

1 GALENA WEST
Chief of Enforcement
2 DAVE BAINBRIDGE
Assistant Chief of Enforcement
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
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6 Attorneys for Complainant

7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

9
10 STATE OF CALIFORNIA

11 In the Matter of

12
13 SHANNON MATLOCK,

14
15 Respondent.

) FPPC No.: 15/737

)
) DEFAULT DECISION AND
) ORDER

) (Government Code Sections 11506
) and 11520)

16
17 Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby
18 submits this Default Decision and Order for consideration by the Fair Political Practices Commission at
19 its next regularly scheduled meeting.

20 Pursuant to the California Administrative Procedure Act,¹ Shannon Matlock ("Matlock") has been
21 served with all of the documents necessary to conduct an administrative hearing regarding the above-
22 captioned matter, including the following:

- 23 1. An Order Finding Probable Cause;
24 2. An Accusation;
25 3. A Notice of Defense (Two Copies);
26 4. A Statement to Respondent; and,
27

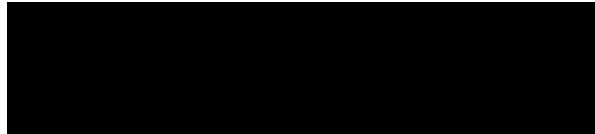
28 ¹ The California Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

1 5. Copies of Sections 11506, 11507.5, 11507.6 and 11507.7 of the Government Code.

2 Government Code section 11506 provides that failure of a respondent to file a Notice of Defense
3 within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right
4 to a hearing on the merits of the Accusation. The Statement to Respondent, served on Matlock, explicitly
5 stated that a Notice of Defense must be filed in order to request a hearing. Matlock failed to file a Notice
6 of Defense within fifteen days of being served with an Accusation. Government Code Section 11520
7 provides that, if the respondent fails to file a Notice of Defense, the Commission may take action, by way
8 of a default, based upon the respondent's express admissions or upon other evidence, and that affidavits
9 may be used as evidence without any notice to the respondent.

10 Matlock violated the Political Reform Act as described in Exhibit 1, which is attached hereto and
11 incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the
12 law and evidence in this matter. This Default Decision and Order is submitted to the Commission to
13 obtain a final disposition of this matter.

14
15 Dated: 28 NOV 16



16 Galena West, Chief of Enforcement
17 Fair Political Practices Commission

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ORDER

The Commission issues this Default Decision and Order and imposes an administrative penalty of \$5,000 (Five Thousand Dollars) upon Matlock, payable to the "General Fund of the State of California."

IT IS SO ORDERED, effective upon execution below by the Chair of the Fair Political Practices Commission at Sacramento, California.

Dated: _____

Joann Remke, Chair
Fair Political Practices Commission

EXHIBIT 1

INTRODUCTION

Respondent Shannon Matlock ("Matlock") assumed office on April 6, 1964, and is currently in office as Assistant Director of Hospital Nursing for the Ventura County Health Care Agency.

The Political Reform Act (the "Act")¹ requires designated officials to file an Annual Statement of Economic Interests ("SEI"). This matter arose out of a non-filer referral sent to the Fair Political Practices Commission's (the "Commission") Enforcement Division by the Ventura County Clerk of the Board of Supervisors for Matlock's failure to file a 2014 Annual SEI.

As a designated official with the Ventura County Health Care Agency, Matlock had a duty to file a 2014 Annual SEI. Matlock failed to file a 2014 Annual SEI by the April 1, 2015 deadline.

DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.² Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the "APA").³ A hearing to determine whether the Act has been violated is initiated by the filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules which the respondent is alleged to have violated.⁴

Included among the rights afforded a respondent under the APA, is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing; (2) object to the accusation on the ground it does not state acts or omissions upon which the agency may proceed; (3) object to the form of the accusation on the ground that it is so indefinite or certain that the respondent cannot identify the transaction or prepare a defense; (4) admit the accusation in whole or in part; (5) present new matter by way of a defense; or (6) object to the accusation on the ground that, under the circumstances, compliance with a Commission regulation would result in a material violation of another department's regulation affecting substantive rights.⁵

¹ The 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 ("Commission") are contained in Sections 18110 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.

² Section 83116.

³ The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code; Section 83116.

⁴ Section 11503.

⁵ Section 11506, subd. (a)(1)-(6).

The APA provides that a respondent's failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent's right to a hearing.⁶ Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action based on the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to the respondent.⁷

PROCEDURAL REQUIREMENTS AND HISTORY

A. Initiation of the Administrative Action

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated starts the administrative action.⁸

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated the Act.⁹ Additionally, the required notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office.¹⁰

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of Act may be commenced more than five years after the date on which the violation occurred.¹¹

Documents supporting the procedural history are included in the attached Certification of Records ("Certification") filed herewith at Exhibit 1, A-1 through A-23, and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against Matlock in this matter by serving her with a Report in Support of a Finding of Probable Cause (the "Report") (Certification, Exhibit A-1) by certified mail, return receipt requested,¹² on April 19, 2016. (Certification, Exhibit A-2.) The administrative action commenced on May 21, 2016, the date the certified mail receipt was signed (Certification, Exhibit A-2), and the five-year statute of limitations was effectively tolled on this date.

⁶ Section 11506, subd. (c).

⁷ Section 11520, subd. (a).

⁸ Section 91000.5, subd. (a).

⁹ Section 83115.5.

¹⁰ Section 83115.5.

¹¹ Section 91000.5.

¹² Section 83115.5.

As required by Section 83115.5, the packet served on Matlock contained a cover letter and a memorandum describing probable cause proceedings, advising that Matlock had 21 days in which to request a probable cause conference and/or to file a written response to the Report. (Certification, Exhibit A-3.) Matlock neither requested a probable cause conference nor submitted a written response to the Report.

B. Ex Parte Request for a Finding of Probable Cause

Because Matlock 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 the Hearing Officer of the Commission on June 6, 2016. (Certification, Exhibit A-4.)

On June 21, 2016, Hearing Officer Jack Woodside, Senior Commission Counsel, Legal Division issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on Matlock. (Certification, Exhibit A-5.)

C. The Issuance and Service of the Accusation

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.¹³

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules that the respondent is alleged to have violated, but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3)

¹³ Regulation 18361.4, subd. (e).

include (i) a statement that respondent may request a hearing by filing a notice of defense as provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.¹⁴ The APA also sets forth the language required in the accompanying statement to the respondent.¹⁵

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.¹⁶

On September 23, 2016, the Commission's Chief of Enforcement, Galena West, issued an Accusation against Matlock in this matter. (Certification, Exhibit A-6.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form, copies of Government Code Sections 11506, 11507.5, 11507.6 and 11507.7 were personally served on October 7, 2016. (Certification, Exhibit A-8.)

Along with the Accusation, the Enforcement Division served Matlock with a "Statement to Respondent," which notified her that she could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, she would be deemed to have waived the right to a hearing. (Certification, Exhibit A-7.) Matlock did not file a Notice of Defense within the statutory time period, which ended on October 24, 2016.

As a result, on November 28, 2016, Assistant Chief of Enforcement Dave Bainbridge sent a letter to Matlock advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for December 15, 2016. (Certification, Exhibit A-23.) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

SUMMARY OF THE LAW

An express purpose of the Act is to ensure that the assets and income of public officials that may be materially affected by their official actions be disclosed, so that conflicts of interests may be avoided.¹⁷ In furtherance of this purpose, the Act requires every state agency to adopt and promulgate a conflict of interest code, and any violation of such a code is deemed a violation of the Act.¹⁸

An agency's conflict of interest code must specifically designate the positions within the agency that are required to file SEIs that disclose reportable investments, business positions,

¹⁴ Section 11505, subd. (a).

¹⁵ Section 11505, subd. (b).

¹⁶ Section 11505, subd. (c).

¹⁷ Section 81002, subd. (c).

¹⁸ Section 87300.

interests in real property, and sources of income.¹⁹ The persons who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency whose position with the agency entails making, or participating in making, governmental decisions that may foreseeably have a material effect on one or more of the person's economic interests.²⁰ An agency's conflict of interest code must require designated positions to file an Annual SEI.²¹ The Ventura County Health Care Agency's Conflict of Interest Code designates Assistant Director of Hospital Nursing as a position that is required to file SEIs.

SUMMARY OF THE EVIDENCE

Matlock assumed office on April 6, 1964 and currently serves as Assistant Director of Hospital Nursing for the Ventura County Health Care Agency. As a designated official, she had a duty to file a 2014 Annual SEI by April 1, 2015. Matlock violated the Act by failing to timely file a 2014 Annual SEI by April 1, 2015.

2014 Annual Statement of Economic Interests

The Ventura County Clerk of the Board of Supervisors sent emails to Matlock on January 30, 2015, February 20, 2015, March 13, 2015, March 20, 2015, March 27, 2015, April 10, 2015, and May 11, 2015 notifying her that her 2014 Annual SEI was due April 1, 2015. (Certification, Exhibits A-9, A-10, A-11, A-12, A-13, A-14, and A-15.) The Ventura County Clerk of the Board of Supervisors also sent a letter to Matlock via U.S. Mail on May 15, 2015. (Certification, Exhibit A-16.) Matlock never filed her 2014 Annual SEI as requested, and was referred to the Enforcement Division on June 1, 2015. (Certification, Exhibit A-17.) At that time, the Ventura County Clerk of the Board of Supervisors notified Matlock via U.S. Mail and email that she had been referred to the Enforcement Division. (Certification, Exhibit A-18.)

On July 15, 2015, August 21, 2015, and September 28, 2015, the Enforcement Division sent Matlock written requests by U.S. Mail to file her outstanding SEI. (Certification, Exhibits A-19, A-20, and A-21.) Enforcement Division staff spoke with Matlock via telephone on August 23, 2016 and August 26, 2016 and asked her to file her 2014 Annual SEI. The Enforcement Division also sent emails to Matlock on August 23, 2016, August 26, 2016, September 2, 2016, and September 12, 2016, and received a blank email from Matlock on September 8, 2016. (Certification, Exhibit A-22.) Matlock failed to file her 2014 Annual SEI.

As of November 15, 2016, Matlock has not filed her 2014 Annual SEI, but remains in office as Assistant Director of Hospital Nursing for the Ventura County Health Care Agency. Accordingly, Matlock committed one violation of the Act, as follows:

¹⁹ Section 87302, subd. (a).

²⁰ Sections 82019, subd. (a) and 87302.

²¹ Section 87302, subd. (b).

COUNT 1

Failure to Timely File a 2014 Annual Statement of Economic Interests by April 1, 2015

Matlock had a duty to file a 2014 Annual SEI by April 1, 2015. By failing to timely file this statement, Matlock violated Government Code Section 87300.

CONCLUSION

This matter consists of one count of violating the Act, which carries a maximum administrative penalty of \$5,000.²²

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5 subdivision (d)(1) through (6): (1) The seriousness of the violation; (2) The presence or absence of any intention to conceal, deceive or mislead; (3) Whether the violation was deliberate, negligent or inadvertent; (4) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code section 83114(b); (5) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (6) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

In this matter, Matlock failed to file a Statement of Economic Interests. The failure to comply with this obligation denied the public information about her financial activities and potential conflicts of interest.

The Ventura County Clerk of the Board of Supervisors and the Enforcement Division have made numerous requests that Matlock file the outstanding SEI, but Matlock has never complied. Matlock is fully aware of her obligation to file as she has received seven written notifications regarding the outstanding SEI at issue in this matter. Further, Matlock has filed a 2015 Annual SEI with the Ventura County Clerk of the Board of Supervisors.

The Enforcement Division also takes into consideration previous cases that were approved by the Commission in determining penalties. In this matter, the following cases were used as guidelines:

- *In the Matter of Aaron Medina*, FPPC No. 14/1040. (Commission approved a default decision on October 20, 2016.) The respondent, a sitting member of the California Travel and Tourism Commission, failed to timely file an

²² Section 83116, subd. (c).

Assuming Office SEI and two annual SEIs despite 13 written notifications regarding his duty to file SEIs. The Commission imposed a penalty of \$5,000 per violation, for a total penalty of \$15,000.

- *In the Matter of Harold Tate*, FPPC No. 14/900. (Commission approved a default decision on July 21, 2016.) The respondent, a physician for the California Department of Corrections and Rehabilitation/California Correctional Health Care Services, failed to file a 2013 Annual SEI. Tate ignored multiple notifications regarding his duty to file a 2013 Annual SEI, although he did file a 2014 Annual SEI. The Commission imposed a penalty of \$5,000.

Both of these cases are similar to the instant case as Matlock was well aware of her obligation to file a 2014 Annual SEI, but did not file despite multiple requests for compliance from the Ventura County Clerk of the Board of Supervisors and the Enforcement Division. Further, like Harold Tate, Matlock has filed an Annual SEI for the year following the delinquent SEI and is currently in the position.

PROPOSED PENALTY

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, a penalty of \$5,000 is recommended.

