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* ALSO ADMITTED IN THE DISTRICT OF COLUMBIA

September 9, 2016

Mr. Dean C. Logan
Los Angeles County Registrar-Recorder/County Clerk
2400 Imperial Highway
Norwalk, CA 90651

Re: **4th District candidate Janice Hahn's violations of Los Angeles County's
\$150,000 aggregate limit on contributions from political action committees**

Dear Mr. Logan:

Our firm represents Steve Napolitano's campaign for Los Angeles County Board of Supervisors, District 4. On August 10, 2016, you sent his opponent, Janice Hahn, a letter stating she had exceeded Los Angeles County's \$150,000 aggregate limit on contributions from political action committees by accepting PAC contributions totaling \$439,619 as of June 30, 2016.

Although her political strategist pretends otherwise, Ms. Hahn violated a law that is completely unambiguous. Section 2.190.040 C of the Los Angeles County Code (Proposition B) prohibits candidates from soliciting or accepting "a total amount exceeding \$150,000.00 for each primary election campaign and \$150,000.00 for each general election campaign, from all political action committees." Section 2.190.070 D allows the separate \$1,500 per donor limit of Section 2.190.040 B to be removed in certain situations, but it makes no reference to the \$150,000 aggregate PAC contribution limit of Section 2.190.040 C. No section of Proposition B allows the \$150,000 PAC limit to be lifted under any circumstance. This comports with the purpose of Proposition B, which is to reduce the influence of special interest groups that "use their financial strength to attempt to exercise control over candidates and the electoral process."

Your office identified \$439,619 in PAC contributions that Ms. Hahn accepted between March 2015 and June 2016. We reviewed Ms. Hahn's campaign filings and identified additional PAC contributions totaling more than \$140,000. These additional contributions, listed on the attached spreadsheet, would bring her total PAC contributions to approximately \$573,319 as of June 30, 2016. Based on our analysis of the timing and amounts of the contributions, no more than \$50,000 of those contributions could have been designated for the general election. Thus, for the primary election, Ms. Hahn accepted at least \$240,000, and probably more than \$370,000, in contributions that exceeded the \$150,000 PAC contribution limit. These illegal contributions constitute a significant percentage of the \$1.2 million she spent on her primary election campaign.

You offered Ms. Hahn the opportunity to cure the violation by returning the excessive PAC contributions within 30 days of the date she "had actual knowledge of the improper contributions."

Mr. Dean C. Logan
Los Angeles County Registrar-Recorder/County Clerk
September 9, 2016
Page 2

As far as we know, Ms. Hahn has failed to remedy the violation even though 30 days have elapsed since you sent the letter. Proposition B does not authorize any extension of time to return such excessive contributions. Therefore, we respectfully request that you immediately commence an enforcement action against Ms. Hahn.

A candidate who accepts \$370,000 in excessive PAC contributions is liable for both a civil penalty and an administrative fine of up to \$1.1 million. As you know, Section 2.190.140 B states that any person who negligently violates any section of Proposition B is “subject to a civil penalty of up to three times the amount by which any applicable expenditure or contribution limit has been exceeded or \$5,000.00, whichever is greater.” In addition to this civil penalty, Section 2.190.140 C(1) provides that any person who negligently violates any contribution limit in Proposition B “shall be subject to an administrative fine . . . of up to three times the amount by which any applicable contribution limit has been exceeded or \$5,000.00, whichever is greater.” The Registrar-Recorder is required to “issue a notification of violation setting forth the intent to issue a proposed administrative fine and set a hearing date” for a hearing that would allow the candidate to challenge the fine. Section 2.190.140 E also requires the Registrar-Recorder to notify the District Attorney when there is evidence of a violation because the District Attorney is jointly responsible for investigating and enforcing violations of Proposition B.

Ms. Hahn cannot take advantage of subsection C(2) of Section 2.190.140, which allows the administrative fine to be waived “if a contribution received in violation of this chapter is returned and the candidate submits an amended campaign statement reflecting that the contribution has been returned within thirty (30) days of the date in which the candidate has actual knowledge of the contribution or the date of the filing a campaign statement required by Government Code § 84200 et seq. or by this chapter on which such contribution is reported, whichever is earlier.” Ms. Hahn’s campaign filings reveal that she exceeded the \$150,000 limit in early May. The excessive PAC contributions were listed on her April 24 to May 21, 2016 campaign statement, which was due on May 26, 2016, and her May 22 to June 30, 2016 campaign statement, which was due on August 1, 2016. She failed to return the contributions and amend her statements within 30 days of those filing deadlines.

