



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Germond, and Commissioners Cardenas, Hatch, and Hayward

From: Loressa Hon, Acting Executive Director
Galena West, Chief of Enforcement
Ruth Yang, Commission Counsel

Date: September 10, 2018

RE: Assignment of Hearing to Administrative Law Judge

Case Name: In the Matter of Friends of Chris Stampolis (ID# 981175), Friends of Chris Stampolis for Santa Clara School Board 2012 (ID# 1354244), and Chris Stampolis; FPPC No. 15/1045

I. INTRODUCTION

Respondent Chris Stampolis (“Stampolis”) was a member of the West Valley-Mission Community College District Board of Trustees (the “College District Board”) from 2004 through 2012 and a member of the Santa Clara Unified School District Board of Trustees (the “School District Board”) from 2012 through 2016. Stampolis did not seek re-election to the School District Board in 2016 and was an unsuccessful candidate for the College District Board in the November 8, 2016 General Election. Respondent Friends of Chris Stampolis (the “Friends Committee”) and respondent Friends of Chris Stampolis for Santa Clara School Board 2012 (the “2012 Committee”) are his candidate-controlled committees. Stampolis serves as the committees’ treasurer.

Stampolis and his controlled committees failed to timely file numerous campaign statements as detailed in the Accusation attached to this memorandum. Stampolis filed a notice of defense in response to the Accusation and requested an administrative hearing.

II. COMMISSION ACTION ONLY REQUIRED IF THE COMMISSION DESIRES TO PARTICIPATE IN THE ADMINISTRATIVE HEARING

The Acting Executive Director and the Chief of Enforcement are recommending an administrative law judge (“ALJ”) conduct the hearing pursuant to Government Code section 11512, subdivision (a). The ALJ will then make a recommendation to the Commission on the findings of fact, law and penalty, if applicable, in the matter. The Commission will then make the final determination on the case.

This memorandum is submitted to each member of the Commission pursuant to California Code of Regulation section 18361.5, subdivision (b), which provides:

If the Executive Director determines that a hearing on the merits should be conducted before an administrative law judge alone pursuant to Government Code section 11512(a), he or she shall provide a copy of the accusation as well as a memorandum describing the issues involved to each member of the Commission. If, at the next regularly scheduled meeting, two or more Commissioners indicate a desire to participate in the hearing, the matter will be scheduled for a hearing before the Commission when an administrative law judge is available.

Thus, no Commission action is required if the Commission approves the recommendation that the administrative hearing in this matter should be conducted before an ALJ. However, two or more Commissioners may vote to keep the matter with the Commission if so desired.

III. PROCEDURAL HISTORY

The Enforcement Division initiated this administrative action against Stampolis, and his committees by serving him with a Report in Support of a Finding of Probable Cause (“Report”) by personal service on January 28, 2018. Because Stampolis and his committees failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to a hearing officer of the Commission on February 20, 2018. Hearing Officer John M. Feser Jr., Attorney IV, issued an order dated February 26, 2018, finding probable cause and instructing the Enforcement Division to issue an accusation against Stampolis and his committees.

On April 25, 2018, the Commission’s Chief of Enforcement Galena West, issued an Accusation against the Stampolis and his committees. The Accusation was delivered to Stampolis by substitute service on May 11, 2018. Stampolis submitted a signed notice of defense dated July 19, 2018 to request an administrative hearing on this matter.

IV. HEARING OPTIONS

Every hearing in a contested case must be presided over by an ALJ. The agency itself shall determine whether the ALJ is to hear the case alone or whether the agency itself is to hear the case with the ALJ.¹

When the agency itself hears the case, the ALJ shall preside at the hearing, rule on the admission and exclusion of evidence, and advise the agency on matters of law; the agency itself shall exercise all other powers relating to the conduct of the hearing but may delegate any or all of them to the ALJ. When the ALJ hears a case, he or she shall exercise all powers relating to the conduct of the hearing. A rule of the ALJ admitting or excluding evidence is subject to review in the same manner and to the same extent as the ALJ’s proposed decision in the proceeding.²

V. SUMMARY OF THE ACCUSATION

¹ See Gov’t Code § 11512, subd. (a).

² See Gov’t Code § 11512, subd. (b).

