

## REPRESENTATIVE KEN CALVERT

Representative Ken Calvert (R-CA) is a nine-term member of Congress, representing California's 44<sup>th</sup> congressional district. Rep. Calvert's ethics issues stem from (1) his use of earmarks for personal gain; (2) his illegal land purchase; and, (3) his connections to a lobbying firm under investigation. Rep. Calvert was included in CREW's 2006, 2007, and 2008 reports on congressional corruption.

### Earmarks for Self Enrichment

In 2005, Rep. Calvert and his real estate partner, Woodrow Harpole, Jr., paid \$550,000 for a four-acre piece of land at Martin Street and Seaton Avenue in Perris, just four miles south of the March Air Reserve Base in California.<sup>1</sup> Less than a year after buying the land – without making any improvements to the parcel – they sold the property for \$985,000, a 79% increase from the purchase price.<sup>2</sup> During this period, Rep. Calvert pushed through an earmark to secure \$8 million for an overhaul and expansion of a freeway interchange 16 miles from the property, as well as an additional appropriation of \$1.5 for commercial development of the area surrounding the airfield.<sup>3</sup>

Rep. Calvert and his partner have argued that the increase in the land value had nothing to do with the earmarks.<sup>4</sup> In 2005, however, Rep. Calvert made a point of noting that the improved interchange would “provide efficient and direct connectivity for the March Air Reserve Base,” which would certainly increase the value of the land.<sup>5</sup> In addition to making money on the sale of the land, Calvert Real Properties, Inc. – Rep. Calvert's real estate firm – received brokerage fees for representing both buyer and seller in the land deal.<sup>6</sup>

In 2005, Mr. Harpole brokered another deal with a group of investors.<sup>7</sup> For a purchase price of \$975,000,<sup>8</sup> the group bought property at 20330 Temescal Canyon Road, located a few blocks from the site of the then-proposed interchange.

Within six months following appropriation of the earmark for the interchange, the parcel sold for \$1.45 million.<sup>9</sup> Rep. Calvert's firm received a commission on the sale.<sup>10</sup>

---

<sup>1</sup> Tom Hamburger, Lance Pugmire and Richard Simon, *Calvert's Land Of Plenty*, *Los Angeles Times*, May 15, 2006 (Exhibit 1); Kimberly Trone and Claire Vitucci, *Calvert Denies Any Wrongdoing In Land Deal*, *Press Enterprise*, May 16, 2006 (Exhibit 2).

<sup>2</sup> *Id.*; *Corona Rep. Ken Calver Earned Big Bucks in Land Deals*, *Associated Press*, May 15, 2006 (Exhibit 3).

<sup>3</sup> *Associated Press*, May 15, 2006.

<sup>4</sup> Hamburger, Pugmire and Simon, *Los Angeles Times*, May 15, 2006.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> Hamburger, Pugmire and Simon, *Los Angeles Times*, May 15, 2006.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

Rep. Calvert also owns other Corona, California, properties likely affected by earmarking.<sup>11</sup> He and Mr. Harpole own multiple properties close to a bus depot for which Rep. Calvert earmarked money.<sup>12</sup> One of those lots was sold in 2005, but Rep. Calvert maintains that the earmark had no impact on the land's value.<sup>13</sup> Rep. Calvert and Mr. Harpole also own a 1,200 square foot office building at 63 W. Grand Boulevard, which was expected to be affected by a \$1.7 million earmark for the Corona Transit Center.<sup>14</sup>

Not only has Rep. Calvert benefited from earmarks, it appears that he has also benefited from preferential treatment on a four-acre land deal with Jurupa Community Services District (JCSD).<sup>15</sup> Under the \$1.2 million deal, Rep. Calvert and business associates were allowed to buy a parcel of public land without competition, at a time when the regional real estate market was booming.<sup>16</sup> Although California law requires government agencies to first offer public land for sale to other public entities before making a private sale,<sup>17</sup> Rep. Calvert was able to purchase the land without an initial public offering.<sup>18</sup> Jurupa, in turn, has benefited from water supply legislation that Rep. Calvert co-sponsored.<sup>19</sup>

### **5 C.F.R. § 2635.702(a)**

Members of the House are prohibited from “taking any official actions for the prospect of personal gain for themselves or anyone else.”<sup>20</sup> House Members are directed to adhere to 5 C.F.R. § 2635.702(a), issued by the U.S. Office of Government Ethics for the Executive Branch, which provides:

An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person ... to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.

