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8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11
12 In the Matter of:

FPPC No. 18/1006

13 LAURE L. WOODS,

STIPULATION, DECISION, AND ORDER

14
15 Respondent.
16

17 **INTRODUCTION**

18 Respondent Laure L. Woods (“Woods”) is a clinical researcher and philanthropist who engaged
19 in campaign activities as a major donor committee under the Political Reform Act (the “Act”)¹. The Act
20 requires major donor committees to file certain campaign statements to disclose their campaign activities.
21 Woods violated the Act by failing to timely file a 24-hour contribution report and a major donor campaign
22 statement.

23 **SUMMARY OF THE LAW**

24 The violations in this case occurred in 2018, and all legal references and discussions of law pertain
25 to the Act’s provisions as they existed at that time.

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28 ¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory
references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110
through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

1 Need for Liberal Construction and Vigorous Enforcement of the Act

2 When enacting the Act, the people of California found and declared that previous laws regulating
3 political practices suffered from inadequate enforcement by state and local authorities.² Thus, it was
4 decreed that the Act “should be liberally construed to accomplish its purposes.”³ One purpose of the Act
5 is to promote transparency by ensuring that receipts and expenditures in election campaigns are fully and
6 truthfully disclosed so that voters are fully informed and improper practices are inhibited.⁴ Another
7 purpose is to provide adequate enforcement mechanisms so that the Act will be “vigorously enforced.”⁵

8 Major Donor Committee

9 A person qualifies as a major donor committee when she makes contributions totaling \$10,000 or
10 more in a calendar year to or at the behest of candidates or committees.⁶

11 24-Hour Contribution Reports

12 A late contribution is a contribution that totals in the aggregate \$1,000 or more that is made to or
13 received by a candidate, a controlled committee, or a primarily formed committee during the 90-day
14 period preceding the date of the election, or on the date of the election, at which the candidate or measure
15 is to be voted on.⁷ Each candidate or committee that makes or receives a late contribution must report it
16 to its filing officer within 24 hours of the time it is made or received.⁸

17 The 90-day period prior to the June 5, 2018 election began on March 7, 2018.

18 Campaign Statements

19 A major donor committee must file a campaign statement each year no later than July 31 for the
20 reporting period ending on June 30, and no later than January 31 of the following year for the reporting
21 period ending on December 31, if it made contributions or independent expenditures during the six-month
22 period before the closing date of the statements.⁹

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25 ² Section 81001, subd. (h).

26 ³ Section 81003.

27 ⁴ Section 81002, subd. (a).

28 ⁵ Section 81002, subd. (f).

⁶ Section 82013, subd. (c).

⁷ Section 82036, subd. (a).

⁸ Section 84203.

⁹ Section 84200, subd. (b).

1 Liability

2 All reports and statements must be signed under penalty of perjury and verified by the filer.¹⁰

3 **SUMMARY OF THE FACTS**

4 This case was opened in response to an anonymous complaint alleging that Woods had not filed
5 campaign statements to report her contributions to the Committee to Recall Judge Persky (the “Recall
6 Committee”) (ID# 1386601), a primarily formed committee opened to support the recall of Aaron Persky
7 from the bench of the Santa Clara County Superior Court on the June 5, 2018 ballot.

8 Woods made contributions to the Recall Committee and several statewide campaigns in 2017 and
9 2018. The following is a chart showing campaign statements filed by Woods for activities that occurred
10 in 2017 and 2018:

11 Reporting Period	Due Date	Date Filed	Reported Activities
12 1/1/2017-6/30/2017	7/31/2017	7/30/2017	\$27,000 contributions made
13 7/1/2017-12/31/2017	1/31/2018	7/9/2018 (159 days late)	\$25,500 contributions made
14 1/1/2018-6/30/2018	7/31/2018	7/9/2018	\$60,500 contributions made
15 7/1/2018-12/31/2018	1/31/2019	1/31/2019	\$500 contribution made

16 Woods late-filed the major donor campaign statement for the period covering July 1, 2017
17 through December 31, 2017 only after receiving notice from the Enforcement Division that a complaint
18 had been filed against her. That campaign statement was filed after the date of the election.

19 Woods also late-filed a 24-hour contribution report on June 29, 2018 for a \$30,000 contribution
20 to the Recall Committee made on April 30, 2018. The Recall Committee timely filed a 24-hour
21 contribution report to disclose that late contribution. Woods filed a 24-hour contribution report after the
22 election date.

23 **VIOLATIONS**

24 Count 1: Failure to Timely File a Major Donor Campaign Statement

25 Woods failed to timely file a major donor campaign statement for the reporting period covering
26 July 1, 2017 through December 31, 2017 by January 31, 2018, in violation of Government Code section
27 84200, subdivision (b).

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¹⁰ Section 81004, subd. (a).

1 Count 2: Failure to Timely File a 24-Hour Contribution Report

2 Woods failed to timely file a 24-hour contribution report for a \$30,000 contribution made on
3 April 30, 2018, in violation of Government Code section 84203.

4 **PROPOSED PENALTY**

5 This matter consists of two counts. The maximum penalty that may be imposed is \$5,000 per
6 count. Thus, the maximum penalty that may be imposed is \$10,000.

