



THE CITY OF SAN DIEGO  
**PRESS RELEASE**

**Ethics Commission**

**FOR IMMEDIATE RELEASE**  
Thursday, August 14, 2008

**CONTACT:**  
Stacey Fulhorst  
San Diego Ethics Commission  
(619) 533-3476

**ETHICS COMMISSION ANNOUNCES TWO SETTLEMENTS  
IN CONNECTION WITH UNLAWFUL SOLICITATIONS OF  
CAMPAIGN CONTRIBUTIONS FROM CITY EMPLOYEES**

Stacey Fulhorst, Executive Director of the City of San Diego Ethics Commission, announced today the Commission's approval of two stipulated settlement agreements stemming from situations in which City employees were asked to make campaign contributions to City candidates. The first stipulation was entered into with Councilmember-elect Carl DeMaio, who at the time was a candidate for City Council District 5 in the June 2008 primary election. Councilmember-elect DeMaio agreed to pay a fine in the amount of \$1,500 for sending an e-mail in April of 2008 to 90 City employees inviting them to a fundraiser at his home. Ms. Fulhorst explained that Mr. DeMaio mistakenly thought the solicitations were permissible because they were part of a larger group (the original list included approximately 7,200 recipients). She added that, "although there is an exemption for solicitations sent to a significant segment of the public, this exemption does not apply to situations in which the candidate has reason to know that the list includes City employees, as was the case involving the e-mail sent by Mr. DeMaio's campaign committee." Finally, Ms. Fulhorst noted that Mr. DeMaio did not accept any contributions from the City employees who received the improper solicitation, a factor in mitigation considered by the Commission.

The second stipulation was entered into with Richard Geisler, a member of the Board of Directors of the Southeastern Economic Development Corporation [SEDC]. Mr. Geisler agreed to pay a fine in the amount of \$500 for sending an e-mail in February of 2008 to SEDC President Carolyn Smith inviting her to a fundraising reception he was hosting for Marti Emerald, a candidate for City

Council District 7 in the June 2008 primary election. According to Ms. Fulhorst, the Commission considered the fact that the solicitation was an isolated incident when determining the appropriate amount of the fine in this matter.

The Commission Chairman, Gil Cabrera, commented that the prohibition on soliciting campaign contributions from City employees is an “important provision in the City’s Ethics Ordinance designed to ensure that officeholders and prospective officeholders cannot use the power of their positions or potential positions to make City employees feel obligated to give them campaign contributions.” He noted that the City’s Ethics Ordinance does not prevent City employees from making contributions to the City candidates of their choice. Instead, it prohibits City candidates and City Officials from asking City employees to make contributions to specific City candidates.

Ethics Commission fines are paid to the City of San Diego’s General Fund. The stipulated settlements approved by the Commission resolve all factual and legal issues without the necessity of holding an administrative hearing.

#####