Exhibit A

DEFAULT DECISION AND ORDER FPPC NO. 15/737



**DECLARATION OF CUSTODIAN OF RECORDS
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
Enforcement Division**

CERTIFICATION OF RECORDS

The undersigned declares and certifies as follows:

1. I am employed as a Staff Services Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 15/737; Shannon Matlock*, and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

EXHIBIT A-1: Report in Support of a Finding of Probable Cause, dated April 19, 2016

EXHIBIT A-2: Proof of Service for the Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated April 19, 2016, and Return Receipt received on May 24, 2016

EXHIBIT A-3: Cover letter to the Respondent regarding the Report in Support of a Finding of Probable Cause, memorandum describing Probable Cause Proceedings, and applicable statutes and regulations, dated April 19, 2016

EXHIBIT A-4: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated June 6, 2016

EXHIBIT A-5: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated June 21, 2016, and Proof of Service, dated June 24, 2016

- EXHIBIT A-6: Accusation, dated September 23, 2016
- EXHIBIT A-7: Statement to the Respondent, Notices of Defense, applicable statutes, and Proof of Service for Accusation and accompanying documents, dated September 26, 2016
- EXHIBIT A-8: Proof of Service for Accusation and accompanying documents from process server, dated October 10, 2016
- EXHIBIT A-9: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated January 30, 2015
- EXHIBIT A-10: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated February 20, 2015
- EXHIBIT A-11: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated March 13, 2015
- EXHIBIT A-12: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated March 20, 2015
- EXHIBIT A-13: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated March 27, 2015
- EXHIBIT A-14: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated April 10, 2015
- EXHIBIT A-15: Email from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated May 11, 2015
- EXHIBIT A-16: Letter from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated May 15, 2015
- EXHIBIT A-17: Non-filer referral form from Ventura County Clerk of the Board of Supervisors referring Shannon Matlock as an SEI non-filer to the Enforcement Division, dated June 1, 2015
- EXHIBIT A-18: Letter from Ventura County Clerk of the Board of Supervisors to Shannon Matlock, dated June 1, 2015
- EXHIBIT A-19: Letter from the Enforcement Division to Shannon Matlock, dated July 15, 2015
- EXHIBIT A-20: Letter from the Enforcement Division to Shannon Matlock, dated August 21, 2015
- EXHIBIT A-21: Letter from the Enforcement Division to Shannon Matlock, dated September 28, 2015

EXHIBIT A-22: E-mails between Enforcement Division staff and Shannon Matlock, dated August 23, 2016 through September 12, 2016

EXHIBIT A-23: Notice of Intent to Enter into Default Decision and Order, dated November 28, 2016

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 28, 2016, at Sacramento, California.



Domihika Wojenska
Staff Services Analyst, Enforcement Division
Fair Political Practices Commission

Exhibit A-1

1 GALENA WEST
Enforcement Chief
2 DAVE BAINBRIDGE
Assistant Enforcement Chief
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorney for Complainant
7
8

9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 15/737
12)
13 SHANNON MATLOCK,) REPORT IN SUPPORT OF A FINDING OF
PROBABLE CAUSE
14) Conference Date: TBA
Respondent.) Conference Time: TBA
15) Conference Location: Commission Offices
16) 428 J Street, Suite 800
Sacramento, CA 95814

17
18 **INTRODUCTION**

19 Respondent Shannon Matlock ("Matlock") currently serves as an Assistant Director of
20 Hospital Nursing for the Ventura County Health Care Agency. As of January 1, 2015, the Ventura
21 County Health Care Agency's Conflict of Interest Code requires designated employees to file an
22 Annual Statement of Economic Interests ("SEI") with the Clerk of the Board of Supervisors disclosing
23 economic interests held during the preceding calendar year. Matlock failed to file a 2014 Annual SEI
24 by the April 1, 2015 deadline.

25 **SUMMARY OF THE LAW**

26 All legal references and discussions of law pertain to the Act's provisions as they existed in
27 2014 and 2015.
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1 Jurisdiction

2 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
3 enforce the provisions of the Political Reform Act (the "Act").¹

4 Probable Cause Proceedings

5 Prior to the Enforcement Division ("Enforcement") commencing an administrative action, the
6 General Counsel of the Commission or her designee (the "hearing officer"), must make a finding that
7 there is probable cause to believe the respondent has violated the Act.² After a finding of probable
8 cause, the Commission may hold a noticed hearing in accordance with the Administrative Procedure
9 Act³ to determine whether violations occurred, and levy an administrative penalty of up to \$5,000 for
10 each violation.⁴

11 Standard for Finding Probable Cause

12 To make a finding of probable cause, the hearing officer must be presented with sufficient
13 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
14 that a respondent committed or caused a violation.⁵

15 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

16 When enacting the Political Reform Act, the people of the state of California found and
17 declared that previous laws regulating political practices suffered from inadequate enforcement by state
18 and local authorities.⁶ To that end, the Act must be liberally construed to achieve its purposes.⁷

19 There are many purposes of the Act. One purpose is to increase transparency and decrease
20 conflicts of interest in the actions of public officials by making the disclosure of their personal financial
21 interests to the public legally mandatory.⁸ Another is to provide adequate enforcement mechanisms so
22 that the Act will be "vigorously enforced."⁹

23
24 ¹ Section 83116.

² Section 83115.5 and Regulations 18361 and 18361.4.

³ Section 11500, et seq.

⁴ Section 83116 and Regulation 18361.4, subd. (e).

⁵ Regulation 18361.4, subd. (e).

⁶ Section 81001, subd. (h).

⁷ Section 81003.

⁸ Section 81002, subd. (c).

⁹ Section 81002, subd. (f).

1 Conflict of Interest Codes

2 The Act requires every state and local agency to develop a Conflict of Interest Code.¹⁰ These
3 codes must designate those officials who participate in making decisions which may foreseeably have a
4 material financial effect on any financial interest belonging to that official and require those designated
5 officials to disclose all reportable interests on SEIs.¹¹ The requirements of an agency's Conflict of
6 Interest Code have the force of law, and any violation of those requirements is deemed a violation of
7 the Act.¹²

8 Ventura County Health Care Agency Conflict of Interest Code

9 The Ventura County Health Care Agency's Conflict of Interest Code designates the position of
10 Assistant Director of Hospital Nursing as a position that is required to file SEIs. The Ventura County
11 Health Care Agency's Code requires designated officials to file an Annual SEI by April 1 of the
12 succeeding year.

13 Liability for Violations

14 Any person who violates any provision of the Act, who purposely or negligently causes any
15 other person to violate any provision of the Act, or who aids and abets any other person in the violation
16 of any provision of the Act, is liable for administrative penalties up to \$5,000 per violation.¹³

17 Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act will be
18 "vigorously enforced."¹⁴

19 **SUMMARY OF THE EVIDENCE**

20 Matlock was the Assistant Director of Hospital Nursing for the Ventura County Health Care
21 Agency in 2014 to 2015. In her position as Assistant Director of Hospital Nursing, Matlock is required
22 to file a 2014 SEI pursuant to the Ventura County Health Care Agency's Conflict of Interest Code.
23 Matlock violated the Act because she failed to timely file an Annual SEI for 2014.

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25
26 ¹⁰ Section 87300.

27 ¹¹ Section 87302, subd. (b).

28 ¹² Section 87300.

¹³ Sections 83116 and 83116.5.

¹⁴ Section 81002, subd. (f).

1 Before referring the case to the Enforcement Division, the Clerk of the Board of Supervisors
2 notified Matlock seven times regarding her duty to file a 2014 Annual SEI. These notifications were
3 sent on January 30, 2015, February 20, 2015, March 13, 2015, March 20, 2015, March 27, 2015, April
4 10, 2015, and May 11, 2015. After Matlock did not respond, the matter was referred to the
5 Enforcement Division.

6 The Enforcement Division attempted to contact Matlock by letters sent on July 15, 2015,
7 August 21, 2015, and September 28, 2015, as well as emails sent July 15, 2015 and March 29, 2016.

8 According to the Clerk of the Board of Supervisors, as of March 29, 2016, Matlock has not
9 filed her outstanding SEI.

10 **VIOLATION**

11 Count 1: Failure to File a 2014 Annual Statement of Economic Interests

12 Matlock failed to file a 2014 Annual SEI by April 1, 2015, in violation of Sections 87300 and
13 87302.

14 **OTHER RELEVANT MATERIAL**

15 Matlock has failed to file despite numerous contacts by the Clerk of the Board of Supervisors
16 and the Enforcement Division. However, Matlock is aware of her duty to file because Matlock has
17 filed her 2015 Annual SEI with the Clerk of the Board of Supervisors.

18 **MITIGATING OR EXCULPATORY EVIDENCE**

19 The Enforcement Division is not aware of any relevant exculpatory or mitigating information.
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1 **CONCLUSION**

2 Probable cause exists to believe that Shannon Matlock violated the Act by failing to file a 2014
3 Annual SEI. The Enforcement Division respectfully requests an order finding probable cause pursuant
4 to Section 83115.5 and Regulation 18361.4.

5
6 Dated: April 19, 2016

7 Respectfully submitted,

8 **FAIR POLITICAL PRACTICES COMMISSION**

9 
10
11 Dave Bainbridge
12 Assistant Chief, Enforcement Division

Exhibit A-2

DEFAULT DECISION AND ORDER FPPC NO. 15/737

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814. On April 19, 2016, I served the following document(s):

1. Letter dated April 19, 2016, from Dave Bainbridge;
2. FPPC No. 15/737 Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

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I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

Certified Mail, Return Receipt Requested

Shannon Matlock
C/O Ventura County Health Care Agency
2202 Kemper Lake Court
Oxnard, CA 93035

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 19, 2016.



Elizabeth Enea

SANTA CLARITA
 UNITED STATES POSTAL SERVICE
 21 MAY 2015
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First-Class Mail
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 Fair Political Practices Commission
 Attn: Elizabeth Enea
 420 J Street, Suite 620
 Sacramento, CA 95814-8828

USPS TRACKING# 9590 9403 0234 5146 5237 43
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 FAIR POLITICAL PRACTICES COMMISSION

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Shannon Matlock
 Ventura County Health Care Agency

8590 9403 0234 5146 5237 43

2. Article Number (Transfer from service label)
 7012 3460 0000 2695 7404

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A. Signature [Redacted] Agent
 [Redacted] Addressee
 B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



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| Total Postage & Fees | \$ | |

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 Shannon Matlock
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 City, State, ZIP+4®

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Exhibit A-3

DEFAULT DECISION AND ORDER FPPC NO. 15/737



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

April 19, 2016

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Shannon Matlock
Ventura County Health Care Agency



In the Matter of SHANNON MATLOCK; FPPC No. 15/737

Dear Ms. Matlock:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") is proceeding with an administrative action against you for your failure to comply with the filing and disclosure provisions of the Political Reform Act (the "Act"), as described in our previous correspondence dated July 15, 2015, August 21, 2015, and September 28, 2015. The enclosed Report in Support of a Finding of Probable Cause (the "Report") contains a summary of the alleged violation and the relevant law and evidence. The report has been filed with the Commission's General Counsel (the "Hearing Officer") and is now being served upon you.

You have the right to file a written response to the Report. That response may contain any information you think is relevant and that you wish to bring to the attention of the Hearing Officer. In your response, please indicate whether you would like the Hearing Officer to make a determination of probable cause based on the written materials alone (the Report and your response) or request a conference, during which you may orally present your case to the Hearing Officer. Probable cause conferences are held in our office which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the conference in person or by telephone and you are entitled to be represented by counsel. *If you wish to submit a written response or request a probable cause conference, it must be filed with the Commission Assistant, Sheva Tabatabainejad, at the address listed above within 21 days from the date of service of this letter.* You can reach Ms. Tabatabainejad at (916) 327-8269.


Please note: probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether there is probable cause to believe that the Act was violated. However, settlement discussions are encouraged by the Enforcement Division and may take place at any time except during a probable cause conference. *If you are interested in reaching a settlement in this matter, please contact Elizabeth Enea at (916) 322-7050 or eeena@fppc.ca.gov.*

Finally, you have the right to request discovery of the evidence in possession of, and relied upon by, the Enforcement Division. *This request must also be filed with the Commission Assistant within 21 days from the date of service of this letter.* Should you request discovery, the Enforcement Division will provide the evidence by service of process or certified mail. From the date you are served with the evidence, you would have an additional 21 days to file a written response to the Report, just as described above.

Should you take no action within 21 days from the date of service of this letter, your rights to respond and to request a conference are automatically waived and the Enforcement Division will independently pursue the issuance of an accusation.

For your convenience, I have enclosed a fact sheet on probable cause proceedings and copies of the most relevant statutes and regulations.

Sincerely,



Dave Bainbridge
Assistant Chief
Enforcement Division

Enclosures (3)

DB: ee

PROBABLE CAUSE FACT SHEET

INTRODUCTION

The Fair Political Practices Commission is required by law to determine whether probable cause exists to believe that the Political Reform Act (the "Act") was violated before a public administrative accusation may be issued.

The probable cause proceedings before the Fair Political Practices Commission are unique, and most respondents and their attorneys are unfamiliar with them. Therefore, we have prepared this summary to acquaint you with the process.

THE LAW

Government Code sections 83115.5 and 83116 set forth the basic requirement that a finding of probable cause be made in a "private" proceeding before a public accusation is issued and a public hearing conducted in accordance with the Administrative Procedure Act.

The Commission has promulgated regulations further defining the probable cause procedure and delegating to the General Counsel (the "Hearing Officer" for purposes of these proceedings) the authority to preside over such proceedings and decide probable cause. A copy of these statutes and regulations are attached for your convenience.

In summary, the statutes and regulations entitle you to the following:

- a) A written probable cause report containing a summary of the law alleged to have been violated, and a summary of the evidence, including any exculpatory and mitigating information and any other relevant material and arguments;
- b) The opportunity to request discovery, respond in writing, and to request a probable cause conference within 21 days of service of the probable cause report;
- c) If the Commission met to consider whether a civil lawsuit should be filed in this matter, a copy of any staff memoranda submitted to the Commission and a transcript of staff discussions with the Commission at any such meeting; and
- d) If a timely request was made, a non-public conference with the General Counsel and the Enforcement Division staff to consider whether or not probable cause exists to believe the Act was violated.