---

<sup>11</sup> Trone and Vitucci, *Press Enterprise*, May 16, 2006; Hamburger, Pugmire and Simon, *Los Angeles Times*, May 15, 2006.

<sup>12</sup> Hamburger, Pugmire and Simon, *Los Angeles Times*, May 15, 2006.

<sup>13</sup> Id.

<sup>14</sup> Trone and Vitucci, *Press Enterprise*, May 16, 2006.

<sup>15</sup> David Danelski and Sandra Stokley, Sale Of Park Site Draws Questions, *Press-Enterprise*, August 18, 2006 (Exhibit 4).

<sup>16</sup> Id.

<sup>17</sup> Cal. Govt Code § 54222 (2006).

<sup>18</sup> Danelski and Stokley, *Press-Enterprise*, Aug. 18, 2006.

<sup>19</sup> Santa Ana River Water Supply Enhancement Act of 2005, H.R. 177, 109<sup>th</sup> Cong. (1<sup>st</sup> Sess. 2005) (Exhibit 5).

<sup>20</sup> House Comm. on Standards of Official Conduct, Memorandum For All Members, Officers and Employees, Prohibition Against Linking Official Actions To Partisan or Political Considerations, Or Personal Gain, May 11, 1999.

By using his position to earmark funds to increase the value of his own properties, and sponsoring legislation that benefited a municipality that had provided him with preferential treatment on a land deal, Rep. Calvert has violated 5 C.F.R. § 2635.702(a).

### **House Rule 23**

Rule 23 of the House Ethics Manual requires all members of the House to conduct themselves “at all times in a manner that reflects creditably on the House.”<sup>21</sup> This ethics standard is considered to be “the most comprehensive” provision of the Code.<sup>22</sup> When this section was first adopted, the Select Committee on Standards of Official Conduct of the 90th Congress, noted that it was included within the Code to deal with “flagrant” violations of the law that reflect on “Congress as a whole,” and that might otherwise go unpunished.<sup>23</sup>

This rule has been relied on by the Ethics Committee in numerous prior cases in which the Committee found unethical conduct including, the failure to report campaign contributions;<sup>24</sup> making false statements to the Committee;<sup>25</sup> criminal convictions for bribery;<sup>26</sup> accepting illegal gratuities;<sup>27</sup> and accepting gifts from persons with interest in legislation in violation of the gift rule.<sup>28</sup>

By using his position as a member of Congress to create earmarks that benefited his financial interests, Rep. Calvert engaged in conduct that does not reflect creditably on the House, in violation of Rule 23, clause 1. Similarly, by using his position to co-sponsor legislation that benefited Jurupa Community Services District – an apparent reward for the district’s preferential

---

<sup>21</sup> Rule 23, cl. 1.

<sup>22</sup> House Comm. on Standards of Official Conduct, House Ethics Manual, p. 12.

<sup>23</sup> House Comm. on Standards of Official Conduct, Report Under the Authority of H. Res. 418, H. Rep. No. 1176, 90th Cong., 2d Sess. 17 (1968).

<sup>24</sup> House Comm. on Standards of Official Conduct, *In the Matter of Representative John J. McFall*, H. Rep. No. 95-1742, 95th Cong., 2d Sess. 2-3 (1978) (Count 1); *In the Matter of Representative Edward R. Roybal*, H. Rep. No. 95-1743, 95th Cong., 2d Sess. 2-3 (1978).

<sup>25</sup> House Comm. on Standards of Official Conduct, *In the Matter of Representative Charles H. Wilson (of California)*, H. Rep. No. 95-1741, 95th Cong., 2d Sess. 4-5 (1978); H. Rep. No. 95-1743(Counts 3-4).

<sup>26</sup> House Comm. on Standards of Official Conduct, *In the Matter of Representative Michael J. Myers*, H. Rep. No. 96-1387, 96th Cong., 2d Sess. 2, 5 (1980); see 126 Cong. Rec. 28953-78 (Oct. 2, 1980) (debate and vote of expulsion); *In the Matter of Representative John W. Jenrette, Jr.*, H. Rep. No. 96-1537, 96th Cong., 2d Sess. 4 (1980) (Member resigned); *In the Matter of Representative Raymond F. Lederer*, H. Rep. No. 97-110, 97th Cong., 1st Sess. 4, 16-17 (1981) (Member resigned after Committee recommended expulsion). In another case, the Committee issued a Statement of Alleged Violation concerning bribery and perjury, but took no further action when the Member resigned (*In the Matter of Representative Daniel J. Flood*, H. Rep. No. 96-856, 96th Cong., 2d Sess. 4-16, 125-126 (1980)).

