

November 15, 2024

Ms. Andrea St. Julian  
San Diegans for Justice in Support of Measure B  
12707 High Bluff Drive #200  
San Diego, CA 92130

SENT VIA-EMAIL

Re: San Diegans for Justice in Support of Measure B (ID # 1419498)

Dear Ms. St. Julian:

The Ethics Commission audit of the above-referenced committee is now concluded, and the Final Audit Report is enclosed. This report was delivered to the Ethics Commission at its regularly-scheduled meeting held on November 14, 2024. Although the report reflects one material finding, which was confirmed after further review of applicable laws, the Commission does not believe that the finding warrants an additional administrative remedy. In summary, the Commission determined that education was more appropriate than enforcement in this situation. As a result, the Commission voted to accept the report and take no further action.

Sincerely,

[REDACTED]

Rosalba Gomez  
Audit Program Manager

Enclosure

cc: Ms. Cine D. Ivery, Treasurer  
1 W. Manchester Blvd.  
Inglewood, CA 90301

# FINAL AUDIT REPORT

November 7, 2024

Ms. Andrea St. Julian  
San Diegans for Justice in Support of Measure B  
12707 High Bluff Drive #200  
San Diego, CA 92130

Treasurer: Cine D. Ivery  
1 W. Manchester Blvd.  
Inglewood, CA 90301

**SAN DIEGO ETHICS COMMISSION**  
**AUDIT REPORT:**  
*San Diegans for Justice in Support of Measure B*

## I. Introduction

This Audit Report contains information pertaining to the audit of the committee, San Diegans for Justice in Support of Measure B, Identification Number 1419498 (“the Committee”) for the period from August 19, 2020, through November 24, 2020. The Committee was selected for audit by a designee of the City Clerk in a random drawing conducted at a public meeting of the Ethics Commission held on September 9, 2021. The audit was conducted to determine whether the Committee materially complied with the requirements and prohibitions imposed by the City of San Diego’s Election Campaign Control Ordinance (San Diego Municipal Code Chapter 2, Article 7, Division 29). The Election Campaign Control Ordinance (ECCO) has been amended on several occasions; all Municipal Code references in this report relate to the provisions of ECCO that were in effect at the time of the actions described herein.

During the period covered by the audit, the Committee reported total contributions of \$110,160.65 (inclusive of \$9,225.00 in non-monetary contributions) and total expenditures of \$137,238.95. Total cash contributions relative to total expenditures resulted in a \$36,303.30 differential that was reconciled by the Committee’s beginning cash balance. **The audit revealed one material finding: the committee failed to identify the official committee name in telephone communications, in violation of San Diego Municipal Code section 27.2970.**

## II. Committee Information

On July 1, 2019, the Committee filed a Statement of Organization with the San Diego City Clerk indicating that it qualified as a committee. The Committee was formed to support Measure B

(Charter Amendments Establishing Commission on Police Practices) in the November 3, 2020, general election. The Committee has not terminated. The Committee's treasurer is Cine D. Ivery and the Principal Officer is Andrea St. Julian.

### **III. Audit Authority**

The Commission is mandated by San Diego Municipal Code section 26.0414 to audit campaign statements and other relevant documents to determine whether campaign committees comply with applicable requirements and prohibitions imposed by local law.

### **IV. Audit Scope and Procedures**

This audit was performed in accordance with generally accepted auditing standards. The audit involved a thorough review of the Committee's records for the time period covered by the audit. This review was conducted to determine:

1. Compliance with all disclosure requirements, pertaining to contributions, expenditures, accrued expenditures, and loans, including itemization when required;
2. Compliance with applicable filing deadlines;
3. Compliance with restrictions on contributions, loans and expenditures;
4. Accuracy of total reported receipts, disbursements and cash balances as compared to bank records; and
5. Compliance with all record-keeping requirements.

### **V. Summary of Applicable Law**

#### **Definitions**

*Telephone communications* mean any live or recorded telephone calls that are authorized or paid for by a *candidate* or *committee* for the purpose of supporting or opposing one or more *City candidates* or *City measures*.

#### **Section 27.2970 – Disclosures**

....

- (c) When a *candidate* or *committee* uses volunteers to make *telephone communications*, such volunteers shall disclose the name of the *candidate* or *committee* during the communication in the same manner required of paid callers under state law, except that this disclosure may follow the words “on behalf of” instead of “paid for by.”

....

## **VI. Material Findings**

### **Section 27.2970: Telephone Communication Disclosure**

Section 27.2970 states that committees that engage in telephone communications supporting or opposing one or more City candidates or City measures shall disclose the name of the committee during the communication. The Committee engaged in telephone communications to support Measure B (Charter Amendments Establishing Commission on Police Practices).

The Committee submitted copies of the three different telephone communication scripts conducted by volunteers and a copy of a survey script conducted by paid staff. The Committee reported that 4,363 calls were made by volunteers and 604 calls were made by paid staff. The Auditor found that two telephone scripts and the survey script quoted the committee name as “San Diegans for Justice” and the third telephone script did not cite the committee name. According to the San Diego City Clerk, the Committee filed a Statement of Organization on August 19, 2020, which reported the committee’s name as “San Diegans for Justice in Support of Measure B”.

The audit review found that one script failed to identify the committee name in violation of Section 27.2970. In addition, three scripts did not use the official committee name, reflecting a failure to adhere to the purpose and intent of the disclosure requirement, which is to let call recipients know that the organization responsible for the call was formed to support a city measure.

At the post-audit conference held on March 27, 2024, the Committee representatives clarified that the script without a disclosure was drafted in anticipation of a potential finance advisory board that never came to fruition. In haste to produce documents requested by the Auditor the script was mistakenly included with final drafts and was submitted during that audit review.

In regard to the incomplete committee name used in the other scripts: Committee representatives stated that they relied on Government Code section 22.2970(c) when writing their scripts. It was pointed out that this section allows callers to announce in the call either the full official name of the organization or “the name by which the organization ... is commonly know.” Committee representatives argued that “San Diegans for Justice” was proper as this was the name commonly known. In addition, Committee representatives stated that its overall actions evidence its intent to substantially comply with applicable regulations.

## VII. Conclusion

Through the examination of the Committee's records and campaign disclosure statements, the Auditor verified that the Committee timely disclosed all contributions received and all expenditures made, and that the Committee maintained all necessary documentation regarding contributions and expenditures in accordance with disclosure and record-keeping provisions of ECCO. **However, the audit revealed the following material finding: the committee failed to identify the official committee name in telephone communications, in violation of San Diego Municipal Code section 27.2970.**

[REDACTED]

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Rosalba Gomez  
Audit Program Manager

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Date

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Sharon Spivak  
Executive Director

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Date