THE PROCEDURE

Probable Cause Report

Administrative enforcement proceedings are commenced with the service, by registered or certified mail or in person, of a probable cause report. The report will contain a summary of the law and the evidence, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. It is filed with the Hearing Officer.

Discovery

Within 21 calendar days following the service of the probable cause report, you may request discovery of the evidence in the possession of the Enforcement Division. This is not a right to full discovery of the Enforcement Division file, but to the evidence relied upon by the Division along with any exculpatory or mitigating evidence¹.

This request must be sent by registered or certified mail to the Commission Assistant.

Response to Probable Cause Report

Within 21 calendar days following the service of the probable cause report (or, if you timely requested discovery, within 21 calendar days from the service of the evidence) you may submit a response to the Report. By regulation, the written response may contain, "... a summary of evidence, legal arguments, and any mitigating or exculpatory information." (Cal. Code Regs., tit. 2, § 18361.4, subd. (c).)

You must file your response with the Commission Assistant and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report.

Staff Reply

Within 10 calendar days following the date the response was filed with the Commission Assistant, Commission staff may submit any evidence or argument in rebuttal. You will be served with a copy of any such reply.

Probable Cause Conference

Probable cause conferences are held at the offices of the Fair Political Practices Commission, which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the conference in person or by telephone. The proceedings are not public unless all proposed respondents agree to open the conference to the public. Otherwise, the probable cause report, any written responses, and the probable cause conference itself are confidential.

Unless the probable cause conference is public, the only persons who may attend are the staff of the Commission, any proposed respondent and his or her attorney or representative, and, at the discretion of the Hearing Officer, witnesses.

The Hearing Officer may, but need not, permit testimony from witnesses. Probable cause conferences are less formal than court proceedings. The rules of evidence do not apply. The conferences will be recorded and a copy of the recording will be provided upon request.

Since it has the burden of proof, the Enforcement Division is permitted to open and close the conference presentations. The Hearing Officer may also hold the record open to receive additional evidence or arguments.

Probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether or not there is probable cause to believe that the

¹ But see Title 2, California Code of Regulations, Section 18362, which states that the Commission provides access to complaints, responses to complaints, and investigative files and information in accordance with the requirements of the Public Records Act. (Govt. Code § 6250, et seq.)

Political Reform Act was violated. Anyone who wishes to discuss settlement with the Enforcement Division may do so before or after the probable cause conference but not during the conference.

Pursuant to Title 2, California Code of Regulations, Section 18361.4, subdivision (e), the Hearing Officer will find probable cause "if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation."

Ordinarily, probable cause determinations are made based upon the written probable cause report, any written response by the respondent, any written reply by the Enforcement Division, and the oral arguments presented at the conference. Timely written presentations are strongly recommended.

Probable Cause Order and Accusation

Once the matter is submitted to the Hearing Officer, the probable cause decision will normally be made within ten days. If the Hearing Officer finds probable cause, he will issue a Finding of Probable Cause, which will be publicly announced at the next Commission Meeting. An accusation will be issued soon after the Finding of Probable Cause is publicly announced.

Continuances

Every reasonable effort is made to accommodate the schedules of parties and counsel. However, once a date has been set it is assumed to be firm and will not be continued except upon the order of the Hearing Officer after a showing of good cause. Settlement negotiations will be considered good cause only if the Hearing Officer is presented with a fully executed settlement, or is convinced that settlement is imminent.

Settlements

Settlement discussions may take place at any time except during the probable cause conference. In order to open settlement discussions, a proposed respondent or his or her counsel or representative should present a written offer to settle stating, where appropriate, the violations to be admitted, and the monetary penalty or other remedy to be tendered.

The Enforcement Division attorney assigned to the case will negotiate any potential settlement on behalf of the Fair Political Practices Commission, and will draft the language of the settlement agreement. The Hearing Officer will not directly participate in the negotiations, but will be represented by Enforcement Division attorneys. Staff attorneys will present settlement offers to the Hearing Officer for his/her approval.

CONCLUSION

This fact sheet was intended to give you a brief summary of the probable cause process at the Fair Political Practices Commission. Such a summary cannot answer every question that might arise in such proceedings. Therefore, if you have any questions that are not addressed by this fact sheet or the copies of the law and regulations we have attached, feel free to contact the attorney whose name appears on the probable cause report.

Attachments: Relevant Sections of (1) California Government Code , and (2) Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

CALIFORNIA GOVERNMENT CODE

Probable Cause Statutes

§ 83115.5. Probable cause; violation of title; notice of violation; summary of evidence; notice of rights; private proceedings

No finding of probable cause to believe this title has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding be public.

§ 83116. Violation of title; probable cause; hearing; order

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The Commission shall have all the powers granted by that chapter. When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

- (a) Cease and desist violation of this title.
- (b) File any reports, statements, or other documents or information required by this title.
- (c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

**REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION
TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS**

Probable Cause Regulations

§ 18361 (b). Delegation by the Executive Director Pertaining to Enforcement Proceedings and Authority to Hear Probable Cause Proceedings.

Probable cause proceedings under Regulation 18361.4 shall be heard by the General Counsel or an attorney from the Legal Division. The General Counsel may delegate the authority to hear probable cause proceedings, in writing, to an administrative law judge.

§ 18361.4. Probable Cause Proceedings

(a) Probable Cause Report. If the Chief of the Enforcement Division decides to commence probable cause proceedings pursuant to Sections 83115.5 and 83116, he or she shall direct the Enforcement Division staff to prepare a written report, hereafter referred to as "the probable cause report." The probable cause report shall contain a summary of the law and evidence gathered in connection with the investigation, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. The evidence recited in the probable cause report may include hearsay, including declarations of investigators or others relating the statements of witnesses or concerning the examination of physical evidence.

(b) No probable cause hearing will take place until at least 21 calendar days after the Enforcement Division staff provides the following, by service of process or registered or certified mail with return receipt requested, to all proposed respondents:

- (1) A copy of the probable cause report;
- (2) Notification that the proposed respondents have the right to respond in writing to the probable cause report and to request a probable cause conference at which the proposed respondent may be present in person and represented by counsel, and;
- (3) If the Commission met in executive session on this matter pursuant to Regulation 18361.2, a copy of any staff memoranda submitted to the Commission at that time along with the recording of any discussion between the Commission and the staff at the executive session as required in subdivision (b) of Regulation 18361.2.

(c) Response to Probable Cause Report.

- (1) Each proposed respondent may submit a written response to the probable cause report. The response may contain a summary of evidence, legal arguments, and any mitigating or exculpatory information. A proposed respondent who submits a response must file it with the Commission Assistant who will forward the response to the General Counsel or an attorney in the Legal Division (the "hearing officer") and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report not later than 21 days following service of the probable cause report.
- (2) Within 21 calendar days following the service of the probable cause report, a proposed

respondent may request discovery of evidence in the possession of the Enforcement Division. This request must be sent by registered or certified mail to the Commission Assistant. Upon receipt of the request, the Enforcement Division shall provide discovery of evidence relied upon by the Enforcement Division sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation, along with any exculpatory or mitigating evidence. This is not a right to full discovery of the Enforcement Division file. The Enforcement Division shall provide access to documents for copying by the Respondent, or upon agreement among the parties, the Enforcement Division will provide copies of the requested documents upon payment of a fee for direct costs of duplication. The Enforcement Division shall provide such evidence by service of process or registered or certified mail with return receipt requested to all respondents, with a copy to the Commission Assistant. A respondent may submit a written response to the probable cause report described in subsection (1) no later than 21 calendar days after service of discovery.

- (3) The Commission staff may submit any evidence or argument in rebuttal to the response. When the Commission staff submits evidence or argument in rebuttal to the response, it shall provide a copy, by service of process or registered or certified mail with return receipt requested, to all proposed respondents listed in the probable cause report not later than 10 calendar days following the date the response was filed with the Commission Assistant. The hearing officer may extend the time limitations in this section for good cause. At any time prior to a determination of probable cause, the hearing officer may allow additional material to be submitted as part of the initial response or rebuttal.

(d) Probable Cause Conference. Any proposed respondent may request a probable cause conference. The request shall be served upon the Commission Assistant and all other proposed respondents not later than 21 days after service of the probable cause report unless the hearing officer extends the time for good cause. The Commission Assistant shall fix a time for the probable cause conference and the hearing officer shall conduct the conference informally. The conference shall be closed to the public unless a proposed respondent requests and all other proposed respondents agree to a public conference. If the conference is not public, only members of the Commission staff, any proposed respondent and his or her legal counsel or representative shall have the right to be present and participate. The hearing officer may allow witnesses to attend and participate in part or all of the probable cause conference. In making this determination, the hearing officer shall consider the relevancy of the witness' proposed testimony, whether the witness has a substantial interest in the proceedings, and whether fairness requires that the witness be allowed to participate. Representatives of any civil or criminal prosecutor with jurisdiction may attend the conference at the discretion of the hearing officer if they agree to respect the confidential nature of the proceedings. If the conference is not open to the public and none of the parties and the presiding officer object, the conference may be conducted in whole or in part by telephone. The probable cause conference shall be recorded. The hearing officer may determine whether there is probable cause based solely on the probable cause report, any responses or rebuttals filed and any arguments presented at the probable cause conference by the interested parties. If the hearing officer requires additional information before determining whether there is probable cause, he or she may permit any party to submit additional evidence at the probable cause conference.

(e) Finding of Probable Cause. The hearing officer may find there is probable cause to believe a violation has occurred if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation. A finding of probable cause by the hearing officer does not constitute a finding that a violation has actually occurred. The hearing officer shall not make a finding of probable cause if he or she is presented with clear and convincing evidence that, at a time prior to the alleged violation, the violator consulted with the staff of the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice of the staff or because of the staff's failure to provide advice. If the hearing officer makes a finding of probable cause, the Enforcement Division shall prepare an Accusation pursuant to Section 11503 and have it served upon the person or persons who are subjects of the probable cause finding. The hearing officer shall publicly announce the finding of probable cause. The announcement shall contain a summary of the allegations and a cautionary statement that the respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding. The Chief of the Enforcement Division shall be responsible for the presentation of the case in support of the Accusation at an administrative hearing held pursuant to Section 83116.

§ 18362. Access to Complaint Files

(a) Access to complaints, responses thereto, and investigative files and information shall be granted in accordance with the requirements of the Public Records Act (Government Code Section 6250, et seq.).

(b) When release of material is requested pursuant to subdivision (a), the Executive Director, or his or her designee, shall review the material prior to its release or prior to a claim of exemption to determine that the requirements of the Public Records Act have been satisfied.

(c) Any person requesting copies of material pursuant to subdivision (a) shall reimburse the Commission \$0.10 per page for each page copied or supply copying equipment and make copies in the offices of the Commission. Documents may not be removed from the offices of the Commission. If the request is for copies totaling ten pages or less, the copies shall be provided without charge for copying since the administrative costs do not warrant collection of \$1.00 or less. If the request is for copies totaling more than ten pages, reimbursements of copying costs shall include the cost for the first ten pages. Charges imposed pursuant to this subdivision are for the purpose of recovering the cost of copying.

(d) Requests for access and copies pursuant to subdivision (a) shall be made in writing and shall specifically identify the documents sought.

§ 18361.2. Memorandum Respecting Civil Litigation.

(a) If the Executive Director concludes civil litigation should be initiated, he or she shall submit to the Commission a written memorandum, which shall be first reviewed by the General Counsel, or an attorney from the Legal Division, summarizing the facts and the applicable law of the case and recommending the initiation of a lawsuit. The memorandum shall include all exculpatory and mitigating information known to the staff.

(b) The Commission shall review the memorandum at an executive session. The General Counsel, or an attorney from the Legal Division, and the Commission Assistant shall be in attendance. No other member of the staff may be present unless the Commission meets with a member of the staff for that person to answer questions. The Commission may not resume its deliberations until the person is no longer present. Any communication between the Commission and the person during the executive session shall be recorded. After review of the memorandum, the Commission may direct the Executive Director to do any of the following:

- (1) Initiate civil litigation.
- (2) Decide whether probable cause proceedings should be commenced pursuant to 2 Cal. Code of Regulations Section 18361.4.
- (3) Return the matter to the staff for further investigation.
- (4) Take no further action on the matter or take any other action it deems appropriate.

(c) If the Commission decides to initiate civil litigation, the Commission may then permit other members of the staff to attend the executive session.

(d) If the Executive Director deems it necessary, he or she may call a special meeting of the Commission to review a staff memorandum recommending the initiation of civil litigation.

(e) It is the intent of the Commission in adopting this section to preserve for the members of the Commission the authority to decide whether alleged violations should be adjudicated in administrative hearings or in civil litigation, while at the same time avoiding the possibility that discussions with members of the staff might cause members of the Commission to prejudge a case that might be heard by the Commission under Government Code Section 83116.

Exhibit A-4

DEFAULT DECISION AND ORDER FPPC NO. 15/737

GALENA WEST
Chief of Enforcement
DAVE BAINBRIDGE
Assistant Chief of Enforcement
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
Facsimile: (916) 322-1932

Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of

SHANNON MATLOCK,

Respondent.