<sup>27</sup> House Comm. on Standards of Official Conduct, *In the Matter of Representative Mario Biaggi*, H. Rep. No. 100-506, 100th Cong., 2d Sess. 7, 9 (1988) (Member resigned while expulsion resolution was pending).

<sup>28</sup> House Comm. on Standards of Official Conduct, *In the Matter of Representative Charles H. Wilson (of California)*, H. Rep. No. 96-930, 96th Cong. 2d Sess. 4-5 (1980); see 126 Cong. Rec. 13801-20 (June 10, 1980) (debate and vote of censure).

treatment in the sale of land to him – Rep. Calvert engaged in conduct that does not reflect creditably on the House.

### **Relationship to Copeland, Lowery, Jacquez, Denton & White**

The lobbying firm formerly known as Copeland, Lowery, Jacquez, Denton and White (Copeland Lowery) is currently under investigation by a federal grand jury for its ties to Rep. Jerry Lewis (R-CA).<sup>29</sup> Rep. Lewis, as chairman of the House Appropriations Committee, has approved hundreds of millions of dollars in federal projects for the firm's clients, and specifically for interests represented by Copeland Lowery's principal, Bill Lowery.<sup>30</sup>

In apparent return, Mr. Lowery, his partners, and his firm's clients have donated 37% of the \$1.3 million that Rep. Lewis's political action committee has received over the past six years. Indeed, an unnamed source on Capitol Hill stated, "Word is getting around that if you want to be close to Jerry Lewis, it's a good idea to be close to Bill Lowery."<sup>31</sup>

Rep. Calvert has ties to both Rep. Lewis and Lowery's firm.<sup>32</sup> Rep. Lewis has been something of a benefactor to Rep. Calvert; he was the main proponent of Rep. Calvert's candidacy for former Rep. Tom DeLay's seat on the Appropriations Committee after the former majority leader resigned from Congress.<sup>33</sup> On May 23, 2006, the FBI obtained Rep. Calvert's financial records at the same time that they pulled Rep. Lewis's financial records.<sup>34</sup> According to Rep. Calvert, no one has contacted his office and he maintains that he has not been accused of any wrongdoing.<sup>35</sup>

After Rep. Lewis, Rep. Calvert was the inland California representative who has received the most amount of money from Copeland Lowery<sup>36</sup> – \$25,803 from Copeland employees for both his campaign fund and his PAC leading up to 2006.<sup>37</sup> Notably, Copeland Lowery was also the single largest donor for Rep. Calvert in the 2003-2004 election cycle.<sup>38</sup>

---

<sup>29</sup> Kevin Bogardus, Lobbying Firm Linked to Rep. Lewis Booms Despite Federal Investigation, *The Hill*, August 15, 2007 (Exhibit 6).

<sup>30</sup> Jerry Kammer, Close Ties Make Rep. Lewis, Lobbyist Lowery A Potent Pair, *Copley News Service*, December 23, 2005 (Exhibit 7).

<sup>31</sup> Id.

<sup>32</sup> Edward Barrera, FBI Reviews Calvert Links, *Inland Valley Daily Bulletin*, June 17, 2006 (Exhibit 8).

<sup>33</sup> Id.

<sup>34</sup> Claire Vitucci, Douglas Quan and Michelle Dearmond, Finances Of Lewis, Calvert Inspected, *Press Enterprise*, June 10, 2006 (Exhibit 9).

<sup>35</sup> Barrera, *Inland Valley Daily Bulletin*, Jun. 17, 2006.

<sup>36</sup> Vitucci, Quan and Dearmond, *Press Enterprise*, Jun. 10, 2006.

<sup>37</sup> Id.

<sup>38</sup> Barrera, *Inland Valley Daily Bulletin*, Jun. 17, 2006.

Records show that Rep. Calvert helped pass through at least 13 earmarks sought by Copeland Lowery in fiscal year 2005, for a total of \$91,300,000.<sup>39</sup> Rep. Calvert has put 69 earmarks into spending bills during the 2005-2006 congressional session, particularly high for someone who does not sit on either the Appropriations or Transportation Committees.<sup>40</sup>

### **Acceptance of a Bribe**

Federal law prohibits public officials from directly or indirectly demanding, seeking, receiving, accepting, or agreeing to receive or accept anything of value in return for being influenced in the performance of an official act.<sup>41</sup> It is well-settled that accepting a contribution to a political campaign can constitute a bribe if a *quid pro quo* can be demonstrated.<sup>42</sup> An investigation should be launched into whether Rep. Calvert violated 18 U.S.C. § 201(b)(2)(A) by taking money for his campaigns in exchange for earmarks to help the clients of Copeland Lowery.

