

Sanger Mayor Joshua Mitchell agrees to \$7k fine for election law violations

[fb fresnobee.com /2014/06/10/3971050/sanger-mayor-joshua-mitchell-agrees.html](http://fresnobee.com/2014/06/10/3971050/sanger-mayor-joshua-mitchell-agrees.html)

By John Ellis

Joshua Mitchell, Mayor of Sanger

SPECIAL TO THE FRESNO BEE

Sanger Mayor Joshua Mitchell has agreed to pay a \$7,000 fine to the state's political watchdog organization for election law violations related to his successful 2012 mayoral campaign.

The fine is part of an agreement reached between Mitchell and the state's Fair Political Practices Commission. The commission's board is scheduled to officially approve the agreement at its June 19 meeting.

According to the FPPC, Mitchell violated state election law by not timely reporting 39 contributions totaling more than \$7,000, and by using personal funds for his reelection bid that had not first been deposited into his campaign account.



In a written statement, Mitchell -- who was first elected to the Sanger City Council in 2010 -- said the violations were simply mistakes by an inexperienced candidate running with the help of volunteers, adding "we made honest, procedural mistakes. Nevertheless, the buck stops with me and I take full responsibility for the errors."

[Documents on the FPPC website](#) outline the violations in detail:

- In August 2012, Mitchell -- who was Sanger's mayor at the time, and was seeking reelection to the post -- solicited a \$1,000 donation from International Paper for a community event. The company later wrote a \$500 check and gave it to Mitchell, who endorsed the check with "Mitchell for Mayor of City of Sanger" and cashed it at the Buy & Bye Market.

The market later realized the check was made out to the city and not to Mitchell or his reelection campaign. After it contacted Mitchell, he told the market that he would have International Paper reissue the check to his campaign. The company refused.

Buy & Bye Market contacted Mitchell several times about the \$500 before finally reporting it to the Sanger Police Department. Sanger police, which began investigating, asked the Fresno County Sheriff's Office to do a concurrent investigation.

A Fresno County sheriff's report on the incident said Mitchell told International Paper the donation was to rent a water slide for a community event.

During the Sanger police investigation, Mitchell denied cashing the check, the sheriff's report says, even though a surveillance camera at the store showed him doing it.

The sheriff's report said Mitchell later had one of his supporters repay the \$500. It concluded that

Sanger didn't lose any money and therefore wasn't the victim of a crime. Buy & Bye's owner also didn't want to press charges.

In the FPPC documentation, the commission staff noted that Buy & Bye was eventually repaid -- but not until after the November 2012 election.

In his statement, Mitchell also addressed the check, writing that he was "pleased the FPPC agreed that I was innocent of any wrongdoing concerning the \$500 check that was so thoroughly investigated by Fresno County sheriff's deputies, who also didn't find I had done anything wrong."

- Between July 1 and Sept. 30, 2012, Mitchell on 11 different occasions used a total of \$294 in personal money to make small campaign expenditures, but didn't first deposit that money into his campaign bank account.

During that same period, Mitchell's campaign received 27 non-monetary contributions, totaling \$6,237, from his company, Western Landscape Development, Inc.

On October 5, 2012, a campaign-finance statement didn't list either the 11 personal contributions or 27 non-monetary contributions, and also failed to list how that money was spent. A later amended report also failed to list any of the contributions.

- In April 2013 -- five months after Mitchell won reelection with around 60% of the vote -- his campaign filed a second amended campaign finance statement that included the 11 personal contributions or 27 non-monetary contributions, and how that money was spent.

It didn't, however, make any mention of the \$500 check.

Mitchell wrote in the wake of the "mistake," he made changes to his campaign.

"I decided to use a professional treasurer and a separate law firm to assure future compliance with all state campaign finance laws. I take full responsibility and have taken measures to correct any errors and future mistakes."

The reporter can be reached at (559) 441-6320, jellis@fresnobee.com or [@johnellis24](https://twitter.com/johnellis24) on Twitter.