹¹ Also, no campaign
8 expenditure of \$100 or more may be made in cash.¹²

9 **Joint and Several Liability**

10 It is the duty of a committee treasurer to ensure that the committee complies with the Act.¹³ Also,
11 the principal officer of a committee generally bears responsibility for approval of the political activity of
12 the committee.¹⁴ The treasurer and the principal officer may be held jointly and severally liable, along
13 with the committee, for violations of the Act.¹⁵

14 **SUMMARY OF THE FACTS**

15 The election in this case was held on March 10, 2015. Torres—who garnered about 57.8% of the
16 vote—beat Siraganian for the District 6 seat on the Pasadena Unified School District Board of Education.
17 About five days before the election, an anonymous “hit piece” mass mailing was sent out in opposition to
18 Torres.

19 The mailing, which was sent to more than 479 recipients (and possibly as many as 600
20 recipients), included the following images and text:¹⁶

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23 ⁸ Regulation 18435, subdivision (b).

24 ⁹ Regulation 18435, subdivision (c).

25 ¹⁰ See Section 84305 and Regulation 18435, subdivision (d).

26 ¹¹ Section 84300, subdivision (a).

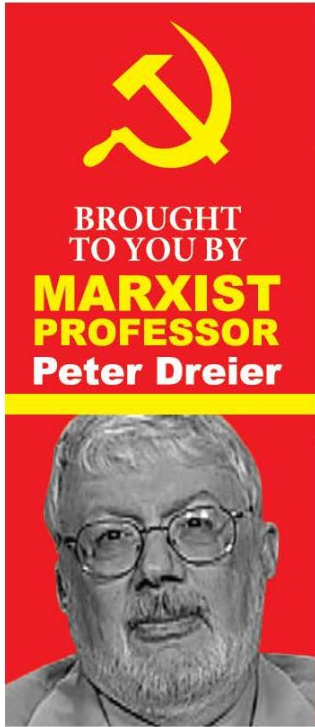
27 ¹² Section 84300, subdivision (b).

28 ¹³ Sections 81004, 84100, and Regulation 18427.

¹⁴ Regulation 18402.1.

¹⁵ Sections 83116.5, 91006, and Regulation 18316.6.

¹⁶ The Enforcement Division’s copy of the mailing was received from Professor Peter Dreier—who was one of the original recipients of the mailing. His address was redacted from the images of the mailing.



PROOF
Larry Torres lied to
local reporters
about his arrest
and conviction!

Peter Dreier



Pasadena Star-News

Lied to Local Voters & Reporters

“Larry’s conviction was not disclosed on Torres’ literature or his campaign website.”
 February 27, 2015

IN THE MUNICIPAL COURT OF GLENDALE COURTHOUSE JUDICIAL DISTRICT,
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PAGE NO. 1
 CURRENT DATE 12/15/14

NO. M854814
 THE PEOPLE OF THE STATE OF CALIFORNIA VS.
 DEFENDANT C1: LAWRENCE TORRES
 LAW ENFORCEMENT AGENCY EFFECTING ARREST: LEA NOT FOUND

BAIL: APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
CASE FILED ON 07/29/85.					
COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED, ON OR ABOUT 07/17/85 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S) OF:					
COUNT 01: 23152 (A) VC MISD					
COUNT 02: 23152 (B) VC MISD					
NEXT SCHEDULED EVENT: 07/30/85 900 AM ARRAIGNMENT DIST GLENDALE COURTHOUSE DIV 005					

CASE NO. M854814
 DEF NO. 01
 PAGE NO. 2
 DATE PRINTED 12/15/14

ON 10/15/85 AT 900 AM IN GLENDALE COURTHOUSE DIV 005
 CASE CALLED FOR PRETRIAL HEARING
 PARTIES: CHERYL KROTT (JUDGE) DONNA CHENEY (CLERK)
 VERLAINE TURNER (REP) NONE (DDA)
 DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY C N URENICK PRIVATE COUNSEL

ON 11/13/85 AT 900 AM IN GLENDALE COURTHOUSE DIV 005
 CASE CALLED FOR JURY TRIAL
 PARTIES: CHERYL KROTT (JUDGE) DONNA CHENEY (CLERK)
 VERLAINE TURNER (REP) NONE (DDA)
 DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY C. N. URENICK PRIVATE COUNSEL

WAVES STATUTORY TIME.
 NEXT SCHEDULED EVENT: 12/04/85 900 AM JURY TRIAL DIST GLENDALE COURTHOUSE DIV 005

PROOF

What else don't we know about Larry Torres?

