

1 STACEY FULHORST, Executive Director
2 City of San Diego Ethics Commission
3 1010 Second Avenue, Suite 1530
4 San Diego, CA 92101
5 Telephone: (619) 533-3476
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7 Petitioner

8 **BEFORE THE CITY OF SAN DIEGO**
9 **ETHICS COMMISSION**

10 In re the Matter of:) Case No.: 2004-43
11)
12 SAN DIEGO POLICE OFFICERS) **STIPULATION, DECISION, AND**
13 ASSOCIATION POLITICAL ACTION) **ORDER**
14 COMMITTEE, C. APRIL BOLING,)
15 Respondents.)

16 **STIPULATION**

17 **THE PARTIES STIPULATE AS FOLLOWS:**

18 1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics
19 Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer,
20 implement, and enforce local governmental ethics laws contained in the San Diego Municipal
21 Code [SDMC] relating to, among other things, the filing of campaign statements as required by
22 the City's Election Campaign Control Ordinance.

23 2. At all times mentioned herein, San Diego Police Officers Association Political
24 Action Committee was a committee sponsored by the San Diego Police Officers Association
25 [SDPOA], and registered with the State of California as a General Purpose Recipient Committee
26 (Filer Identification No. 811267).

27 3. At all times mentioned herein, C. April Boling [Treasurer] was the treasurer for the
28 San Diego Police Officers Association Political Action Committee.

4. SDPOA and Treasurer are referred to herein collectively as "Respondents."

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Count Two - Violation of SDMC section 27.2931

18. Respondents did not timely disclose all of the independent expenditures made in support of Scott Peters on February 20, 2004. Respondents failed to disclose a \$300 expenditure for signs on the Form 496 filed with the City Clerk on February 22, 2004. Respondents did not disclose this \$300 expenditure until July 21, 2004, 151 days late.

Factors in Mitigation

19. Respondents have an extensive history of timely filing campaign statements in connection with expenditures made in support of City candidates and measures.

20. Respondents have cooperated fully with the Ethics Commission investigation.

Conclusion

21. Respondents agree to take necessary and prudent precautions to ensure timely and complete disclosure of independent expenditures in the future, and to comply with all of the provisions of the City’s Election Campaign Control Ordinance.

22. Respondents agree to pay a fine in the amount of \$200 for two counts of violating SDMC section 27.2931. Respondents agree to pay this amount no later than October 8, 2004.

23. This Stipulation shall not become effective until Respondents have provided to the Ethics Commission the amount set forth in paragraph 22, by check or money order made payable to the City Treasurer.

DATED: _____

STACEY FULHORST, Executive Director
ETHICS COMMISSION, Petitioner

DATED: _____

BILL FARRAR, President
SAN DIEGO POLICE OFFICERS ASSOCIATION,
Respondent

DATED: _____

C. APRIL BOLING, Respondent

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DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its meeting on October 14, 2004. The Ethics Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondents pay a fine in the amount of \$200.

DATED: _____

Dorothy L.W. Smith, Chair
SAN DIEGO ETHICS COMMISSION