) FPPC No. 15/737

)
) EX PARTE REQUEST FOR A FINDING OF
) PROBABLE CAUSE AND AN ORDER THAT
) AN ACCUSATION BE PREPARED AND
) SERVED

) Gov. Code § 83115.5
)

TO HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:

Pursuant to Section 83115.5 of the Political Reform Act (the "Act")¹ and Regulation 18361.4, Respondent Shannon Matlock was served with a copy of a report in support of a finding of probable cause ("Report") on or before May 21, 2016, in the above-entitled matter.² The Report, attached as "Exhibit A," was part of a packet of materials, including a cover letter and a memorandum describing probable cause proceedings, which was sent to Matlock on April 19, 2016, by certified mail, with a return receipt requested, and received by Matlock on or before May 21, 2016. A copy of the signed return receipt is attached as "Exhibit B".

In the cover letter dated April 19, 2016, and the attached materials, Matlock was advised that she could respond in writing to the Report and orally present the case to the Hearing Officer at a probable

¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 cause conference to be held in Sacramento. Matlock was further advised that to have a probable cause
2 conference she needed to make a written request for a conference on or before 21 days of the date she
3 received the Report. Additionally, Matlock was advised that if she did not request a probable cause
4 conference, such a conference would not be held and probable cause would be determined based solely
5 on the Report and any written response that she submitted within 21 days of the date she was served
6 with the Report. To date, Matlock has not submitted a written response or requested a probable cause
7 conference.

8 WHEREFORE, based on the attached Report, the Enforcement Division requests a finding by
9 the Hearing Officer that probable cause exists to believe that Matlock committed four violations of the
10 Act, stated as follows:

11 Count 1: Failure to File a 2014 Annual Statement of Economic Interests

12 Matlock failed to file a 2014 Annual SEI by April 1, 2015, in violation of Sections 87300 and
13 87302.

14 Additionally, after finding probable cause exists, the Enforcement Division requests an order by
15 the Hearing Officer that an accusation be prepared against Matlock and served upon her.³ A copy of this
16 Request was mailed via U.S. Mail to Matlock on April 19, 2016, at the last known address, as follows:

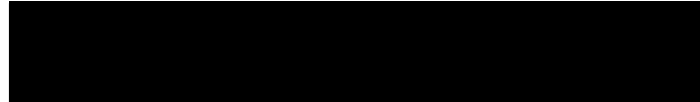
17 Shannon Matlock
18 Ventura County Health Care Agency
19 2202 Kemper Lake Court
20 Oxnard, CA 93035

21 Dated: June 6, 2016

Respectfully Submitted,

FAIR POLITICAL PRACTICES COMMISSION

Galena West
Chief of Enforcement

23 
24 By: Dave Bainbridge
25 Assistant Chief,
26 Enforcement Division

27 ³ Gov. Code § 11503.

1 GALENA WEST
Enforcement Chief
2 DAVE BAINBRIDGE
Assistant Enforcement Chief
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorney for Complainant
7
8

9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 15/737
12)
13 SHANNON MATLOCK,) REPORT IN SUPPORT OF A FINDING OF
PROBABLE CAUSE
14) Conference Date: TBA
15 Respondent.) Conference Time: TBA
16) Conference Location: Commission Offices
428 J Street, Suite 800
Sacramento, CA 95814
17

18 **INTRODUCTION**

19 Respondent Shannon Matlock ("Matlock") currently serves as an Assistant Director of
20 Hospital Nursing for the Ventura County Health Care Agency. As of January 1, 2015, the Ventura
21 County Health Care Agency's Conflict of Interest Code requires designated employees to file an
22 Annual Statement of Economic Interests ("SEI") with the Clerk of the Board of Supervisors disclosing
23 economic interests held during the preceding calendar year. Matlock failed to file a 2014 Annual SEI
24 by the April 1, 2015 deadline.

25 **SUMMARY OF THE LAW**

26 All legal references and discussions of law pertain to the Act's provisions as they existed in
27 2014 and 2015.
28

1 Jurisdiction

2 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
3 enforce the provisions of the Political Reform Act (the "Act").¹

4 Probable Cause Proceedings

5 Prior to the Enforcement Division ("Enforcement") commencing an administrative action, the
6 General Counsel of the Commission or her designee (the "hearing officer"), must make a finding that
7 there is probable cause to believe the respondent has violated the Act.² After a finding of probable
8 cause, the Commission may hold a noticed hearing in accordance with the Administrative Procedure
9 Act³ to determine whether violations occurred, and levy an administrative penalty of up to \$5,000 for
10 each violation.⁴

11 Standard for Finding Probable Cause

12 To make a finding of probable cause, the hearing officer must be presented with sufficient
13 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
14 that a respondent committed or caused a violation.⁵

15 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

16 When enacting the Political Reform Act, the people of the state of California found and
17 declared that previous laws regulating political practices suffered from inadequate enforcement by state
18 and local authorities.⁶ To that end, the Act must be liberally construed to achieve its purposes.⁷

19 There are many purposes of the Act. One purpose is to increase transparency and decrease
20 conflicts of interest in the actions of public officials by making the disclosure of their personal financial
21 interests to the public legally mandatory.⁸ Another is to provide adequate enforcement mechanisms so
22 that the Act will be "vigorously enforced."⁹

23
24 ¹ Section 83116.

² Section 83115.5 and Regulations 18361 and 18361.4.

³ Section 11500, et seq.

⁴ Section 83116 and Regulation 18361.4, subd. (e).

⁵ Regulation 18361.4, subd. (e).

⁶ Section 81001, subd. (h).

⁷ Section 81003.

⁸ Section 81002, subd. (c).

⁹ Section 81002, subd. (f).

1 Conflict of Interest Codes

2 The Act requires every state and local agency to develop a Conflict of Interest Code.¹⁰ These
3 codes must designate those officials who participate in making decisions which may foreseeably have a
4 material financial effect on any financial interest belonging to that official and require those designated
5 officials to disclose all reportable interests on SEIs.¹¹ The requirements of an agency's Conflict of
6 Interest Code have the force of law, and any violation of those requirements is deemed a violation of
7 the Act.¹²

8 Ventura County Health Care Agency Conflict of Interest Code

9 The Ventura County Health Care Agency's Conflict of Interest Code designates the position of
10 Assistant Director of Hospital Nursing as a position that is required to file SEIs. The Ventura County
11 Health Care Agency's Code requires designated officials to file an Annual SEI by April 1 of the
12 succeeding year.

13 Liability for Violations

14 Any person who violates any provision of the Act, who purposely or negligently causes any
15 other person to violate any provision of the Act, or who aids and abets any other person in the violation
16 of any provision of the Act, is liable for administrative penalties up to \$5,000 per violation.¹³
17 Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act will be
18 "vigorously enforced."¹⁴

19 **SUMMARY OF THE EVIDENCE**

20 Matlock was the Assistant Director of Hospital Nursing for the Ventura County Health Care
21 Agency in 2014 to 2015. In her position as Assistant Director of Hospital Nursing, Matlock is required
22 to file a 2014 SEI pursuant to the Ventura County Health Care Agency's Conflict of Interest Code.
23 Matlock violated the Act because she failed to timely file an Annual SEI for 2014.

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25
26 ¹⁰ Section 87300.

¹¹ Section 87302, subd. (b).

¹² Section 87300.

¹³ Sections 83116 and 83116.5.

¹⁴ Section 81002, subd. (f).

1 Before referring the case to the Enforcement Division, the Clerk of the Board of Supervisors
2 notified Matlock seven times regarding her duty to file a 2014 Annual SEI. These notifications were
3 sent on January 30, 2015, February 20, 2015, March 13, 2015, March 20, 2015, March 27, 2015, April
4 10, 2015, and May 11, 2015. After Matlock did not respond, the matter was referred to the
5 Enforcement Division.

6 The Enforcement Division attempted to contact Matlock by letters sent on July 15, 2015,
7 August 21, 2015, and September 28, 2015, as well as emails sent July 15, 2015 and March 29, 2016.

8 According to the Clerk of the Board of Supervisors, as of March 29, 2016, Matlock has not
9 filed her outstanding SEI.

10 VIOLATION

11 Count 1: Failure to File a 2014 Annual Statement of Economic Interests

12 Matlock failed to file a 2014 Annual SEI by April 1, 2015, in violation of Sections 87300 and
13 87302.

14 OTHER RELEVANT MATERIAL

15 Matlock has failed to file despite numerous contacts by the Clerk of the Board of Supervisors
16 and the Enforcement Division. However, Matlock is aware of her duty to file because Matlock has
17 filed her 2015 Annual SEI with the Clerk of the Board of Supervisors.

18 MITIGATING OR EXCULPATORY EVIDENCE

19 The Enforcement Division is not aware of any relevant exculpatory or mitigating information.
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1 **CONCLUSION**



2 Probable cause exists to believe that Shannon Matlock violated the Act by failing to file a 2014
3 Annual SEI. The Enforcement Division respectfully requests an order finding probable cause pursuant
4 to Section 83115.5 and Regulation 18361.4.

5
6 Dated: April 19, 2016

7 Respectfully submitted,

8 **FAIR POLITICAL PRACTICES COMMISSION**

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12 Dave Bainbridge
13 Assistant Chief, Enforcement Division
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| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature: _____</p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): _____</p> <p>C. Date of Delivery: _____</p> |
| <p>1. Article Addressed to:</p> <p>Shannon Matlock Ventura County Health Care Agency</p>  <p>9590 9403 0234 5146 5237 43</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>  |
| <p>2. Article Number (Transfer from service label)</p> <p>7012 3460 0000 2695 7404</p> | <p>3. Service Type:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p> | |

SANTA CLARITA
UNITED STATES POSTAL SERVICE
SANTA CLARITA, CA
PM 311


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

Fair Political Practices Commission
Attn: Elizabeth Enea
420 J Street, Suite 620
Sacramento, CA 95814-8289

16 MAY 24 AM 12:14 PM '15

USPS TRACKING#



9590 9403 0234 5146 5237 43

EXHIBIT B

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of

SHANNON MATLOCK,

Respondent.

) FPPC No. 15/737

)
)
) FINDING OF PROBABLE CAUSE AND
) ORDER TO PREPARE AND SERVE AN
) ACCUSATION

) Gov. Code § 83115.5
)
)

By means of an Ex Parte Request for an Order Finding Probable Cause and an Order that an Accusation be Prepared and Served, dated June 13, 2016, the Enforcement Division submitted the above-entitled matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request For a Finding of Probable Cause and an Order that an Accusation be Prepared and Served (Ex Parte Request), the Enforcement Division served a Report in Support of a Finding of Probable Cause (PC Report) on Respondent Shannon Matlock concerning this matter on or before May 21, 2016, by certified mail, return receipt requested. Accompanying the PC Report was a packet of materials that informed Matlock of her right to file a written response to the PC Report and to request a probable cause conference within 21 days following service of the PC Report. During the 21 days that followed service of the PC Report, Matlock did not file a response to the PC Report or request a probable cause conference. Pursuant to California Code of Regulations title 2, section 18361.4, determination of probable cause may be made solely on papers submitted when the respondent does not request a probable cause conference.¹

In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political Practices Commission to determine whether probable cause exists to believe that a respondent violated the Political Reform Act as alleged by the Enforcement Division in the PC Report served on the respondent.

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

1 Probable cause to believe a violation has occurred can be found to exist when "the evidence is
2 sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion
3 that the proposed respondent(s) committed or caused a violation."²

4 The PC Report served on Matlock and the subsequent Ex Parte Request in this matter alleges a
5 violation of the Political Reform Act was committed, as follows:

6 Count 1: Failure to File a 2014 Annual Statement of Economic Interests

7 Matlock failed to file a 2014 Annual SEI by April 1, 2015, in violation of Sections 87300 and
8 87302.

9 Based on the Ex Parte Request given to me, I find that notice has been given to Matlock.³ I
10 further find, based on the PC Report and the Ex Parte Request, that there is probable cause to believe
11 Matlock violated the Political Reform Act as alleged in Count 1, as identified above.

12 I therefore direct that the Enforcement Division issue an accusation against Matlock in
13 accordance with this finding.

14 IT IS SO ORDERED.

15 Dated: _____

16 _____
17 Hearing Officer
18 Fair Political Practices Commission

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27 ² Cal. Code Reg., tit. 2, § 18361.4, subd. (e).

³ Government Code § 83115.5; Cal. Code Reg., tit. 2, §18361.4, subd. (b).

Exhibit A-5

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of

) FPPC No. 15/737

SHANNON MATLOCK,

) FINDING OF PROBABLE CAUSE AND
) ORDER TO PREPARE AND SERVE AN
) ACCUSATION

Respondent.

) Gov. Code § 83115.5

By means of an Ex Parte Request for an Order Finding Probable Cause and an Order that an Accusation be Prepared and Served, dated June 13, 2016, the Enforcement Division submitted the above-entitled matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request For a Finding of Probable Cause and an Order that an Accusation be Prepared and Served (Ex Parte Request), the Enforcement Division served a Report in Support of a Finding of Probable Cause (PC Report) on Respondent Shannon Matlock concerning this matter on or before May 21, 2016, by certified mail, return receipt requested. Accompanying the PC Report was a packet of materials that informed Matlock of her right to file a written response to the PC Report and to request a probable cause conference within 21 days following service of the PC Report. During the 21 days that followed service of the PC Report, Matlock did not file a response to the PC Report or request a probable cause conference. Pursuant to California Code of Regulations title 2, section 18361.4, determination of probable cause may be made solely on papers submitted when the respondent does not request a probable cause conference.¹

In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political Practices Commission to determine whether probable cause exists to believe that a respondent violated the Political Reform Act as alleged by the Enforcement Division in the PC Report served on the respondent.