The Accusation alleges Stampolis and the committees violated the Political Reform Act as follows:

Count 1: Failure to Timely File a Semi-Annual Campaign Statement

Stampolis and the Friends Committee had a duty to file a semi-annual campaign statement for the reporting period of July 1, 2015 through December 31, 2015 on or before February 1, 2016. Stampolis and the Friends Committee filed the semi-annual statement for the July 1, 2015 through December 31, 2015 period on March 20, 2016. By failing to timely file this semi-annual campaign statement, Stampolis and the Friends Committee violated Government Code sections 84200.

Count 2: Failure to Timely File a Pre-election Campaign Statement

Stampolis and the Friends Committee had a duty to file a pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016 on or before September 29, 2016. Stampolis and the Friends Committee filed the pre-election statement for the July 1, 2016 through September 24, 2016 period on June 9, 2017. By failing to timely file this pre-election statement, Stampolis and the Friends Committee violated Government Code sections 84200.5, subdivision (a) and 84200.8, subdivision (a).

Count 3: Failure to Timely File a Pre-election Campaign Statement

Stampolis and the Friends Committee had a duty to file a pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016 on or before October 27, 2016. Stampolis and the Friends Committee filed the pre-election statement for the September 25, 2016 through October 22, 2016 period on June 9, 2017. By failing to timely file this pre-election statement, Stampolis and the Friends Committee violated Government Code sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

Count 4: Failure to Timely File a Semi-Annual Campaign Statement

Stampolis and the Friends Committee had a duty to file a semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016 on or before January 31, 2017. Stampolis and the Friends Committee filed the semi-annual statement for the October 23, 2016 through December 31, 2016 period on June 9, 2017. By failing to timely file this semi-annual campaign statement, Stampolis and the Friends Committee violated Government Code sections 84200.

Count 5: Failure to Timely File a Semi-Annual Campaign Statement

Stampolis and the 2012 Committee had a duty to file a semi-annual campaign statement for the reporting period of July 1, 2014 through December 31, 2014 on or before February 2, 2015. Stampolis and the 2012 Committee filed the semi-annual statement for the July 1, 2014 through December 31, 2014 period on July 31, 2015. By failing to timely file this semi-annual campaign statement, Stampolis and the 2012 Committee violated Government Code sections 84200.

Count 6: Failure to Timely File a Semi-Annual Campaign Statement

Stampolis and the 2012 Committee had a duty to file a semi-annual campaign statement for the reporting period of July 1, 2015 through December 31, 2015 on or before February 1, 2016.

Stampolis and the 2012 Committee filed the semi-annual statement for the July 1, 2015 through December 31, 2015 period on March 20, 2016. By failing to timely file this semi-annual campaign statement, Stampolis and the 2012 Committee violated Government Code sections 84200.

Count 7: Failure to Timely File a Pre-election Campaign Statement

Stampolis and the 2012 Committee had a duty to file a pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016 on or before September 29, 2016. Stampolis and the 2012 Committee filed the pre-election statement for the July 1, 2016 through September 24, 2016 period on June 9, 2017. By failing to timely file this pre-election statement, Stampolis and the 2012 Committee violated Government Code sections 84200.5, subdivision (a) and 84200.8, subdivision (a).

Count 8: Failure to Timely File a Pre-election Campaign Statement

Stampolis and the 2012 Committee had a duty to file a pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016 on or before October 27, 2016. Stampolis and the 2012 Committee filed the pre-election statement for the September 25, 2016 through October 22, 2016 period on June 9, 2017. By failing to timely file this pre-election statement, Stampolis and the 2012 Committee violated Government Code sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

Count 9: Failure to Timely File a Semi-Annual Campaign Statement

Stampolis and the 2012 Committee had a duty to file a semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016 on or before January 31, 2017. Stampolis and the 2012 Committee filed the semi-annual statement for the October 23, 2016 through December 31, 2016 period on June 9, 2017. By failing to timely file this semi-annual campaign statement, Stampolis and the 2012 Committee violated Government Code sections 84200.

VI. CONCLUSION

If, at the next regularly scheduled meeting, two or more Commissioners indicate a desire to participate in the hearing, the matter will be scheduled for a hearing before the Commission when an ALJ is available.³ Otherwise, hearing of this matter will be conducted before an ALJ alone pursuant to Section 11512, subdivision (a).