1 The mailing did not include any identification as to the sender of the mailing—other than the
2 statement that it was brought to you by Marxist Professor Peter Dreier. However, the Enforcement
3 Division’s investigation established that Keledjian—and not Professor Dreier—was the sender of the
4 mailing.

5 Records reflect that the mass mailing cost approximately \$1,221 (including graphic design,
6 printing, and postage/ mailing). Of this amount, Keledjian paid \$1,000 in cash. The remaining amount
7 was paid from Keledjian’s personal checking account and/or expensed to a credit card.

8 Initially, Keledjian denied involvement with the mailing, but when he was informed that the
9 Enforcement Division possessed evidence linking him to the mailing, he admitted his involvement. He
10 claimed that he paid for the mailing—in cash—using his own money that he had saved. He went on to
11 say that he had created a PAC called the Pasadena Latino PAC—and that the PAC may have paid some
12 of the cost of the mailing. Ultimately, he claimed that the cash was from his father, Haig Keledjian—who
13 claimed not to know how the money was used, other than being used for something political. (At the time
14 of the mailing, Alexander Keledjian was 20 years old.)

15 Alexander Keledjian stated that he sent the mass mailing to help Torres’ opponent, Siraganian,
16 who was a friend. At the time of the mailing, Keledjian was a volunteer for the campaign of Sheryl
17 Turner—who was seeking election to another seat on the Pasadena Unified School District Board of
18 Education. (Whereas Siraganian and Torres were running for District 6, Turner was running for District
19 4.) Originally, the printer for the anti-Torres mailing invoiced Keledjian and “Sheryl Turner 4 PUSD,”
20 but Keledjian claims that the inclusion of the Turner campaign on the invoice was a mistake (which
21 likely arose from Keledjian’s use of the same printer for some other work that Keledjian had done for the
22 Turner campaign).

23 Keledjian maintains that Siraganian and Turner were not involved with the mailing.

24 The PAC that Keledjian was running at the time of the mailing is a city general purpose
25 committee, which first qualified as a recipient committee (based on bank account activity) on or about
26 February 9, 2015. Keledjian was the principal officer and the treasurer of the PAC. A former member of
27 the Pasadena Unified School District, Ramon Miramontes, was the Chairman of the PAC. Also,
28 Miramontes was a guide/advisor to Keledjian, which included giving advice about fundraising. However,

1 Keledjian maintains that the day-to-day operations of the PAC were Keledjian’s domain. Miramontes
2 described his own role as ceremonial.

3 As reflected above, the mailing in this case targeted not just Torres, but also Professor Dreier.
4 Investigation by the Enforcement Division revealed what appears to be a pre-existing legal dispute
5 between Miramontes and Professor Dreier (involving alleged defamation)—such that Miramontes
6 potentially had motive to target Professor Dreier with the mailing. Also, the same month that the mailing
7 was sent, Miramontes did make a payment to Keledjian for “labor.” (The payment was made through a
8 business entity of Miramontes.) However, Miramontes claims that the payment was for something else.
9 With respect to the mass mailing in question, Keledjian states that he acted alone, and that he was
10 unaware of any dispute between Miramontes and Professor Dreier.

11 The Enforcement Division cannot rule out the possibility—nor conclusively prove—that
12 Keledjian was working for one or more third parties to send the mass mailing in this case. For settlement
13 purposes, Keledjian is being given the benefit of the doubt about acting alone.

14 Based on the date that the PAC first qualified as a committee (about a month before the election),
15 the PAC’s stated purpose on its filings (to support local issues/candidates for public office), and based on
16 statements made by Keledjian’s father about monetarily supporting his son’s political pursuits, it appears
17 the cash that Keledjian received from his father was a contribution to the PAC. Keledjian used this
18 cash—totaling \$1,000—to pay for the mass mailing, making the mailing an expenditure of the PAC. It
19 appears that the remaining cost of the mailing—roughly \$221—was paid from Keledjian’s personal
20 checking account and/or expensed to a credit card. For settlement purposes, these expenses by Keledjian
21 are viewed as non-monetary contributions to the PAC.