### **Honest Services Fraud**

Federal law prohibits a member of Congress from depriving his constituents, the House of Representatives, and the United States of the right of honest service, including conscientious, loyal, faithful, disinterested, unbiased service, performed free of deceit, undue influence, conflict of interest, self-enrichment, self-dealing, concealment, bribery, fraud and corruption.<sup>43</sup> By accepting campaign contributions in exchange for earmarks to help the clients of Copeland Lowery, Rep. Calvert may be depriving his constituents, the House of Representatives, and the United States of his honest services in violation of 18 U.S.C. § 1341.

### **Illegal Gratuity**

The illegal gratuity statute prohibits a public official from directly or indirectly demanding, seeking, receiving, accepting, or agreeing to accept anything of value personally for or because of any official act performed or to be performed by such official.<sup>44</sup> In considering this statute, the Supreme Court has held that a link must be established between the gratuity and a specific action taken by or to be taken by the government official.<sup>45</sup>

---

<sup>39</sup> United States Senate Office of Public Records, Lobby Filing Disclosure Forms; Press Release, Office of Representative Ken Calvert, Rep. Calvert Supports Two Appropriations Bills, November 18, 2005; Press Release, Office of Representative Ken Calvert, Rep. Calvert Helps Secure Funding for Local Police Priorities, November 8, 2005; Press Release, Office of Representative Ken Calvert, Rep. Calvert Helps Secure More Than \$75 million for Local Water Supply and Flood Control Projects, November 8, 2005; Press Release, Office of Representative Ken Calvert, Calvert Priorities Included in FY 2005 Omnibus Appropriations Bill, November 17, 2005 (Exhibit 10).

<sup>40</sup> Hamburger, Pugmire and Simon, *Los Angeles Times*, May 15, 2006.

<sup>41</sup> 18 U.S.C. § 201(b)(2)(A).

<sup>42</sup> McCormick v. U.S., 500 U.S. 257 (1991); United States v. Biaggi, 909 F.2d 662, 665 (2d Cir. 1990), *cert. denied*, 499 U.S. 904 (1991).

<sup>43</sup> 18 U.S.C. § 1341.

<sup>44</sup> 18 U.S.C. § 201(c)(1)(B).

<sup>45</sup> United States v. Sun-Diamond Growers of Cal., 526 U.S. 398 (1999).

If a link is established between Rep. Calvert's actions to earmark funds for clients of Copeland Lowery and the campaign donations and donations to his PAC that Copeland Lowery, its employees, and associates made, Rep. Calvert would be in violation of the illegal gratuity statute.

In addition, the Committee on Standards of Official Conduct has used the acceptance of bribes and gratuities under these statutes as a basis for disciplinary proceedings and punishment of Members, including expulsion.<sup>46</sup>

### **5 U.S.C. § 7353 and House Rules**

A provision of the Ethics Reform Act of 1989, 5 U.S.C. § 7353, prohibits Members of the House, officers, and employees from asking for anything of value from a broad range of people, including "anyone who seeks official action from the House, does business with the House, or has interests which may be substantially affected by the performance of official duties."<sup>47</sup> House Rule XXIII, clause 3, similarly provides:

A Member, Delegate, Resident Commissioner, or employee of the House may not receive compensation and may not permit compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

If Rep. Calvert accepted campaign contributions from Copeland Lowery and its associates in return for legislative assistance by way of earmarking federal funds for the lobbying firm's clients, he likely violated 5 U.S.C. § 7353 and House Rule XXIII.

### **5 C.F.R. § 2635.702(a)**

By funneling federal funds to clients of Copeland Lowery, a lobbying firm that has provided him with generous campaign contributions, Rep. Calvert may have dispensed special favors and violated 5 CFR § 2635.702(a).

### **House Rule 23**

Congressman Calvert apparently accepted campaign contributions in return for legislative favors that financially benefited the clients of Copeland Lowery. Accepting anything of value in exchange for official action does not reflect creditably on the House and, therefore, violates House Rule 23, clause 1.

---

<sup>46</sup> *In the Matter of Representative Mario Biaggi*, H.R. Rep. No. 100-506, 100<sup>th</sup> Cong., 2d Sess. (1988) (recommending expulsion of the member from the House); *In the Matter of Representative Daniel J. Flood*, H.R. Rep. No. 96-856, 96<sup>th</sup> Cong., 2d Sess. (1980).