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

1 Probable cause to believe a violation has occurred can be found to exist when "the evidence is
2 sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion
3 that the proposed respondent(s) committed or caused a violation."²

4 The PC Report served on Matlock and the subsequent Ex Parte Request in this matter alleges a
5 violation of the Political Reform Act was committed, as follows:

6 Count 1: Failure to File a 2014 Annual Statement of Economic Interests

7 Matlock failed to file a 2014 Annual SEI by April 1, 2015, in violation of Sections 87300 and
8 87302.

9 Based on the Ex Parte Request given to me, I find that notice has been given to Matlock.³ I
10 further find, based on the PC Report and the Ex Parte Request, that there is probable cause to believe
11 Matlock violated the Political Reform Act as alleged in Count 1, as identified above.

12 I therefore direct that the Enforcement Division issue an accusation against Matlock in
13 accordance with this finding.

14 IT IS SO ORDERED.

15 Dated: 6-21-16

16 
17 Jack Woodside, Hearing Officer
18 Fair Political Practices Commission

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27 ² Cal. Code Reg., tit. 2, § 18361.4, subd. (e).

³ Government Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4, subd. (b).

FPPC No. 15/737, In the matter of Shannon Matlock

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814. On the date below, I served the following document:

FINDING OF PROBABLE CAUSE AND ORDER TO PREPARE AND SERVE AN ACCUSATION

MANNER OF SERVICE

(U.S. Mail) By causing a true copy thereof to be served on the parties in this action through the U.S. Mail and addressed as listed below. I am familiar with the procedure of the Fair Political Practices Commission for collection and processing of correspondence for mailing with the United States Postal Service, and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

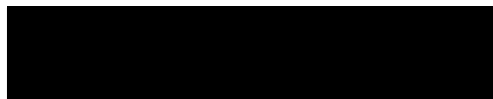
SERVICE LIST

Shannon Matlock
Ventura County Health Care Agency

(By Personal Service) On Friday, June 24, 2016, at approximately 12:15 p.m., I personally served:

Galena West, Chief of Enforcement, at 428 J Street, Suite 700, Sacramento, CA 95814.
Dave Bainbridge, Assistant Chief of Enforcement, at 428 J Street, Suite 700, Sacramento, CA 95814.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this document is executed at Sacramento, California, on June 24, 2016.



Sheva Tabatabaiejad

Exhibit A-6

1 GALENA WEST
Chief of Enforcement
2 DAVE BAINBRIDGE
Assistant Chief of Enforcement
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorneys for Complainant
7
8

9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 15/737
12)
13 SHANNON MATLOCK,) **ACCUSATION**
14)
15 Respondent.) (Gov. Code §11503)
16)
17)

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 and
22 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.
28

1 9. The requirements of an agency's conflict of interest code have the force of law, and any
2 violation of those requirements is deemed a violation of the Act.⁷

3 10. The Ventura County Health Care Agency's Conflict of Interest Code designates Assistant
4 Director of Hospital Nursing as a position that is required to file SEIs. The Ventura County Health Care
5 Agency's Code requires designated officials to file an Annual SEI by April 1 of the succeeding year.⁸

6 **C. Factors to be Considered by the Fair Political Practices Commission**

7 11. In framing a proposed order following a finding of a violation pursuant to Section 83116,
8 the Commission and the administrative law judge shall consider all the surrounding circumstances
9 including but not limited to: (1) The seriousness of the violation; (2) The presence or absence of any
10 intention to conceal, deceive or mislead; (3) Whether the violation was deliberate, negligent or inadvertent;
11 (4) Whether the violator demonstrated good faith by consulting the Commission staff or any other
12 government agency in a manner not constituting a complete defense under Section 83114(b); (5) Whether
13 the violation was isolated or part of a pattern and whether the violator has a prior record of violations of
14 the Act or similar laws; and (6) Whether the violator, upon learning of a reporting violation, voluntarily
15 filed amendments to provide full disclosure.⁹

16 **GENERAL FACTS**

17 12. Matlock assumed office on April 6, 1964 and is currently in office as Assistant Director of
18 Hospital Nursing for the Ventura County Health Care Agency.

19 13. As a designated employee of the Ventura County Health Care Agency, Matlock was
20 required to file a 2014 Annual SEI with the Ventura County Clerk of the Board of Supervisors by April
21 1, 2015. Matlock failed to file her 2014 Annual SEI by the April 1, 2015 deadline.

22 14. As of September 12, 2016, Matlock has not filed a 2014 Annual SEI with the Ventura
23 County Clerk of the Board of Supervisors.

24 **PROCEDURAL HISTORY**

25 15. Before referring the case to the Enforcement Division, the Ventura County Clerk of the
26 Board of Supervisors sent four letters to Matlock dated January 30, 2015, March 27, 2015, April 10,

27 ⁷ Section 87300.

28 ⁸ Conflict of Interest Code for Ventura County Health Care Agency, p. 1.

⁹ Reg. 18361.5, subd. (d).

1 2015, and May 15, 2015 regarding her obligation to file. After Matlock did not respond, the Ventura
2 County Clerk of the Board of Supervisors referred the matter to the Enforcement Division.

3 16. The Enforcement Division attempted to contact Matlock by letters on July 15, 2015,
4 August 21, 2015, and September 28, 2015.

5 17. As of September 12, 2016, Matlock has not filed a 2014 Annual SEI.

6 18. The Enforcement Division initiated the administrative action against Matlock in this matter
7 by serving her with a packet containing a cover letter, a Report in Support of a Finding of Probable Cause
8 ("PC Report"), a fact sheet regarding probable cause proceedings, selected sections of the Government
9 Code regarding probable cause proceedings for the Commission, and selected regulations of the
10 Commission regarding probable cause proceedings.

11 19. Matlock was served via certified mail on or before May 21, 2016 with the PC Report. The
12 information contained in the PC Report packet advised Matlock that she had 21 days in which to request
13 a probable cause conference and/or to file a written response to the PC Report. As of the date of this
14 Accusation, Matlock has not responded to the PC Report.

15 20. By means of an Ex Parte Request for an Order Finding Probable Cause and an Order that
16 an Accusation be Prepared and Served, dated June 13, 2016, the Enforcement Division submitted the
17 matter to the Hearing Officer for a determination of Probable Cause.

18 21. On June 21, 2016, the Hearing Officer issued an order finding, based on the Ex Parte
19 Request for an Order Finding Probable Cause and the PC Report, that there was probable cause to believe
20 Matlock violated the Act and directed the Enforcement Division to issue an accusation against Matlock in
21 accordance to with the finding.

22 VIOLATION

23 22. Complainant incorporates paragraphs 1 – 21 of this Accusation, as though completely set
24 forth herein.

25 23. Matlock, as an Assistant Director of Hospital Nursing for the Ventura County Health Care
26 Agency, had a duty under the Act and the Ventura County Health Care Agency's Conflict of Interest Code
27 to file a 2014 Annual SEI by April 1, 2015. Matlock failed to file a 2014 Annual SEI by April 1, 2015, in
28 violation of Sections 87300 and 87302.

1 4. That the Fair Political Practices Commission grant such other and further relief as it deems
2 just and proper.
3

4
5 Dated: 23 Sept 16



6 Galena West
7 Chief of Enforcement
8 Fair Political Practices Commission
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Exhibit A-7



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

STATEMENT TO RESPONDENT

[Government Code Section 11505, subdivision (b)]

Shannon Matlock

FPPC Case No. 15/737

Enclosed is an Accusation, which was filed with the Fair Political Practices Commission (the "FPPC") and which is hereby served upon you, along with two copies of a Notice of Defense and Government Code Sections 11506 through 11508.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the FPPC within 15 days after the Accusation was served on you, the FPPC may proceed upon the Accusation without a hearing. The request for a hearing may be made by delivering or mailing the enclosed form entitled Notice of Defense, or by delivering or mailing a notice of defense as provided by Section 11506 of the Government Code to the Commission Assistant at the FPPC.

You may, but need not, be represented by counsel at any or all stages of these proceedings.

If you desire a list of the names and addresses of witnesses against you, or an opportunity to inspect and copy the items mentioned in Section 11507.6 of the Government Code that are in the possession, custody, or control of this agency, or if you wish to discuss the possibility of resolving this matter without a formal hearing, you may contact Amanda Kelly, Graduate Legal Assistant, FPPC Enforcement Division, at (916) 322-7771 or akelly@fppc.ca.gov.

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the FPPC or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to give notice within 10 days will deprive you of a postponement.

After a hearing, the FPPC will consider the following factors in determining whether to assess a penalty (Title 2, California Code of Regulations, Section 18361.5, subdivision (d).):

1. The seriousness of the violation;
2. The presence or absence of any intention to conceal, deceive, or mislead;
3. Whether the violation was deliberate, negligent, or inadvertent;
4. Whether the violator demonstrated good faith by consulting Commission staff or any other government agency in a manner not constituting a complete defense under Government Code Section 83114, subdivision (b);
5. Whether the violation was isolated or part of a pattern;
6. Whether the violator has a prior record of violations of the Political Reform Act or similar laws; and
7. Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.



Before the Fair Political Practices Commission

State of California

In the Matter of

SHANNON MATLOCK,

Respondent.

) NOTICE OF DEFENSE
) (Pursuant to Gov. Code § 11506)
)
) FPPC Case No. 15/737
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)
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)

Shannon Matlock, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip



Before the Fair Political Practices Commission

State of California

In the Matter of

SHANNON MATLOCK,

Respondent.

) NOTICE OF DEFENSE
) (Pursuant to Gov. Code § 11506)
)
) FPPC Case No. 15/737
)
)
)
)
)
)
)

Shannon Matlock, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip

California Government Code sections 11506 through 11508

§ 11506. Filing of notice of defense or notice of participation; Contents; Right to hearing on the merits

(a) Within 15 days after service of the accusation or District Statement of Reduction in Force the respondent may file with the agency a notice of defense, or, as applicable, notice of participation, in which the respondent may:

(1) Request a hearing.

(2) Object to the accusation or District Statement of Reduction in Force upon the ground that it does not state acts or omissions upon which the agency may proceed.

(3) Object to the form of the accusation or District Statement of Reduction in Force on the ground that it is so indefinite or uncertain that the respondent cannot identify the transaction or prepare a defense.

(4) Admit the accusation or District Statement of Reduction in Force in whole or in part.

(5) Present new matter by way of defense.

(6) Object to the accusation or District Statement of Reduction in Force upon the ground that, under the circumstances, compliance with the requirements of a regulation would result in a material violation of another regulation enacted by another department affecting substantive rights.

(b) Within the time specified the respondent may file one or more notices of defense, or, as applicable, notices of participation, upon any or all of these grounds but all of these notices shall be filed within that period unless the agency in its discretion authorizes the filing of a later notice.

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense or notice of participation, and the notice shall be deemed a specific denial of all parts of the accusation or District Statement of Reduction in Force not expressly admitted. Failure to file a notice of defense or notice of participation shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing. Unless objection is taken as provided in paragraph (3) of subdivision (a), all objections to the form of the accusation or District Statement of Reduction in Force shall be deemed waived.

(d) The notice of defense or notice of participation shall be in writing signed by or on behalf of the respondent and shall state the respondent's mailing address. It need not be verified or follow any particular form.

(e) As used in this section, "file," "files," "filed," or "filing" means "delivered or mailed" to the agency as provided in Section 11505.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 931 § 1; Stats 1982 ch 606 § 1; Stats 1986 ch 951 § 20; Stats 1995 ch 938 § 29 (SB 523), operative July 1, 1997; Stats 2013 ch 90 § 5 (SB 546), effective January 1, 2014.

§ 11507. Amended or supplemental accusation or District Statement of Reduction in Force; Objections

At any time before the matter is submitted for decision, the agency may file, or permit the filing of, an amended or supplemental accusation or District Statement of Reduction in Force. All parties shall be notified of the filing. If the amended or supplemental accusation or District Statement of Reduction in Force presents new charges, the agency shall afford the respondent a reasonable opportunity to prepare his or her defense to the new charges, but he or she shall not be entitled to file a further pleading unless the agency in its discretion so orders. Any new charges shall be deemed controverted, and any objections to the amended or supplemental accusation or District Statement of Reduction in Force may be made orally and shall be noted in the record.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 2013 ch 90 § 6 (SB 546), effective January 1, 2014; Stats 2014 ch 71 § 69 (SB 1304), effective January 1, 2015.

§ 11507.3. Consolidated proceedings; Separate hearings

(a) When proceedings that involve a common question of law or fact are pending, the administrative law judge on the judge's own motion or on motion of a party may order a joint hearing of any or all the matters at issue in the proceedings. The administrative law judge may order all the proceedings consolidated and may make orders concerning the procedure that may tend to avoid unnecessary costs or delay.

(b) The administrative law judge on the judge's own motion or on motion of a party, in furtherance of convenience or to avoid prejudice or when separate hearings will be conducive to expedition and economy, may order a separate hearing of any issue, including an issue raised in the notice of defense or notice of participation, or of any number of issues.

HISTORY: Added Stats 1995 ch 938 § 30 (SB 523), operative July 1, 1997. Amended Stats 2013 ch 90 § 7 (SB 546), effective January 1, 2014.

