

Anti-sprawl group targeted in complaint

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An unidentified group of Loudoun County citizens is seeking an investigation into whether an anti-sprawl group and eight County Board members violated state campaign finance laws.

In its Oct. 15, 1999 campaign filing, Voters to Stop Sprawl did not disclose to the state the names of eight candidates for whom the group collected \$2,580, according to the April 9 letter of complaint sent to Loudoun Commonwealth's Attorney Robert D. Anderson.

Ten days later, the organization spent \$11,994.41 on newspaper advertisements without disclosing the names of the candidates, the complaint states.

Attorney Thomas F. Plofchan Jr, who is representing the complainants, said it is "imperative" for Anderson to appoint a "third-party, neutral, special prosecutor" to investigate potential campaign finance abuses by Voters to Stop Sprawl.

"Appreciating that you received contributions from [Voters to Stop Sprawl] in your campaign, I believe it further calls attention to the prerequisite for a special prosecutor," Plofchan wrote.

He also named Supervisors J. Drew Hiatt, R-Dulles; Eleanore C. Towe, D-Blue Ridge; Sarah R. Kurtz, D-Catoctin; Charles A. Harris, D-Broad Run; James G. Burton, I-Mercer; William D. Bogard, I-Sugarland Run; Mark R. Herring, D-Leesburg; and board Chairman Scott K. York, R-at large, in the document.

Plofchan declined to disclose his clients'

names.

Anderson said Plofchan's letter contained "misrepresentations of both law and facts," but refused to elaborate. "As a rule, we don't take field complaints from anonymous complainants."

Voters to Stop Sprawl and the eight board members could be charged with a Class 1 misdemeanor if found in violation of campaign finance laws.

Voters to Stop Sprawl President Steve Nicklin refused to comment Wednesday.

Board members could not be reached for comment.

Plofchan says Virginia law requires political action committees such as Voters to Stop Sprawl to identify candidates to whom it contributes and to specify the amount spent on each candidate. The law also requires candidates for any local office to report contributions of more than \$500 within 24 hours of receiving them if they come within 13 days of the November general election. If the contributions are received 24 hours prior to Election Day, then the amount should be reported the same day.

But when the supervisors last ran for election in 1999, laws required contributions be reported within 72 hours.

The nine-member County Board was elected to office in 1999. Voters to Stop Sprawl helped raise election campaign funds for the eight board members listed in the complaint.

The reports also show the eight supervisors received amounts ranging from a little more than \$10,000 — for Hiatt — to \$2,716.98 each received

by Towe and Burton that were not reported until after the election.

The letter did not say how late the contributions were listed on the supervisors' campaign finance reports.

Herring said he reported all contributions within 72 hours of receiving them. "I think it is totally false and baseless," Herring said. "I don't know what [Plofchan] is talking about. For one thing, the law changed after the 1999 election."

Plofchan said, "I am not saying they did abuse campaign finance disclosure laws. I am asking Mr. Anderson to see if there was abuse."

Also according to the complaint, from July 17, 2000, to Dec. 6, 2001, campaign finance records of Voters to Stop Sprawl show that various individuals and organizations did not report in a timely fashion the amount they contributed to Voters to Stop Sprawl.

A special prosecutor is investigating allegations by Voters to Stop Sprawl that Citizens for Property Rights violated state election laws by not disclosing the financing and funding sources used to slam supervisors in paid newspaper advertisements. No charges have been filed to date. Plofchan is representing the pro-development property rights group.

"The Citizens for Property Rights did not file the complaint," said Jack Shockey, the organization's president. "I am not involved in this complaint either. I have 500 members and I can't keep track of who is doing what. These are Tom Plofchan's clients."