



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

November 10, 2010

Supervisor Jeffrey Stone
County of Riverside

Redacted

**RE: Advisory Letter
FPPC No. 10/553; Jeffrey Stone**

Dear Mr. Stone:

As you may know, the Enforcement Division of the Fair Political Practices Commission (the "FPPC") has received a complaint against you. After review of the complaint, the Enforcement Division has decided to close its file on this matter without initiating an enforcement action. The basis for this decision follows.

The FPPC enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. Section 87100 states that "[N]o public official at any level of state or local government shall make, participate in making, or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest." The complaint against you alleged that, as a member of the Riverside County Board of Supervisors, you may have violated the conflict of interest provisions of the Act while voting on June 30, 2009, to award funds to a non-profit organization that is a source of income to you.

By making, participating in making, or in any way attempting to influence a governmental decision in which you know or have reason to know you have a financial interest, you would violate section 87100 of the Government Code. However, we have determined that an enforcement action for a violation is not warranted, because the funds awarded were restricted and could not be used for administrative costs of your source of income. We also determined that the non-profit may have been a disqualifying source of

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

income to you with respect to a funding decision you made on June 5, 2007. Nevertheless, we have decided not to pursue an enforcement action with respect to that decision also based on the specific facts of this case. Our investigation uncovered that it was on your staff report to abstain on the funding vote, but you overlooked it and voted when it came up. Your staff brought the matter to your immediate attention. On June 26, 2007, the approval was rescinded without intervention from the FPPC. It is also likely that the decision had no financial effect on your source of income.

Nevertheless, you are advised that your failure to comply with the provisions of the Act in the future could result in an enforcement action. In addition, the information in this case will be retained, and may be used against you, should an enforcement action become necessary, based on future conduct and/or newly discovered information.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

Redacted

Luisa Menchaca
Senior Commission Counsel
Enforcement Division