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# LOS ANGELES CITY ETHICS COMMISSION

## N E W S

*...preserving the public trust*

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### COURT UPHOLDS CITY ETHICS COMMISSION ENFORCEMENT ACTION AGAINST FORMER COUNCILMAN

Los Angeles Superior Court Judge David P. Yaffe today upheld a Los Angeles City Ethics Commission enforcement action that was challenged by former Tenth District Councilmember Nate Holden and his campaign treasurer Anne Froehlich. The five-member Ethics Commission had ruled unanimously in April 2002 that Holden and his treasurer committed 31 violations of City campaign finance laws in connection with Holden's 1999 re-election campaign by accepting contributions totaling \$5,150 in excess of the City's contribution limit and submitting \$2,720 in ineligible claims for public matching funds. As a result, the Commission levied a \$6,500 fine. Holden and Froehlich never denied that the campaign committee took funds that were not entitled to be received under City law, but challenged the enforcement action arguing that the Commission did not use the appropriate statute to charge them with the violations. The court concluded, however, that while the Commission erred in not citing an additional section of the Los Angeles Municipal Code in its complaint against Holden and Froehlich, the error was not fatal to the case because they had received a fair trial. Today's decision upholds the Commission's ruling and the fine it levied. Deputy City Attorneys Ellen T. Friedmann and Richard Kraft represented the Commission during the court proceedings. In an unrelated enforcement action, Holden was fined \$27,500 by the Commission in 1999 for 48 campaign finance violations stemming from his 1995 re-election bid. Holden left office at the end of his 4<sup>th</sup> term on June 30 this year.

"The Commission's process was fair, impartial and consistent with its mandate and jurisdiction, and we are pleased that the court's action today affirmed that," said Commission Executive Director, LeeAnn M. Pelham. "Today's decision helps ensure that those who violate the law - no matter who they are - will be held accountable."

The City Ethics Commission is a semi-independent City agency that administers and enforces governmental ethics, municipal lobbying and campaign finance laws. City law limits contributions to a candidate for City Council to \$500 per person, per election. Public matching funds are limited to \$250 per individual donor for candidates who have qualified to participate in the program, up to a maximum amount specified in the law.

For more information about the City Ethics Commission and the laws it administers and enforces, contact the Commission at (213) 978-1960 or visit the Commission's Website at <http://ethics.lacity.org>.

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