///

§ 11507.5. Exclusivity of discovery provisions

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

HISTORY: Added Stats 1968 ch 808 § 3.

§ 11507.6. Request for discovery

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

HISTORY: Added Stats 1968 ch 808 § 4. Amended Stats 1985 ch 1328 § 5; Stats 1995 ch 938 § 31 (SB 523), operative July 1, 1997.

§ 11507.7. Motion to compel discovery; Order

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of *Section 915 of the Evidence Code* and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become

effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

HISTORY: Added Stats 1968 ch 808 § 5. Amended Stats 1971 ch 1303 § 8; Stats 1980 ch 548 § 2; Stats 1995 ch 938 § 32 (SB 523), operative July 1, 1997.

§ 11508. Time and place of hearing

(a) The agency shall consult the office, and subject to the availability of its staff, shall determine the time and place of the hearing. The hearing shall be held at a hearing facility maintained by the office in Sacramento, Oakland, Los Angeles, or San Diego and shall be held at the facility that is closest to the location where the transaction occurred or the respondent resides.

(b) Notwithstanding subdivision (a), the hearing may be held at either of the following places:

(1) A place selected by the agency that is closer to the location where the transaction occurred or the respondent resides.

(2) A place within the state selected by agreement of the parties.

(c) The respondent may move for, and the administrative law judge has discretion to grant or deny, a change in the place of the hearing. A motion for a change in the place of the hearing shall be made within 10 days after service of the notice of hearing on the respondent.

Unless good cause is identified in writing by the administrative law judge, hearings shall be held in a facility maintained by the office.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 710 § 1; Stats 1967 ch 17 § 39; Stats 1987 ch 50 § 1; Stats 1995 ch 938 § 33 (SB 523), operative July 1, 1997; Stats 2005 ch 674 § 22 (SB 231), effective January 1, 2006.

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814. On 09/26/2016, I served the following document(s):

- 1. Statement to Respondent;
- 2. FPPC Case No. 15/737: Accusation;
- 3. Notice of Defense (Two Copies);
- 4. Selected Sections of the California Government Code, Administrative Procedure Act.

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By personal service. At 8:55 a.m./p.m.:

I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

Personal Delivery

Sheva Tabatabaiejad, Commission
Assistant
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

Personal Service

Shannon Matlock
Ventura County Health Care Agency



I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on 09/26/2016.



Roone Peterson

Exhibit A-8

| | | | |
|---|--|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) | | FOR COURT USE ONLY | |
| FAIR POLITICAL PRACTICES COMMISSION 428 J ST. #620 SACRAMENTO, CA 95814 TELEPHONE NO.: (916) 322-5660 E-MAIL ADDRESS (Optional): tfrazier@fppc.ca.gov ATTORNEY FOR (Name): Complainant: | | FAX NO. (Optional): (916) 322-0886 | |
| FAIR POLITICAL PRACTICES COMMISSION STREET ADDRESS: 428 J STREET, SUITE 620 MAILING ADDRESS: CITY AND ZIP CODE: SACRAMENTO, CA 95814 BRANCH NAME: STATE OF CALIFORNIA | | | |
| PLAINTIFF/PETITIONER: FAIR POLITICAL PRACTICES COMMISSION DEFENDANT/RESPONDENT: SHANNON MATLOCK | | CASE NUMBER: 15/737 HEARING DATE: HEARING TIME: DEPARTMENT: | |
| PROOF OF SERVICE | | | |

AT THE TIME OF SERVICE I WAS AT LEAST 18 YEARS OF AGE AND NOT A PARTY TO THIS ACTION
 I SERVED COPIES OF THE FOLLOWING DOCUMENTS:

ACCUSATION; PROOF OF SERVICE

PARTY SERVED: **SHANNON MATLOCK**

DATE & TIME OF DELIVERY: **10/7/2016**
1:58 PM

ADDRESS, CITY, AND STATE: 

PHYSICAL DESCRIPTION: **Age: 55** **Weight: 170** **Hair: BLACK**
Sex: Female **Height: 5'7"** **Eyes: BROWN**
Skin: BLACK **Marks:**

MANNER OF SERVICE:
 Personal Service - By personally delivering copies.

Fee for Service: \$ 50.00
 County: VENTURA
 Registration No.: 675
 Rezac Meyer Attorney Service
 P.O. Box 7299
 Ventura, CA 93006
 (805) 658-8454
 Ventura County Reg: 546

I declare under penalty of perjury under the laws of the
 The State of California that the foregoing information
 contained in the return of service and statement of
 service fees is true and correct and that this declaration
 was executed on **October 10, 2016.**

Signature: 
PHILLIP J. GREMAUD

PROOF OF SERVICE

Exhibit A-9

DEFAULT DECISION AND ORDER FPPC NO. 15/737

U/A EMAIL
1-30-15

Dear Shannon Matlock:

The Political Reform Act requires you to file an Annual Statement of Economic Interests (Form 700) no later than **April 1, 2015** (if April 1 falls on a Saturday, Sunday, or legal holiday, then the Form 700 must be received by the Clerk of the Board or postmarked by the next immediate business day).

You may file your Form 700 using the Clerk of the Board's e-Disclosure electronic filing system that is available on the Internet. The e-Disclosure system is secure and designed to aid you in filling out the form accurately and completely.

e-Disclosure Website: <http://cobapps.countyofventura.org/edisclosure/>

Username: Shannon.Matlock@ventura.org

If no Username appears above, you may contact the Clerk of the Board to obtain an e-Disclosure account. If you don't know your password, click on the Forgot Password link on the home page of e-Disclosure or contact the Clerk of the Board.

If you choose to submit an originally signed paper copy, that is available from the Fair Political Practices Commission (FPPC) at www.fppc.ca.gov, rather than e-file, mail it to the address below:

Clerk of the Board
800 S. Victoria Ave #1920
Ventura, CA 93009

The FPPC is available to assist you with completing the form. Information is available from their website, www.fppc.ca.gov or you may contact them directly at (866) 275-3772 or by emailing advice@fppc.ca.gov.

All Form 700s must be received by the Clerk of the Board (or postmarked) no later than **April 1, 2015**. Late submissions are subject to a \$10 per day penalty up to a \$100 maximum as imposed by the FPPC (Government Code Section 91013). In addition, non-filers will be reported to the FPPC.

Please do not ignore this notification. If you feel that you have received this in error, please contact the Form 700 Clerk immediately.

If you have any questions, please contact the Form 700 Clerk at form700clerk@ventura.org or call 654-2251.

Sincerely,

Exhibit A-10

DEFAULT DECISION AND ORDER FPPC NO. 15/737

U/A EMAIL

2-25-15

Dear Shannon Matlock:

The Political Reform Act requires you to file an Annual Statement of Economic Interests (Form 700) no later than **April 1, 2015** (if April 1 falls on a Saturday, Sunday, or legal holiday, then the Form 700 must be received by the Clerk of the Board or postmarked by the next immediate business day).

You may file your Form 700 using the Clerk of the Board's e-Disclosure electronic filing system that is available on the Internet. The e-Disclosure system is secure and designed to aid you in filling out the form accurately and completely.

e-Disclosure Website: <http://cobapps.countyofventura.org/edisclosure/>

Username: Shannon.Matlock@ventura.org

If no Username appears above, you may contact the Clerk of the Board to obtain an e-Disclosure account. If you don't know your password, click on the Forgot Password link on the home page of e-Disclosure or contact the Clerk of the Board.

If you choose to submit an originally signed paper copy, that is available from the Fair Political Practices Commission (FPPC) at www.fppc.ca.gov, rather than e-file, mail it to the address below:

Clerk of the Board
800 S. Victoria Ave #1920
Ventura, CA 93009

The FPPC is available to assist you with completing the form. Information is available from their website, www.fppc.ca.gov or you may contact them directly at (866) 275-3772 or by emailing advice@fppc.ca.gov.

All Form 700s must be received by the Clerk of the Board (or postmarked) no later than **April 1, 2015**. Late submissions are subject to a \$10 per day penalty up to a \$100 maximum as imposed by the FPPC (Government Code Section 91013). In addition, non-filers will be reported to the FPPC.

Please do not ignore this notification. If you feel that you have received this in error, please contact the Form 700 Clerk immediately.

If you have any questions, please contact the Form 700 Clerk at form700clerk@ventura.org or call 654-2251.

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-11

DEFAULT DECISION AND ORDER FPPC NO. 15/737

U/A EMAIL
3-13-15

Dear Shannon Matlock:

The Political Reform Act requires you to file an Annual Statement of Economic Interests (Form 700) no later than **April 1, 2015** (if April 1 falls on a Saturday, Sunday, or legal holiday, then the Form 700 must be received by the Clerk of the Board or postmarked by the next immediate business day).

You may file your Form 700 using the Clerk of the Board's e-Disclosure electronic filing system that is available on the Internet. The e-Disclosure system is secure and designed to aid you in filling out the form accurately and completely.

e-Disclosure Website: <http://cobapps.countyofventura.org/edisclosure/>

Username: Shannon.Matlock@ventura.org

If no Username appears above, you may contact the Clerk of the Board to obtain an e-Disclosure account. If you don't know your password, click on the Forgot Password link on the home page of e-Disclosure or contact the Clerk of the Board.

If you choose to submit an originally signed paper copy, that is available from the Fair Political Practices Commission (FPPC) at www.fppc.ca.gov, rather than e-file, mail it to the address below:

Clerk of the Board
800 S. Victoria Ave #1920
Ventura, CA 93009

The FPPC is available to assist you with completing the form. Information is available from their website, www.fppc.ca.gov or you may contact them directly at (866) 275-3772 or by emailing advice@fppc.ca.gov.

All Form 700s must be received by the Clerk of the Board (or postmarked) no later than **April 1, 2015**. Late submissions are subject to a \$10 per day penalty up to a \$100 maximum as imposed by the FPPC (Government Code Section 91013). In addition, non-filers will be reported to the FPPC.

Please do not ignore this notification. If you feel that you have received this in error, please contact the Form 700 Clerk immediately.

If you have any questions, please contact the Form 700 Clerk at form700clerk@ventura.org or call 654-2251.

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-12

DEFAULT DECISION AND ORDER FPPC NO. 15/737

U/A EMAIL
3-20-15

Dear Shannon Matlock:

The Political Reform Act requires you to file an Annual Statement of Economic Interests (Form 700) no later than **April 1, 2015** (if April 1 falls on a Saturday, Sunday, or legal holiday, then the Form 700 must be received by the Clerk of the Board or postmarked by the next immediate business day).

You may file your Form 700 using the Clerk of the Board's e-Disclosure electronic filing system that is available on the Internet. The e-Disclosure system is secure and designed to aid you in filling out the form accurately and completely.

e-Disclosure Website: <http://cobapps.countyofventura.org/edisclosure/>

Username: Shannon.Matlock@ventura.org

If no Username appears above, you may contact the Clerk of the Board to obtain an e-Disclosure account. If you don't know your password, click on the Forgot Password link on the home page of e-Disclosure or contact the Clerk of the Board.

If you choose to submit an originally signed paper copy, that is available from the Fair Political Practices Commission (FPPC) at www.fppc.ca.gov, rather than e-file, mail it to the address below:

Clerk of the Board
800 S. Victoria Ave #1920
Ventura, CA 93009

The FPPC is available to assist you with completing the form. Information is available from their website, www.fppc.ca.gov or you may contact them directly at (866) 275-3772 or by emailing advice@fppc.ca.gov.

All Form 700s must be received by the Clerk of the Board (or postmarked) no later than **April 1, 2015**. Late submissions are subject to a \$10 per day penalty up to a \$100 maximum as imposed by the FPPC (Government Code Section 91013). In addition, non-filers will be reported to the FPPC.

Please do not ignore this notification. If you feel that you have received this in error, please contact the Form 700 Clerk immediately.

If you have any questions, please contact the Form 700 Clerk at form700clerk@ventura.org or call 654-2251.

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-13

U/A EMAIL
3-27-15

Dear Shannon Matlock:

The Political Reform Act requires you to file an Annual Statement of Economic Interests (Form 700) no later than **April 1, 2015** (if April 1 falls on a Saturday, Sunday, or legal holiday, then the Form 700 must be received by the Clerk of the Board or postmarked by the next immediate business day).

You may file your Form 700 using the Clerk of the Board's e-Disclosure electronic filing system that is available on the Internet. The e-Disclosure system is secure and designed to aid you in filling out the form accurately and completely.

e-Disclosure Website: <http://cobapps.countyofventura.org/edisclosure/>

Username: Shannon.Matlock@ventura.org

If no Username appears above, you may contact the Clerk of the Board to obtain an e-Disclosure account. If you don't know your password, click on the Forgot Password link on the home page of e-Disclosure or contact the Clerk of the Board.

If you choose to submit an originally signed paper copy, that is available from the Fair Political Practices Commission (FPPC) at www.fppc.ca.gov, rather than e-file, mail it to the address below:

Clerk of the Board
800 S. Victoria Ave #1920
Ventura, CA 93009

The FPPC is available to assist you with completing the form. Information is available from their website, www.fppc.ca.gov or you may contact them directly at (866) 275-3772 or by emailing advice@fppc.ca.gov.

All Form 700s must be received by the Clerk of the Board (or postmarked) no later than **April 1, 2015**. Late submissions are subject to a \$10 per day penalty up to a \$100 maximum as imposed by the FPPC (Government Code Section 91013). In addition, non-filers will be reported to the FPPC.

Please do not ignore this notification. If you feel that you have received this in error, please contact the Form 700 Clerk immediately.

