



**VENTURA COUNTY
CAMPAIGN FINANCE ETHICS COMMISSION**

ORDER

Complaint No. 2006-09

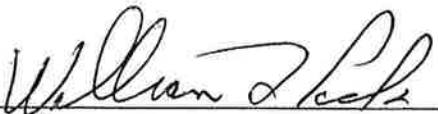
Respondent(s): Republicans For Ethical Government

Complaint No. 2006-09 came on for hearing before the Ventura County Campaign Finance Ethics Commission ("Commission") on April 20, 2007. Respondent stipulated that it had violated Section 1275 of the Ventura County Campaign Finance Reform Ordinance, Ordinance No. 4322, by failing to file a report disclosing the making of an independent expenditure in the amount of \$1,354.00 within the time provided by the Ordinance. Respondent further stipulated that it would pay a fine of \$1,354.00, an amount equal to the independent expenditure that was not timely reported. The Investigator and Petitioner, Kenneth C. Hardy also stipulated to the facts and the fine and recommended that the Commission accept the stipulation and recommendation.

The matter having been duly heard, upon a motion and a second, the Commission adopted the stipulation and recommendation as its decision in this matter by a vote of four (4) in favor and none against.

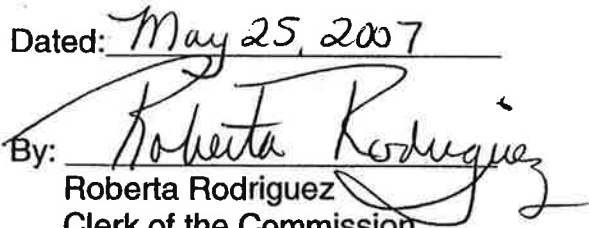
IT IS HEREBY ORDERED that respondent Republicans For Ethical Government
pay a fine of \$1,354.00.

Dated: May 24, 2007



Hon. William Peck
Chair, Campaign Finance Ethics Commission

Dated: May 25, 2007

By: 

Roberta Rodriguez
Clerk of the Commission
Ventura County Campaign Finance Ethics Commission

1 Kenneth C. Hardy
2 COLANTUONO & LEVIN, PC
3 555 West 5th Street, 31st Floor
4 Los Angeles, California 90013
5 Telephone: (213) 533-4155
6 Facsimile: (213) 553-4191
7 khardy@cclaw.us

8 Investigator/Petitioner

9 **BEFORE THE CAMPAIGN FINANCE ETHICS COMMISSION**

10 **COUNTY OF VENTURA**

11 In the Matter of:

12 REPUBLICANS FOR ETHICAL
13 GOVERNMENT,

14 Respondent.

CASE NO. 2006-09

STIPULATION, FINDINGS, PROPOSED
DECISION AND ORDER

15 Respondent Republicans for Ethical Government (“Respondent”) and Petitioner hereby
16 stipulate and agree as follows:

17 This Stipulation, Findings, Proposed Decision and Order (the “Stipulation”), addresses an
18 alleged violation of the Ventura County Campaign Finance Reform Ordinance (the “Ordinance”).

19 The Stipulation will be submitted for consideration by the Ventura County Campaign
20 Finance Ethics Commission (the “Commission”) at its meeting scheduled on April 20, 2007, or as
21 soon thereafter as the Commission determines the matter may be heard.

22 The promises, obligations and admissions contained herein are contingent upon the approval
23 of the Stipulation by the Commission.

24 The Stipulation, once approved, shall resolve all factual and legal issues raised in this matter
25 and is intended to accomplish a final disposition without the necessity of holding an administrative
26 hearing to determine the liability of Respondent.

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Los Angeles, CA 90013

1 Respondent understands and hereby knowingly and voluntarily waives any and all procedural
2 rights in this matter under the Ordinance, including but not limited to a right to a determination of
3 probable cause, the issuance and receipt of a complaint, discovery, an evidentiary hearing with the
4 right to examine and cross examine witnesses, and judicial review.

5 Respondent stipulates that it violated the Ordinance by failing to file in a timely and
6 complete manner County of Ventura Form 1275 as described in the Findings, attached hereto and
7 incorporated herein by reference, and that the Findings constitute a true and accurate summary of the
8 facts in this matter.

9 The maximum administrative penalty in this matter is \$5,000 per violation or three times the
10 amount or value not properly reported or improperly received or expended, whichever is greater.
11 (See Ordinance sections 1275(c), 1294, and 1295(p).) As set forth in the Findings, in this case there
12 was one violation that involved an independent expenditure of \$1,354.00 that was not reported on
13 Form 1275 in a timely or complete manner.

14 The facts of this case justify the imposition of a fine of \$1,354.00 against Respondent. The
15 fine is equal to the amount of the independent expenditure not timely reported multiplied by one.

