

To the **FAIR POLITICAL PRACTICE COMMISSION**

7-19-2016

RE: **James Larry Minor Case # 14/1316** Commissioners hearing 7-21-16

**Dear commissioners,**

My name is Howard Tounget and I am the citizen whom filed the Complaint against Mr. Minor in this case. Number 45 on your commission hearing agenda for 7-21-16.

I request that the commission consider **Mr. Minor's entire 19 year history of operating outside the law in regards to truthful and honest financial reporting while acting as an elected public official and as a private citizen political donor.** I request your commission please apply the **maximum dollar penalty** that the law permits you in this matter for several reasons.

For one, these 6 violation are acts of intentional **perjury** and are worthy of the highest amount of fines that can be levied for each. Hiding multiple personally owned business and multiple sources of income reaching into the \$100's of thousands for his entire political career is what he has done. Intentionally hiding these many items from the public all these years. The public has every right to know all of their public official's financial interest on the **very first day of their being elected to office.** Mr. Minor intentionally hid those interests from the public for 19 years and that justifies the highest fine possible, not the littlest.

Mr. Minor has a well-documented history of operating outside the law for his personal gain while acting as an elected official and on the personal side too. Even with your agency's recent investigation and findings of violations have not affected the way Mr. Minor reports his financial interests. In his most recent 2015 700's he **has once again RETURNED to his old ways in that illegal practice of hiding his financial interest.** Filed just this Feb. he once again reports **ZERO** for sources of income over \$10,000 on his disclosures for both agencies. All his now disclosed businesses are still taking in money.

True your investigators did not find any conflicts of interest hidden within Minors newly amended 700's for the years 2012/13/14. But how could they? He amended those years after his actions in voting had long pasted and taken place at both agencies. Your investigators certainly would not have had detailed knowledge of those agencies decisions as a local would have for the many business items voted on by both agency's governing board during those years. Citizens such as myself would be the only ones that would be able to discover such a conflict by a board member in his voting on a particular matter under the control of those two agencies.

But, we the **general public have just now learned** all his interests and now have a better view with his newly amended 2012/13/14 filed just in 8/2015. The amended filings in Aug. for came surprisingly AFTER he had already amended them once just 3 months before in May. Surprisingly why? In May he had already hired legal counsel on this issue and had all the advice he needed as to how, and what needed to be disclosed and included, YET he did not. With those amended filings in May he once again made an INTENTIONALLY acts and withheld the required disclosure information.

Then 3 month later, he had to amend them again for a second time, and I am sure your investigators were the cause.

I personally have witnessed Mr. Minor in action his entire political career at both agencies, and I can tell you without a doubt, NOTHING is going to change in Mr. Minor's way of doing business as an ALLEGED public servant. A small \$6,000 fine is nothing to him and is just a small price for him to pay for getting the power of the elected office he needs for his personal gain in the private world.

**Mr. Minor's has had undisclosed financial interest for 19 years straight at one of the 2 different public agencies. And 10 straight at the other. Those other documents were included in my complaint.**

**I understand your agency is limited and can only go back a few years as far as enforcement violations, but his practices will not change with a little fine. As time has now shown us, his practice of operating outside the law will not stop or change until he is removed from his elected offices for the many counts of perjury (past money laundering and present).**

#### **SEASONED ELECTED PUBLIC OFFICIAL who knew better**

Mr. Minor has voted for 19 years at one agency and 10 years at the other **without the general public EVER having full knowledge and full disclosure of all his financial interest** during the time of his voting. His recently amended statements show, he went from reporting **zero interest on several items, to over 300 one item and identifying and reporting 112 income sources on another** (again just for those 3 years and he has NOW gone back to reporting ZERO for 2015). To make things worse, we the public are just now getting our first look into 3 of those 19 years and well AFTER the fact and the many transactions that have been completed at both agencies by him.

**He did not miss on his reporting by just a little; he missed (Lied) by a lot EVERY year on more than just one item.**

#### **BEST EYES AND KNOWLEDGE OF THE CRIMES**

I am sure I do not need to remind your commission that local citizen such as myself living inside the jurisdictions of these local public agency have the **greatest of needs in receiving full and accurate financial disclosures from our elected officials**. It is in our best interest and of the utmost importance to know and have TRUE and CORRECT information at the time of these official public acts **and not the many years later as in this case.**

To prove perjury you need to be able to show the act was done knowingly. Fact, Minor for the 19 years lied on his disclosures and reported ZERO interest on several of the simplest of potential conflicting items, such as disclosing his OTHER personally owned business, income sources and real Properties. Fact, he cannot claim he did not know he owned those other business. State and city business lic. records for ALL those prior years (included in my complaint) showed him listed as the president for each of the unreported businesses. He knew he owned them.

Mr. Minor knew that he could INTENTIONALLY continue to hide his financial interest and IF AND WHEN he ever got caught for these violations, as he has now, he would come away with only a slap on the hand and have to pay a very small fine by depositing a check into the states bank account.

