

**Sasha Linker**

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**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

