

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: January 14, 2020

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FPPC Enforcement Decisions: January 14, 2010

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Thursday, January 14, 2010. 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 January agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website 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

In the Matter of Mark Abernathy and Western Pacific Research, FPPC Nos. 07/36, 07/117, and 08/202. Staff: Senior Commission Counsel Neal Bucknell, Senior Special Investigator Sandra Buckner, and Special Investigator Tino Salinas. Respondent Western Pacific Research is a California corporation, which provides political campaign consulting and management services, among other services. Respondent Mark Abernathy is the president and founder of Respondent Western Pacific Research. In this matter, Respondents Mark Abernathy and Western Pacific Research: (1) failed to file required supplemental independent expenditure reports, in violation of Government Code Section 84203.5 (8 counts); and (2) failed to file required semi-annual independent expenditure committee campaign statements, in violation of Government Code Section 84200, subdivision (b) (2 counts). **\$22,500 fine.**

In the Matter of California Republican Party and Douglas R. Boyd, Sr., FPPC No. 06/786. Staff: Senior Commission Counsel Galena West and Program Specialist Luz Bonetti. In this matter, Respondents California Republican Party and Douglas R. Boyd, Sr., Treasurer, failed to properly report the total amount of expenditures made, in violation of Section 84211, subdivisions (b), (i), (j), and (k) of the Government Code (2 counts); failed to properly report the balance of cash, in violation of Section 84211, subdivision (e) of the Government Code (1 count); failed to properly report accrued expenses, in violation of Section 84211, subdivisions (i) and (k) of the Government Code (2 counts);

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failed to properly report subvendor information, in violation of Sections 84211, subdivision (k) and 84303 of the Government Code (2 counts); and failed to properly report vendor information for credit card expenditures of \$100 or more, in violation of Section 84211, subdivision (k) of the Government Code (1 count). **\$18,000 fine.**

In the Matter of David Margrave, FPPC No. 06/1149. Staff: Commission Counsel Zachary W. Norton and Senior Special Investigator Sandra Buckner. Respondent David Margrave was an unsuccessful candidate for re-election to the South Pasadena City Council in the March 6, 2007, election. In this matter, Respondent failed to file a Statement of Intention to become a candidate prior to the expenditure of campaign funds, in violation of Government Code Section 85200 (1 count). **\$1,000 fine.**

Late Contribution Reporting Violation

In the Matter of Kenneth A. Eldred, FPPC No. 07/520. Staff: Commission Counsel Zachary W. Norton and Special Investigator Beatrice Moore. Respondent Kenneth A. Eldred qualified as a major donor committee under the Political Reform Act in June 2006. On or about June 2, 2006, Respondent Eldred made an \$11,000 late contribution to Steve Poizner for Insurance Commissioner, a committee formed primarily to support Steve Poizner on the June 6, 2006, state ballot. Respondent Eldred was required to file a late contribution report disclosing the late contribution by June 3, 2006, but failed to do so until July 27, 2006, more than 50 days after the election. By failing to file a late contribution report by June 3, 2006, Respondent violated Government Code section 84203 (1 count). **\$3,500 fine.**

Mass Mailing Violations

In the Matter of the City of Orange Cove and Victor Lopez, FPPC No. 06/617. Staff: Commission Counsel Bridgette Castillo and Special Investigator Annaraine Diaz. Respondents are the City of Orange Cove, located in Fresno County, and Victor Lopez, the elected mayor of Orange Cove. Respondent City of Orange Cove used public funds to send a mass mailing, which was coordinated with and featured Respondent Lopez, in violation of Government Code Section 8900 (1 count). **\$3,500 fine.**

In the Matter of San Mateo County League for Coastside Protection, FPPC No. 06/191. Staff: Gary Winuk, Chief of Enforcement, and Special Investigator Beatrice Moore. In this matter, Respondent San Mateo County League for Coastside Protection, a general purpose committee, sent out a mass mailing without the name, street address and city of the Respondent's committee on the outside of the mailer, a violation of Government Code Section 84305 (1 count). Additionally, Respondent failed to properly report contributions on its semi-annual campaign statement, in violation of Government Code Section 84211 (1 count). **\$3,500 fine.**

In the Matter of Ken Ortega and Committee to Elect Ken Ortega, FPPC No. 06/841. Staff: Senior Commission Counsel Galena West and Special Investigator Tino Salinas. In this matter, Respondents Committee to Elect Ken Ortega and Ken Ortega, a candidate for the Rio School District, sent mass mailings opposing the recall of Respondent Ortega and two other candidates, which failed to display required sender identification, in violation of Government Code Section 84305, subdivision (a) (1 count). **\$2,000 fine.**

In the Matter of Santa Paula Union High School District and David Gomez, FPPC No. 08/554. Staff: Commission Counsel Zachary W. Norton and Special Investigator Annaraine Diaz. Respondents Santa Paula Union High School District and Superintendent David Gomez violated the Political Reform Act by sending a newspaper insert on or about September 10, 2008, at public expense, which featured an incumbent school board member, in violation of Government Code Section 89001 (1 count). **\$2,000 fine.**

Statement of Economic Interests Violations

In the Matter of Lorie Sinnott, FPPC No. 06/354. Staff: Senior Commission Counsel Angela Brereton and Senior Special Investigator Leon Nurse-Williams. Respondent Lorie Sinnott, a member of the Menlo Park Planning Commission, failed to timely disclose a source of income on her 2004 annual Statement of Economic Interests filed on or about February 17, 2005, in violation of Government Code Section 87207, subdivision (a) (1 count). **\$1,500 fine.**

Statement of Economic Interests Violations - Streamline

In the Matter of Michael A. Ramos, FPPC No. 09/743. Staff: Senior Commission Counsel Neal Bucknell and Political Reform Consultant Jeanette E. Turvill. In this matter, Michael A. Ramos, District Attorney of San Bernardino County, failed to report his spouse's salary as a source of income on his annual Statement of Economic Interests for the 2008 reporting period, in violation of Government Code section 87207 (1 count). **\$200 fine.**

Campaign Reporting Violations - Streamline

In the Matter of Jack Hooper, FPPC No. 09/736. Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Jack Hooper, as a member and candidate for Merced Irrigation District Board, and his committee, Taxpayers to Re-Elect Jack Hooper, with Jack Hooper as Treasurer, failed to file a Statement of Organization (Form 410), Supplemental Campaign Disclosure Statements (Forms 470S), and a Late Contribution Report (Form 497), in violation of Government Code Sections 84101, 84200, 84203, 84206 (5 counts). **\$1,000 fine.**

Gift Limit Violations – Streamline

In the Matter of Howard Rose, FPPC No. 09/697. Staff: Commission Counsel Zachary W. Norton. In this matter, Respondent Howard Rose, Commissioner, California State Athletic Commission, accepted gifts from a single source in 2008, which exceeded the respective annual gift limit of \$390, in violation of Government Code Section 89503, subdivision (c) (1 count). **\$400 fine.**

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