

FPPC Quits 225 Cases

The backlogged state election watchdog agency, saying it needs more resources, drops its investigations into the campaign complaints.

By Jean O. Pasco
Times Staff Writer

October 18, 2005

California's political watchdog agency has closed 225 cases since May without finishing the investigations, a victim of a nagging backlog and budget crunch that led the agency's chairwoman last week to cry uncle.

"We can't handle our caseload," Liane Randolph, chairwoman of the Fair Political Practices Commission, told the panel at its monthly meeting in Sacramento.

"We're going hat in hand to the governor and the Legislature saying we need more resources to do our job," she said in a later interview.

"It's a job the voters asked to be done, but our funding level just hasn't kept pace with our responsibilities."

The agency's sweeping action is unprecedented, said Steve Levin, political reform manager for the Center for Governmental Studies in Los Angeles, a nonprofit research organization.

"They've always said they were underfunded, but this is the first time I've heard them say they hadn't pursued enforcement because of a lack of resources," he said. "These are cases they could have pursued."

Commission officials declined to make public the names of politicians whose cases were closed.

The Times reported in May that the commission was wading through a backlog of 737 cases of alleged campaign misdeeds — while working with four of its seven investigator positions vacant.

Of the backlog, 676 from previous years remained unresolved; fines in another 61 cases remained uncollected.

Some of the cases were nearing a deadline, after which they would be dropped. Cases must be addressed within five years of the election in which the alleged violation occur.

The commission wants Gov. Arnold Schwarzenegger to restore \$600,000 in funding cut from the agency in recent years, and an additional \$1.2 million to get back to 1980s budget levels.

The agency's budget was \$6.6 million in 2000-01 and reduced to \$6.1 million in 2004-05. The governor had proposed a \$1-million cut for this fiscal year that began July 1 but sliced just \$95,000 after an outcry from good-government groups.

John Applebaum, the commission's chief of enforcement, said his division needed four more attorneys, three investigators and a staff person, which would bump the number of enforcement employees from 22 to 30.

Commission Executive Director Mark Krausse said another eight lawyers were needed.

In the last five years, the agency received nearly 4,500 complaints. Last year, it received a record 1,751 complaints.

The agency chairwoman said commissioners failed to realize the effect of cuts in recent years. For the upcoming budget year, she said, they're hoisting a white flag.

"We had cases we couldn't handle, and we let them pile up," she said. "We hope that once we get through the basic backlog, we can get on a more regular track of evaluating cases up front. We need more triage at the beginning and to recognize what we can handle."

The commission was approved by voters in 1974 with passage of the Political Reform Act. The measure declared that previous laws regulating political practices had suffered from inadequate enforcement by state and local authorities.

The act created the five-member commission, a nonpartisan panel responsible for administering and enforcing the rules for campaign contributions, expenditures and lobbying that apply to thousands of state and local candidates, officeholders and political committees. Conflict-of-interest codes are enforced by the state attorney general.

Two of the commissioners, including the chairman, are appointed by the governor. The secretary of state, attorney general and state controller each appoint one commissioner. The members serve a single four-year term, and no more than three members can be from the same political party.

Last year, the agency collected \$1.4 million in fines from 168 cases, compared with \$182,250 in fines from 35 cases in 1989. The money goes into the state's general fund.

Longtime Orange County campaign watchdog Shirley Grindle said she was heartened that the commission was seeking more money. She has several complaints pending, including some from the November 2000 elections that are nearing the deadline.

"The truth of it is, even if they restore all this funding, they never did keep pace with all these complaints," she said.

She said the only solution was for cities and counties over a certain size to have their own ethics commissions, such as the one established by Los Angeles.