California
Fair Political
Practices Commission

May 10, 1989

Randy Riddle
Deputy City Attorney
City and County of San Francisco
City Hall, Room 206
San Francisco, CA 94102

Re: Your Request for Advice
Our File No. A-89-200

Dear Mr. Riddle:

You have been authorized by Sheriff Hennessey to request advice concerning his reporting requirements under the Political Reform Act (the "Act").[1/]

QUESTION

The Act provides that reimbursement for travel expenses and per diem received from a bona fide educational, academic, or charitable organization is not "income" within the meaning of the Act. The Act also provides that "income" includes "gifts." Accordingly, is reimbursement for travel expenses and per diem from a bona fide educational academic or charitable organization exempt from the definition of "gift" as used in the Act?

CONCLUSION

Reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization is not a "gift" within the meaning of the Act if the recipient provided consideration of equal or greater value to the organization.

1/ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

428 J Street, Suite 800 • P.O. Box 807 • Sacramento CA 95804-0807 • (916) 322-5660

FACTS

In March of 1989, Sheriff Hennessey attended a law enforcement mission to Israel sponsored and financed by the Anti-Defamation League of B'nai B'rith (the "League"). Sheriff Hennessey and other senior law enforcement officers from the United States participated with Israeli Police in a seminar to share ideas on a variety of law enforcement matters, including issues relating to counter-terrorism. According to the itinerary provided, the group met with officials of various police agencies, both civilian and military, to discuss terrorism, demonstrations and other actions in which the police become involved.

The Anti-Defamation League is qualified as an educational and charitable organization by the IRS, qualifying under Section 501(c)(3) of the Internal Revenue Code. The League's goal is to educate Americans about Israel; promote better interfaith and intergroup relations; counteract anti-democratic extremism and strengthen democratic values and structures. The League maintains speakers' bureaus and has several publications relating to law, human rights, interreligious concerns and other topics. Sheriff Hennessey's travel expenses and per diem were paid for by the League.

ANALYSIS

Section 82030 (a) defines "income," in part, as any "gift, including any gift of food or beverage...." Section 82030 (b) lists the following exception to "income":

> (2) Salary and reimbursement for expenses or per diem received from a state, local, or federal government agency and <u>reimbursement for travel expenses and per diem received from a bona fide educational, academic, or charitable organization</u>.

(Emphasis added.)

Section 82028 defines "gift" as follows:

> (a) "Gift" means, except as provided in subdivision (b), any payment to the extent that consideration of equal or greater value is not received....

Subdivision (b) of Section 82028 lists six exceptions to the definition of "gift," however, an exception for travel and per diem from a bona fide educational, academic or charitable organization is not included.

A gift is one form of income and the Act provides that reimbursement for travel expenses and per diem received from a bona fide educational, academic, or charitable organization is not

income within the meaning of the Act. The question then arises as to whether such reimbursement is also excluded from the definition of "gift."

In 1978, the Legislature amended Sections 82028 and 82030. The primary effect of the amendments was to restructure the exceptions to "gifts" and "income." Prior to 1978, Section 82028 read as follows:

> "Gift" means any payment to the extent that consideration of equal or greater value is not received. Any person, other than a defendant in a criminal action, who claims that a payment is not a gift by reason of receipt of consideration has the burden of proving that the consideration received is of equal or greater value. The term "gift" does not include informational material such as books, reports, pamphlets, calendars or periodicals. No payment for travel or reimbursement for any expenses shall be deemed "informational material."

The present exceptions from the definition of "gift" set forth in subsections (b) (2) through (b) (5) of Section 82028 were not then part of the section, but were listed in substantially similar form in Section 82030 as exceptions to "income." The 1978 amendment to Section 82030 deleted the subdivisions uniquely related to "gifts" from the exclusions to income. Thus, the following then-numbered subdivisions were removed from the list of income exclusions:

> (3) Gifts of informational material, such as books, pamphlets, reports, calendars or periodicals;
>
> (4) Gifts which are not used and which, within 30 days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes;
>
> (5) Gifts from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin or the spouse of any such person; provided that a gift from any such person shall be considered income if the donor is acting as an agent or intermediary for any person not covered by this paragraph;

The effect of the 1978 amendments was to place the exclusions which related to payments made without consideration within the exclusions to "gifts", while leaving the payments which involve consideration within the exclusions to "income." Exclusions which are neither "gifts" nor "income," such as campaign contributions and inheritances, are listed as exclusions under both sections.

