



THE CITY OF SAN DIEGO  
**PRESS RELEASE**

**Ethics Commission**

**FOR IMMEDIATE RELEASE**

Thursday, November 8, 2007

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**ETHICS COMMISSION ANNOUNCES SETTLEMENT  
WITH CITY COUNCILMEMBER BEN HUESO  
CONCERNING VIOLATIONS OF CAMPAIGN LAWS**

Stacey Fulhorst, Executive Director of the City of San Diego Ethics Commission, announced today the Commission's approval of a stipulated settlement agreement with Ben Hueso, the City Councilmember who represents City Council District 8, and his campaign treasurer, Beth Reno. Councilmember Hueso and Ms. Reno have agreed to pay a fine of \$17,000 for several campaign law violations, the most serious being the acceptance of contributions totaling \$10,508 to his 2006 re-election committee that violated the City's contribution limits.

Ms. Fulhorst explained that, although Councilmember Hueso won outright in the June 2006 primary election, the Committee to Re-Elect Ben Hueso proceeded to collect contributions after the primary for the non-existent November 2006 general election. In other words, the Committee collected money from 43 contributors who had already given the maximum amount to the primary election. Although the contributions collected after June of 2006 were coded on campaign statements for the general election, they were used to pay for debts incurred in connection with the primary, and must therefore be aggregated with the prior contributions for purposes of contribution limits.

According to Ms. Fulhorst, "the acceptance of numerous contributions in excess of the legal limit is one of the most serious violations of local campaign laws." She noted that the fine would likely have been much higher were it not for the fact that the acceptance of contributions for the non-existent general election was openly disclosed on campaign statements filed with the City Clerk. In

addition, she explained that the Commission’s investigation indicated that the acceptance of excess contributions resulted from inadvertent mistakes on the part of the campaign staff. Specifically, the campaign treasurer failed to properly configure the campaign software and, as a result, the software automatically coded contributions received after the June 2006 primary for the non-existent general election. In addition, Ms. Fulhorst explained that the Committee relied on a fundraiser to solicit and collect contributions, and this fundraiser apparently failed to realize that no general election would take place. Accordingly, the fundraiser solicited contributions from individuals who had already given the maximum amount to the primary election, and those individuals exceeded the City’s contribution limits when they made additional contributions. Ms. Fulhorst added that “although the receipt of the excessive contributions was apparently attributable to inadvertent mistakes, the candidate and his treasurer should have caught these mistakes when reviewing the Committee’s campaign statements.”

In the settlement agreement, Councilmember Hueso acknowledged that he also violated other provisions of the City’s campaign laws, including improper coding of contributions for the non-existent general election, the acceptance of 3 excess contributions totaling \$350 to the Friends of Ben Hueso (the Committee formed for the 2005-2006 special election), the acceptance of one contribution from an organization, and the distribution of campaign remittance envelopes that did not include the required notice warning contributors that it is unlawful to be reimbursed by an organization for their contributions.

The Commission Chairman, Gil Cabrera, commented that the Commission felt that the amount of the fine was appropriate in light of all the underlying facts. Chairman Cabrera also explained that, in this case, the Commission determined it was not appropriate to pursue enforcement against the 43 contributors who made excess contributions. “The fact that the June 2006 primary took place shortly after the November 2005 special election and the January 2006 special election resulted in a certain amount of confusion for contributors.” He added that the Commission staff will put the contributors on notice that they are responsible for keeping track of their contributions to City candidates to ensure that they do not exceed the City’s contribution limits.

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.

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