

Via Facsimile and U.S. Mail

August 18, 2006

The Hon. William Peck
Chair, Ventura County Campaign Finance Ethics Commission
800 South Victoria Avenue, L#1940
Ventura, California 93009

Re: *County Elections Division Complaint Against Linda Parks, Candidate for Supervisor;
Vote for Parks*

Dear Judge Peck:

I have reviewed the above-referenced complaint for a determination of probable cause, and have made the following analysis and conclusions:

The complaint, in two parts, was filed on July 20, 2006, by Joe Gibson, alleging that the Parks campaign had violated the Ventura County Campaign Finance Reform Ordinance (No. 4280) in the following manner:

"1. Potential violations by Parks exceeding contribution limits by: Louis Masry
= total contributions \$1542.40

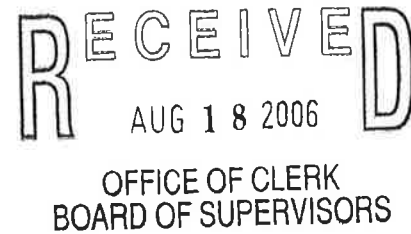
"2. Potential violations by Parks exceeding contribution limits by: Save Open Space
Committee and members = total contributions: \$1,325."

For the purposes of clarity, I will discuss each complaint separately.

Complaint No. 1:

The first complaint alleges that on June 1, 2006, an independent committee not registered with the county – The Masry Family for a better Ventura County – ran a full-page ad in the Thousand Oaks Acorn in support of Supervisor Parks' campaign. According to information from the Acorn that was attached to the complaint, the cost to the committee to run a full-page ad one time in the Thousand Oaks Acorn was \$942.40.

Section 1275 of the above-referenced ordinance provides in relevant part:



“(a) In addition to any other report required by the Political Reform Act, a committee that makes independent expenditures of one thousand dollars (\$1,000) or more during an election cycle for or against a candidate for elective county office shall file a report with the Clerk disclosing the name and full street address of the committee, the Secretary of state identification number of the committee, the name of the treasurer of the committee, the names, addresses and occupations of the three largest contributors to the independent expenditure committee during the election cycle, and shall identify the candidate supported or opposed by the expenditure. This report shall disclose the same information required by subdivision (b) of Government Code Section 84204 and shall be filed within twenty-four (24) hours of the time the independent expenditure is made . . .”

As noted above, according to the face of the complaint, The Masry Family for a better Ventura County expended \$942.40 in support of the Parks campaign. Although the report speculates that the ad must have cost in excess of that, no evidence of such exists from the face of the complaint. Accordingly, it would appear that the Masry Family for a better Ventura County did not run afoul of Section 1275(a).

The complaint also alleges a potential violation of Section 1275(g), which provides that: “A controlled committee of a county candidate may not make independent expenditures and may not contribute funds to another committee for the purposes of making independent expenditures to support or oppose other county candidates.” The basis for this complaint is that Louis Masry as an individual contributed the maximum \$600.00 to the controlled committee of the Parks’ campaign.¹ However, irrespective of Mr. Masry’s individual contribution, there is no evidence from the face of the complaint that Supervisor Parks’ controlled committee made independent expenditures or contributed funds to another committee for the purpose of making independent expenditures to the Parks’ campaign, and there appears to be no violation of Section 1275(b), either.

Which leads to the ultimate question: Did Louis Masry contribute both to the Masry Family for a better Ventura County *in addition to* his individual contribution of \$600.00 to Supervisor Parks’ controlled committee? To be more precise, if the Masry Family for a better Ventura County is, in fact, merely a conduit by which Louis Masry was able to contribute more than the maximum \$600.00 to the Parks campaign, such would violate Sections 1268 and 1282 of the ordinance.

Accordingly, it is my opinion that probable cause exists to investigate whether the Masry Family for a better Ventura County – and Louis Masry – has violated Sections 1268 and 1282 of the ordinance.

¹It should be noted, though not mentioned in the complaint, that Joette Masry also contributed as an individual \$125.00 to the Parks’ campaign controlled committee.

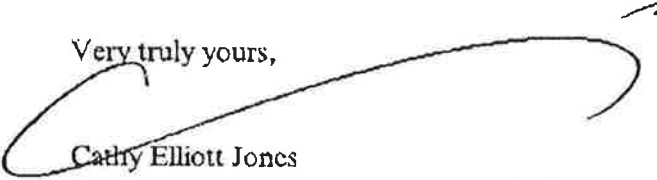
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Complaint No. 2:

The second complaint alleges that two contributions of \$300.00 each to the Supervisor Parks' controlled committee from the Save Open Space Committee, and an additional contribution in the amount of \$75.00 by Save Open Space Committee President Mary Weisbrock as an individual, may violate Sections 1282; 1283; and 1284 (for laundering, bundling, and funneling funds through an intermediary). The complaint alleges total contributions from Save Open Space and its members as \$1,325.00, but does not explain how it arrived at that figure.

From the face of the complaint, there is no evidence of any impropriety by Save Open Space or its president. The total contribution of Save Open Space to the Parks campaign was \$600.00, taking it out of the purview of Section 1275. With respect to its president's \$75.00 individual contribution, if Save Open Space was named, for example, The Weisbrock Family for a better Ventura County, perhaps these allegations would carry more weight. As it is, the complaint appears speculative, and it is my opinion that no probable cause exists to further investigate this claim.

Very truly yours,



Cathy Elliott Jones
Ventura County Campaign Finance Ethics Commissioner
CEJ/m
cc: Roberta Rodriguez, Clerk of the Commission