<sup>47</sup> See House Comm. on Standards of Official Conduct, "Memorandum For All Members, Officers and Employees," Rules Governing (1) Solicitation by Members, Officers and Employees in General, and (2) Political Fundraising Activity in House Offices, April 25, 1997.

## 2007 UPDATE

In 2007, Rep. Calvert came to the attention of federal investigators, who were examining his financial disclosure records for the years 2000-2005.<sup>48</sup> Rep. Calvert also has been connected to the FBI's probe of links between Rep. Jerry Lewis (R-CA) and the now-disbanded lobbying firm of Copeland, Lowery, Jacquez, Denton & White.<sup>49</sup> Rep. Lewis, who was also under federal investigation, strongly supported Rep. Calvert's selection for a seat on the House Appropriations Committee to replace a vacancy left by Rep. John Doolittle (R-CA), who gave up his seat as a result of an ongoing federal investigation into his relationship with convicted former lobbyist, Jack Abramoff.<sup>50</sup>

In addition to the federal investigation, a grand jury in Riverside County, California has examined the 2006 land sale by the Jurupa Community Services District to Rep. Calvert and his business partners.<sup>51</sup> The district had acquired the land for flood control and a park that was never built, and subsequently sold the land for \$1.2 million.<sup>52</sup> The grand jury concluded the sale was illegal because the district had failed to first offer the land to other public agencies.<sup>53</sup>

In May 2007, the House Committee on Standards of Official Conduct concluded that a \$5.6 million earmark Rep. Calvert had requested for a transit center only one-tenth a mile away from one of his properties, less than a mile away from four other properties, and less than two miles away from two additional properties he owns, did not constitute a conflict-of-interest.<sup>54</sup>

According to the committee, because Rep. Calvert was not the sole beneficiary of the project and the increase in his property value was speculative, there was no bar to his pursuit of the earmark.<sup>55</sup> Rep. Calvert's 2006 financial disclosure form shows that in December 2006, he sold property near the proposed transit center for between \$100,000 and \$1 million; the property was originally purchased for between \$250,000 and \$500,000.<sup>56</sup>

## 2008 UPDATE

---

<sup>48</sup> Susan Davis, Calvert Picked For Vacant Approps Seat, *Roll Call*, May 10, 2007 (Exhibit 11).

<sup>49</sup> Jeffrey H. Birnbaum, Lobby Firm Disbands Because of Investigations, *Washington Post*, June 17, 2006 (Exhibit 12); Wendy Leung, Calvert's Appointment Creates Concern, *Inland Valley Daily Bulletin*, May 10, 2007 (Exhibit 13).

<sup>50</sup> Davis, *Roll Call*, May 10, 2007.

<sup>51</sup> David Danelski, Report: Land Sold Too Cheaply, *Press Enterprise*, April 12, 2007 (Exhibit 14).

<sup>52</sup> Id.

<sup>53</sup> Jesse B. Gill, Board Silent On Grand Jury Report, *Inland Valley Daily Bulletin*, July 11, 2007 (Exhibit 15).

<sup>54</sup> Susan Crabtree, Ethics Panel Gives Green Light To Calvert Earmark, *The Hill*, May 18, 2007 (Exhibit 16).

<sup>55</sup> Id.

<sup>56</sup> Matthew Mosk, Lawmakers Cashing In On Real Estate, *Washington Post*, June 15, 2007 (Exhibit 17); Rep. Kenneth Stanton Calvert, Personal Financial Disclosure Statement for Calendar Year 2005, filed May 11, 2006; Rep. Kenneth Stanton Calvert, Personal Financial Disclosure Statement for Calendar Year 2006, filed May 15, 2007 (Exhibit 18).