If the definition of "gift" under Section 82028 required a threshold qualification as "income" under Section 82030, there would be no purpose in segregating the exclusions for gifts from the exclusions for income. There would certainly be no purpose in duplicating the exclusions for campaign contributions and inheritances. These exclusions would be meaningless under Section 82028. A statute must be construed to give effect to all of its terms. (Wells v. Marina City Properties, Inc. (1981) 29 Cal.3d 781, 788.)

It is well-settled that statutes must be given a reasonable and commonsense construction--one that is practical rather than technical and that will lead to a wise policy and avoid absurdity. (Stanley v. Justice Court for Auburn Judicial Dist. (1976) 55 Cal. App. 3d 244.) There are many statutes in the Act which deal specifically and uniquely with gifts. (See, e.g., Sections 85400, 86201-86204, 87210 and 87313.) A reasonable construction of the separation of the "gift" and "income" provisions is that the gift determination under Section 82028 was intended to stand on its own, without reference to Section 82030. This allows for a simple method of ascertaining what is a "gift" for purposes of the other statutes listed above, without requiring the two-step process that would be required if resort must first be had to Section 82030.

Based upon the foregoing, it seems logical that the exclusion for travel expenses and per diem received from a bona fide educational, academic, or charitable organization is intended to apply to payments made for consideration and not to gifts. Furthermore, the placement of the exclusion is indicative of this interpretation. It is listed within a subdivision which also excludes salary and reimbursement for expenses or per diem received from a state, local, or federal government agency. This juxtaposition makes the most sense if both types of payments are considered those made for consideration, rather than gifts.

Under the above interpretation, Sheriff Hennessey has the burden of showing that he provided consideration of equal or greater value in exchange for the reimbursement of travel expenses and per diem paid by the League. If he does not meet this burden of proof, the reimbursement will constitute a gift. Since the trip took place after January 1, 1989, he would be subject to the gift limitations set forth in Section 85400. That section prohibits elected officeholders from receiving gifts in excess of $1,000 from a single source in any calendar year.

However, in the event that the value of the gift exceeds $1,000, Regulation 18726.1(b) (copy enclosed) provides as follows:

> (b)...A gift may be returned, donated, or reimbursed by the recipient official in the following manner:
>
> ***
>
> The official may, within 30 days of receipt, reimburse the donor or his or her agent or intermediary for all or a portion of the gift. In this event the value of the gift is reduced by the amount of the reimbursement.

Although the 30-day period has already lapsed, we do not believe that it would be equitable to enforce the 30-day requirement in this case since you requested advice within the 30-day period. Therefore, if Sheriff Hennessey concludes that he did not provide adequate consideration and has received a gift, he may reimburse the League in sufficient amount to bring him within the $1,000 limit of Section 85400. If this reimbursement is made within 15 days of the date of this letter, we will consider it to have been timely made.

Should you have any questions regarding the foregoing, I may be reached at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel

By: Margaret W. Ellison
Counsel, Legal Division

KED:MWE:aa

Enclosure

City and County of San Francisco: **Office of City Attorn**

Louise H. Renne,
City Attorney

April 6, 1989

Margaret W. Ellison
Fair Political Practices Commission
Legal Division
428 J Street, Suite 800
Sacramento, California 95814

Dear Ms. Ellison:

We write on behalf of San Francisco Michael Hennessey to seek advice concerning Sheriff Hennessey's duties under the California Political Reform Act (California Government Code Sections 81000 et seq.; "the Act.") Specifically, we seek advice regarding whether the payment of travel expenses and per diem by the Anti-Defamation League of B'nai Brith ("the League") in connection with a seminar in Israel is considered a gift for the purposes of the Act. The Sheriff needs advice on this subject to determine whether he must disclose this payment on his annual economic interest statement and whether he must reimburse to the League that portion of the payment in excess of $1,000.