7 In determining the appropriate penalty for a particular violation of the Act, the Commission
8 considers the facts of the case, the public harm involved, and the purpose of the Act. Also, the
9 Commission considers factors such as: (a) the seriousness of the violation; (b) the presence or absence of
10 any intention to conceal, deceive, or mislead; (c) whether the violation was deliberate, negligent, or
11 inadvertent; (d) whether the violation was isolated or part of a pattern; (e) whether corrective amendments
12 voluntarily were filed to provide full disclosure; and (f) whether the violator has a prior record of
13 violations.¹¹

14 These violations resulted in a lack of transparency for the public into Woods's campaign
15 activities, as Woods failed to provide any disclosure prior to the election and provided delayed disclosure
16 after. However, there is no evidence of an intention to conceal, deceive, or mislead the public. The
17 violations seem to have been negligent, as Woods filed her campaign statement and report soon after
18 receiving contact from the Enforcement Division. These violations seem to be an isolated incident, as
19 Woods has timely filed previous and subsequent campaign statements. Woods filed an amended
20 campaign statement for the reporting period of July 1, 2017 through December 31, 2017 at the
21 Enforcement Division's request to disclose four contributions made to the Recall Committee: two
22 contributions of \$300 made on October 2, 2017; \$32,000 made on October 6, 2017; and \$10,300 made
23 on November 20, 2017, for a total of \$42,900 of unreported contributions. Lastly, Woods does not have
24 prior enforcement history.

25 The Commission also considers penalties in prior cases with comparable violations. Recent cases
26 with a similar violation include the following:

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¹¹ Regulation 18361.5, subd. (d).

1 Counts 1 and 2

2 *In the Matter of Scott Schonfeld*; FPPC No. 17/1449. (The Commission approved a stipulated
3 agreement on September 19, 2019.) Respondent failed to timely file a major donor campaign statement
4 for the reporting period ending on December 31, 2016 by January 31, 2017 and filed it after receiving
5 contact from the Enforcement Division. Respondent filed the campaign statement 709 days late and
6 reported \$51,278.50 in contributions made to two recipient committees. Both recipient committees
7 properly reported the contributions they received from Respondent on a pre-election campaign statement
8 and a post-election semi-annual campaign statement. Respondent also failed to timely file a 24-hour
9 contribution report for a \$2,278.50 nonmonetary contribution made to a recipient committee only six
10 days before the election. The recipient committee properly reported the contribution it received from
11 Respondent on its 24-hour contribution report. The Commission approved a penalty of \$2,500 for failure
12 to timely file a campaign statement and \$1,000 for failure to timely file a 24-hour contribution report.

13 Woods also failed to timely file a major donor campaign statement but late-filed the campaign
14 statement much sooner than in *Schonfeld*. Although Woods only reported \$25,500 of contributions made
15 on her late-filed campaign statement, a review of the Recall Committee's campaign statements showed
16 that it received three more contributions totaling \$42,900 from Woods in the reporting period covering
17 July 1, 2017 through December 31, 2017. Woods amended that campaign statement to disclose the correct
18 amount. Woods also failed to timely file a 24-hour contribution report but for a larger late contribution
19 of \$30,000. However, while the late contribution in *Schonfeld* was made only six days before the election,
20 the late contribution made by Woods was made 35 days prior to the election. Because the Recall
21 Committee timely filed a 24-hour contribution report to disclose the \$30,000 late contribution, the public
22 received some notice of it more than a month prior to the election. As a result, there is justification for
23 recommending the same penalty of \$2,500 for failure to timely file a campaign statement and \$1,000 for
24 failure to timely file a 24-hour contribution report as in *Schonfeld*.

25 **CONCLUSION**

26 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
27 Respondent Laure L. Woods hereby agree as follows:

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1 1. The Respondent violated the Act as described in the foregoing pages, which are a true and
2 accurate summary of the facts in this matter.

3 2. This stipulation will be submitted for consideration by the Fair Political Practices
4 Commission at its next regularly scheduled meeting—or as soon thereafter as the matter may be heard.

5 3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose
6 of reaching a final disposition without the necessity of holding an administrative hearing to determine
7 the liability of the Respondent pursuant to Section 83116.

8 4. The Respondent understands, and hereby knowingly and voluntarily waives, any and all
9 procedural rights set forth in Sections 83115.5, 11503, 11523, and Regulations 18361.1 through 18361.9.
10 This includes, but is not limited to the right to appear personally at any administrative hearing held in
11 this matter, to be represented by an attorney at the Respondent’s own expense, to confront and cross-
12 examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an
13 impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter
14 judicially reviewed.

15 5. The Respondent agrees to the issuance of the decision and order set forth below. Also, the
16 Respondent agrees to the Commission imposing against it an administrative penalty in the amount of
17 \$3,500. One or more credit/debit card payments, cashier’s checks, or money orders totaling said
18 amount—to be paid to the General Fund of the State of California—is/are submitted with this stipulation
19 as full payment of the administrative penalty described above, and same shall be held by the State of
20 California until the Commission issues its decision and order regarding the matter.

21 6. If the Commission declines to approve this stipulation—then this stipulation shall become
22 null and void, and within fifteen business days after the Commission meeting at which the stipulation is
23 rejected, all payments tendered by the Respondent in connection with this stipulation shall be reimbursed
24 to the Respondent. If this stipulation is not approved by the Commission, and if a full evidentiary hearing
25 before the Commission becomes necessary, neither any member of the Commission, nor the Executive
26 Director, shall be disqualified because of prior consideration of this Stipulation.

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1 The foregoing stipulation of the parties “In the Matter of Laure L. Woods,” FPPC No. 18/1006, is hereby
2 accepted as the final decision and order of the Fair Political Practices Commission, effective upon
3 execution below by the Chair.

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5 IT IS SO ORDERED.

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7 Dated: _____

_____ Richard C. Miadich, Chair
Fair Political Practices Commission