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INVESTIGATOR

County of Ventura Elections Division - COMPLAINANT

BEFORE THE COUNTY OF VENTURA CAMPAIGN FINANCE
ETHICS COMMISSION

In the Matter of:) Case No. RP10-0001
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)
Vote for Parks 2010 Supervisor) **DECISION AND ORDER**
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RESPONDENT)
)

Complaint number RP10-0001 was filed on April 1, 2010 by Tracey Saucedo, Assistant Registrar of Voters. The Respondent Committee is "Vote for Parks 2010 Supervisor" ("Respondent"). The complaint alleged that the Respondent accepted two separate \$700 contributions from Lane Weitzman. The first contribution was reported as having been accepted on June 20, 2009 and the second on January 26, 2010. Both contributions were timely reported on the Respondent's Forms 460. A total contribution of \$1,400 to Respondent in connection with the 2010 election would violate Section 1268(a) of the County's campaign finance ordinance, which limits such contributions to \$700 per contributor.

On May 17, 2010 after learning from the Elections Division that a reporting error had occurred, the Respondent amended its Form 460 to report that the second contribution had been made by Mary Weitzman, spouse of Lane Weitzman. The candidate, Supervisor Linda Parks, submitted a letter on May 22, 2010 admitting the reporting error.

As originally reported, the second contribution from Lane Weitzman violated Section 1268(d) of the Ventura County Code, which limits individual contributions to \$700 per candidate, per election. Under Section 1274(a) of the County's ordinance, however, contributions by spouses are not to be aggregated. This means that a husband and wife may **each** make the maximum \$700 per candidate contribution allowed by law. In this regard, the County ordinance is consistent with State law.

Thus, as reported in the amended filings, the two contributions were lawful and complied with the County's contribution limits when made. The original reporting was in error, as admitted by the Respondent. However, this reporting error did not provide a benefit to the

candidate, allow the candidate to collect more funds than the law would allow, or serve to conceal the amounts or sources of the contribution. The fact that there was no attempt to conceal the excess contribution amount tends to suggest that this minor violation was a simple reporting error. The Respondent amended the relevant campaign report prior to any enforcement action by the Commission. The Respondent has no prior enforcement history in the County.

FACTORS IN MITIGATION

The Respondent has no other history of enforcement, admitted the error and filed an amended campaign report. Each of the contributing spouses had the right under the County Ordinance to make a maximum contribution to the Respondent and the Respondent could lawfully have accepted both contributions. There was no campaign benefit derived from the two contributions, as the spouses were each entitled to make the maximum contribution to the Respondent.

THEREFORE, the Commission hereby finds that the violation alleged in Case No. RP10-0001, as admitted by the Respondent, did occur and was minor and technical in nature. The violation consisted of misreporting the spouse who made the January 26, 2010 contribution to the Respondent. The contribution itself was otherwise lawfully made and accepted. The Commission hereby orders and directs that Case No. RP10-0001 is finally resolved, and that the Chair is authorized to execute and cause to be sent the letter of warning attached hereto as Exhibit A.

DATED: 4.21.2011

BY:


CHAIR

EXHIBIT A

Hon. Linda Parks
Vote for Parks 2010
2018 Glastonbury Road
Westlake Village, California 91361

Charles Thomas
6250 Telegraph Road
Ventura, California 93003

RE: Vote for Parks 2010 Supervisor – Case No. RP10-0001

Dear Ms. Parks and Mr. Thomas:

The Ventura County Campaign Finance Ethics Commission has found that a technical reporting violation occurred in the above-referenced case, as admitted by Supervisor Parks in a letter to the Commission staff dated May 22, 2010.

Specifically, two \$700 contributions were attributed to Lane Weitzman, causing his contributions to your Committee to exceed the amount allowed by the Ventura County Campaign Finance Ordinance. One of those contributions was to have been attributed to Mr. Weitzman's spouse, and was so-attributed on an amended Form 460 filed in May of 2010.

Given the Committee's lack of any enforcement history and your prompt self-reporting of the error, the Commission has directed that this letter of warning be sent as final resolution of this complaint. Accurate reporting of contributions and the identity of contributors is essential in a regulated campaign finance system. Reporting errors that relate to otherwise lawful contributions can misinform the voters and lead to unnecessary enforcement activities. You are hereby warned that future reporting errors or other violations of the Ventura County Campaign Finance Ordinance will result in more significant penalties including, without limitation, monetary fines as provided in the Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Parks", written in a cursive style.