³ Reg. § 18361.5, subd. (b).

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7

8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**

9 **STATE OF CALIFORNIA**

10
11 In the Matter of) FPPC No. 15/1045

12)
13)
14) **ACCUSATION**
15)
16)
17)

FRIENDS OF CHRIS STAMPOLIS,
FRIENDS OF CHRIS STAMPOLIS FOR
SANTA CLARA SCHOOL BOARD
2012, and CHRIS STAMPOLIS,

(Gov. Code §11503)

Respondents.

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding
19 of probable cause pursuant to Government Code section 83115.5, alleges the following:

20 **JURISDICTION**

21 1. Complainant is the Enforcement Division of the Fair Political Practices Commission (the
22 “Commission”) and makes this Accusation in its official capacity and in the public interest.

23 2. The authority to bring this action is derived from Title 2, California Code of Regulations,
24 Sections 18361 and 18361.4, subdivision (e), and the statutory law of the State of California, specifically
25 including, but not limited to, Government Code Sections 83111, 83116, and 91000.5, which assign to the
26 Enforcement Division the duty to administer, implement, and enforce the provisions of the Political
27 Reform Act, found at Government Code Sections 81000 through 91014.

1 3. When enacting the Political Reform Act (the “Act”),¹ California voters specifically found
2 and declared that previous laws regulating political practices had suffered from inadequate enforcement,
3 and it was their purpose to ensure that the Act be vigorously enforced.²

4 4. To that end, Section 81003 requires that the Act be liberally construed to achieve its
5 purposes.

6 5. One of the stated purposes of the Act is to ensure voters are fully informed and improper
7 practices are inhibited by requiring all political candidates, as well as the committees that support or
8 oppose them, to disclose all contributions and expenditures made throughout a campaign.³

9 **RESPONDENTS**

10 6. Respondent Chris Stampolis (“Stampolis”) was a member of the West Valley-Mission
11 Community College District Board of Trustees from 2004 through 2012 and a member of the Santa Clara
12 Unified School District Board of Trustees in 2012 through 2016.

13 7. Stampolis did not seek re-election to the School District Board in 2016 and was an
14 unsuccessful candidate for the College District Board in the November 8, 2016 election.

15 8. Respondent Friends of Chris Stampolis (the “Friends Committee”) and Respondent
16 Friends of Chris Stampolis for Santa Clara School Board 2012 (the “2012 Committee”) are his candidate-
17 controlled committees, which were opened prior to the November 8, 2016 election period. Stampolis
18 serves as the committees’ treasurer.

19 **APPLICABLE LAW**

20 9. All applicable law in this Accusation is the law as it existed during the relevant time for
21 the violations alleged.

22 **A. Duty to File Campaign Statements**

23 10. The Act requires a candidate-controlled committee to file semi-annual statements twice per
24 year to disclose its campaign contributions and expenditures.⁴

26 ¹The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the
27 Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of
Regulations.

28 ² Sections 81001, subd. (h), and 81002, subd. (f).

³ Section 81002, subd. (a).

⁴ Section 84200.

1 11. A committee must file a semi-annual statement by January 31 for the period ending
2 December 31 and by July 31 for the period ending June 30, or the next business day if the deadline falls
3 on a weekend or holiday.⁵

4 **B. Duty to File Pre-Election Campaign Statements**

5 12. In addition to semi-annual campaign statements, a candidate-controlled committee must
6 file two pre-election campaign statements before the election in which the candidate is listed on the
7 ballot.⁶

8 13. Candidate-controlled committees must file a pre-election campaign statement no later
9 than 40 days before the election for the period ending 45 days before the election, and a second pre-
10 election statement no later than 12 days before the election for the period ending 17 days before the
11 election.⁷ If the deadline falls on a Saturday, Sunday, or official state holiday, the deadline is extended to
12 the next business day.⁸

13 14. If a candidate controls more than one committee, the candidate must file pre-election
14 campaign statements for each committee on the dates the candidate is required to file pre-election
15 campaign statements in connection to his or her election to office.⁹

16 **C. Duty to Pay the Annual Fee**

17 15. Each committee required to file a statement of organization was required to pay an annual
18 fee to the Secretary of State ("SOS) beginning in 2013. The annual fee for 2013 was due by
19 February 15, 2013. In subsequent years, each committee has been required to pay the \$50 annual fee by
20 January 15 each year until the termination of the committee.¹⁰

21 16. A committee that fails to timely pay the annual fee is subject to a penalty equal to three
22 times the amount of the fee. The Commission is required to enforce this provision of the Act.¹¹

25 ⁵ Section 84200, subd. (a) and Regulation 18116, subd. (a).

