

Sasha Linker

From: April Booze [REDACTED]
Sent: Sunday, October 06, 2019 1:36 PM
To: CommAsst
Subject: Case #15/003 for October 18th meeting concerning columnist Susan Shelley

To whom it may concern:

Upon reading columnist Susan Shelley's report in the Op/Ed section of the Press Enterprise newspaper today, she was good enough to give us your address to e-mail your office with my concerns regarding the California Fair Political Practices Commission.

This Commission started out in 1974 with, no doubt, good intentions after the Watergate scandal.

However, as the years have gone by, it seems that in Ms. Shelley's case, as well as many others, the Commission has become draconian in levying fines on candidates, while office holders who have committed the same errors get hardly a slap on the wrist. As the Commission wrote, Ms. Shelley "substantially complied" with the law and paid her fine in 2014.

Now she is being fined again in the amount of \$12,500. This sounds like extortion to me as well as a power grab by the Commission to keep regular citizens from being able to participate as candidates for offices in our state for fear of being fined and publicly noted that they may have been in violation of campaign finance law.

I think the Commission needs to be fully reviewed and regulated by an impartial panel or brought before the California Supreme Court for further review.

Regards, April Booze

Sasha Linker

From: Dan Bosch [REDACTED]
Sent: Sunday, October 06, 2019 2:28 PM
To: CommAsst
Subject: FPPC Case # 15/003

Ref: FPPC Case # 15/003 (Oct18 mtg)

My understanding of this case is limited to a recent Shelley article in the OC Register, however that article makes a pretty solid case that FPPC assessment of fines are arbitrary and punitive against individuals that could contribute good judgement to the political process in California.

It appears to me that there are enough bad actors in our system to keep your organization occupied. If you have enough staff to single out the folks mentioned in the Register article (Shelley, Lopez, Schnur . . .) then you are overstaffed or you are misguided. Please redirect your organization to discourage the cheats and support the people that want to bring good judgement to our government.

Focus on the cheats and give breaks to people trying to do good for our government.

Dan G. Bosch
(simple conservative California tax payer)
[REDACTED]

Sasha Linker

From: Patricia Bourdeau [REDACTED]
Sent: Sunday, October 13, 2019 3:37 AM
To: CommAsst
Subject: Case No. 15/003

I am writing in support of Susan Shelley and in support of fairness, common sense, justice which is blind to prejudice, and integrity. If words mean anything, the **Fair** Political Practices Commission should be **fair** and impartial. We, as citizens, should feel that the "system" is not out to get anyone and just looking for a reason to "get them", which seems to be the case especially with people who enter politics independently. Please vote in favor of not only Susan Shelley, but all those in similar situations.

Thank you for your consideration.

Patricia Shapiro (Bourdeau)

Sasha Linker

From: Doug Butler <[REDACTED]>
Sent: Monday, October 07, 2019 7:47 AM
To: CommAsst
Subject: Case # 15/003 Oct 18, 2019

The Commission should apologize to Ms. Shelly. There is no purpose in technical fines. Fines should be based on the total raised by the candidate or entity. A fine of \$6000 which was about 75% of the total amount raised by the candidate tells other independent candidates not to run for office.

The FPPC has it all wrong. Doug Butler

--

Douglas Butler

Telephone

Fax ([REDACTED])

[REDACTED]
Rancho Palos Verdes, CA [REDACTED]

Sasha Linker

From: Eddie Byrn <[REDACTED]>
Sent: Thursday, October 17, 2019 10:39 AM
To: CommAsst
Subject: Agenda item 20 for meeting of Oct.18, 2019 comment

I am in support of Susan Shelley. I think the proposed fine should be dropped. The process seems to have gotten to the point of harassment in order to discourage other new comer candidates for political office from running. (Unless, of course, the new comer candidate is chosen by the powers that be.)

Thank you,
Eddie Byrn
Moorpark, CA

Sasha Linker

From: Tressy Capps <[REDACTED]>
Sent: Wednesday, October 16, 2019 8:00 AM
To: CommAsst
Cc: Tressy Capps
Subject: Public comment on case, #15/003 Item #20 on agenda

Importance: High

Please consider my comment and verify receipt of same by replying to this email.

Greetings!

I just want to thank you for confirming the path I chose when I ran for office in the past. Your protracted crucifixion of Susan Shelley in this case validates my decision to refuse to accept campaign donations. I had an attorney service for 30 years and am very familiar with forms and procedures. The sea of forms a candidate must wade thru to run for office is daunting.

I do hope you will exonerate Susan Shelley in this matter. Hasn't she paid her debt for her alleged misdeed at this point?

In the alternative, if the goal of this agency is to discourage those who would seek to run for office and cannot afford a legal team backing their candidacy, then mission accomplished.

Sincerely,

Tressy Capps [REDACTED]

Sasha Linker

From: Margaret Clark <[REDACTED]>
Sent: Monday, October 14, 2019 1:23 PM
To: CommAsst
Subject: Case No.15/003

My name is Margaret Clark, Mayor of Rosemead California. I have known Susan Shelley for several years and find her to be an honest, upstanding person and hope that she will be treated fairly and that her fine be reduced or eliminated to be consistent with other fines. Thank you for your consideration.

[Sent from Yahoo Mail on Android](#)

Sasha Linker

From: Jerry Codekas [REDACTED]
Sent: Thursday, October 17, 2019 11:30 AM
To: CommAsst
Subject: Shelley Winters campaign violation

In looking at the decision to impose fines , It does not appear proportional, nor does it follow previous precedent , where is the justification?

Regards,
Jerry Codekas

Sent from my iPad

Sasha Linker

From: Kathleen Cowieson <[REDACTED]>
Sent: Thursday, October 17, 2019 10:03 AM
To: CommAsst
Subject: Public comment on case #15/003

I was dumbfounded learning about the punitive fine imposed on Susan Shelley. As noted by many other commenters, Ms. Shelley was a first-time candidate with good intentions of serving her community. Originally, she was fined several times and she paid the fines. I may be confused but it seems to me, this would be akin to double jeopardy (although not a criminal case). My understanding is that your commission is to ensure fair political practices; however, this fine does not seem fair. In my opinion, it is arbitrary and capricious because Ms. Shelley is not a liberal progressive. SHAME ON THE FPPC. So much for fair political practices.

I am asking that the FPPC reconsider this excessive fine of Ms. Shelley and drop the fine.