This small fine being proposed before the commission and lack of prosecution for perjury does not give us local citizens of the agencies much hope for HONEST TRANSPARENT government within our area.

Mr. Minor has learned over the years that he can violate many state laws (most felonies) and all that will happen to him while doing so is that he will receive a **small fine** and **no jail time** while making **hundreds of thousands** from unreported sources. In this case, Hundreds of thousands in unreported income and the fppc only issuing a small \$6,000 fine. Small cost of doing illegal things in local politics.

I urge you to make Mr. Minor's fine the maximum limit in this case please. That in itself will not change a seasoned law breaking politician whom has the money to hire Sacramento well connected law firms to the system that is in place for the enforcement against such illegal activities. However, the maximum fine is a good start.

A common person would go to jail and be removed from both public offices for this many violations that were repeated for this many years.

#### NO HARM IS COMMITTING PERJURY

Kind of sets a good example for breaking the law for Minor and other politicians to follow, does it not? What harm is it when signing your name at the bottom of the page "**under penalty of perjury**" knowing those are meaningless words when it comes to real enforcement for violations of those words and their meaning from the powers to be.

#### REQUEST PROSECUTION OF MR. MINOR FOR PERJURY

I request that the commission please take whatever steps you can to **prosecute Mr. Minor for the 6 counts of perjury** (felonies) that he has committed **this time**. And I say this time for good reason. As your investigators staff report mentions, this **is not Mr. Minor's first time in lying** on his fppc financial documents (money laundering case), **AND IT WILL NOT BE HIS LAST.**

MR. MINOR HAS VIOLATING THE SAME FPPC'S LAWS IN THIS CASE AGAIN

Mr. Minor has **returned to his prior illegal practice** using ZERO as his number for sources of income over \$10,000 in 2015. His farming companies identified in his current 2015 700's that were still taking in money.

Your CURRENT investigation STOPPED with his 700 filings for the year 2014 for both agencies.

Mr. Minor has **ONCE AGAIN fallen back into his old ways of lying and hiding his financial interest**. Two more counts of Perjury can now be added to his long history of intentional lying to the citizens and the state on his paperwork.

On his current 2015 700's he once again fails to identify ANY sources of income over the \$10,000 amount for his farming business in his 2015 filings for both agencies. The same violation as he is in trouble for in this case before you today. He had to amended ( 2 times) his 2012/13/14 700's going from **zero to 112 for income sources on that item**.

Lake Hemet water 2015 700's

His 2015 700 filings (complaint not before your commission yet) for Lake Hemet Water and the item for single sources of income over \$10,000 for his farming operation, it directs you attention to Exhibit #1 for the list. **There is no list included in his filing. The only exhibit include in his filed 2015 document was for real properties**

Valley Wide Rec and Park 2015 700's

His Valley Wide 700 filings for the same income sources over \$10,000 for farming. The item has been left BLANK.

**CURRENT VIOLATIONS OCCURRED WHILE ON PROBATION IN MONEY LAUNDERING CASE**

If you look at Mr. Minors prior conviction case mention in your investigators report you will see Mr. Minor was able to slide out from under the many perjury charges and most of the violations he had committed in the 2009 money laundering case.

In that case he admitting guilt (2011 I believe), and the court placed Mr. Minor on **three years' probation** and at the time, **Mr. Minor while under oath, swore to the court that he would not violate any local and or State laws during that time**.

As you can see from your Investigators findings in this current case ( 6 NEW violations) some occurred at the very same time that Mr. Minor was on probation in that prior case.

Minor committed perjury every year he has been in office. 1997 to present at Valley Wide Rec. and Parks. 2006 to present at Lake Hemet Water.

If you look at the complete history for Mr. Minors and his 700 fillings for both public agency while acting as an elected public official, you will see that he lied every year on both agencies 700 forms.

Lied ALL years on disclosures for his financial income sources and lied all years for real property interest. When in fact he knew he had more. Real property disclosures went from **ZERO to over 300**. Single sources of income over \$10,000 went from **Zero to 112**. **And now went back to ZERO for 2015 on income sources over \$10,00 for his farming operation.**

Mr. Minor is not going to change his way of doing things. He thinks he is above the law and can just write another small check if and when he does get caught. In this case, got away with

Mr. Minor did not just make some simple mistake here. This were **intentional acts by a seasoned politician to hide his mandated discloser reporting's on these potential conflicts of interest.**

**Please do what you can and increase Mr. Minor's fine to the maximum amount allowed and permitted to you by law for this repeat offender.**

**It is to late to go back in time for the prior years of intentional acts and violations.**

**But it is not to late for your commission to do the right thing now for these few years of new perjury and violations of law.**

**Please increase Mr. Minor's fine and transfer your finings over to the Riverside County District Attorney's office for prosecution for 6 counts of perjury.**

Thank you,

Howard Tounget

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