26 ⁶ Section 84200.5.

27 ⁷ Section 84200.8.

28 ⁸ Regulation 18116.

⁹ Regulation 18405, subd. (a).

¹⁰ Section 84101.5, subd. (c).

¹¹ Section 84101.5, subd. (d).

1 24. The 2012 Committee and Stampolis failed to timely file three semi-annual campaign
2 statements for the reporting period covering July 1, 2014 through December 31, 2014 by February 2, 2015;
3 July 1, 2014 through December 31, 2015 by February 1, 2016; and October 23, 2016 through
4 December 31, 2016 by January 31, 2017.

5 25. The 2012 Committee and Stampolis failed to timely file two pre-election campaign
6 statement for the reporting period covering July 1, 2016 through September 24, 2016 by
7 September 29, 2016; and September 25, 2016 through October 22, 2016 by October 27, 2016. The 2012
8 Committee and Stampolis were required to file these pre-election campaign statements because the 2012
9 Committee also was Stampolis' candidate-controlled committee.

10 26. The 2012 Committee and Stampolis failed to timely pay the annual fee for 2013, 2014,
11 2015, 2016, and 2017.

12 27. On June 9, 2017, the 2012 Committee filed all delinquent statements after being contacted
13 by the Enforcement Division. The 2012 Committee reported no activity, outstanding loans totaling
14 \$4,662.70 from Stampolis, an outstanding loan of \$750 from Friends of Anna Song for County Board of
15 Education 2012 (Committee ID #1241672), and an ending cash balance of \$0.

16 **PROCEDURAL HISTORY**

17 28. On February 2, 2017, the Santa Clara Registrar of Voters (the "ROV") notified the Friends
18 Committee and Stampolis, and the 2012 Committee and Stampolis separately, in writing that they had
19 failed to timely file a semi-annual campaign statement for the reporting period that ended on
20 December 31, 2016.

21 29. After the Friends Committee, 2012 Committee, and Stampolis did not file the required
22 statement, the ROV referred the matter to the Enforcement Division.

23 30. SOS sent the Friends Committee and Stampolis, and the 2012 Committee and Stampolis
24 separately, multiple notices that they had failed to pay annual fees and penalties for both committees.

25 31. After the Friends Committee, 2012 Committee, and Stampolis did not make the required
26 payments, SOS referred the matter to the Enforcement Division.

1 **Count 1**

2 **Failure to Timely File a Semi-Annual Campaign Statement**

3 39. Complainant incorporates paragraphs 1-38 of this Accusation, as though completely set
4 forth here.

5 40. As a recipient committee and its candidate, the Friends Committee and Stampolis had a
6 duty to file a semi-annual campaign statement for the reporting period of July 1, 2015 through
7 December 31, 2015 by February 1, 2016.

8 41. The Friends Committee and Stampolis failed to file the semi-annual campaign statement
9 for the reporting period of July 1, 2015 through December 31, 2015 by February 1, 2016.

10 42. By failing to file the semi-annual campaign statement by February 1, 2016, the Friends
11 Committee and Stampolis violated Section 84200.

12 **Count 2**

13 **Failure to Timely File a Pre-Election Campaign Statement**

14 43. Complainant incorporates paragraphs 1-42 of this Accusation, as though completely set
15 forth here.

16 44. As a recipient committee and its candidate who was on the ballot in the 2016 General
17 Election, the Friends Committee and Stampolis had a duty to file a pre-election campaign statement for
18 the reporting period of July 1, 2016 through September 24, 2016 by September 29, 2016.

19 45. The Friends Committee and Stampolis failed to file the pre-election campaign statement
20 for the reporting period of July 1, 2016 through September 24, 2016 by September 29, 2016.

21 46. By failing to file the pre-election campaign statement by September 29, 2016, the Friends
22 Committee and Stampolis violated Sections 84200.5, subdivision (a) and 84200.8, subdivision (a).