22 Although the PAC failed to file campaign statements and reports (with the exception of some
23 early statements of organization), this has been corrected as a condition of settlement. (In 2015, the PAC
24 raised and spent approximately \$3,733 and \$3,611, respectively. Besides what was spent on the anti-
25 Torres mailing, the PAC’s expenditures included unrelated contributions to three local candidates for city
26 council/mayor and the Pasadena City College Board. In 2016, the PAC raised and spent approximately
27 \$33 and \$128, respectively—before closing its bank account in August of that year.)

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1 Currently, Keledjian is a 24-year old law student. Recently, he was elected to the Board of
2 Directors of the Los Angeles County Republican Party. Presently, he is completing the necessary
3 application to join the United States Marine Corps.

4 VIOLATIONS

5 Count 1

6 *Mass Mailing – Concealment of Sender’s Identity*

7 As described above, Keledjian sent a “hit piece” mass mailing on or about March 5, 2015—in his
8 capacity as principal officer and treasurer of the PAC. However, the mailing did not disclose the PAC as
9 the true sender of the mailing. In this way, the PAC and Keledjian violated Section 84305 and Regulation
10 18435.

11 Count 2

12 *Unlawful Cash Transactions*

13 During the first seven months of 2015, the PAC received and accepted approximately seven cash
14 contributions (of \$100 or more), totaling \$3,470. Also, in approximately March 2015, the PAC made a
15 cash expenditure in the amount of \$1,000 for the mailing. In this way, the PAC and Keledjian violated
16 Section 84300, subdivisions (a) and (b).

17 PROPOSED PENALTY

18 This matter consists of two counts. The maximum penalty that may be imposed is \$5,000 per
19 count.¹⁷

20 In determining the appropriate penalty for a particular violation of the Act, the Commission
21 considers the facts of the case, the public harm involved, and the purposes of the Act. Also, the
22 Commission considers factors such as: (a) the seriousness of the violation; (b) the presence or absence of
23 any intention to conceal, deceive or mislead; (c) whether the violation was deliberate, negligent or
24 inadvertent; (d) whether the violation was isolated or part of a pattern; (e) whether corrective
25 amendments voluntarily were filed to provide full disclosure; and (f) whether the violator has a prior

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28 ¹⁷ See Section 83116, subdivision (c).

1 record of violations.¹⁸ Additionally, the Commission considers penalties in prior cases with comparable
2 violations.

3 When a committee sends a mass mailing without disclosing the identity of the true sender, the
4 public is deprived of important information about who financed the mailing. The Commission has found
5 this type of information to be essential, especially before an election. In this case, the Enforcement
6 Division did find evidence of intentional concealment and deception.

7 Additionally, the unlawful cash transactions by Keledjian and the PAC defeated an important
8 safeguard that was meant to create a paper trail to aid the audit and enforcement process. The absence of
9 this paper trail makes it difficult to ascertain the possible involvement of third parties, track/verify
10 campaign financial activity, and identify other potential violations.

11 Regarding Counts 1 and 2, the Commission recently considered another stipulation involving the
12 same statutory violations—and very similar facts. *In the Matter of Michael Horner*; FPPC Case No.
13 15/1275 (approved Feb. 16, 2017), the Commission approved a stipulation involving an individual who
14 sent a mass mailing in opposition to a county supervisor candidate. (The current case also involves an
15 opposition mailing or “hit piece.”) The mailing failed to include identification of the true sender (as in
16 the current case). Instead, the mailing included false/misleading sender identification (similar to the
17 current case, where the mailing created the false impression that it was from Professor Dreier). The cost
18 of printing/mailing was approximately \$1,456 (which is close to the cost of \$1,221 in the current case).
19 By virtue of sending the mailing, the sender qualified as an independent expenditure committee.
20 Although the sender claimed to have acted alone, this would have been difficult for the Enforcement
21 Division to verify because the sender paid for the mailing with cash, failed to keep receipts, and failed to
22 file required campaign statements. (Similar facts are present in the current case.) It was noted that the
23 sender intentionally sought to conceal his identity (as in the current case). In mitigation, he did not have a
24 history of prior, similar violations of the Act (which is true in the current case as well). A penalty in the
25 amount of \$2,500 was imposed for the sender identification violation, and a separate penalty in the
26 amount of \$1,000 was imposed for using cash to pay for the mailing. For settlement purposes, the other

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¹⁸ Regulation 18361.5, subdivision (d).

