Date: October 21, 2005

To: Chairman Randolph, and Commissioners Blair, Downey, Huguenin and Remy

From: Mark Krausse, Executive Director

I begin my report this month with the Commission meeting schedule for 2006:

Friday, January 20, 2006	Thursday, July 20, 2006
Thursday, February 16, 2006	No meeting in August, 2006
Thursday, March 16, 2006	Thursday, September 7, 2006
Thursday, April 13, 2006	Thursday, October 5, 2006
Thursday, May 11, 2006	Thursday, November 2, 2006
Thursday, June 8, 2006	Thursday, December 14, 2006

A. PERSONNEL & BUDGET

I was remiss in not mentioning the departure of longtime Senior Commission Counsel Deanne Canar in last month's report. Deanne was good enough to join us for the Commission meeting at let us personally thank her, but I do so again now in light of the many years of dedicated service she has provided the Commission's Legal and Enforcement Divisions. Deanne prosecuted cases involving some of the highest fines the Commission has levied, made possible thanks largely to her incredible attention to detail. We will miss you, Deanne, and wish you health and happiness in your new life in the Napa Valley.

B. STAFF PROJECTS

On behalf of Chairman Randolph, Technical Assistance Division Chief Carla Wardlow and I are participating in the Secretary of State's Online Disclosure Task Force. This body will meet in November and December to develop recommendations for legislative changes that would move away from a form-driven reporting system, and simplify reporting timelines and other disclosure requirements of the Act. The Secretary has requested these recommendations by December 31st; the next meeting of the task force is November 3rd, following the Commission's meeting.

The Communications Office was inundated with press calls in October, many of them related to the Commission's budget woes and related enforcement case closures. Amid this high volume of calls, Jon and Whitney still managed to make improvements to the website, respond to two surveys requested by the Council on Governmental Ethics Laws (COGEL), and prepare informational packets for the 2006 Executive Fellows' Fair and for a group of 20 visitors from the People's Republic of China sponsored by the U.S.-China Exchange Council.

The Technical Assistance Division's Political Reform Consultant Teri Rindahl provided a campaign and SEI outreach to the City of Dana Point, and will be a panel member at an Orange County candidate seminar in early November. PRC Kevin Braaten-Moen will provide an SEI filers seminar for the State Department of Health Services in early November.

The Legal Division's Senior Counsel Scott Tocher served on an advertising disclosure panel at the annual meeting of the California Political Attorneys Association in San Diego in October.

C. APPROVAL OF CONFLICT-OF-INTEREST CODES/AMENDMENTS

There were none this month.

D. FINDINGS OF PROBABLE CAUSE

Pursuant to regulation 18361, a probable cause hearing officer found evidence in the following case sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that the following respondents committed or caused a violation of the Political Reform Act. **This finding of probable cause does not constitute a finding that a violation has actually occurred. The respondents are presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding:**

James F. Battin, Jr., Friends of Jim Battin, Taxfighters for Jim Battin, Ravelle Lyn Greene, and James W. Trimble., FPPC No. 04/314. On October 11, 2005, probable cause was found to believe that between April 2, 2001 and November 2, 2004, Respondent James F. Battin failed to file a statement of intention to become a candidate, in violation section 85200 of the Government Code (1 count), failed to establish a separate campaign bank account, in violation section 85201, subdivision (a) of the Government Code (1 count), accepted a contribution in excess of the limits, in violation of section 85301, subdivision (a) of the Government Code (18 counts), accepted a contribution of in excess of the limits in violation of section 85302, subdivision (a) of the Government Code (3 counts). Respondents James F. Battin, Ravelle Lyn Greene, and James W. Trimble failed to deposit campaign contributions into the campaign bank

account, in violation of section 85201, subdivision (c) of the Government Code (1 count). Respondents James F. Battin and Ravelle Lyn Greene failed to file a statement of organization in violation of section 84101, subdivision (a) of the Government Code (1 count), failed to make expenditures from the campaign bank account, in violation of section 85201, subdivision (e) of the Government Code (1 count), failed to file a semi-annual campaign statement in violation of section 84200, subdivision (a) of the Government Code (1 count), failed to electronically file a semi-annual campaign statement in violation of section 84605, subdivision (a) of the Government Code (1 count). Respondents James F. Battin, Friends of Jim Battin, and Ravelle Lyn Greene failed to properly report the total amount of contributions received, in violation of section 84211, subdivisions (a) and (c) of the Government Code (1 count), failed to properly report the total amount of expenditures made, in violation of section 84211, subdivisions (b) and (i) of the Government Code (1 count). Respondents James F. Battin, Friends of Jim Battin, and James W. Trimble failed to properly report the total amount of contributions received, in violation of section 84211, subdivisions (a) and (c) of the Government Code (9 counts), failed to properly report the total amount of expenditures made, in violation of section 84211, subdivisions (b) and (i) of the Government Code (5 counts). Respondents James F. Battin and James W. Trimble failed to file a semi-annual campaign statement, in violation of section 84200, subdivision (a) of the Government Code (4 counts), failed to electronically file a semi-annual campaign statement, in violation of section 84605, subdivision (a) of the Government Code (4 counts), failed to file a pre-election campaign statement, in violation of section 84200.5, subdivision (a) of the Government Code (4 counts), failed to electronically file a pre-election campaign statement, in violation of section 84605, subdivision (a) of the Government Code (4 counts). Respondents James F. Battin, Taxfighters for Jim Battin, and James W. Trimble failed to properly report the total amount of contributions received, in violation of section 84211, subdivisions (a) and (c) of the Government Code (1 count).

E. REQUESTS FOR EXTENSION OF COMMITTEE TERMINATION

There were none this month.