If you have any questions, please contact the Form 700 Clerk at form700clerk@ventura.org or call 654-2251.

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-14

DEFAULT DECISION AND ORDER FPPC NO. 15/737

VIA EMAIL
4-10-15

Dear Shannon Matlock:

According to our records, your Statement of Economic Interests, Form 700 as Assistant Director Hospital Nursing for Ventura County Health Care Agency which was due on **April 1, 2015** has not yet been received. The filing deadline cannot be extended.

Please file your form using the e-Disclosure System or by submitting a paper copy to the Clerk of the Board at the address listed below.

Clerk of the Board
Form 700 Clerk
800 S. Victoria Ave.
Ventura, CA 93009-1920

Government Code Section 91013 allows for the Clerk of the Board to impose a \$10.00 per day fine up to a maximum of \$100.00 for the late filing of a Statement of Economic Interests Form 700. Please do not ignore this notice. Non Filers will be reported to the FPPC.

Filer Instructions:

http://cobapps.countyofventura.org/docs/eFiler_Quick_Reference_Card.PDF

The e-Disclosure web site is: <http://cobapps.countyofventura.org/edisclosure/>

Your Login ID is: Shannon.Matlock@ventura.org

If you need assistance in logging into the system and/or need your password reset, or you feel this letter was sent to you in error, please contact the Clerk of the Board's Office at (805) 654-2251 or email form700clerk@ventura.org.

You may access the FPPC website for further information at:
<http://www.fppc.ca.gov/>

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-15

DEFAULT DECISION AND ORDER FPPC NO. 15/737

UIA EMAIL
5-11-15

Dear Shannon Matlock:

According to our records, your Statement of Economic Interests, Form 700 as Assistant Director Hospital Nursing for Ventura County Health Care Agency which was due on **April 1, 2015** has not yet been received. The filing deadline cannot be extended.

Please file your form using the e-Disclosure System or by submitting a paper copy to the Clerk of the Board at the address listed below.

Clerk of the Board
Form 700 Clerk
800 S. Victoria Ave.
Ventura, CA 93009-1920

Government Code Section 91013 allows for the Clerk of the Board to impose a \$10.00 per day fine up to a maximum of \$100.00 for the late filing of a Statement of Economic Interests Form 700. Please do not ignore this notice. Non Filers will be reported to the FPPC.

Filer Instructions:

http://cobapps.countyofventura.org/docs/eFiler_Quick_Reference_Card.PDF

The e-Disclosure web site is: <http://cobapps.countyofventura.org/edisclosure/>

Your Login ID is: Shannon.Matlock@ventura.org

If you need assistance in logging into the system and/or need your password reset, or you feel this letter was sent to you in error, please contact the Clerk of the Board's Office at (805) 654-2251 or email form700clerk@ventura.org.

You may access the FPPC website for further information at:

<http://www.fppc.ca.gov/>

Sincerely,

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-16

DEFAULT DECISION AND ORDER FPPC NO. 15/737

CLERKS FOR:
Board of Supervisors
Air Pollution Control Board
Air Pollution Control District Hearing Board
Assessment Appeals Board
City Selection Committee
Campaign Finance Ethics Commission
Fire Protection District Board of Appeals



BRIAN PALMER
Chief Deputy Clerk of Board
800 S. Victoria Avenue, L#1920
Ventura, CA 93009
Phone: (805) 654-2251
Fax: (805) 677-8711
www.countyofventura.org/cob

May 15, 2015

MICHAEL POWERS
CLERK OF THE BOARD OF SUPERVISORS

Shannon Matlock
[REDACTED]

Dear Shannon Matlock:

According to our records, your Statement of Economic Interests, Form 700 as an **Assistant Director Hospital Nursing for the Health Care Agency**, which was due on **April 1, 2015**, has not yet been received by the Clerk of the Board's Office. The filing deadline cannot be extended.

Please file your Form 700 with the Clerk of the Board's Office at the address below:

Clerk of the Board
Form 700 Filing Clerk
800 S. Victoria Ave.
Ventura, CA 93009-1920

Government Code Section 91013 allows the Clerk of the Board to impose a \$10.00 per day fine up to a maximum of \$100.00 for the late filing of a Statement of Economic Interests Form 700. Please do not ignore this notice. **Non Filers will be reported to the FPPC on June 1.**

You may access the FPPC website for more information and to obtain a Form 700 to complete at:
<http://www.fppc.ca.gov/>

If you have any questions, please contact the Clerk of the Board's Office at (805) 654-2251 or email form700clerk@ventura.org.

Sincerely,
[REDACTED]

Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-17



Statement of Economic Interests Form 700 Non-Filer Enforcement Referral

In order to expedite the enforcement referral, please complete the information below.
Referral will not be accepted if the form is not entirely completed.

I. FILING OFFICER INFORMATION

Filing Officer: Brian Palmer Title: Chief Deputy Clerk of the Board
 Agency: County of Ventura - Clerk of the Board
 Address: 800 South Victoria Ave - #1920, Ventura, CA 93009
 Telephone: (805) 854-3398 Fax: _____ Email: brian.palmer@ventura.org

II. NON-FILER INFORMATION

Name: Shannon Matlock Position: Assistant Director of Hospital Nursing
 Division/Commission/Board: Health Care Agency
 Address (Home): [REDACTED]
 Employer: _____
 Address (Work): 2323 Knoll Dr., Ventura, CA 93003
 Telephone (Home): _____ Telephone (Work): _____ Email: shannon.matlock@ventura.org

III. STATEMENT INFORMATION

Type of Non-Filed Statement:

Assuming: ___/___/___ Annual: 2014 Leaving: ___/___/___ Date Due: 4 / 1 / 15
(Date) (Year) (Date)

Number of Prior Filings: _____ (Attach copy of most recent statement filed.) Number of Prior Late Filings: _____
(Attach filing history.)

Currently Holding Position? Yes No

IV. NOTIFICATION: Attach copies of all communications with non-filer including letters, phone logs, emails, or other documentation. If email, provide a copy of recipient's receipt of email.

Two written notifications must be made before referring this matter to the Fair Political Practices Commission Enforcement Division for consideration for formal enforcement action.

Date: 1 / 30 / 15 Verbal Written Date: 3 / 27 / 15 Verbal Written
(Date) (Date)

Date: 4 / 10 / 15 Verbal Written Date: 5 / 15 / 15 Verbal Written
(Date) (Date)

(Please include a copy of the conflict of interest code.)

Upon completion, email PDFs to complaint@fppc.ca.gov
 or mail the form and the attachments to:
 Fair Political Practices Commission • Enforcement Division
 428 J Street, Ste. 620 • Sacramento, CA 95814 • Telephone: (916) 322-6090 • Fax: (916) 322-1932

Exhibit A-18

CLERKS FOR:
Board of Supervisors
Air Pollution Control Board
Air Pollution Control District Hearing Board
Assessment Appeals Board
City Selection Committee
Campaign Finance Ethics Commission
Fire Protection District Board of Appeals



BRIAN PALMER
Chief Deputy Clerk of Board
800 S. Victoria Avenue, L#1920
Ventura, CA 93009
Phone: (805) 654-2251
Fax: (805) 677-8711
www.countyofventura.org/cob

MICHAEL POWERS
CLERK OF THE BOARD OF SUPERVISORS

June 1, 2015

Health Care Agency
Shannon Matlock

also sent via email: shannon.matlock@ventura.org

Dear Shannon Matlock:

Enclosed is the Statement of Economic Interest Form 700 Non-Filer Enforcement Referral packet that the Clerk of the Board's Office sent to the Fair Political Practices Commission (FPPC) Enforcement Division.

The Clerk of the Board's Office has not received your Annual 2014 Form 700 for the period of January 1, 2014 through December 31, 2014, which was due on April 1, 2015.

Please contact the Clerk of the Board's Office at (805) 654-2251 or the FPPC at (916) 322-6090 for further information.

Sincerely,

[Redacted Signature]
Brian Palmer
Chief Deputy Clerk of the Board

Exhibit A-19

DEFAULT DECISION AND ORDER FPPC NO. 15/737



FAIR POLITICAL PRACTICES COMMISSION

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

Protected Settlement Communication Pursuant to Evidence Code Sections 1152 and 1154

July 15, 2015

Shannon Matlock
Ventura County Health Care Agency
2323 Knoll Drive
Ventura, CA 93035

Streamlined Stipulation Settlement Offer: FPPC No. 15/737

Dear Ms. Matlock:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act").¹ This letter is in response to a referral from the Ventura County Clerk of the Board's Office. The Enforcement Division has completed its investigation and found that as a result of your position as an Assistant Director of Hospital Nursing for the Ventura County Health Care Agency, the Act requires you to periodically file a Statement of Economic Interests (SEI) and that you failed to timely file your 2014 Annual SEI.

You violated the Act by failing to file your 2014 Annual SEI by the April 1, 2015 deadline. The Enforcement Division has commenced an enforcement action against you, and can obtain an order that you pay a monetary penalty to the State of California of up to \$5,000 per violation.

The Enforcement Division encourages those whose violations meet the criteria for a streamlined settlement to participate in the streamlined settlement program. The streamlined settlement program allows those who qualify to pay significantly lower penalties for their violations than they would if they do not take advantage of the program. Your violation qualifies you for the streamlined program. This is the first time the Enforcement Division has offered to resolve your case through a proposed streamlined stipulation. That being the case, our current offer to settle is \$200. **Please note that this penalty will increase with each attempt we make to resolve this matter.**

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014.



To take advantage of this settlement offer you must:

1. File the delinquent SEI (Form 700);
2. Sign the enclosed Stipulation, Decision and Order (Stipulation); and
3. Return the completed Form 700, the signed Stipulation, and a **cashier's check or money order**, not a personal check, made payable to the "State of California" in the amount of \$200 postmarked **no later than August 4, 2015**.

If you enter into this proposed streamlined stipulated agreement, the signed stipulation will be presented at the next regularly-scheduled public meeting of the Fair Political Practices Commission. Please be advised that the settlement of this case is subject to approval by a majority of the five members of the Commission.

For more information on the Form 700, visit our website at www.fppc.ca.gov. Should you have any questions regarding this letter, please feel free to contact Tara Stock at 916-327-2018.

Sincerely,



Galena West
Enforcement Chief

Enclosures

GW:ts

**FAIR POLITICAL PRACTICES COMMISSION
STIPULATION, DECISION AND ORDER
Statement of Economic Interests Non-Filer
(Streamlined Program)**

Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent hereby agree that this stipulation will be presented to the Fair Political Practices Commission at its next regularly scheduled meeting, or as soon thereafter as the matter can be heard, as a final disposition of the reporting violation(s) described herein.

FPPC CASE NO.: 15/737

RESPONDENT: Matlock, Shannon

POSITION: Assistant Director of Hospital Nursing, Health Care Agency

JURISDICTION: City of County of Ventura Multi-County State

GOV'T CODE SECTION VIOLATED: 87300 87204 87203 87202

Total Penalty: \$200

STATEMENT BY RESPONDENT:

I acknowledge that the violation(s) of the Political Reform Act described above have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. **All outstanding reports in connection with these violations have now been filed.** I have attached a cashier's check or money order made payable to the General Fund of the State of California in the amount of the penalty described above.

Dated: _____

Print Name: _____

STATEMENT BY ENFORCEMENT CHIEF:

I have reviewed the above stipulation and recommend its approval.

Dated: _____

GALENA WEST, ENFORCEMENT CHIEF

ORDER OF THE COMMISSION:

The foregoing stipulation has been adopted by a majority vote of the Fair Political Practices Commission as its final decision and order and is effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

JOANN REMKE, CHAIR

FAIR POLITICAL PRACTICES COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS

The Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for consideration by the Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, *et seq.*, and 2 California Code of Regulations sections 18361.4 through 18361.11, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of a penalty in the amount specified on the Stipulation, and a cashier's check or money order in said amount, payable to the "General Fund of the State of California," has been submitted by Respondent to be held by the State of California until the Commission issues its Decision and Order.

The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is rejected, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DESCRIPTION OF VIOLATION:

| Ct. | Statement | Reporting Period | Due Date | Penalty |
|------------|------------------|-------------------------|-----------------|----------------|
| 1 | 2014 Annual | 1/1/14 - 12/31/14 | 4/1/15 | \$200 |

- Filer has filed all statements.
- Filer has not received a penalty from Enforcement for failing to timely file an SEI or failing to timely report a qualifying economic interest.
- Found no evidence of intent to conceal.

Exhibit A-20



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

**Protected Settlement Communication
Pursuant to Evidence Code Sections 1152 and 1154**

August 21, 2015

Shannon Matlock
Ventura County Health Agency
2323 Knoll Drive
Ventura, CA 93035

Streamlined Stipulation Settlement Offer: FPPC No. 15/737

Dear Ms. Matlock:

On July 15, 2015, we notified you that due to your failure to file your 2014 Annual Statement of Economic Interests ("SEI") by the April 1, 2015 deadline, the Enforcement Division of the Fair Political Practices Commission was prepared to commence an enforcement action against you. In that letter, you were encouraged to participate in the Enforcement Division's streamlined statement of economic interests enforcement program wherein you would complete your 2014 Annual SEI, sign a Stipulation, Decision and Order, and pay an administrative penalty of \$200.

In that letter you were advised that if you failed to meet the August 4, 2015 deadline, the administrative penalty would increase and continue to increase until compliance was met.