Respectfully submitted,

Kathleen D. Cowieson

Sasha Linker

From: John Dade [REDACTED]
Sent: Monday, October 07, 2019 7:52 AM
To: CommAsst
Subject: Public Comment: California Fair Political Practices Commission

----- Forwarded message -----

From: **John Dade** <[REDACTED]>
Date: Mon, Oct 7, 2019 at 7:49 AM
Subject: California Fair Political Practices Commission
To: <CommAsst@fppc.ca.gov>

Dear Commission Assistant,

Since I will not make it to the meeting on October 18, I am writing to show my support for Ms.Susan Shelly (Case Number 15/003) and to support her in her defense against what appears to be an excessive fine being levied for a minor issue dealing with "late filing" of reports.

My research turns up inconsistent and arbitrary fines patterns in many cases and many not commensurate with the offense.

There are many more serious (and intentional) abuses that need attention in my opinion.

I am asking for a fair and common sense resolution to this case and would actually like to see it dropped completely as a good faith gesture to those looking to seek political office that there is "fairness" in your oversight position.

Thank You for you consideration.

Sincerely,

John Dade
Buena Park, CA
[REDACTED]

Sasha Linker

From: barney desimone [REDACTED]
Sent: Wednesday, October 16, 2019 9:08 PM
To: CommAsst
Subject: Susan Shelley Case

I believe the \$12,500 fine against Ms Shelley is way out of proportion for the minor process violation. It gives the appearance of a punitive partisan sanction. If the FPPC truly wants more people to run for office in California, you should tone down this kind of chilling action. There appears to be a partisan bias when it comes to actions against Republicans. I know of much more egregious campaign violations by Democrats that drew a slap on the wrist from the FPPC. I know this person very well and followed the FPPC proceedings closely. Frankly it was a fiasco.

Benedict DeSimone

Sasha Linker

From: Earl [REDACTED]
Sent: Wednesday, October 16, 2019 8:53 PM
To: CommAsst
Subject: Comments on FFPP

Dear Commissioners,

In my own dealings, when looking for answers to the forms you require, were dealt with a tone that made it clear to me that I was BOTHERING the staff person you have answering the phone. No company would stay in business by a reception like that.

I have read Susan Shelly's article on how you are treating cases unequally. It's a shame that a department like yours has lost its goal to serve the taxpayers that write your checks Earl De Vries Ontario

[REDACTED]
Blessings Earl

Sasha Linker

From: [REDACTED]
Sent: Wednesday, October 16, 2019 10:12 PM
To: CommAsst
Subject: First time Assembly Woman

This is outrageous. First time offenders running for Assembly like Susan Shelly

does not warrant a "penalty" for goodness sakes.

In any wrong doing a person

gets a warning and late fees are appropriate and

if it is a repeat offender than and only then does it warrant additional FINES.

Is California that broke they need to harass a first time politician?

Gov. Newsome is always bragging

what a "surplus" California accounts have.

Beverly DuJacques

Sasha Linker

From: Lydia Eltringham [REDACTED]
Sent: Sunday, October 06, 2019 5:25 PM
To: CommAsst
Subject: My comment on Case No 15/003

Gentlemen,

I read with great interest Susan Shelley's column in the Sunday October 6 Daily News. I understand the commissioners of FPPC are interested in expanding opportunities for the public to comment on items on the agenda. I truly hope that you are also interested in what our comments are.

I was appalled to read about the severity of penalties levied against Susan Shelley, G. Rick Marshall, Patty Lopez and Dan Schnur. From what I read these people had an honest desire to do something positive in politics, but were treated unfairly, based on intricate laws and legalese wording of the Political Reform Act. And fined large amounts of money that seems out of proportion to what their "violation" was.

And yet, the fine for the Bay Area Rapid Transit agency for spending public money to campaign for the \$3.5 billion bond known as Measure RR was only \$7,500, the commission fined the "Yes on Prop. 57, Californians and Governor Brown for Public Safety and Rehabilitation" committee only \$2,500 for failing to disclose in ads that the California Democratic Party was one of its top two contributors of \$50,000 or more, and only fined former Board of Equalization member Betty Yee \$2,082 when her 2014 campaign for state controller failed to file required reports for over \$68,000 in large contributions. Those contributions were large and yet the fines were small in proportion.

How is this fair? Someone is showing favoritism and it goes against my personal sense of ethics. How can Susan Shelley's proposed fine be \$12,500? This is for "late filing of campaign finance reports during a 90-day period in 2013" even though the FPPC acknowledged in writing that the campaign "substantially complied" with the law, and even though fines for the IDENTICAL late filings were already paid to the Secretary of State's Office in 2014. It seems to me that she is being penalized for trying to do something right.

I can't be at the upcoming meeting on October 17 but I want my voice to be heard. Your commission needs to treat all violations with an equal balance of fairness. No favoritism should be shown players that are already in the political system.

And for heavens sake, don't make the rules and regulations so complex and complicated that "only a professional political campaign treasurer can competently handle the complex compliance and reporting requirements for political activity" It seems to me that if some professional treasurers won't take on clients unless they also hire a specialized political attorney, because of the liability imposed on treasurers by the Political Reform Act there is something basically wrong with that Political Reform Act. Make the ACT do what it's supposed to do, not be there as a way to punish people who are genuinely trying to make a positive different in our political system.

I hope your commission dismisses that \$12,500 proposed penalty against Susan Shelley. (Case No. 15/003). I will be watching for news of the results of the meeting.

Lydia Eltringham
California Tax Payer

[REDACTED]
Tujunga, CA [REDACTED]

Sasha Linker

From: Richard Ewald <[REDACTED]>
Sent: Thursday, October 17, 2019 11:02 AM
To: CommAsst
Subject: Case 15/003

I would like to comment on the above case.

As I understand the facts, the candidate filled the information electronically in a timely manner and only the paper back up copies were late. We live in an electronic age. Everything is done electronically now, from depositing paychecks to paying bills. Ms Shelly submitted the information. You had it on time. To fine her for not getting the paper copies in before the deadline is just petty and unjust.

Even your enforcement division says she "substantially complied" which I take to mean, yes the data was supplied electronically, but we didn't have the paper copies. Since you had the electronic copies, why is paper even necessary? Is the paper requirement a hold over from before the electronic age? I feel the answer is yes. Well then why are you sticking with horse and buggy technology? It's time to move forward. Drop the fine and change the rules. As you had the info in your computers, there was no need for a paper copy. Paper copies take up space, they have to be filed and tracked and sooner or later get lost. Electronic copies are as close as your keyboard.

Also about the fine. \$12,500 for a late postmark? This is not a presidential election campaign with more money than God. This is a single individual who cares about our state and wants to participate in our political system. Leveling such a fine for a lone individual for a late postmark will send a chilling effect into California politics. Good people who could make excellent contributions to our government won't step up and run due to the potential financial downside if they break a needless rule.