16 The parties agree that in the event the Commission chooses not to approve of the Stipulation
17 in its entirety, the Stipulation shall become null and void and may not be used for any purpose.
18 Respondent further stipulates and agrees that if the Commission chooses not to approve of the
19 Stipulation and an evidentiary hearing before the Commission is necessary, no member of the
20 Commission or any staff to the Commission, including the undersigned investigator, shall be
21 disqualified because of prior communications or considerations with respect to the Stipulation.

22 SO STIPULATED:

23
24 DATED: 4/18/07

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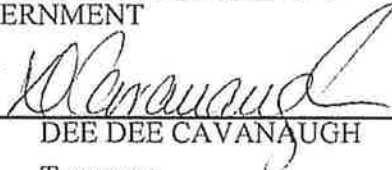

KENNETH C. HARDY

Investigator & Petitioner

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DATED: 4-18-07

REPUBLICANS FOR ETHICAL
GOVERNMENT

By: 
DEE DEE CAVANAUGH
Treasurer

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555 West 5th Street, 31st Floor
Los Angeles, CA 90013

FINDINGS (Stipulated)
CASE NO. 2006-09

On May 2, 2006, the Republicans for Ethical Government ("Respondent") paid \$1,354.00 to the Simi Valley Star, 1720 Los Angeles Avenue, Simi Valley, California, to run a print add in the Simi Valley Star newspaper in opposition to the Judy Mikels 2006 primary campaign for County Supervisor, 4th District. It is reported that the ad ran on May 5, 2006. The payment for the ad was reported as an independent expenditure on Respondent's Preelection Statement Form 460 executed on June 7, 2006. On August 22, 2006, Respondent filed a completed County Report 1275 Form, signed under penalty of perjury by Dee Dee Cavanaugh, Treasurer of Respondent, with a copy of the ad.

VIOLATION

COUNT 1: FAILURE TO TIMELY FILE A REPORT 1275 FORM FOR INDEPENDENT
EXPENDITURE

[Violation of Ordinance Section 1275]

Ordinance section 1275(a) requires that a committee that makes an independent expenditure of \$1,000 or more supporting or opposing a candidate must file a report, under penalty of perjury by the person making the expenditure, disclosing the expenditures and providing a copy or transcript of any material published or broadcast, within 24 hours of the time the independent expenditure is made.

Ordinance section 1275(a) provides:

"(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 making of each such independent expenditure. The report shall include 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

1 the candidate supported or opposed by the expenditure. This report shall disclose the
2 same information required by subdivision (b) of Government Code Section 84204
3 and shall be filed within twenty-four (24) hours of the time the independent
4 expenditure is made. A copy or transcript of any material published or broadcast shall
5 also be included.”

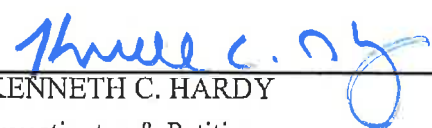
6 Ordinance section 1275(a) provides:

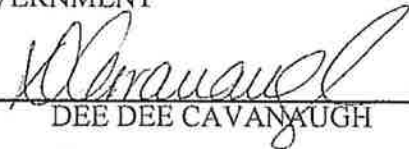
7 “(b) The report to the Clerk shall include a signed statement under penalty of perjury
8 by the person or persons making the independent expenditure identifying the
9 candidate or candidates whom the independent expenditure is intended to help elect
10 or defeat and affirming that the expenditure is independent and that it is not
11 coordinated with a county candidate. The statement may be on a separate form from
12 the remainder of the report as provided by the Clerk, and will be considered timely if
13 postmarked by the date required for filing the report to the Clerk.”

14 By waiting until August 22, 2006, to file the completed County Report 1275 Form for the
15 independent expenditure of \$1,354.00 made to the Simi Valley Star on May 2, 2006, Respondent
16 failed to report its independent expenditures within 24 hours of the time the independent expenditure
17 made, and therefore violated Ordinance section 1275.

18 FACTORS IN MITIGATION

19 Respondent has no history of violation of the Ordinance and cooperated with the
20 investigation in this matter.

21 COLANTUONO & LEVIN, PC
22 DATED: 4/18/07 
23 KENNETH C. HARDY
24 Investigator & Petitioner

25 REPUBLICANS FOR ETHICAL
26 GOVERNMENT
27 DATED: 4-18-07 By: 
28 DEE DEE CAVANAUGH
Treasurer

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DECISION AND ORDER

The Ventura County Campaign Finance Ethics Commission, having reviewed the Stipulation and Findings at its meeting on _____, hereby adopts such Stipulation and Findings as its final decision and determination in Case No. 2006-09. It is hereby ordered that, in accordance with the Stipulation, the Republicans for Ethical Government shall pay a fine of \$1,354.00.

DATE: _____

Honorable William L. Peck
Chair, Campaign Finance Ethics Commission

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