We are informed that the League is a nonprofit, tax-exempt educational and charitable organization. The seminar in question was conducted from March 5 to March 14, 1989. We have enclosed with this letter the League's invitation and agenda for the seminar. As these materials reveal, the seminar dealt with various aspects of law enforcement, including anti-terrorism strategies.

The Act defines income as

> [A] payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, <u>gift, including any gift of food or beverage</u>, loan, forgiveness of or payment of indebtedness received by the filer, reimbursement for expenses [or] per diem.

Government Code Section 82030(a) (emphasis added.)

The emphasized part of this section makes clear that a gift is one form of income.

Government Code Section 82030(b)(2) provides that income does not include "reimbursement for travel expenses and per diem

received from a bona fide educational, academic, or charitable organization."

Section 82028 defines gift as "any payment to the extent that consideration of equal or greater value is not received . . .." Section 82028 sets out a number of exceptions to the definition of "gift," but these exceptions do not include reimbursement for travel expenses and per diem from a charitable organization.

The Act generally requires that public officials disclose on their annual economic interest statements "each source of income aggregating $250 or more in value, or $50 or more in value if the income was a gift." Government Code Section 87207. Further, public officials may not participate in decisions that would have a foreseeable material financial effect on any source of income or any donor of gifts aggregating $250 or more in the twelve month period prior to the decision. Government Code Sections 87103(c) and 87103(e). Finally, Proposition 73, adopted by the voters in June 1988, prohibits elected officials from accepting from a single source a gift or gifts aggregating $1,000 or more in any calendar year. Government Code Section 85400.

Based on these provisions, we ask the following question:

Given that a gift is one form of income and that the Act provides that reimbursement for travel expenses and per diem received from a bona fide educational, academic, or charitable organization is not income within the meaning of the Act, is such a reimbursement deemed to be a gift within the meaning of the Act?

In our view, these sections cannot be construed to treat such a reimbursement as a gift. A gift is merely one type of income. Since the reimbursements in question are excluded from the general definition of income, they cannot be gifts. A conclusion that such reimbursements are gifts would render meaningless their exclusion from the definition of income. A statute must be construed to give effect to all of its terms. Wells v. Marina City Properties, Inc. (1981) 29 Cal.3d 781, 788. Further, statutes should not be construed to lead to such an absurd result. Bosley Medical Group v. Abramson (1984) 161 Cal.App.3d 284, 291.

Finally, we find nothing in Proposition 73 that would alter the conclusion that such a reimbursement is not a gift. Proposition 73 added the prohibition against elected officials accepting gifts in excess of $1,000. However, Proposition 73 did not amend the definition of "gift" or "income." Further, nothing

in that measure or its legislative history reveals any intent to alter the Act's exclusion of reimbursements for travel expenses and per diem from a charitable organization from the definition of income.

Please feel free to contact me if you have any further questions concerning this matter.

Very truly yours,

LOUISE H. RENNE
City Attorney

RANDY RIDDLE
Deputy City Attorney

4404g

3856★ A. PHILIP RANDOLPH INSTITUTE (Civil Rights) (APRI)
) Park Ave., S. Phone: (212) 533-8000
v York, NY 10010 Mary E. Pearce, Adm.Dir.
nded: 1964. Staff: 14. State Groups: 13. Local Groups: 180. Goal is to mote cooperation between the labor force and the black community. Pri- y interest is political action through the organization of affiliate groups and building of coalitions for social change. Major areas of activity include r registration, labor education, and trade union leadership training. nded by and named after A. Philip Randolph (1889-1979), founder of the herhood of Sleeping Car Porters (which was absorbed by the Brotherhood ailway, Airline and Steamship Clerks, Freight Handlers, Express and Station loyees - see separate entry). Presents the A. Philip Randolph Freedom rd and the A. Philip Randolph Achievement Award. Conducts research rams and specialized education. Maintains speakers' bureau and library. ications: (1) News and Notes, bimonthly; (2) Annual Report; (3) Working r, annual. Convention/Meeting: annual conference - 1988 May, ington, DC.