23 **Count 3**

24 **Failure to Timely File a Pre-Election Campaign Statement**

25 47. Complainant incorporates paragraphs 1-46 of this Accusation, as though completely set
26 forth here.

1 48. As a recipient committee and its candidate who was on the ballot in the 2016 General
2 Election, the Friends Committee and Stampolis had a duty to file a pre-election campaign statement for
3 the reporting period of September 25, 2016 through October 22, 2016 by October 27, 2016.

4 49. The Friends Committee and Stampolis failed to file the pre-election campaign statement
5 for the reporting period of September 25, 2016 through October 22, 2016 by October 27, 2016.

6 50. By failing to file the pre-election campaign statement by October 27, 2016, the Friends
7 Committee and Stampolis violated Sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

8 **Count 4**

9 **Failure to Timely File a Semi-Annual Campaign Statement**

10 51. Complainant incorporates paragraphs 1-50 of this Accusation, as though completely set
11 forth here.

12 52. As a recipient committee and its candidate, the Friends Committee and Stampolis had a
13 duty to file a semi-annual campaign statement for the reporting period of October 23, 2016 through
14 December 31, 2016 by January 31, 2017.

15 53. The Friends Committee and Stampolis failed to file the semi-annual campaign statement
16 for the reporting period of October 23, 2016 through December 31, 2016 by January 31, 2017.

17 54. By failing to file the semi-annual campaign statement by January 31, 2017, the Friends
18 Committee and Stampolis violated Section 84200.

19 **Count 5**

20 **Failure to Timely Pay the 2013 Annual Fee**

21 55. Complainant incorporates paragraphs 1-54 of this Accusation, as though completely set
22 forth here.

23 56. As an active committee and its candidate, the Friends Committee and Stampolis had a duty
24 to pay an annual fee for 2013 to SOS by February 15, 2013.

25 57. The Friends Committee and Stampolis failed to pay the annual fee by the due date and
26 failed to pay the resulting late payment penalty of \$150 levied by SOS.

27 58. By failing to timely pay the annual fee and resulting penalty, the Friends Committee and
28 Stampolis violated Section 84101.5, subdivision (c) and (d).

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Count 6

Failure to Timely Pay the 2014 Annual Fee

59. Complainant incorporates paragraphs 1-58 of this Accusation, as though completely set forth here.

60. As an active committee and its candidate, the Friends Committee and Stampolis had a duty to pay an annual fee for 2014 to SOS by January 15, 2014.

61. The Friends Committee and Stampolis failed to pay the annual fee by the due date and failed to pay the resulting late payment penalty of \$150 levied by SOS.

62. By failing to timely pay the annual fee and resulting penalty, the Friends Committee and Stampolis violated Section 84101.5, subdivision (c) and (d).

Count 7

Failure to Timely Pay the 2015 Annual Fee

63. Complainant incorporates paragraphs 1-62 of this Accusation, as though completely set forth here.

64. As an active committee and its candidate, the Friends Committee and Stampolis had a duty to pay an annual fee for 2015 to SOS by January 15, 2015.

65. The Friends Committee and Stampolis failed to pay the annual fee by the due date and failed to pay the resulting late payment penalty of \$150 levied by SOS.

66. By failing to timely pay the annual fee and resulting penalty, the Friends Committee and Stampolis violated Section 84101.5, subdivision (c) and (d).

Count 8

Failure to Timely Pay the 2016 Annual Fee

67. Complainant incorporates paragraphs 1-66 of this Accusation, as though completely set forth here.

68. As an active committee and its candidate, the Friends Committee and Stampolis had a duty to pay an annual fee for 2016 to SOS by January 15, 2016.

69. The Friends Committee and Stampolis failed to pay the annual fee by the due date and failed to pay the resulting late payment penalty of \$150 levied by SOS.

1 80. As a recipient committee and its candidate, the 2012 Committee and Stampolis had a duty
2 to file a semi-annual campaign statement for the reporting period of July 1, 2014 through
3 December 31, 2015 by February 1, 2016.

4 81. The 2012 Committee and Stampolis failed to timely file the semi-annual campaign
5 statement for the reporting period of July 1, 2014 through December 31, 2015 by February 1, 2016.

