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INVESTIGATOR

Donald P. Becker - COMPLAINANTS

BEFORE THE COUNTY OF VENTURA CAMPAIGN FINANCE  
ETHICS COMMISSION

\_\_\_\_\_  
In the Matter of: ) Case No. P2012-01  
)  
Friends of Bob Roper for County Supervisor, )  
Lysa Ray - Treasurer )  
) **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 Friends of Bob Roper for County Supervisor 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 Complaint in Case No. P2012-01, 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 No. P2012-01.

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.

Five instances were reported where contributions made to Respondent exceeded the allowable limits. Those reported contributions were:

- 1) Multiple contributions from Judith Walker ("Walker") that totaled \$1,450;
- 2) A contribution from Tom McGrath ("McGrath") of \$900 on September 20, 2012;
- 3) Multiple contributions from Ralph Hagle ("Hagle") that totaled \$1,700;
- 4) A contribution from Laura Smith ("Smith") of \$750 on September 29, 2012; and
- 5) A contribution from Edward Hogan ("Hogan") of \$7,000 on September 7, 2012.

Each of the reported instances of excess contributions appeared in Respondents' campaign filings, and was reported in a timely manner. Respondents were legally entitled to accept contributions of \$700 per contributor for the 2012 primary election and \$700 per contributor for the 2012 general election.

An examination of Respondents' records reveals that Walker contributed \$700 attributed to the primary election and \$700 attributed to the general election. Following notice of this complaint, Respondents refunded \$50 as an excess contribution. Respondents refunded \$200 to McGrath as an excess contribution on October 15, 2012. Respondents refunded \$500 to Hagle on October 15, 2012 although the Ordinance required only that they refund \$300. The \$750 reported as a contribution from Smith was a typographical error and the actual amount contributed was \$700. Respondents' treasurer has corrected Respondents' filings accordingly. Thus, all refunds were made to bring these contributions within legal limits.

The Hogan contribution represents a more serious error by the Respondent. The Hogan contribution was reported as a contribution of \$7,000. When the complaint was filed, the Respondents' treasurer informed the Initial Review Attorney that the reported amount was a typographical error and the contributed amount was actually \$700. The Respondents' treasurer contends she did not check bank records prior to communicating with the Initial Review Attorney. When she prepared records to be reviewed by the Investigating Attorney, Respondents' treasurer discovered that the amount deposited had been, in fact, \$7,000. The actual check was written for "\$7000.00" in the numerical amount box, but for "\$700" in words on the line below the payee's name. Despite these discrepancies, the check was honored by both banks. Following investigation, the contributor's bank sought and received the return of the \$6,300 excess contribution from Respondents' bank account.

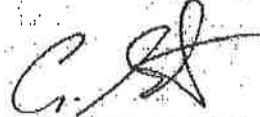
Respondents' treasurer has been cooperative in the investigation, admitted the filing errors and provided complete records on request.

As the full and final stipulated resolution of Case No. P2012-01, Respondents hereby agree to pay an administrative fine of \$ 700.00 to the County of Ventura and amend 2012 campaign filings accordingly. While less than the maximum possible fine that could be levied in these matters, the amount is significant and will serve as a deterrent in future elections. The amount of the fine is justified by the following facts:

1. Respondents did not attempt to conceal the contributions at issue;
2. The excess amounts were either refunded to the contributors or made a part of this fine, ensuring that the funds were not used in the election; and
3. Respondents cooperated in the investigation and admit the violation.

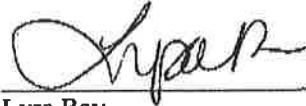
Respondents hereby agree that if further consideration of these matters by the Commission becomes necessary, no Commission board members or staff, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DATED: March 29, 2013



Craig A. Steele, Investigator  
COUNTY OF VENTURA CAMPAIGN  
FINANCE ETHICS COMMISSION

DATED: 4/1/13



Lysa Ray  
Treasurer for Respondents Friends of  
Bob Roper for County Supervisor

**DECISION AND ORDER**  
**Case No. P2012-01**

The County of Ventura Campaign Finance Ethics Commission ("Commission") has considered the above Stipulation and a report from its investigator at its meeting on April 19, 2013. 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 and amend all applicable campaign filings accordingly.

DATED: 4.19.2013

  
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Frank O. Sieh, Chair  
COUNTY OF VENTURA CAMPAIGN  
FINANCE ETHICS COMMISSION