357★ AMERICAN-ARAB ANTI-DISCRIMINATION COMMITTEE
ivil Rights) (ADC)
. Connecticut Ave., N.W., Suite 400 Phone: (202) 797-7662
ington, DC 20009 Abdeen Jabara, Pres.
ded: 1980. Members: 16,000. Staff: 38. Regional Groups: 9. Local ps: 74. Grass roots organization representing Arab-Americans. Seeks to: ct the rights of people of Arab descent; promote and defend the Arab- can heritage; serve the needs of the Arab-American community. Works gh its Action Network and Media Monitoring Groups to end the otyping of Arabs in the media and discrimination against Arab-Americans ployment, education, and politics. Conducts internship program for col- students. Organizes protests against racist advertisements and other . Maintains speakers' bureau and audiovisual library. Bestows awards; cts charitable program. Telecommunications Services: Telex, 18624 VSH DC. Divisions: Legal; Organizing; Outreach; Press; Research. Pub- ns: (1) ADC Times (in English), monthly; (2) Tissue Papers, irregular; (3) Reports, irregular. Convention/Meeting: annual.

8★ AMERICAN COORDINATING COMMITTEE FOR EQUALITY IN RT AND SOCIETY (Civil Rights) (ACCESS)
enter for Study of Sport
ntington Ave.
astern Univ. - 248 HN Phone: (617) 437-5815
, MA 02115 Dr. Richard E. Lapchick, Chairperson
ed: 1976. Coalition of 30 national civil rights, religious, political, and organizations. Works for equality in sports as a reflection of society; on South Africa. Has worked to end all sports contacts with South until its apartheid system has been eradicated. Holds seminars; main- peakers' bureau. Compiles statistics and conducts research programs. lished numerous articles on apartheid in sports. Convention/Meeting: ual.

9★ AMERICAN SPANISH COMMITTEE (Civil Rights) (ASC)
119
. Station Phone: (201) 567-7417
k, NY 10013 Anthony F. Gonzalez, Chm.
d: 1962. Spanish-surnamed, white citizens. To protect the civil and religious rights of Spanish-surnamed, white American citizens in the abroad. Monitors activities of international human rights groups. Be- wards; sponsors charitable programs. Maintains speakers' bureau, e, and biographical archives; compiles statistics. Telecommunica- rvices: Electronic bulletin board. Subcommittees: Research and De- t. Affiliated With: World Spanish Congress. Convention/Meeting: conference.

★ AMERICANS FOR DUE PROCESS (Civil Rights) (ADP) †
Ms. Rasa Rargalis, Exec. Officer
on; Members are individuals of Ukranian, Latvian, Lithuanian, and descent who have been accused by the Anti-Defamation League of h (see separate entry) of raising money for the defense of Nazi war pects, writing letters to government officials, and making other at- interfere with efforts by the office of Special Investigations of the ce Department to establish grounds to deport these suspects. ADP support efforts to punish war criminals, but feels that suspects are e process because much of the evidence used by the OSI was in Soviet territory and is therefore suspect. Headquartered in Y. Source: New York Times, June 10, 1985.

AMERICANS OF ITALIAN DESCENT (Civil Rights) (AID)
th St., Suite 306 Phone: (212) 697-8850
NY 10016 Dr. Joseph F. Valletutti, Exec.Dir.
1966. Members: 30,000. Staff: 3. Goals are to: combat defa- t discrimination; provide assistance to individuals and organizations e wide range of social services; foster cultural activities; including t business affiliations with Italy; provide educational counselin engagements. Publishes Italian Heroes of American History, Writings on Ita- lian-Americans, and other books. Committees: Discrimination in Employment; Graduate School Placement; Housing and Education; Media Monitoring for Stereotyping. Formerly: American Italian Anti-Defamation League.