I strongly urge you to reconsider the fine, and make it more in keeping with what is right. If you ask me, either the fine should be waived, or a minimal amount charged, say \$100.

Thank you for allowing me to comment.

Richard B. Ewald
[REDACTED]

Sasha Linker

From: Richard Fisk <[REDACTED]>
Sent: Thursday, October 17, 2019 8:58 AM
To: CommAsst
Subject: case #15/003

It is blatantly unfair and a disservice to our election process to assess Susan Shelley such an excessive fine, actually a fine at all. I have been following her case, and was at her hearing in downtown Los Angeles, where a gang of representative plaintiffs would have the courtroom audience believe that this was a high profile capital murder case. This whole process has an air of discrimination against anyone who is not a career politician. If, and it is a big IF, she had made an error in the reporting process, the amount of fine is way out of line. With her presented evidence countering the accusation, it would seem that the FPPC commissioners would use this case as an example of where the process can be improved.

Just last night, I heard from the LAFD and LAPD discuss the response to the SoCal Saddleridge fire that is still not fully contained. In a public meeting, Assemblywoman Christy Smith, LA City Councilman John Lee, representatives from Building and Safety, and from the City's Emergency Management Department were on the panel. The public audience, mostly from the affected fire area and were evacuated, had a lot of criticism, speaking of the significant shortcomings in the notification system - 100% did not get a reverse 911 call that we all have been paying for. The Police, Fire and speaker panel listened carefully and admitted there were shortcomings in the system and each of them noted possible ways they could help improve the system.

Cancel Susan Shelly's fine and consider there that no person or system is perfect.

Richard Fisk
My personal opinion
I am chair of Government Affairs for United Chambers of Commerce

Sasha Linker

From: Cheryl Freeman <[REDACTED]>
Sent: Thursday, October 17, 2019 9:12 AM
To: CommAsst
Subject: Miss Susan Shelly

Dear Commissioners -

Susan Shelley was a first-time candidate for the CA State Assembly and now for an error in reporting she will be fined a grand amount of \$12,500.

And the Enforcement Division admitted that she had made a good-faith effort to comply with all the reporting requirements.

Susan Shelly is an outstanding figure in our San Fernando Valley Community. She is involved in helping homeless amongst other pertinent programs.

I understand that this is your job, but please take a good look at the hardship this will place on Miss Shelly and forgo this penalty. We all need to know that a penalty like this for a first time error offense can be forgiven. Please, I reiterate, reverse this penalty for Miss Shelly who is an outstanding citizen!

Thank you for this consideration.

Cheryl Freeman

Sasha Linker

From: Ron Guilbert [REDACTED]
Sent: Thursday, October 17, 2019 9:48 AM
To: CommAsst
Subject: Susan Shelly

I want to record my deep concern with the obvious politically motivated fine levied on Susan Shelly. It is shameful and unfair that such a minor transgression should bear such a painful burden.

Her maximum fine should not exceed \$100.

Please make this happen or risk showing you are totally and only politically motivated.

Ron Guilbert

Sent from somewhere or other.

Sasha Linker

From: Roxanne Beckford Hoge <[REDACTED]>
Sent: Thursday, October 17, 2019 12:00 PM
To: CommAsst
Subject: Susan Shelley case # 15/003.

This is a travesty and only serves to stop regular people from running for office

Roxanne Beckford Hoge
www.roxannebeckford.com
www.rightonusa.org

Sasha Linker

From: Roxanne Beckford Hoge <[REDACTED]>
Sent: Thursday, October 17, 2019 12:02 PM
To: CommAsst
Subject: Susan Shelley case # 15/003.

This is a travesty and only serves to stop regular people from running for office — it's quite clear that Ms. Shelley's intention was not to deceive or obfuscate in any way. Our Founders intended for citizens to serve and then return to their lives. This case is stopping someone who didn't even win her election from getting on with her life. It's time to stop the harassment.

Sincerely,

Roxanne Beckford Hoge

Sasha Linker

From: Marcia jacobs <[REDACTED]>
Sent: Thursday, October 17, 2019 10:59 AM
To: CommAsst
Subject: Case #15/003 - Susan Shelley

I believe the fine proposed of \$12,500 for apparently "late-filing" is absolutely wrong and this fine should be cancelled against Susan Shelley.

Apparently late-filing fees were paid and she was a first-timer in filing.
Please spend your time on more important issues.

Marcia Jacobs
[REDACTED]

Sasha Linker

From: [REDACTED]
Sent: Sunday, October 13, 2019 7:55 PM
To: CommAsst
Cc: [REDACTED]
Subject: Public Comment on Case #15/003: Susan Shelley vs. FPPC

Re: Public Comment on FPPC Case #15/003 (Susan Shelley)

From: Karen L. Kenney, PhD. [REDACTED]

To: CA Fair Political Practices Commission (FPPC)

I write because I know Susan Shelley through my civic work.
I write because my civic work is political in nature and intent.
I write because intent matters.

The FPPC web site underscores the intent of its mission: To ensure fairness, integrity and engagement in California's political process.

If the intent is access, the process must guide that intent.
If the intent is denial, the process must punish or defeat.
If the intent is defeat, the process must have a chilling effect.

The "proposed decision" will have a chilling effect.
"Machine insiders" will thrive. "Grassroots" candidates will wither.
Scrap it. Take a Mulligan.

There was no intent for public harm. No public harm was done.

The "proposed decision"--especially of a \$12,500 fine for a late filing--is akin fining a driver \$3,500--plus issuing a \$35 ticket--for changing a flat tire at an expired meter.

The FPPC must decide whom it serves: We the People or People in Power.

Your intent inspires. I hope your action does.

Respectfully,
Karen L. Kenney, coordinator San Fernando Valley Patriots

[REDACTED]

Sasha Linker

From: Ken Khachigian <[REDACTED]>
Sent: Monday, October 07, 2019 1:44 PM
To: CommAsst
Subject: Case #15/003

That you would fine Susan Shelley \$12,500 is not only one of the reasons good people don't run for office in California, it adds to the myriad of reasons why people are leaving this state in droves. The regulatory mania...the desire to punish people for trying to serve their state...and to do it disproportionately while allowing Betty Yee's, Jerry Brown's and BART's committees to get by with violations totaling LESS than the one you are sticking Ms. Shelley with is a joke.

In this last election cycle, the Democratic Party was playing with "ballot harvesting" like it was cotton-picking time in the San Joaquin Valley. Haul in the bounty with no oversight. Now THERE'S something the FPPC might sink its bureaucratic teeth into.

Get real. Your fine of Ms. Shelley is clearly overdone and promiscuous -- a case of government overkill of the small folks while letting the political oligarchs get their cheeks pinched.

