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INVESTIGATOR

County of Ventura Elections Division
John Fonti - COMPLAINANTS

BEFORE THE COUNTY OF VENTURA CAMPAIGN FINANCE
ETHICS COMMISSION

In the Matters of:) Case Nos. P10-001 and RP10-0003
)
Strickland for Supervisor 2010 Committee)
)
) **STIPULATION, DECISION AND**
) **ORDER**
)
)
RESPONDENTS)
)

The appointed outside Investigator for the County of Ventura Campaign Finance Ethics Commission (the "Commission") in this matter, Craig Steele, and Audra Strickland, Strickland for Supervisor 2010 and its treasurer Lysa Ray (collectively, "Respondents") hereby agree that this Stipulation will be submitted for consideration by the Commission at its next scheduled meeting, and that the agreements herein are contingent upon the approval of this stipulation and the accompanying Decision and Order by the Commission.

The parties agree to enter into this Stipulation to finally resolve all factual and legal issues raised by the Complaints and Respondents in Case Nos. P10-001 and RP10-0003, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability (or lack thereof) of the Respondents. Upon approval of the Decision and Order by the Commission and compliance with the terms of this Stipulation by Respondents, the Commission shall take no further enforcement action against Respondents (either jointly or severally) relating to complaints or allegations regarding the facts and circumstances underlying Case Nos. P10-001 and RP10-0003.

Contingent upon the Commission's approval of this stipulation and accompanying Decision and Order, Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights under the Ventura County Code, the Procedural Rules of the Commission and applicable State law including, without limitation, the issuance and receipt of an accusation, the right to personally appear at any administrative hearing held in this matter, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have the Commission or an impartial

administrative law judge hear the matter. Respondents knowingly and willingly enter into this Stipulation with the advice of counsel and, contingent upon the Commission's approval of this stipulation and accompanying Decision and Order, hereby expressly waive any right to bring a legal challenge to the complaints resolved herein, the validity of this Stipulation or the Order of the Commission approving this Stipulation.

As to Complaint No. P10-001, a complaint was filed alleging that Respondents violated certain provisions of the Ventura County Code ("the Ordinance") prohibiting transfers of funds from one committee to another, and limiting the amounts of contributions to candidates for County office. The transfers and contributions at issue were timely reported and not concealed. If a violation occurred it resulted from the apparent good faith opinion on the part of Respondents that the Ordinance did not prohibit the transfers in question, as detailed in letter briefing and declarations submitted by Respondents to the Commission and the Investigating Attorney. Respondent has argued that the application of the Ordinance to the transfers and contributions at issue in this complaint would be unconstitutional under federal case authority and an opinion of the California Attorney General. Through legal counsel, Respondents have threatened to bring a legal challenge to contest a continued prosecution of this complaint. The Investigating Attorney and Respondents agree that a stipulated resolution of all complaints against the Respondents is preferable to protracted and costly litigation. This stipulation does not constitute an admission by Respondents that they violated the Ordinance as alleged in Complaint No. P10-001.

As to Complaint No. RP10-0003, a complaint was filed by the Assistant Registrar of Voters alleging that Respondents violated Section 1268(a) of the Ordinance by accepting two contributions of \$700 each from Cordary, Inc. and an individual who was identified in a campaign report as the "owner" of Cordary, Inc. Under the provisions of the Ordinance, and based on the information in Respondents' campaign report, the two contributions are imputed to be from the same contributor, thereby violating the County's limits on campaign contributions. The contributions were timely reported by Respondents without any attempt to conceal the identity of the contributors. Respondents contend that this violation of the Ordinance was not intentional, that they had no actual knowledge of the individual's ownership in the company sufficient to conclude the individual "controlled" the company, and are administrative in nature.

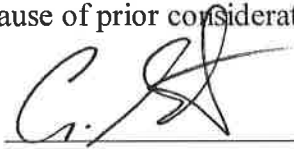
As a full and final stipulated resolution of Case Nos. P10-001 and RP10-0003, Respondents hereby agree to pay an administrative fine of \$700 to the County of Ventura. While significantly less than the maximum possible fine that could be levied in this matter, the amount is justified by the following facts:

1. That Respondents filed accurate and timely reports and did not attempt to conceal the identity of its donors;
2. That Respondents have no other enforcement history with the County of Ventura;
3. That Respondents and counsel cooperated in the investigation;

4. That the public interest is served by resolving the complaints in a way that imposes a significant financial penalty but avoids costly and protracted litigation.

Respondents hereby agree that if further consideration of this matter by the Commission becomes necessary, no Commission board members or staff, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DATED: November 15, 2012



CRAIG A. STEELE, Investigator
COUNTY OF VENTURA CAMPAIGN
FINANCE ETHICS COMMISSION


DATED: _____

AUDRA STRICKLAND, by and for,
HERSELF, AUDRA STRICKLAND FOR
COUNTY SUPERVISOR AND ITS
TREASURER
Respondents


4. That the public interest is served by resolving the complaints in a way that imposes a significant financial penalty but avoids costly and protracted litigation.

Respondents hereby agree that if further consideration of this matter by the Commission becomes necessary, no Commission board members or staff, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DATED: November 15, 2012


CRAIG A. STEELE, Investigator
COUNTY OF VENTURA CAMPAIGN
FINANCE ETHICS COMMISSION

DATED: Nov 16, 2012


AUDRA STRICKLAND, by and for,
HERSELF, AUDRA STRICKLAND FOR
COUNTY SUPERVISOR AND ITS
TREASURER
Respondents

DECISION AND ORDER
Case Nos. P10-001, RP10-0003

The County of Ventura Campaign Finance Ethics Commission ("Commission") has considered the above Stipulation and the attached exhibit at its meeting on _____ . The Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondents shall pay a stipulated fine of \$700.00 to the General Fund of the County of Ventura upon approval of this Decision and Order.

DATED: _____

John F. Johnston, Chair
COUNTY OF VENTURA CAMPAIGN
FINANCE ETHICS COMMISSION