★13862★ ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH (Civil Rights) (ADL)
823 United Nations Plaza Phone: (212) 490-2525
New York, NY 10017 Nathan Perlmutter, Natl.Dir.
Founded: 1913. Staff: 399. Budget: $23,000,000. "To stop the defama- tion of Jewish people and to secure justice and fair treatment to all citizens alike." Educates Americans about Israel; promotes better interfaith and intergroup relations; works against anti-Semitism; counteracts anti-demo- cratic extremism and strengthens democratic values and structures. Sponsors the Janusz Korczak Literary Competition for the best books about children written for children and adults. Bestows three annual awards: America's Democratic Legacy Award; the Joseph Prize for human rights; Hubert H. Humphrey First Amendment Freedoms Prize. Maintains speakers' bureau and 30 regional offices. Divisions: Civil Rights; Communications; Community Ser- vice; Development; Intergroup Relations; Leadership. Publications: (1) Anti- Defamation League Bulletin, 10/year; (2) Du Siach, quarterly; (3) Face to Face Interreligious Bulletin, quarterly; (4) Facts, quarterly; (5) Law, quarterly; (6) Middle East Insight, quarterly; (7) Nuestro Encuentro, quarterly; (8) Rights, quarterly; (9) Bulletin, periodic; also publishes monographs, articles, and teaching material. Absorbed: (1965) Institute for Democratic Education. Convention/Meeting: semiannual.

501(c)(3) non-profit

★13863★ ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND (Civil Rights) (AALDEF)
99 Hudson St. Phone: (212) 966-5932
New York, NY 10013 Margaret Fung, Exec.Dir.
Founded: 1974. Attorneys, legal workers, and members of the community who seek to employ legal and educational methods to attack critical problems in Asian-American communities. Provides bilingual legal counseling and rep- resentation for people who cannot obtain access to legal assistance. Areas of concern include immigration, employment, housing, voting rights, and racially- motivated violence against Asian-Americans. Litigates cases that have the potential of improving the quality of life in the community. Sponsors work- shops, seminars and training sessions to inform community workers and res- idents of their rights and benefits before legal problems arise. Conducts law student intern program to provide students with legal experience in a commu- nity setting. Publications: Newsletter, semiannual; also publishes pamphlets (in Chinese, Korean, Japanese, and English). Convention/Meeting: quarterly conference.

★13864★ ASIAN MEDIA COALITION (Civil Rights) (AMC)
c/o Forrest Gok
1765 Pacific Ave., #1 Phone: (415) 776-4087
San Francisco, CA 94109 Forrest Gok, Chairperson
Founded: 1980. Members: 500. Regional Groups: 3. Local Groups: 1. In- dividuals and local community organizations devoted to monitoring and im- proving media images of Asian-Americans. Is established to protest the per- petuation of stereotypes in films. Sponsors media presentations as part of an educational outreach program regarding Asian-Americans. Maintains speakers' bureau. Committees: Media. Formerly: (1985) Coalition of Asians to Nix Charlie Chan. Convention/Meeting: annual conference. Presently inactive.

★13865★ ASSOCIATION OF AFRICAN AMERICAN PEOPLE'S LEGAL COUNCIL (Civil Rights) (AAPLC)
P.O. Box 20053 Phone: (313) 837-0627
Detroit, MI 48220 William Bert Johnson, Pres.
Founded: 1959. Members: 1100. Staff: 30. State Groups: 50. African- American attorneys. Objectives are to: achieve equal justice under the law for African-Americans; provide free legal counsel to people of African-American descent. Compiles statistics and reports on cases of international inequality. Obtains research from public systems on education and its effect on discrimination. Telecommunications Services: Records of the District and Circuit Courts of Appeals. Publications: Membership Roster, annual. Affiliated With: African National People's Empire Re-Established. Conven- tion/Meeting: annual.