I've been involved in California politics for nearly 40 years, and this is a shameful and vulgar exercise of power to an end that makes no sense in public policy.

I am registering my strong objection to this fine and ask, if you need a fine, to reduce it to a token. You have acknowledged that Ms. Shelley "substantially complied" with the law. That surely makes her more in compliance with the tens of thousands of illegals this state has given sanctuary to with NO fines. If anything, give her a token fine of \$1 and move on to something worthy of your time.

Ken Khachigian
San Clemente, California

Sasha Linker

From: Diana Knecht <[REDACTED]>
Sent: Thursday, October 17, 2019 11:20 AM
To: CommAsst
Subject: Case #15/003

Dear FPPC,

I'm writing in support of Susan Shelley. I have not met her personally but know people who have, and want to ask that you please do not fine her for a harm she clearly didn't intend. Let's not discourage our fellow citizens from trying to serve the public.

Thanks,
Diana Knecht
[REDACTED]

Sasha Linker

From: Andrew Ko <[REDACTED]>
Sent: Thursday, October 17, 2019 8:54 AM
To: CommAsst
Subject: Susan Shelley

Dear Commissioners --

This is to express my disappointment at how unfair and unjustified that a fine is assessed against Susan Shelley when she was a first-time candidate for the California State Assembly.

The Commission will be discouraging civic minded citizens from declaring candidacy for public office. The Commission should be encouraging a younger generation of citizens to serve our State, Counties, and Cities.

I ask the Commission to issue a warning and rescind the fine for Susan Shelley. If the "mistake" is repeated, then levy the fine.

I declared candidacy for City Council and the "paperwork" and instructions were at times confusing. Our City Clerk would not allow multiple people to help me collect signatures for the Nomination Paper. If I were running for State office and needed hundreds or thousands of signatures, how would it be possible to only have 1 copy of the Nomination Paper signature form being circulated.

Please reconsider the five figure fine on this tireless candidate who was just trying to serve her community and the public at large.

Thank you your consideration.

Sincerely,

Andrew Ko

Paul Larson

720 East Bixby Road
Long Beach, California 90807-4136
Telephone: (310) 418-9314
e-mail: plarsonmarine@aol.com

09 October 2019

Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Subj: OAH No. 2019030096
FPPC Case No. 15/003
Fair Political Practices Commission v. Susan G. Shelley

Dear Sir or Madam:

Susan Shelley does not know me, and I only know her through reading her weekly editorials. Her op-ed titled “No wonder good people don’t run for office in California” provided links to documents in the subject docket and relayed at a recent FPPC meeting “the commissioners expressed a desire to expand opportunities for the public to comment on items that are on the commission’s agenda.” I was interested enough to peruse the docket and I am interested enough to provide comments to the Commission.

I have a 21 year federal law enforcement career, much of which involved presenting cases before Administrative Law Judges. Years after I retired regulations were re-written and case presentation before ALJ’s became more formalized, including now a requirement that prosecutors be lawyers – I was not/am not a lawyer.

My former service now resolves most cases by a negotiated settlement and only about 3% of cases filed end up being prosecuted before an ALJ.¹

What struck a chord between Ms. Shelley’s case and the evolving practice of my former service is seemingly extreme efforts by the enforcers to achieve a negotiated settlement. The process is arduous and expensive. In administrative proceeding as this Respondents are on their own and, as with civil suits, pay for their representation or represent themselves. Ms. Shelley persevered and represented herself throughout (and has perhaps recently been assisted by the Howard Jarvis Taxpayers Association). As with my former service and, I suspect, as with FPPC cases, most respondents simply surrender to the process and agree to a lesser negotiated settlement than risk losing, after an expensive defense, and paying more.

¹ *Over the past ten years nation-wide approximately 133 cases have resulted in hearings before ALJ’s. During my federal career I was prosecutor in over 250 hearings before five different ALJ’s. Now there are only five ALJ’s in the agency.*

Paul Larson

Fair Political Practices Commission
Sacramento, CA 95811

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Re: Fair Political Practices Commission v. Susan G. Shelley

The subject matter is not a “did she or did she not do it” question. Ms. Shelly has admitted to being late in filing pre-election campaign statements and failing to report what seems to be two separate loans from herself to her campaign and a Howard Jarvis Taxpayers Association contribution.

California Government Code section 83116 sets forth six factors to be considered by the ALJ and Commission. I want to address the third:

Whether the violation was deliberate, negligent or inadvertent

Ms. Shelly has been deemed negligent. I believe this is too harsh. Her actions (or inactions) were inadvertent.

Negligent (or negligence) is not defined in FPPC regulations. A Google search of negligence in California Regulations had, as its first hit, California Code, Civil Code - CIV § 1714, copied as follows:

(a) Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself....

The two things I take from this are “willful acts” and “want of ordinary care or skill.” In my view the former is choosing an action (or inaction) among two or more alternatives, whereas the latter connotes a consequence resulting from a lack of ordinary (average) care or skill. Regarding my former career as a prosecutor of cases before an ALJ, the regulatory definition of negligence was (and remains) as follows:

Negligence is the commission of an act which a reasonable and prudent person of the same station, under the same circumstances, would not commit, or the failure to perform an act which a reasonable and prudent person of the same station, under the same circumstances, would not fail to perform.

In one of the Negligence cases I prosecuted the ALJ, from the bench upon completion of closing arguments, defined his interpretation of a “reasonable and prudent person.” The Judge explained this by taking 100 persons whose line of work or endeavor is in the same field (*i.e.*, of the same station, under the same circumstances) as that of the Respondent, and having the 100 persons stand in a line sorted by order of their talents, skills and abilities. The person at one end of the

Paul Larson

Fair Political Practices Commission
Sacramento, CA 95811

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Re: Fair Political Practices Commission v. Susan G. Shelley

line would be the best of the 100, at the opposite end the person would be the worst or least skilled of the 100, and in the middle would be the average person. The Judge explained this average person is the “reasonable and prudent person” who sets the benchmark for determining whether the Respondent’s acts or omissions amounted to negligence.

While undisputed Ms. Shelly was in violation, I believe her acts/omissions were unintended and that her efforts comported with the actions of a reasonable and prudent person. She studied requirements on her own and she sought help from staff personnel. This seems to have been diligent research. The requirements, it appears, are not straightforward. Had the average first-time candidate person of the same station/circumstances as Ms. Shelly been able to figure out the various campaign filing requirements and deadlines the FPPC would not have needed to develop the Online Candidate Toolkit and, had the toolkit been available to Ms. Shelly, there would be no FPPC Case No. 15/003.