6 82. By failing to timely file the semi-annual campaign statement by February 1, 2016, the 2012
7 Committee and Stampolis violated Section 84200.

8 **Count 12**

9 **Failure to Timely File a Pre-Election Campaign Statement**

10 83. Complainant incorporates paragraphs 1-82 of this Accusation, as though completely set
11 forth here.

12 84. As a recipient committee and its candidate who was on the ballot in the 2016 General
13 Election, the 2012 Committee and Stampolis had a duty to file a pre-election campaign statement for the
14 reporting period of July 1, 2016 through September 24, 2016 by September 29, 2016.

15 85. The Friends Committee and Stampolis failed to timely file the pre-election campaign
16 statement for the reporting period of July 1, 2016 through September 24, 2016 by September 29, 2016.

17 86. By failing to timely file the pre-election campaign statement by September 29, 2016, the
18 2012 Committee and Stampolis violated Sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

19 **Count 13**

20 **Failure to Timely File a Pre-Election Campaign Statement**

21 87. Complainant incorporates paragraphs 1-86 of this Accusation, as though completely set
22 forth here.

23 88. As a recipient committee and its candidate who was on the ballot in the 2016 General
24 Election, the 2012 Committee and Stampolis had a duty to file a pre-election campaign statement for the
25 reporting period of September 25, 2016 through October 22, 2016 by October 27, 2016.

26 89. The 2012 Committee and Stampolis failed to timely file the pre-election campaign
27 statement for the reporting period of September 25, 2016 through October 22, 2016 by October 27, 2016.
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1 90. By failing to timely file the pre-election campaign statement by October 27, 2016, the 2012
2 Committee and Stampolis violated Sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

3 **Count 14**

4 **Failure to Timely File a Semi-Annual Campaign Statement**

5 91. Complainant incorporates paragraphs 1-90 of this Accusation, as though completely set
6 forth here.

7 92. As a recipient committee and its candidate, the 2012 Committee and Stampolis had a duty
8 to file a semi-annual campaign statement for the reporting period of October 23, 2016 through
9 December 31, 2016 by January 31, 2017.

10 93. The 2012 Committee and Stampolis failed to timely file the semi-annual campaign
11 statement for the reporting period of October 23, 2016 through December 31, 2016 by January 31, 2017.

12 94. By failing to timely file the semi-annual campaign statement by January 31, 2017, the 2012
13 Committee and Stampolis violated Section 84200.

14 **Count 15**

15 **Failure to Timely Pay the 2013 Annual Fee**

16 95. Complainant incorporates paragraphs 1-94 of this Accusation, as though completely set
17 forth here.

18 96. As an active committee and its candidate, the 2012 Committee and Stampolis had a duty
19 to pay an annual fee for 2013 to SOS by February 15, 2013.

20 97. The 2012 Committee and Stampolis failed to pay the annual fee by the due date and failed
21 to pay the resulting late payment penalty of \$150 levied by SOS.

22 98. By failing to timely pay the annual fee and resulting penalty, the 2012 Committee and
23 Stampolis violated Section 84101.5, subdivision (c) and (d).

24 **Count 16**

25 **Failure to Timely Pay the 2014 Annual Fee**

26 99. Complainant incorporates paragraphs 1-98 of this Accusation, as though completely set
27 forth here.

1 100. As an active committee and its candidate, the 2012 Committee and Stampolis had a duty
2 to pay an annual fee for 2014 to SOS by January 15, 2014.

3 101. The 2012 Committee and Stampolis failed to pay the annual fee by the due date and failed
4 to pay the resulting late payment penalty of \$150 levied by SOS.

5 102. By failing to timely pay the annual fee and resulting penalty, the 2012 Committee and
6 Stampolis violated Section 84101.5, subdivision (c) and (d).

7 **Count 17**

8 **Failure to Timely Pay the 2015 Annual Fee**

9 103. Complainant incorporates paragraphs 1-102 of this Accusation, as though completely set
10 forth here.

11 104. As an active committee and its candidate, the 2012 Committee and Stampolis had a duty
12 to pay an annual fee for 2015 to SOS by January 15, 2015.

13 105. The 2012 Committee and Stampolis failed to pay the annual fee by the due date and failed
14 to pay the resulting late payment penalty of \$150 levied by SOS.