It is unusual, if not unprecedented, for a candidate to exceed contribution limits by hundreds of thousands of dollars. The Fair Political Practices Commission routinely fines candidates for much smaller violations. Given the egregiousness of Ms. Hahn’s campaign finance violations, it is critical that you immediately proceed with an enforcement action. Proposition B’s contribution limits are meaningless if a candidate is able to ignore those limits and benefit from doing so without facing any ramifications other than a warning letter.

Sincerely,


Flora Yin

cc: District Attorney Jackie Lacey

**ADDITIONAL POLITICAL ACTION COMMITTEE CONTRIBUTIONS
REPORTED ON JANICE HAHN FOR SUPERVISOR 2016'S CAMPAIGN FILINGS**

Period End Date	Receipt Date	Amount	Code (per Hahn's Form 460)	Contributor	Committee ID#
06/30/15	03/23/15	\$1,500	C	Stonewall Young Democrats	1265977
06/30/15	04/01/15	\$1,500	C	California Teamsters Public Affairs Council Public Affairs Fund	742500
06/30/15	04/01/15	\$1,500	C	Coalition For A Better Los Angeles Sponsored By Plumbers Local Union 78	1322140
06/30/15	05/07/15	\$1,500	O	DRIVE Committee	880969
06/30/15	05/26/15	\$1,500	S	Laborers' Local 300 Small Contributor Committee	950674
06/30/15	05/26/15	\$1,500	S	LACPPOA, Small Contributor Committee	970225
06/30/15	05/26/15	\$1,500	S	Sheet Metal Workers International Association Local Union 105 Political Education Fund	962809
06/30/15	06/05/15	\$1,500	S	International Union of Operating Engineers Local 12 Political Fund	743030
06/30/15	06/19/15	\$1,500	S	IBEW Local 18 Water & Power Defense League	744817
06/30/15	06/19/15	\$1,500	S	Southern California Pipe Trades District Council #16	760715
06/30/15	06/19/15	\$1,500	S	Union of American Physicians and Dentists Medical Action Committee Small Contributor Committee	1356185
12/31/15	11/05/15	\$1,000	C	United Steel Workers District 12 California Non-Federal Account	1300694
12/31/15	12/11/15	\$500	C	Metropolitan Theatres Good Government Committee	770494
04/23/16	02/08/16	\$1,500	C	LA League of Conservation Voters	810317
04/23/16	03/16/16	\$1,000	C	CA Machinists Non-Partisan Political League	761035
04/23/16	03/16/16	\$1,500	C	California Teamsters Public Affairs Council Public Affairs Fund	742500
04/23/16	03/16/16	\$2,000	C	International Organization of Masters Mates & Pilots Political Contribution Fund	1341552
04/23/16	03/16/16	\$1,500	S	LACPPOA, Small Contributor Committee	970225
04/23/16	03/22/16	\$1,500	C	Planned Parenthood Advocacy Project Los Angeles County Action Fund	971616
04/23/16	04/01/16	\$1,500	C	United Steel Workers District 12 California Non-Federal Account	1300694
05/21/16	04/29/16	\$700	C	Los Angeles College Guild State Political	1227710
05/21/16	05/02/16	\$1,000	C	Dignity CA SEIU Local 2015	1357256
05/21/16	05/02/16	\$1,500	C	Dignity CA SEIU Local 2015	1357256
05/21/16	05/02/16	\$1,500	C	Dignity CA SEIU Local 2015	1357256
05/21/16	05/13/16	\$250	C	Palos Verdes Democrats	744025
05/21/16	05/13/16	\$25,000	S	Service Employees International Union Local 721 CTW, CLC State & Local	743794
05/21/16	05/20/16	\$20,500	C	Dignity CA SEIU Local 2015	1357256
06/30/16	05/25/16	\$10,000	S	LACPPOA, Small Contributor Committee	970225
06/30/16	06/02/16	\$25,500	S	Union of American Physicians and Dentists Medical Action Committee Small Contributor Committee	1356185
06/30/16	06/03/16	\$1,500	C	Planned Parenthood Advocacy Project Los Angeles County Action Fund	971616
06/30/16	06/04/16	\$2,500	C	AFSCME Local 1083 - Political Action Fund	1366459
06/30/16	06/04/16	\$10,000	C	California Charter Schools Association Advocates Independent Expenditure Committee	1339522
06/30/16	06/04/16	\$2,000	C	LA League of Conservation Voters	810317
06/30/16	06/04/16	\$10,000	S	Laborers' Local 300 Small Contributor Committee	950674
		\$140,450			