Perhaps the best argument that campaign filing requirements and deadlines were, in the pre-Online Candidate Toolkit era, too complicated for a reasonable and prudent person to understand is Mr. Dan Schnur’s 2014 campaign for Secretary of State. Reportedly he donated \$125,000 of his own money to his committee to cover debts and, like Ms. Shelly, failed to file a “\$5,000 report” disclosing the contribution. Unlike Ms. Shelly who had no prior experience with FPPC requirements, Mr. Schnur was a former chairman of the FPPC.

I did not read anything that was illegal about Ms. Shelly’s campaign funding other than missed deadlines/missed reporting. It would be a different scenario if there happened to be misappropriation or money-handling malfeasance. In cases as Ms. Shelly’s, particularly as she was a first-time candidate, I would rather see FPPC educate and warn, and reallocate time spent on prosecution of cases as Ms. Shelly’s to the more serious cases which truly affect the integrity of the election process.

I believe the monetary penalty against Ms. Shelley should be set aside and that the sanction be reduced to a warning. It is important that a warning be recorded, this because if Ms. Shelly ever chooses to run for office again her record would be relevant were she to, again, miss filing deadlines and requirements.

Respectfully submitted,

PAUL J. LARSON

cc: Susan@SusanShelley.com

Sasha Linker

From: Jerry Laughlin [REDACTED]
Sent: Wednesday, October 16, 2019 11:19 PM
To: CommAsst
Subject: PUBLIC COMMENT -- Case #15/003, regarding Susan Shelley

Dear administrators,

I am a citizen of California and a resident of Tustin, California. In the case of Susan Shelley and with respect to you as FPPC commissioners deciding whether to accept or reject a "proposed decision" recommending a \$12,500 fine against Susan Shelley for late-filed paperwork during a 2013 special-election campaign for the Assembly, please accept my opinion as credible and sincere. I have read and heard the details of this case more than once, and I am someone who does not know this woman personally, but there is an crucial element of fairness that I ask you consider regarding her case.

She has done her deep and due diligence with regards to providing what was necessary in her efforts to become elected in the special election in 2013. She has paid substantial fees already for errors she was not appraised of going into the process. The complexity of submittals has not been her fault, but the responsibility of officials and clerks and administrators of the State of California to make such submittals against potential filing errors much more transparent, resulting in far easier submittals. Rules that are so complex, ambiguous perhaps, and definitely onerous serve no one in any position in this case. They serve the public in no conceivable way. There were many instances in which government employees/officials could have paid due attention to the details regarding her submittals and thereby prevent such fines and penalties that are now proposed against her, in the amount of \$12,500.

In the desired sense of fairness for a citizen exercising her right to try and represent the people of the great State of California in regards to the 2013 special election, please dismiss these fines and dismiss this case against Susan Shelley. Her late fees are penalty enough, and those may not be deserved in any case. Let this proposal of release of responsibility by you be a sincere example of respect, empathy for those encountering the cumbersome process that screams to be simplified, heartfelt appreciation of the bizarre nature of this situation, and above all an example of flexibility towards the public by our elected officials.

In the name of fairness, please dismiss this proposed \$12,500 fine. Let us honor, respect, and have empathy towards each other every chance we can. Our world can and should get better at this.

Sincerely,

Jeremy V. Laughlin
[REDACTED]
Tustin, CA 92782

October 14, 2019

To Whom It May Concern:

The purpose of this letter is to voice our support of Susan Shelley, who has been targeted with an unfair and unreasonable fine, only because she wanted to run for political office.

We, Carole Medway and Paul Dowling, worked as volunteers for Susan Shelley's campaign when she ran against Matt Dababne in 2013. She ran her campaign on a shoestring and almost won against an opponent armed with seemingly unlimited funds. We wanted to be a part of Ms. Shelley's campaign, because we saw in her an unquestionable integrity that is sorely lacking in most politicians.

Having had Susan as a guest in our own home, we can testify that her public image is not inconsistent with her behind-the-scenes personality. We know from our personal experiences with Ms. Shelley that she does what is right to the utmost of her ability and always treats others with the greatest possible respect and fairness.

Ms. Shelley strove to follow the Fair Political Practices Commission rules in a timely manner. Yet she is not being treated fairly. The fact that Ms. Shelley is being levied a fine of \$12,500, for simply wanting to serve her community in Sacramento, boggles the mind. How could this be construed, in any reasonable way of looking at the matter, as Equal Protection under the law? And if Dan Schnur was confused enough to run afoul of the FPPC rules, after having served as its chair, just how unfair a system of rules must the FPPC Rulebook have evolved into?

When Ms. Shelley was originally deemed by the FPPC to have "substantially complied" with the law, how is it fair to change this original estimation to one that is suddenly highly punitive? Xavier Becerra has been quoted as saying, "The overriding purposes of the Political Reform Act of 1974 . . . are to combat the pernicious influence of money in politics and government and to ensure that all citizens have an opportunity to participate in the political process. . . . [T]hese core purposes remain unchanged." In line with these purposes, Susan Shelley deserves to be treated with the greatest possible respect and fairness. True justice demands nothing less.

Sincerely,

Ms. Carole Medway & Dr. Paul Dowling

Sasha Linker

From: scottishwedding Minton [REDACTED]
Sent: Thursday, October 17, 2019 10:19 AM
To: CommAsst
Subject: #15/003, item 20 on the October 18 agenda.

Susan Shelley was originally found to have “substantially complied” with the law. Why is she being levied such an onerous fine? If you’re trying to combat the influence of money in politics via the FPPC, then you should be looking elsewhere. She made an honest mistake and to punish her in this manner looks like the weaponization of our legal system to prevent people from running in elections unless they have limitless funds to defend themselves.

She should not be fined. Period.

Jeanne Minton

Sasha Linker

From: Micheal D Nelson <[REDACTED]>
Sent: Thursday, October 17, 2019 6:11 AM
To: CommAsst
Subject: Susan Shelley.

Again California law decision's punish anyone who doesn't think Like the Democrats. When are the government agencies going To be held responsible for doing sloppy work. In this case not Providing information/ assistance to (any one) running for office.

As a retired supervisor(40.5) years working in 5 division's for The City of Los Angeles I've witnessed this over/ over. Government Agencies are supposed to work with the public not hammer them Down. Thank you for viewing these comments.