By failing to return the Stipulation, cashier's check and completed SEI by the August 4, 2015 deadline, the penalty assessed for your non-compliance has been increased to \$400. Should the Enforcement Division be forced to commence an enforcement action against you, it may obtain an order that you pay a monetary penalty to the State of California of up to \$5,000.

Before commencing that enforcement action, you are further encouraged to participate in the Enforcement Division's streamlined statement of economic interests enforcement program. To take advantage of this offer you must:

- 1) File the delinquent SEI (Form 700);
- 2) Sign the enclosed Stipulation, Decision and Order (Stipulation); and
- 3) Return the completed Form 700, the signed Stipulation, and include a **cashier's check or money order**, not a personal check, made payable to the "State of California" in the amount of \$400, postmarked no later than September 11, 2015.

If you enter into this proposed streamlined stipulated agreement, the signed stipulation will be presented at the next regularly-schedule public meeting of the Fair Political Practices Commission. Please be advised that the settlement of this case is subject to approval by a majority of the five member of the Commission.

Please note that failure to comply with this request will remove this matter from the streamlined program and we will initiate an enforcement action. If you have any questions, please call Teri Rindahl directly at (916) 327-2018.

Sincerely,

A large black rectangular redaction box covering the signature of Galena West.

Galena West
Chief, Enforcement Division

GW:tr

Enclosures

**FAIR POLITICAL PRACTICES COMMISSION
STIPULATION, DECISION AND ORDER
Statement of Economic Interests Non-Filer
(Streamlined Program)**

Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent hereby agree that this stipulation will be presented to the Fair Political Practices Commission at its next regularly scheduled meeting, or as soon thereafter as the matter can be heard, as a final disposition of the reporting violation(s) described herein.

FPPC CASE NO.: 15/737

RESPONDENT: Matlock, Shannon

POSITION: Assistant Director of Hospital Nursing, Health Care Agency

JURISDICTION: City of County of Ventura Multi-County State

GOV'T CODE SECTION VIOLATED: 87300 87204 87203 87202

Total Penalty: \$400

STATEMENT BY RESPONDENT:

I acknowledge that the violation(s) of the Political Reform Act described above have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. **All outstanding reports in connection with these violations have now been filed.** I have attached a cashier's check or money order made payable to the General Fund of the State of California in the amount of the penalty described above.

Dated: _____

Print Name: _____

STATEMENT BY ENFORCEMENT CHIEF:

I have reviewed the above stipulation and recommend its approval.

Dated: _____

GALENA WEST, ENFORCEMENT CHIEF

ORDER OF THE COMMISSION:

The foregoing stipulation has been adopted by a majority vote of the Fair Political Practices Commission as its final decision and order and is effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

JOANN REMKE, CHAIR

**FAIR POLITICAL PRACTICES COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS**

The Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for consideration by the Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, *et seq.*, and 2 California Code of Regulations sections 18361.4 through 18361.11, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of a penalty in the amount specified on the Stipulation, and a cashier's check or money order in said amount, payable to the "General Fund of the State of California," has been submitted by Respondent to be held by the State of California until the Commission issues its Decision and Order.

The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is rejected, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DESCRIPTION OF VIOLATION:

| Ct. | Statement | Reporting Period | Due Date | Penalty |
|-----|-------------|------------------|---------------|---------|
| 1 | 2014 Annual | 1/1/14-12/31/14 | April 1, 2015 | \$400 |

Filer has filed all statements.

Filer has not received a penalty from Enforcement for failing to timely file an SEI or failing to timely report a qualifying economic interest.

Found no evidence of intent to conceal.

Exhibit A-21

DEFAULT DECISION AND ORDER FPPC NO. 15/737



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

**Protected Settlement Communication
Pursuant to Evidence Code Sections 1152 and 1154**

September 28, 2015

Shannon Matlock
Ventura County Health Agency

2nd Streamlined Stipulation Settlement Offer: FPPC No. 15/737

Dear Ms. Matlock:

On July 15, 2015, we notified you that due to your failure to file your 2014 Annual Statement of Economic Interests ("SEI") by the April 1, 2015 deadline, the Enforcement Division of the Fair Political Practices Commission was prepared to commence an enforcement action against you. In that letter, you were encouraged to participate in the Enforcement Division's streamlined statement of economic interests enforcement program wherein you would complete your 2014 Annual SEI, sign a Stipulation, Decision and Order, and pay an administrative penalty of \$200.

In that letter you were advised that if you failed to meet the August 4, 2015 deadline, the administrative penalty would increase and continue to increase until compliance was met.

By failing to return the Stipulation, cashier's check and completed SEI by the August 4, 2015 deadline, the penalty assessed for your non-compliance has been increased to \$400. The Enforcement Division may obtain an order that you pay a monetary penalty to the State of California of up to \$5,000.

Before commencing that enforcement action, you are further encouraged to participate in the Enforcement Division's streamlined statement of economic interests enforcement program. To take advantage of this offer you must:

- 1) File the delinquent SEI (Form 700);
- 2) Sign the enclosed Stipulation, Decision and Order (Stipulation); and
- 3) Return the completed Form 700, the signed Stipulation, and include a **cashier's check or money order**, not a personal check, made payable to the "State of California" in the amount of \$400, postmarked no later than October 23, 2015.

If you enter into this proposed streamlined stipulated agreement, the signed stipulation will be presented at the next regularly-schedule public meeting of the Fair Political Practices Commission. Please be advised that the settlement of this case is subject to approval by a majority of the five member of the Commission.

Please note that failure to comply with this request will remove this matter from the streamlined program and we will initiate an enforcement action. If you have any questions, please call Teri Rindahl directly at (916) 327-2018.

Sincerely,

A solid black rectangular redaction box covering the signature of Galena West.

Galena West
Chief, Enforcement Division

GW:tr

Enclosures

**FAIR POLITICAL PRACTICES COMMISSION
STIPULATION, DECISION AND ORDER
Statement of Economic Interests Non-Filer
(Streamlined Program)**

Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent hereby agree that this stipulation will be presented to the Fair Political Practices Commission at its next regularly scheduled meeting, or as soon thereafter as the matter can be heard, as a final disposition of the reporting violation(s) described herein.

FPPC CASE NO.: 15/737

RESPONDENT: Matlock, Shannon

POSITION: Assistant Director of Hospital Nursing, Health Care Agency

JURISDICTION: City of County of Ventura Multi-County State

GOV'T CODE SECTION VIOLATED: 87300 87204 87203 87202

Total Penalty: \$400

STATEMENT BY RESPONDENT:

I acknowledge that the violation(s) of the Political Reform Act described above have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. **All outstanding reports in connection with these violations have now been filed.** I have attached a cashier's check or money order made payable to the General Fund of the State of California in the amount of the penalty described above.

Dated: _____

Print Name: _____

STATEMENT BY ENFORCEMENT CHIEF:

I have reviewed the above stipulation and recommend its approval.

Dated: _____

GALENA WEST, ENFORCEMENT CHIEF

ORDER OF THE COMMISSION:

The foregoing stipulation has been adopted by a majority vote of the Fair Political Practices Commission as its final decision and order and is effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

JOANN REMKE, CHAIR

**FAIR POLITICAL PRACTICES COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS**

The Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for consideration by the Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, *et seq.*, and 2 California Code of Regulations sections 18361.4 through 18361.11, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of a penalty in the amount specified on the Stipulation, and a cashier's check or money order in said amount, payable to the "General Fund of the State of California," has been submitted by Respondent to be held by the State of California until the Commission issues its Decision and Order.

The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is rejected, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DESCRIPTION OF VIOLATION:

| Ct. | Statement | Reporting Period | Due Date | Penalty |
|-----|-------------|------------------|---------------|---------|
| 1 | 2014 Annual | 1/1/14-12/31/14 | April 1, 2015 | \$400 |

Filer has filed all statements.

Filer has not received a penalty from Enforcement for failing to timely file an SEI or failing to timely report a qualifying economic interest.

Found no evidence of intent to conceal.

Exhibit A-22

DEFAULT DECISION AND ORDER FPPC NO. 15/737

Amanda Kelly

From: Amanda Kelly
Sent: Monday, September 12, 2016 2:30 PM
To: 'Matlock, Shannon'
Subject: RE: 2014 Statement of Economic Interests Needed

Good afternoon Shannon,

I spoke with your filing officer, Carla Alvara, today and she has not yet received your 2014 Annual SEI. Have you attempted to file it, either online or by hard copy?

Carla's phone number is 805-677-5315 in case you would like to follow up with her,

Thank you,
Amanda



Amanda Kelly
Graduate Legal Assistant, Enforcement Division
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620 | Sacramento, CA 95814
(916) 322-7771 | akelly@fppc.ca.gov

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From: Matlock, Shannon [<mailto:Shannon.Matlock@ventura.org>]
Sent: Thursday, September 08, 2016 3:19 AM
To: Amanda Kelly <akelly@fppc.ca.gov>
Subject: Re: 2014 Statement of Economic Interests Needed

From: Amanda Kelly <akelly@fppc.ca.gov>
Sent: Friday, September 2, 2016 8:04 AM
To: Matlock, Shannon
Subject: FW: 2014 Statement of Economic Interests Needed

Good morning Shannon,

Have you received my emails? Have you been able to file your 2014 statement?

Thank you,
Amanda



Amanda Kelly
Graduate Legal Assistant, Enforcement Division
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620 | Sacramento, CA 95814
(916) 322-7771 | akelly@fppc.ca.gov

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From: Amanda Kelly
Sent: Friday, August 26, 2016 7:51 AM
To: 'shannon.matlock@ventura.org' <shannon.matlock@ventura.org>
Subject: FW: 2014 Statement of Economic Interests Needed

Please let me know if you have any questions. Thank you!

From: Amanda Kelly
Sent: Tuesday, August 23, 2016 8:18 AM
To: 'shannon.matlock@ventura.org' <shannon.matlock@ventura.org>
Subject: 2014 Statement of Economic Interests Needed

Good morning Shannon,

Thank you for your time on the phone. As I mentioned, you must complete a Statement of Economic Interests by April 1 every year for the preceding calendar year. You filed a 2015 statement with the county, but the county had referred your case to us for the 2014 statement.

Attached is the 2014 form that needs to be filled out. The form itself is on page 6, and there are additional schedules that follow if you have any detailed interests to disclose. The packets have fairly detailed instructions, but if you need help filling out the forms, you can contact our help line at 866-275-3772 *2 (Monday through Thursday, 9:00 am to 11:30 am). Your county clerk (contact info below) can also help. You can file it by either 1) mailing a hard copy to:

Clerk of the Board
Form 700 Clerk
800 S. Victoria Ave.
Ventura, CA 93009-1920

Or 2) filing online at <http://cobapps.countyofventura.org/edisclosure>. Your login ID is Shannon.Matlock@ventura.org. If you do not have your password, you can get it reset by contacting the county clerk at 805-654-2251 or form700clerk@ventura.org.

Please let me know when you have submitted the form. As the county referred the case to us, we will have to assess a fine. I can send you the paperwork for that once you have filed the Form 700.

Thank you for your prompt attention to this matter.

Amanda



Amanda Kelly

Graduate Legal Assistant, Enforcement Division

CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION

428 J Street, Suite 620 | Sacramento, CA 95814

(916) 322-7771 | akelly@fppc.ca.gov

Exhibit A-23

DEFAULT DECISION AND ORDER FPPC NO. 15/737



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

November 28, 2016

Via Certified Mail

Shannon Matlock
[REDACTED]

NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER

**Re: FPPC No. 15/737
In the Matter of Shannon Matlock**

Dear Ms. Matlock:

Enclosed please find a copy of the Default Decision and Order, and accompanying Exhibit and attachments, for the above-referenced matter. The Fair Political Practices Commission (Commission) will consider these papers at its public meeting on **December 15, 2016**, and decide whether to impose the maximum administrative penalty in the amount of Five Thousand Dollars (\$5,000) against you.

You were previously served a Report in Support of a Finding of Probable Cause, commonly known as a Probable Cause Report, advising you of your right to request a probable cause conference or submit a written response to the probable cause report. You did not request a probable cause conference, nor did you submit anything in writing for the Commission's Hearing Officer to consider in his determination of probable cause.

Following the issuance of a Report in Support of a Finding of Probable Cause, the Commission's Hearing Officer found probable cause that you committed one violation of the Political Reform Act's conflict of interest code provisions. Thereafter, the Hearing Officer issued an Accusation against you on these violations. The Accusation was personally served on you on October 7, 2016. Under the law, you have therefore received adequate notice of these proceedings and the action filed against you. Under the Administrative Procedure Act, you were required to file your Notices of Defense within 15 days after service of the Accusation. You failed to file the Notices of Defense forms. As such, your right to an administrative hearing on this matter has been forfeited, and you are in a default position.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is

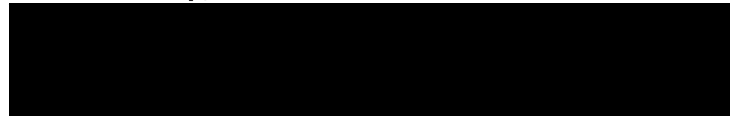
scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

At its public meeting on December 15, 2016, the Commission may impose an administrative penalty against you in the amount of \$5,000, the maximum penalty for the one violation.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission's order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the December 15, 2016 meeting. Please contact Amanda Kelly at (916) 322-7771 or akelly@fppc.ca.gov if you wish to enter into a negotiated settlement.

Sincerely,



Dave Bainbridge
Assistant Chief
Enforcement Division

Enclosures

DB: ack