★13866★ BILL OF RIGHTS FOUNDATION (Civil Rights) (BRF) †
c/o Anne Lenox
P.O. Box 43
Monroe, NH 03771 Anne Lenox, Contact
Description: Foundation that collects donations for the continued legal ex- penses of Jean Harris (1923-), who was convicted in 1981 of the murder of

ADL

THIRD ANNUAL LAW ENFORCEMENT

MISSION TO ISRAEL

March 6 - 14, 1989

MONDAY, MARCH 6TH

12:45 p.m.	Arrival Ben Gurion International Airport LY 004 Transfer to Jerusalem Laramme Hotel
5:30 p.m.	Overview : Harry Wall, Director ADL Israel Office
6:00 p.m.	Orientation with Richard Hirschhaut Linda Lipschitz Ron Perry - Tour Guide
7:00 p.m.	Dinner with Mr. Gad Aviner, Director-General of Ministry of Police and Ruth Geva, Director of International Relations and Information Services, Ministry of Police - at the hotel

TUESDAY, MARCH 7

8:00 a.m.	Breakfast with Robbie Sabel, Director, Legal Affirs, Foreign Ministry -at the Hotel
9:30 a.m.	Arrive Israel Police Headquarters Meet with National Police Commissioner David Krauss - in his office
10:30 a.m.	Visit Old City Police Station Briefing by Supt. Yair Must Old City Tour with Supt. Must
12:00-1:30	Israel Police Headquarters - Visit Criminal Investigation Laboratories - Criminal Identification Division With Department head Dr. Yossi Almog
1:30 - 2:30	Lunch with police officials
2:30 - 3:30	Bomb Squad demonstration
	Free
7:30 p.m.	Dinner with Col. Raanan Gissin, IDF Deputy Spokesman, Strategic Overview

WEDNESDAY, MARCH 8

8:00 a.m.	Depart for the North
9:00 a.m.	Visit Allenby Bridge
10:00 a.m.	Visit Jericho
12:30 noon	Arrive Sea of Galilee
1:00 p.m.	Police Patrol Boat across Lake
1:30 p.m.	Lunch at Lido Restaurant -Sea of Galilee
2:15 p.m.	Visit Holy sites
5:00 p.m.	Arrive Kibbutz Manara on Lebanese Border Tour Kibbutz Home Hospitality Dinner with members Discussion on Border security with Kibbutz security officer
8:30 p.m.	Arrive Kibbutz Kfar Giladi for overnight

THURSDAY, MARCH 9

7:30 a.m.	Breakfast
8:15 a.m.	Meet with Commander, Northern region (IDF)
	Tour Golan Heights
	Touring on way to Tel Aviv
4:00 p.m.	Arrive Tel Aviv
	Check in to Hilton Hotel
7:00 p.m.	Dinner at Stern Dolphin Restaurant
	Tour Old Jaffa

FRIDAY, MARCH 10

7:45 a.m.	Breakfast and briefing by Art Hughes, Deputy Chief of Mission, U.S. Embassy
8:45 a.m.	Visit U.S. Embassy. Briefing: Alan Bigler, Security Officer
9:30 a.m.	Depart for Center for Special Studies Visit Center and Memorial for Intelligence officials.
10:30 a.m.	Briefing on terror: Dr. Ariel Merrari, Director - Jaffe Center for Strategic Studies
11:30 a.m.	Depart for Jerusalem via Ben Gurion Airport
12:15 p.m.	Ben Gurion Airport - security briefing
2:00 p.m.	[redacted] Bethlehem visit
3:00 p.m.	Arrive Laromme Hotel
5:00 p.m.	Visit Western Wall for commencement of Shabbat
7:00 p.m.	Sabbath dinner at the hotel
9:00 p.m.	Home hospitality

SATURDAY, MARCH 11

	Visit Masada
	Lunch at Moriah Hotel, Sdom
	"float" in the Dead Sea
4:00 p.m.	[redacted]

Meet w/ PLO Reps.