Michael d nelson
Vickie Breaux
Yuba Gold farms
Wheatland calif.
[REDACTED]

Sent from my iPad

Sasha Linker

From: Joan T Newton <[REDACTED]>
Sent: Wednesday, October 16, 2019 10:29 AM
To: CommAsst
Subject: Case No. 15/003

To whom it may concern:

It is both ridiculous and corrupt for the FPPC to charge Susan Shelley an additional fine beyond what she has already paid to the Secretary of State's Office for her late filing in 2013. The stated purpose of the FPPC is to "...ensure that all citizens have an opportunity to participate in the political process", per AG Becerra. Excessive fines against honest citizens who run for office creates an unreasonably high barrier to entering any political race. It is out of proportion and runs counter to the stated aim of the FPPC.

Please ensure that this fine against Susan Shelley is dropped. I do not want my taxpayer support for this state to be used in such abuse of citizens.

Sincerely,
Joan Newton
Granada Hills, CA

Sent from my iPad

Sasha Linker

From: Steven Presberg <[REDACTED]>
Sent: Thursday, October 17, 2019 6:23 AM
To: CommAsst
Cc: Susan Shelley
Subject: Case No. 15/003 - Susan Shelley

I am submitting this to add to the public comments already forwarded to you in this matter.

I believe that most of the relevant issues have been addressed by others. However, one issue I wish to focus on is the combined issue of proportionality and appropriateness of a penalty.

As to proportionality, it seems that selecting the exact midrange penalty for each of five offenses, especially under circumstances where the enforcement division found a good faith effort to comply, does significant harm to the concept of penalty appropriate to an offense. A good faith finding implies that a penalty might find an "appropriate" level near the low end prescribed by the statute.

I have served as an Administrative Law Judge, and currently serve as a Hearing Officer for Los Angeles County, presiding over cases of wrongdoing alleged against County employees, including sworn law enforcement. I have read the ALJ's recommended decision in this case, and I find it lacking significant explanation or analysis as to precisely how the penalties imposed were reached. Where property interests are involved, such as a job, or money, true due process compels a very searching and thorough analysis. On my docket, not all wrongdoers lose their jobs. Nor in cases of less serious offenses do all charges receive identical penalties. Each requires its own careful analysis.

I believe that not only are the fines imposed excessive, but that the setting of identical penalties for each charge bespeaks a lack of sufficient independent judicial analysis.

I urge your Commission to reflect on the penalties Ms. Shelley has already paid to the Secretary of State, before imposing any further penalty upon this first (and only) time candidate for the lowest level office regulated by your Commission.

Steven Presberg
Woodland Hills, California

Sasha Linker

From: Alan Priven <[REDACTED]> on behalf of Alan Priven
<[REDACTED]>
Sent: Thursday, October 17, 2019 11:26 AM
To: CommAsst
Subject: Fine hearing against Susan Shelley

The proposed fine against Ms. Shelley is extreme. The public hears almost nothing about your panel's activity and makes us wonder whether the opinions Ms. Shelley expresses are affecting your judgment.

Please do the right thing and exonerate her from further excessive costs. She is a wage earner with the good of our state motivating her writings.

Alan & Cheryl Priven
[REDACTED]

Sasha Linker

From: JimQ <[REDACTED]>
Sent: Monday, October 07, 2019 1:43 PM
To: CommAsst
Subject: Fwd: Case 15/003 Susan Shelley

Jim Q

Begin forwarded message:

From: Jim Q <[REDACTED]>
Date: October 7, 2019 at 12:03:08 PM PDT
To: "CommAsst@fppc.cagov" <CommAsst@fppc.cagov>
Subject: Case 15/003 Susan Shelley

I read with grave concern the attempts by citizens to help serve their state, only to be fined amounts which far outweighed their ability to pay or even meet the burden of intent. This information was presented in the Daily News on October 6th

The examples given in the cases clearly show a miscarriage of the intent of the law, and the difficulty in compliance.

I would respectfully request you take this into account when arriving at a decision.

James Quakenbush

[REDACTED]
Newhall CA [REDACTED]

Sasha Linker

From: Lucy Rastor <[REDACTED]>
Sent: Thursday, October 17, 2019 11:27 AM
To: CommAsst
Subject: Susan Shelley hearing

It is a shame that the first time independent candidate, Susan Shelly, with limited resources has to pay such an exorbitant fine of \$12,500
It appears that you trying to discourage independent people without big donors to run for office.
Respectfully, L.Rastor

Sasha Linker

From: Robb, Denise M <[REDACTED]>
Sent: Thursday, October 17, 2019 7:01 AM
To: CommAsst
Subject: Case #15/003. Susan Shelley

Importance: High

Dear FPPC,

I am writing in strong support of former candidate Susan Shelley. I realize you are planning to issue a hefty fine for her turning in late paperwork. I want to vouch for her character and honesty.

Susan Shelley has spoken to the students here at Pierce College every single year for many years. I have representatives from all the political parties speak to my 250 plus students every semester so they can learn more about civics and become engaged.

She does this without way (I provide a sandwich and soda). I have run for office and I know that for first-time candidates such as Ms. Shelley, the paperwork is immense and daunting. It is very difficult to comply with all the rules and regulations, especially if you don't have the money to hire a professional Treasurer as some of the well-funded candidates do. Please do not cause this severe hardship to Ms. Shelley and forgive it for what it is, a new candidate's errors in grappling with a complicated system.

Thank you for your time.

Sincerely,

Denise Robb

Denise Munro Robb, Ph.D.*

[REDACTED]
[REDACTED] and Joshua's Mommy

*for identification purposes only

Sasha Linker

From: Judy Rosander [REDACTED]
Sent: Friday, October 11, 2019 1:11 PM
To: CommAsst; inknews
Subject: Case 15/003 Susan Shelley

To Whom it May Concern:

It is outrageous that FPPC leveled an unfair charge on Susan Shelley of \$12,500 for a late filed campaign finance report in 2013. The FPPC acknowledged in writing that the campaign had "substantially complied" with the law so no fine is justified. It is no wonder America has a difficult time finding ethical people like Susan to run for office. I am a registered Democrat and I applaud Republicans like Susan and feel this ridiculous fine is just partisan politics at play.

Please reverse this fine which in is an unfair and unwarranted abuse of your power.

Sincerely,

Judy Rosander

Sasha Linker

From: [REDACTED]
Sent: Wednesday, October 16, 2019 11:40 PM
To: CommAsst
Subject: Susan Shelley's Case #15/003

Dear Commissioners --

I would just like to express my outrage at the unfair and unjustified fine assessed against Susan Shelley when she was a first-time candidate for the CA State Assembly.

I know you all take your jobs very seriously, and want to be fair and unbiased. But it is unconscionable to levy a five figure fine on this tireless candidate who was just trying to serve her community and the public at large.

The penalty levied on her does nothing but put an incredibly chilling effect on anyone who is even considering throwing their hat in the ring, and I cannot for the life of me understand how a commission can let this stand, especially when the Enforcement Division admitted that she had made a good-faith effort to comply with all the reporting requirements.