## **Jurupa Land Deal**

Rep. Calvert maintains he had no knowledge any rules were being broken when he purchased land from the Jurupa Community Services District, he further maintains he has only come under fire for the purchase because of his position as a federal lawmaker.<sup>57</sup>

In March of 2008, the Riverside County Board of Supervisors denied the Jurupa Area Recreation and Park District's (JARPD) request to use eminent domain to acquire the land in question.<sup>58</sup> The JARPD has maintained that the land was given to the Jurupa Community Services District with the stipulation that it be used for a park.<sup>59</sup> A grand jury agreed that the Community Services District violated the law by selling the land to a private entity before offering it to other public agencies.<sup>60</sup> The Community Services District has since offered JARPD \$570,000 – one half of what it received from Rep. Calvert and his partner – to drop the issue but the JARPD has refused.<sup>61</sup> In August 2008, JARPD filed a lawsuit against the Jurupa Community Services District, alleging fraud and deceit in the property sale.<sup>62</sup>

A survey of Riverside County residents, conducted by JARPD, found that 90% of the community favored Rep. Calvert's land being put to public use.<sup>63</sup> In July 2008, based on the overwhelming response, JARPD put the issue to the voters asking them to decide on Measure P, which would allow the use of eminent domain to seize the land.<sup>64</sup> In August of 2008, voters approved the measure overwhelmingly, thereby allowing Jurupa parks officials to begin eminent domain proceedings.<sup>65</sup>

## **Federal Investigation**

In November 2007, federal investigators continued their probe into Rep. Calvert's earmarking activities and had pulled Rep. Calvert's 2006 and 2007 personal financial disclosures.<sup>66</sup>

## **2009 UPDATE**

---

<sup>57</sup> Ben Goad and Sandra Stokely, Inland Parks District Considers Forcing Calvert, Partners to Sell Disputed Land, *Press Enterprise*, November 16, 2007 (Exhibit 19).

<sup>58</sup> Liset Marquez, Eminent Domain Request Denied, *Inland Valley Daily Bulletin*, March 11, 2008 (Exhibit 20).

<sup>59</sup> Id.

<sup>60</sup> Id.

<sup>61</sup> Id.

<sup>62</sup> Sandra Stokely, Jurupa District Voters Endorse Using Eminent Domain for Park Site, *Press Enterprise*, August 26, 2008 (Exhibit 21).

<sup>63</sup> Liset Marquez, Survey: People Want Public Use for Calvert's Land, *Inland Valley Daily Bulletin*, June 8, 2008 (Exhibit 22).

<sup>64</sup> Sandra Stokely, District Seeks Voter Approval, *Press Enterprise*, July 26, 2008 (Exhibit 23).

<sup>65</sup> Stokely, *Press Enterprise*, Aug. 26, 2008.

<sup>66</sup> Tory Newmayer, FBI Probes Continuing, *Roll Call*, November 19, 2007 (Exhibit 24).

## **Jurupa Land Deal**

In August 2008, JARPD filed a lawsuit against the Jurupa Community Services District for fraud and deceit for selling four acres of property in Mira Loma to Rep. Calvert and his partners.<sup>67</sup> As of March 31, 2009, JARPD spent \$379,133 in legal expenses and, due to the land deal, it estimated spending \$450,000 in legal fees this fiscal year, well over the budgeted amount.<sup>68</sup> The lawsuit, paired with the economic downturn, has forced the park district to make budget cuts to compensate.<sup>69</sup>

On June 16, 2009, the Riverside County supervisors voted 3-1 to approve a zoning change to Rep. Calvert's property, reclassifying it from agricultural to commercial property.<sup>70</sup> The change will allow Rep. Calvert and his business partner, Stadium Properties, to build a storage facility that will likely increase the value of the property.<sup>71</sup> Despite the increase in land value, JARPD continues to hope to be able to purchase the property from Stadium Properties, but it is unclear if Stadium Properties will sell the land.<sup>72</sup> The park district wants to create a park or sports field on the land.<sup>73</sup> Rep. Calvert describes himself as a "passive one-third partner" in the land partnership.<sup>74</sup>

County Supervisor Bob Buster, the sole dissenter on the zoning vote, stated, "I can't get past a public figure who ... would go to a public agency and acquire land that's not been advertised for public view without checking on it first. If they had checked, they would have found out that ... a community services district was required by law to advertise this land."<sup>75</sup>

## **Federal Investigation**

The status of the investigation into Rep. Calvert is unknown.

---

<sup>67</sup> Sandra Stokley, Suit Drains District Funds, *Press Enterprise*, April 3, 2009 (Exhibit 25).

<sup>68</sup> Id.

<sup>69</sup> Id.

<sup>70</sup> Darrell R. Santschi, Disputed Calvert Land Rezoned, *Press Enterprise*, June 17, 2009 (Exhibit 26).

<sup>71</sup> Id.

<sup>72</sup> Id.

<sup>73</sup> Stokley, *Press Enterprise*, Apr. 3, 2009.

<sup>74</sup> Santschi, *Press Enterprise*, Jun. 17, 2009.

<sup>75</sup> Id.