

1 STACEY FULHORST, Executive Director  
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Petitioner

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

In re the Matter of: ) Case No.: 2019-34  
)  
11 RAUL CAMPILLO, ) **STIPULATION, DECISION, AND**  
) **ORDER**  
12 Respondent. )  
)  
13 )

**STIPULATION**

**THE PARTIES STIPULATE AS FOLLOWS:**

1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer, implement, and enforce local governmental ethics laws contained in the San Diego Municipal Code [SDMC] relating to, among other things, the provisions of the Election Campaign Control Ordinance [ECCO], SDMC section 27.2901, *et seq.*

2. Raul Campillo is, and was during all times mentioned herein, a candidate for City Council District 7 in the 2020 election cycle. The Raul Campillo for City Council District 7 2020 committee (Identification No. 1415303) [Committee] is a campaign committee registered with the State of California established to support Mr. Campillo’s candidacy. At all relevant times herein, the Committee was controlled by Mr. Campillo within the meaning of the California Political Reform Act, California Government Code section 82016. Mr. Campillo is referred to herein as “Respondent.”

1           3.     This Stipulation will be submitted for consideration by the Ethics Commission at its  
2 next scheduled meeting, and the agreements contained herein are contingent upon the approval  
3 of the Stipulation and the accompanying Decision and Order by the Ethics Commission.

4           4.     This Stipulation resolves all factual and legal issues raised in this matter by the  
5 Ethics Commission without the necessity of holding an administrative hearing to determine  
6 Respondent's liability.

7           5.     Respondent understands and knowingly and voluntarily waives any and all  
8 procedural rights under the SDMC including, but not limited to, a determination of probable  
9 cause, the issuance and receipt of an administrative complaint, the right to appear personally in  
10 any administrative hearing held in this matter, the right to confront and cross-examine witnesses  
11 testifying at the hearing, the right to subpoena witnesses to testify at the hearing, and the right to  
12 have the Ethics Commission or an impartial hearing officer hear this matter. Respondent agrees  
13 that the terms of this Stipulation constitute compliance with the provisions of SDMC section  
14 26.0450 in that the Stipulation includes a recitation of facts, a reference to each violation, and an  
15 order.

16           6.     Respondent agrees to hold the City of San Diego and the Ethics Commission  
17 harmless from any and all claims or damages resulting from the Commission's investigation, this  
18 stipulated agreement, or any matter reasonably related thereto.

19           7.     Respondent acknowledges that this Stipulation is not binding upon any other law  
20 enforcement or government agency and does not preclude the Ethics Commission from referring  
21 this matter to, cooperating with, or assisting any other law enforcement or government agency  
22 with regard to this or any other related matter.

23           8.     The parties agree that in the event the Ethics Commission refuses to accept this  
24 Stipulation, it shall become null and void. Respondent further agrees that in the event the Ethics  
25 Commission rejects the Stipulation and a full evidentiary hearing before the Ethics Commission  
26 becomes necessary, no member of the Ethics Commission or its staff shall be disqualified  
27 because of prior consideration of this Stipulation.

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1 **Summary of Law and Facts**

2 9. Because the Committee was formed for the purpose of supporting a City of San  
3 Diego candidate, Respondent is required to comply with the provisions in ECCO.

4 10. ECCO requires all candidates who print and distribute campaign literature in  
5 support of their candidacies to include the words “Ad paid for by” followed by the name of the  
6 candidate’s committee. This disclosure must be printed in a typeface at least 10 points in size  
7 that contrasts with the background. With respect to yard signs, the disclosure must be printed in a  
8 contrasting typeface at least 5% of the sign height. The type size requirements ensure that the  
9 disclosure is clearly visible and readily apparent to members of the public. SDMC § 27.2970.

10 11. In February of 2019, Respondent paid for 500 business cards that were  
11 subsequently distributed in support of his candidacy. Although the business cards included the  
12 requisite wording, the disclosure was printed in a 2.8-point typeface.

13 12. In April of 2019, Respondent ordered 20 campaign signs that were subsequently  
14 displayed by volunteers at various events. Although the signs included the requisite wording, the  
15 disclosure was printed in a typeface equal to 0.7% of the sign height.

16 13. In April 2019, Respondent ordered 500 campaign flyers that were subsequently  
17 distributed. Although the flyers included the requisite wording, the disclosure was printed in a  
18 5.5-point typeface.

19 14. In October of 2019, Respondent ordered 500 campaign flyers and prepared 40  
20 substantially similar flyers in-house. Although these flyers included the requisite wording, the  
21 disclosure was printed in a 5.5-point typeface. According to Respondent, he had only distributed  
22 approximately 70 of these flyers before he met with Commission staff and learned that they were  
23 not in compliance with ECCO. Respondent added a 10-point disclosure to the remaining flyers  
24 before they were distributed.

25 **Counts**

26 **Counts 1 through 4 - Violations of SDMC section 27.2970**

27 15. Respondent violated SDMC section 27.2970 by producing, disseminating, and  
28 displaying the campaign literature and signs described above in paragraphs 11 through 14 with

1 “Ad paid for by” disclosures in a typeface smaller than required.

2 **Factors in Mitigation**

3 16. Respondent has fully cooperated with the Ethics Commission investigation.

4 **Conclusion**

5 17. Respondent agrees to take necessary and prudent precautions to ensure compliance  
6 with all provisions of ECCO in the future.

7 18. Respondent acknowledges that the Ethics Commission may impose increased fines  
8 in connection with any future violations of the City’s campaign laws.

9 19. Respondent agrees to pay a fine in the amount of \$1,000 for violating SDMC  
10 section 27.2970. This amount must be paid no later than December 6, 2019, by check or money  
11 order payable to the City Treasurer. The submitted payment will be held pending Commission  
12 approval of this Stipulation and execution of the Decision and Order portion set forth below.

13  
14 DATED: \_\_\_\_\_ [REDACTED]  
15 Stacey Fulhorst, Petitioner  
16 SAN DIEGO ETHICS COMMISSION

17 DATED: \_\_\_\_\_ [REDACTED]  
18 RAUL CAMPILLO, Respondent

19 **DECISION AND ORDER**

20 The Ethics Commission considered the above Stipulation at its meeting on January 9,  
21 2020. The Ethics Commission hereby approves the Stipulation and orders that, in accordance  
22 with the Stipulation, Respondent pay a fine in the amount of \$1,000.  
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24 DATED: \_\_\_\_\_ [REDACTED]  
25 Sid Voorakkara, Chair  
26 SAN DIEGO ETHICS COMMISSION  
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