Please, please reconsider this finding and do the right thing by reversing it. You owe it to us to work for ALL your constituents; it is your job, your sacred duty, to right this wrong.

Thank you in advance for your consideration.

Sincerely,

Ginny Sand

Sasha Linker

From: [REDACTED]
Sent: Wednesday, October 16, 2019 9:40 PM
To: CommAsst
Subject: Case # 15/003 Oct 18, 2019

OAH No. 2019030096
FPPC Case No. 15/003
Fair Political Practices Commission v. Susan G. Shelley

Fair Political Practices Commission,

I have known Susan Shelly for nearly 25 years. We are neighbors and I am very disappointed in the treatment of her case.

What benefit to the People of the State of California can the punitive fines achieve?

Was the violation deliberate, negligent or inadvertent? Let's be fair. Is the process clear and encouraging to new candidates to serve the People? It seems the process is designed to make service to us so complicated that a Cottage Industry of legal experts exists, and must be hired to navigate the morass.

This does not sever the People of California nor does it encourage any Grass Roots involvement by the People. The more I read about this case the more I sour from participating in the governing of our Republic. I have participated in local Neighborhood Community Council, Community Policing and other "Grass Roots" organizations and have seen situations like this that discourage good people like Susan to turn their back on being "Part of the Solution". She has tried to part of the solution giving her voice to encourage debate.

I would also like to refer the Commission to the well written comments by Paul Larson Dated 10/09/2019.

Please set aside monetary penalty against Ms. Shelley. The sanction be reduced to a warning at most.

Thank you,

Steve Santen

Sasha Linker

From: Kathy Sellers <[REDACTED]>
Sent: Monday, October 07, 2019 11:30 AM
To: CommAsst
Cc: Susan@SusanShelley.com
Subject: Susan Shelley

I read with great interest and concern the article in The Sun Telegram 10/6/19 regarding the upcoming meeting on Oct 18 and case No. 15/003.

While I at times disagree with Susan Shelley's political views, I am aghast at the obvious punitive moves by the FPPC doling out money- grabbing fines under the guise of campaign finance law.

Our country, and especially our state, are in dire need of qualified candidates with the ability to restore common sense and ethics to Sacramento and beyond regardless of party affiliation. The "team players" are woefully misguided. The state I love is being run into the ground and forcing its citizens to relocate.

It boggles the mind why our "leaders" do the idiotic things they do with no recourse. Are they tone deaf?

I surmise the time is coming for a citizen revolt.

Do the right thing. For once.

Kathy Sellers
Yucaipa, Ca

Sasha Linker

From: SHATYNSKI MELISSA <[REDACTED]>
Sent: Wednesday, October 09, 2019 11:25 PM
To: CommAsst
Subject: INPUT FOR YOUR OCT 18TH MEETING

To Whom it May Concern,

I ran for City Council in Brea last fall and would like to describe certain aspects of my experience.

Though I was encouraged by many in my community to run, I almost didn't because of difficulties I had finding a treasurer for my campaign. I finally did find a charitable supporter who had the time and the skills to handle this for me.

Early on, I read of OC Register columnist Susan Shelley's negative experience with financial filings associated with a past unsuccessful campaign and also read that one of the two professional political treasurers I'd been referred to got into legal troubles with a campaign she had worked for. Though I am confident my treasurer and I did nothing knowingly wrong, I still am very leery of the possibility that some filing was not done or not done properly. Managing the financial aspects of even a local campaign are very challenging and intimidating.

I don't know specifically what can be done to address this, but I feel confident in saying that it plays a part in influencing good people to not run for political office.

Thanks,

Steve Shatynski

Sent from my iPhone

Sasha Linker

From: Richard Sheinberg [REDACTED]
Sent: Thursday, October 17, 2019 10:34 AM
To: CommAsst
Subject: case #15/003

Let the punishment fit the crime

Our society needs independent political thinkers who are not molded by party lines. We need to encourage new candidates with constructive plans.

This means that process errors must be identified, acknowledged, and appropriately dealt with without eviscerating the newbie.

Given Ms Shelby's actions that acknowledged her inadvertent errors, a one dollar fine is more appropriate in this case.

Richard Sheinberg
[REDACTED]

Sasha Linker

From: [REDACTED]
Sent: Thursday, October 17, 2019 9:51 AM
To: CommAsst
Subject: FPPC Case #15/003 Public Comment

To: CA Fair Political Practices Commission (FPPC)
Re: Case #15/003

We strongly object to the excessive \$12,500 fine to first-time candidate Susan Shelley. The Enforcement Division staff admitted in writing that the Shelley campaign "substantially complied" and that Susan Shelley made a good-faith effort to learn and comply with all the reporting requirements.

It is ludicrous to maintain that the unintentional filing errors of a first-time state candidate merit a fine of \$12,500, on top of late fees already collected by the Secretary of State.

If the FPPC website mission is "To ensure fairness, integrity and engagement in California's political process," levying such an exorbitant fine will certainly help to deter future engagement by potential candidates.

We strongly urge you to rule in "fairness," promoting "integrity and engagement in California's political process" vis-à-vis FPPC Case #15/003.

Respectfully,

Susan Silver
Don Silver

Susan Silver, MA
President, Positively Organized!

[REDACTED]
Positively organizing how pros write, work, and live

Sasha Linker

From: Ronald Soderwall <[REDACTED]>
Sent: Sunday, October 06, 2019 3:07 PM
To: CommAsst
Subject: Re: case No. 15/003

After reading Susan Shelley's Opinion article, in the Sunday OC Register regarding campaign finance reporting requirements, it would appear that, as an "independent" candidate, she was caught in a double standard for her campaign finance accumulation. Apparently, from the few examples stated, if you are a candidate who is outside the party affiliation recognized by the adjudicators, you are fined at a higher rate. It is obvious that such a double standard could discourage citizens who would wish to run for public office if they were other than the "recognized" party affiliation. This practice must be researched and corrected immediately!

