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Former Chula Vista Councilwoman Defends Against Lawsuit; Fights For Equal Political Access

SAN DIEGO, June 14, 2007 – Former Councilwoman Patty Chavez announced today that she will defend the right for equal access to the system for all future candidates in Chula Vista.

On June 7, 2007 Special Counsel for the City of Chula Vista filed a complaint alleging violations of Chula Vista Municipal Code Section 2.52.100 which governs campaign contributions. The complaint alleges Chavez made inappropriate personal loans to her 2006 campaign.

According to Chavez's attorney, Joseph N. Casas (Casas Law Group, PC), "Chula Vista's campaign financing ordinance is unconstitutional and creates a barrier to equal access to Chula Vista's political system." "Despite the confusing and misleading ordinance, Ms. Chavez took steps to ensure she was abiding by election laws – and her actions were approved by the City Clerk," said Casas.

Chavez believes the allegations against her go beyond this lawsuit. "The city offers no means for candidates to understand the complex election laws either through workshops or a question and answer center," said Chavez. "We want representation at public office level to be reflective of Chula Vista's vibrant community, not just people who can afford to pay high-priced lawyers and consultants to help them understand a confusing and misleading ordinance."

Perhaps of greater concern is Chula Vista's practice of setting aside taxpayer funds to hire private attorneys to investigate and prosecute purported violations of Chula Vista's campaign financing ordinances. "Once retained, these hired guns are unchecked in their unilateral interpretation and application of elections laws and stop at nothing less than a full admission of wrongdoing, even where none exists," Casas stated.

The danger in hiring special counsel is apparent in this case. On October 24, 2006, Special Counsel to the City of Chula Vista John W. Witt (Lounsbery, Ferguson, Altona & Peak LLP) issued his seven-page Findings of Fact & Conclusions of Law to the City of Chula Vista. "There is nothing [in the] record to indicate Ms. Chavez intended to hide loans to her campaign," Witt concluded. But regardless of his findings and the fact that Chula Vista recently appointed an Ad Hoc Committee to review the obscure ordinance, "Special Counsel tried to strong-arm me into paying a fine and his exorbitant costs of the fruitless investigation," Chavez stated.

Chavez plans to fight the lawsuit.

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