Hanna Massar, Dep. Mayor Bethlehem

Tom. Isa Salti, Ramallah

SUNDAY, MARCH 12

7:30 a.m.	Breakfast
8:30 a.m.	Police Riot Control Headquarters at Talpiot - Briefing
10:30 a.m.	Visit Yad Vashem Holocaust Museum and Memorial
11:30 a.m.	Wreath laying ceremony
12:30 p.m.	Arrive at Beth El, Civil Administration Headquarters for Judea and Samaria -meet with IDF officers -lunch
3:30 p.m.	Roundtable discussion at Police Ministry Subject: Crime Prevention Initiatives
	Optional: Patrol with Israeli police or Civil Guard.

Ariel Sharon

Commerce & Industry

9 PM - Jail visit

MONDAY, MARCH 13

8:00 a.m.	Breakfast
9:30 a.m.	Visit Mevasseret Zion Immigrant Absorption Center
11:00 a.m.	Visit Yamam, Police Anti-Terrorist Unit
	- Lunch with officers
1:00 p.m.	Return to Jerusalem
2:00 p.m.	Tree Planting ceremony at Jerusalem Peace Forest
	Free
8:00 p.m.	Closing dinner

PARTICIPANTS

Mr. Charles V. Barry — MASS. State Police
Ms. Marie Barry
Chief Cornelius J. Behan - Baltimore Public Safety
Ms. Patricia Behan
Mr. Justin J. Finger — ADL
Ms. Sue Finger
Commissioner Lester Forst — Conn. State Police
Sheriff Michael Hennessey — SF
Director Robert E. Hightower — Marietta, GA
Mr. Richard S. Hirschhaut — ADL
Superintendent LeRoy Martin — Chicago Police
Sheriff Charles Plummer — Alameda
Chief Peter Ronstadt — Tuscon Police
Chief Richard D. Walker — Portland
Chief Jerry Williams — Aurora, Colo.
Chief Aristedes W. Zavaras — Denver, Colo.

ADL ISRAEL OFFICE
Mr. Harry Wall, Director
Ms. Linda Lipschitz, Program Coordinator

30 King David Street
Jerusalem 94101
Tel: (02) 224844, 221171
Fax: (02) 244846

TOUR GUIDE
Ron Perry

California
Fair Political
Practices Commission

June 9, 1989

Randy Riddle
Deputy City Attorney
City and County of San Francisco
City Hall, Room 206
San Francisco, CA 94102

Re: Your Request For Advice
Our File No. A-89-200

Dear Mr. Riddle:

This will confirm that Sheriff Hennessey is not required to reimburse the Anti-Defamation League for travel and per diem relating to the trip to Israel that is in excess of $1,000. Because of clarifications by the Commission at its June 6th meeting, we are now advising that the $1,000 limitation contained in Government Code Section 85400 applies only to payments made for a speech, article or published work related to the governmental process, excluding actual travel expenses and reasonable subsistence directly in connection therewith.

There is still an issue regarding whether or not the sheriff will be required to report the reimbursement for travel and per diem as a gift on his statement of economic interest. That issue will be presented to the Commission at its meeting on July 12, 1989.

If you have any questions regarding the above, please contact me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel

By: Margaret W. Ellison
Counsel, Legal Division

KED/MWE:aa:RIDDLE1

428 J Street, Suite 800 • P.O. Box 807 • Sacramento CA 95804-0807 • (916) 322-5660

(415) 554-4283 Room 206 City Hall San Francisco 94102-4682

8:00 p.m. Closing Item 8E
-as, Shemesh Restaurant

NATIONAL ORGANIZATION
OFFICERS
National Chairman
BURTON G. LEVINSON
National Director
ABRAHAM H. FOXMAN
Chairman, National
Executive Committee
RONALD S. COSKI
Associate National Director
LOUIS J. PHILLIPS
Honorary Chairman
KENNETH J. BILLIGH
THURGOOD MARSHALL, JR.
MARGOLIS T. CASS
LEVON H. JOSEPH
Honorary Past Chairmen
STANLEY L. BACH
ARTHUR J. GOLDBERG
BONN
Our 75th Year
1913
1988
NATIONAL DIRECTORS
LEGAL DIRECTOR
NEW
ASTRID

-More-

823 United Nations Plaza, New York, NY 10017 (212)490-2525 Cable: ANTIDEFAMATION