

1 BRYN KIRVIN, Executive Director
City of San Diego Ethics Commission
2 451 A Street, Suite 1410
San Diego, CA 92101
3 Telephone: (619) 533-3476

4 Petitioner

6 **BEFORE THE CITY OF SAN DIEGO**
7 **ETHICS COMMISSION**
8

9 In re the Matter of:) Case No.: 2024-17
10 DR. JENNIFER CAMPBELL,)
11 Respondent.) **STIPULATION, DECISION, AND**
12) **ORDER**
13)

14 **STIPULATION**

15 **THE PARTIES STIPULATE:**

16 1. Petitioner Bryn Kirvin is the Executive Director of the City of San Diego Ethics
17 Commission (Ethics Commission). The Ethics Commission is charged with a duty to administer,
18 implement, and enforce local governmental ethics laws contained in the San Diego Municipal
19 Code (SDMC) relating to, among other things, the provisions of the Election Campaign Control
20 Ordinance (ECCO), SDMC section 27.2901, *et seq.*

21 2. At all times mentioned herein, Dr. Jennifer Campbell (Respondent) was the
22 incumbent candidate for the District 2 City Council seat in the 2022 election cycle. The Re-Elect
23 Dr. Jen Campbell for City Council 2022 committee (Identification No. 1436385) (the Committee)
24 was a campaign committee registered with the State of California and established to support
25 Respondent's candidacy. Respondent controlled the Committee within the meaning of the
26 California Political Reform Act, California Government Code section 82016.

27 3. This Stipulation will be submitted for the Commission's consideration at its next
28 meeting. The agreements outlined in this Stipulation are contingent upon the Commission's

1 approval of the Stipulation and the accompanying Decision and Order.

2 4. This Stipulation resolves all factual and legal issues raised by the Commission
3 without needing an administrative hearing to determine the Respondents' liability.

4 5. Respondent understands and knowingly and voluntarily waives any procedural
5 rights under the SDMC including, but not limited to: a determination of probable cause, the
6 issuance and receipt of an administrative complaint, the right to appear personally in any
7 administrative hearing held in this matter, the right to confront and cross-examine witnesses
8 testifying at the hearing, the right to subpoena witnesses to testify at the hearing, and the right
9 to have the Commission or an impartial hearing officer hear this matter.

10 6. Respondent agrees that the terms of this Stipulation constitute compliance with
11 SDMC section 26.0450 in that the Stipulation includes a recitation of facts, a reference to each
12 violation, and an order.

13 7. Respondent agrees to hold the City of San Diego and the Ethics Commission
14 harmless from any claims or damages resulting from the Commission's investigation, this
15 stipulated agreement, or any matter reasonably related to it.

16 8. Respondent acknowledges that this Stipulation is not binding upon any other law
17 enforcement or government agency and does not preclude the Commission from referring this
18 matter to, cooperating with, or assisting any other law enforcement or government agency
19 regarding this or any other related matter.

20 9. The parties agree that if the Commission refuses to accept this Stipulation, it shall
21 become null and void. Respondent further agrees that if the Commission rejects the Stipulation
22 and a full evidentiary hearing becomes necessary, no member of the Commission or its staff
23 shall be disqualified because of their prior consideration of this Stipulation.

24 **Summary of Law and Facts**

25 10. The Committee was selected for audit by a designee of the City Clerk in a random
26 drawing conducted at a public meeting of the Ethics Commission held on September 14, 2023.
27 Rosalba Gomez (the Auditor) audited the Committee's activity covering the period from
28 February 10, 2021, through November 8, 2023.

1 11. The Committee was formed to support Respondent's candidacy for the City Council
2 District 2 seat, which required Respondent to comply with San Diego's election laws, including
3 ECCO.

4 12. ECCO requires any committee paying for written campaign literature supporting a
5 City candidate to retain an "original sample of each item of *campaign literature* disseminated by
6 the *candidate or committee*" for four years. (SDMC § 27.2925(c)(1) and (d), emphasis in
7 original). ECCO requires the Respondent to make these records available to Ethics Commission
8 staff upon request. (SDMC § 27.2925(f).)

9 13. During the audit of the Committee, the Auditor requested original copies of the
10 campaign literature disseminated by the Committee.

11 14. In response, the Respondent provided materials to document the literature
12 disseminated by the Committee, including twelve mailers. Respondent produced an original
13 sample of 10 mailers. However, for two mailers (together totaling a little less than 20,000
14 pieces), Respondent did not produce an original sample of what was disseminated.

15 Count

16 **Count 1 - Violation of Municipal Code Section 27.2925 - Recordkeeping**

17 15. Respondent violated Municipal Code section 27.2925 by failing to maintain an
18 original copy of two campaign mailers disseminated by the Committee.

19 Factors in Aggravation

20 16. The failure to maintain an original copy prohibited the Auditor from determining if
21 the required "Ad paid for by" disclosures were present on the mailers disseminated and, thus,
22 whether the disclosures met local and state requirements.

23 Factors in Mitigation

24 17. Respondent produced original copies of 10 of the 12 mailers disseminated, all of
25 which included the required "paid for by" disclosures.

26 18. Respondent produced correspondence documenting their efforts to work with the
27 subvendor to obtain and maintain original copies of all mailers; despite their efforts, the
28 subvendor did not provide the campaign with original copies of two mailers.

19. Respondent fully cooperated with the Ethics Commission investigation.

Conclusion

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

21. Respondent acknowledges that the Ethics Commission may impose increased fines concerning future violations of the City's campaign laws.

22. Respondent agrees to pay a fine of \$300, as the party controlling the Committee, for Municipal Code section 27.2925 violations. This amount must be paid no later than June 4, 2025, by check or money order payable to the City Treasurer and submitted to the Ethics Commission. The submitted payment will be held pending Ethics Commission approval of this Stipulation and the execution of the Decision and Order portion set forth below.

DATED: _____ [REDACTED]
Bryn Kirvin, Petitioner
SAN DIEGO ETHICS COMMISSION

DATED: _____ [REDACTED]
Dr. Jennifer Campbell, Respondent

DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its September 12, 2025 meeting. The Ethics Commission hereby approves the Stipulation and orders that, per the Stipulation, Respondent pay a fine in the amount of \$300.

DATED: _____ [REDACTED]

 Paul Cooper, Chair
 SAN DIEGO ETHICS COMMISSION