15 106. By failing to timely pay the annual fee and resulting penalty, the 2012 Committee and
16 Stampolis violated Section 84101.5, subdivision (c) and (d).

17 **Count 18**

18 **Failure to Timely Pay the 2016 Annual Fee**

19 107. Complainant incorporates paragraphs 1-106 of this Accusation, as though completely set
20 forth here.

21 108. As an active committee and its candidate, the 2012 Committee and Stampolis had a duty
22 to pay an annual fee for 2016 to SOS by January 15, 2016.

23 109. The 2012 Committee and Stampolis failed to pay the annual fee by the due date and failed
24 to pay the resulting late payment penalty of \$150 levied by SOS.

25 110. By failing to timely pay the annual fee and resulting penalty, the 2012 Committee and
26 Stampolis violated Section 84101.5, subdivision (c) and (d).

1 **Count 19**

2 **Failure to Timely Pay the 2017 Annual Fee**

3 111. Complainant incorporates paragraphs 1-110 of this Accusation, as though completely set
4 forth here.

5 112. As an active committee and its candidate, the 2012 Committee and Stampolis had a duty
6 to pay an annual fee for 2017 to SOS by January 15, 2017.

7 113. The 2012 Committee and Stampolis failed to pay the annual fee by the due date and failed
8 to pay the resulting late payment penalty of \$150 levied by SOS.

9 114. By failing to timely pay the annual fee and resulting penalty, the 2012 Committee and
10 Stampolis violated Section 84101.5, subdivision (c) and (d).

11 **MITIGATING OR EXCULPATORY FACTORS**

12 115. None.

13 **AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS**

14 116. The Friends Committee, 2012 Committee, and Stampolis did not disclose any of the
15 committees' activity during the November 8, 2016 election period.

16 **PRAYER**

17 WHEREFORE, Complainant prays as follows:

18 1. That the Commission hold a hearing pursuant to Section 83116 and Regulation 18361.5,
19 and at such hearing find that Friends of Chris Stampolis, Friends of Chris Stampolis for Santa Clara School
20 Board 2012, and Chris Stampolis violated the Act as alleged herein;

21 2. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
22 Committee and Stampolis pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in

23 **Count 1;**

24 3. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
25 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
26 in **Count 2;**

1 4. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
2 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
3 in **Count 3**;

4 5. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
5 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
6 in **Count 4**;

7 6. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
8 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
9 in **Count 5**;

10 7. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
11 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
12 in **Count 6**;

13 8. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
14 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
15 in **Count 7**;

16 9. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
17 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
18 in **Count 8**;

19 10. That the Commission, pursuant to Section 83116, subdivision (c), order the Friends
20 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
21 in **Count 9**;

22 11. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
23 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
24 in **Count 10**;

25 12. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
26 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
27 in **Count 11**;

28

1 13. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
2 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
3 in **Count 12**;

4 14. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
5 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
6 in **Count 13**;

7 15. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
8 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
9 in **Count 14**;

10 16. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
11 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
12 in **Count 15**;

13 17. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
14 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
15 in **Count 16**;

16 18. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
17 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
18 in **Count 17**;

19 19. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
20 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
21 in **Count 18**;

22 20. That the Commission, pursuant to Section 83116, subdivision (c), order the 2012
23 Committee and Stampolis to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged
24 in **Count 19**;

25 21. That the Commission, pursuant to Regulation 18361.5, subdivision (d), consider the
26 following factors in framing a proposed order following a finding of a violation pursuant to Section 83116:
27 (1) the seriousness of the violation; (2) the presence or absence of any intention to conceal, deceive or
28 mislead; (3) whether the violation was deliberate, negligent or inadvertent; (4) whether the violator

1 demonstrated good faith by consulting the Commission staff or any other government agency in a manner
2 not constituting a complete defense under Section 83114, subdivision (b); (5) whether the violation was
3 isolated or part of a pattern and whether the violator has a prior record of violations of the Act or similar
4 laws; and (6) whether the violator, upon learning of a reporting violation, voluntarily filed amendments to
5 provide full disclosure.

6 22. That the Commission grant such other and further relief as it deems just and proper.

7
8
9 Dated:

25 April 18

Galena West

Galena West
Chief of Enforcement
Fair Political Practices Commission