Ron Soderwall
Santa Ana, CA

Sent from my iPhone

Sasha Linker

From: Jay L. Stern [REDACTED]
Sent: Thursday, October 17, 2019 11:48 AM
To: CommAsst
Subject: case #15/003

TO: The FPPC Commissioners

REF: Susan Shelley, Case #15/003

Commissioners:

The law is being used as a sledgehammer to flatten a mosquito! Shelley was advised after the fact to obtain a professional campaign treasurer for her campaign for CA Assembly 45th District. Please refer to the following website:

<https://www.salary.com/research/salary/posting/campaign-treasurer-salary/ca,>

This website lists the typical salaries for professional campaign treasurers nationwide. In cities within the California 45th Assembly District, such as Northridge, CA the average salary for a professional campaign manager is approximately \$232,000. Based upon the information in the findings in her case as decided by Administrative Judge Deena R. Ghaly, Shelley's campaign apparently needed the services of a professional campaign treasurer for at least a year, if not longer. However, in her campaign for California Assembly, District 45, Shelley raised just under \$100,000. This amount was needed to cover contact with potential voters, fees associated with running for political office, etc. It is noted that during her hearing, Shelley's expert witness stated that she should have hired a professional campaign treasurer. It is clear that the campaign could not afford to do so. Even half a year would have cost more than the campaign raised in total funding.

Therefore, Shelley had no recourse but to act as her own campaign treasurer in order to remain a viable candidate for public office.

It must be remembered that advice from knowledgeable persons can be valuable, but if there are no means to implement that advice, then it is worthless.

It appears that the intent of the Fair Political Practices Commission and its enabling laws is to assure transparency in politics, a laudable goal. What is overlooked is that instead of widening the base of potential candidates, such draconian and heavy-handed punishment for innocent errors by well-meaning candidates is actually narrowing opportunity and restricting access for political office to individuals who already have accumulated wealth. Is this the true intent of the law?

All parties agreed that Shelley attempted to follow the FPPC regulations by contacting agency staff for instruction and providing required reports. There was transparency. Her alleged sin was that she did not conform to the schedule of reporting. Even in that, it appears that Shelley made good-faith attempts to comply.

Shelley was admonished for tardiness in report submittal by the Secretary of State's office. She paid a fine. The effort now mounted to fine her again, by a different state government agency, is said not to be "double-jeopardy" because it is not a criminal case. This is a distinction without a difference. Regardless of definition, it is exactly double-jeopardy. Now there is a proposed \$12,500 penalty being assessed against her, which she cannot afford to pay and which she should not be required to pay. **What would be appropriate is to waive the fine and merely issue a warning regarding future political ambitions.**

I casually asked Susan Shelley if she would again seek office. She glared at me, and then with a half-hearted laugh said, "I thought you were my friend!" I understand exactly what she meant. The very laws meant to protect the people from corrupt political practices are having a chilling effect upon those ordinary citizens of modest means who would seek office for the benefit of the state and its constituents.

I urge the commissioners to waive payment by Shelley of any actual fine in the interest of fairness and for the benefit of both she and other political aspirants caught in similar circumstances.

Respectfully submitted,

Jay L. Stern


Sasha Linker

From: Richard Stewart [REDACTED]
Sent: Thursday, October 17, 2019 11:39 AM
To: CommAsst
Subject: FPPC Case#15/003 Agenda item# 20

Dear Honorable Commission Members:

I retired from the U.S. Air Force in 1997 after serving 32 years as an Officer. I retired in 2014 after serving 24 years as a City Councilmember.

I reviewed all the documents on the record in this matter regarding Susan Shelley and believe that since she substantially complied, showed no intent to violate, and paid fines previously for substantially the SAME violations that the proposed fine should be, in a sense of FAIRNESS reduced.

I agree that it is difficult to compare violations to other matters, however, in attempting to do so I concluded that the proposed penalty in the instant matter is significantly more harsh than most others in similar circumstances.

The purposes of a fine have been met here and the goals of both to punish and to prevent future violations has been accomplished, therefore I IMPLORE THIS BODY TO REDUCE THE FINE.

Respectfully submitted,

Richard A. Stewart, Lt. Col., USAF (Ret.)

Sasha Linker

From: Glenn Stoddard <[REDACTED]>
Sent: Wednesday, October 16, 2019 8:30 PM
To: CommAsst
Subject: For Case, No. 15/003, on the agenda for the FPPC's Oct. 18 meeting

To Whom it may Concern;

First time candidate Susan Shelley ran her own all-volunteer campaign in a low-likelihood Assembly district in early 2013. She was the principal volunteer, and therefore the treasurer also.

In February 2015, 40 years after the creation of the Fair Political Practices Commission, the FPPC finally launched an "Online Candidate Toolkit" to provide a "one-site, one-stop" place for candidates to find the information they needed in order to comply with the law. Before then, even first time candidates (like Susan) that asked the FPPC for help in compliance (which she did) had difficulty in finding all of the required information. Finding something as central to the FPPC mandate as the SCHEDULE FOR THE PRE-ELECTION REPORTS should have been trivial, but she did not come across it until later.

At her hearing in June 2019, an expert witness testified that only a professional political campaign treasurer can competently handle the complex compliance and reporting requirements for political activity, and that some professional treasurers won't take on clients unless they also hire a specialized political attorney, because of the liability imposed on treasurers by the Political Reform Act.

That's a significant barrier to participation in politics: Raise enough money to hire a campaign lawyer, or risk legal jeopardy and massive fines. Even more so for a first time candidate in a low-likelihood race.

This is a BETRAYAL of the voters who passed the original POLITICAL REFORM INITIATIVE in 1974. The measure begins thus:

81001. The people find and declare as follows:

(a) State and local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth;

Later, on the same page, it reads

81002. The people enact this title to accomplish the following purposes:

(f) Laws and practices unfairly favoring incumbents should be abolished in order that elections may be conducted more fairly.

And then,

81003. This title should be liberally construed to accomplish its purposes.

Its purposes seemed clear enough back then.

Since then, the Act has been amended four times by the voters, and more than 200 times by the Legislature. And over the years, the regulations have turned into a "Briar Patch" that ensnare many campaigns (including that of Dan Schnur, a former chairman of the FPPC). And both the stringency of the review and the penalties appear to depend on whether the campaign is that of an insider versus an outsider.

In October of 2018, Attorney General Xavier Becerra, representing the FPPC in a lawsuit over public financing of campaigns, wrote in a brief to a state appellate court, "The overriding purposes of the Political Reform Act of 1974, passed by the voters in the wake of Watergate and other political corruption scandals, are to combat the pernicious influence of money in politics and government, and to ensure that all citizens have an opportunity to participate in the political process. Although the Act has been amended four times by the voters, and more than 200 times by the Legislature, these core purposes remain unchanged."

The FPPC has acknowledged in writing that Susan's campaign "substantially complied" with the law, and fines for the identical late filings were already paid to the Secretary of State's Office in 2014. It is time that the FPPC accepts that its own procedural shortcomings were the primary cause of the reporting errors, that Susan Shelley performed above and beyond the spirit of these regulations, and that she should therefore be released from all further liability.

Sincerely,

Glenn Stoddard

Winnetka