1 violations involving recordkeeping and non-filing of campaign statements were noted, but not charged.
2 (Similar treatment is being recommended for the recordkeeping and non-filing violations in the current
3 case.)

4 Count 1 of the current case is very similar to the sender identification violation in *Horner*, and a
5 similar penalty is being recommended.

6 Regarding the unlawful cash transactions in this case, which are being charged as Count 2, as
7 well as the PAC's non-filing and failure to keep required records (which are being noted as aggravating,
8 but not charged), these violations encompass both mailer-related activity and other, unrelated activity of
9 the PAC. This is more egregious/aggravating than *Horner*, which only involved mailer-related activity.

10 Under these circumstances, the following agreed upon penalty is recommended:

Count	Violation	Penalty
1	Mass Mailing – Concealment of Sender's Identity	\$2,500
2	Unlawful Cash Transactions	\$1,500
		Total: \$4,000

14 CONCLUSION

15 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
16 Respondents Pasadena Latino PAC and Alexander Keledjian hereby agree as follows:

- 17 1. Respondents violated the Act as described in the foregoing pages, which are a true and
18 accurate summary of the facts in this matter.
- 19 2. This stipulation will be submitted for consideration by the Fair Political Practices
20 Commission at its next regularly scheduled meeting—or as soon thereafter as the matter may be heard.
- 21 3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose
22 of reaching a final disposition without the necessity of holding an administrative hearing to determine the
23 liability of Respondents pursuant to Section 83116.
- 24 4. Respondents have consulted with their attorney, Brian Hildreth—with the law firm of
25 Bell, McAndrews, and Hiltachk, LLP. Respondents understand and hereby knowingly and voluntarily
26 waive, any and all procedural rights set forth in Sections 83115.5, 11503, 11523, and Regulations
27 18361.1 through 18361.9. This includes, but is not limited to the right to appear personally at any
28 administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense,

1 to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at
2 the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer,
3 and to have the matter judicially reviewed.

4 5. Respondents agree to the issuance of the decision and order set forth below. Also,
5 Respondents agree to the Commission imposing against them an administrative penalty in the amount of
6 \$4,000. One or more payments totaling this amount—to be paid to the General Fund of the State of
7 California—is/are submitted with this stipulation as full payment of the administrative penalty described
8 above, and they will be held by the State of California until the Commission issues its decision and order
9 regarding this matter.

10 6. If the Commission refuses to approve this stipulation—then this stipulation shall become
11 null and void, and within fifteen business days after the Commission meeting at which the stipulation is
12 rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to
13 Respondents. If this stipulation is not approved by the Commission, and if a full evidentiary hearing
14 before the Commission becomes necessary, neither any member of the Commission, nor the Executive
15 Director, shall be disqualified because of prior consideration of this Stipulation.

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1 7. The parties to this agreement may execute their respective signature pages separately. A
2 copy of any party’s executed signature page—including a hardcopy of a signature page transmitted via
3 fax or as a PDF email attachment—is as effective and binding as the original.
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6 Dated: _____

Galena West, Chief of Enforcement
Fair Political Practices Commission

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10 Dated: _____

Alexander Keledjian, individually, and on behalf of
Pasadena Latino PAC, Respondents

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13 The foregoing stipulation of the parties “In the Matter of Pasadena Latino PAC and Alexander
14 Keledjian,” FPPC Case No. 15/165, is hereby accepted as the final decision and order of the Fair Political
15 Practices Commission, effective upon execution below by the Chair.
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17 IT IS SO ORDERED.
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19 Dated: _____

Alice T. Germond, Chair
Fair Political Practices Commission