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From: tomlong@palosverdes.com

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To:

Subject: Is PVP Watch An Appropriate Part of RPV Politics?

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2 March 2011

Dear RPV Residents,

Early this week, PVP Watch's current chief spokesperson Sharon Yarber complained that the city and the city council are trying to silence her. This is an odd complaint coming from a person who has appeared every day for weeks on the city's television channel (33 on Cox and 38 on Verizon) participating in debates on Measure C. The claim of censorship is simply not true. The city has done everything reasonably possible to give broad exposure to Mrs. Yarber's point of view on Measure C. But Mrs. Yarber is correct that I have personally refused to appear with her in public (except once when I was promised a different spokesperson would attend) and have asked PVP Watch and "No on C" to replace her as a spokesperson, which they have declined to do. Why have I taken this unprecedented step?

Shortly after the events in Tucson, Councilmember Brian Campbell reported that Mrs. Yarber made the following statement to him: "Brian, if you participate (or words to that effect) in moving forward (as a vote on City Council) with the Annenberg project and a land exchange, then you need to know that there will be a huge number of people extremely angry with you.' Ms. Yarber then said, 'Brian, you don't want them coming to your house, and they know where you live, and picketing outside. You know what happened last week in Arizona.'" (Sheriff's Report of 1-17-2011). Shortly after the conversation, Campbell reported it to both the city attorney and to me. We both suggested he report the matter to the sheriff. He did so.

Mrs. Yarber responded to the allegation in a statement sent to the sheriff on January 28th by her attorney Carl A. Capozzola (more on him below) in which she essentially admitted Brian's allegation but put a different spin on the conversation. Mrs. Yarber indicated that "I cautioned him [Campbell], as a friend, that such unilateral action

[allowing the Annenberg project to proceed] would be politically stupid and there are people who would be enraged, which could be risky for him, since he would take the full brunt of responsibility if the conversion goes through. I explained this is a very emotional issue for a lot of people and many people are relying on him to stop the project from proceeding. It was in this context that the issue of Arizona, which issue was raised by [a planning commissioner] to me the evening before, came up in my second conversation with Brian.” (Sheriff’s Report of 2-8-2011).

I am no political ally of Brian Campbell’s, but I personally believe his description of events and disbelieve Mrs. Yarber’s carefully scripted response. Why? In part because Campbell has offered to take a lie detector test and Mrs. Yarber has essentially admitted his allegation. In part it is also because of Mrs. Yarber’s past dealings with city staff and with me. But I am also wary of her attorney Capozzola. He and Mrs. Yarber made untrue allegations that various people were trying to manipulate the sheriff’s investigation. I never spoke to the sheriff or district attorney about the investigation until I requested the sheriff’s reports (which are public records) after it was over. But this is par for the course for Capozzola, who was suspended from the practice of law for several years in 1984 after pleading guilty to obstruction of justice and receiving a two-month jail sentence. See the articles I have posted on my webpage www.palosverdes.com/tomlong under the “PVP Watch” tab for more information on his clients. I am also placing Capozzola’s disciplinary record and the sheriff’s reports cited above on my webpage as well. As an attorney, Mrs. Yarber had the same ability to discover Capozzola’s record. Her decision to retain him represents stunningly poor judgment.

PVP Watch is aware of most if not all of the information set forth above, but it and Mrs. Yarber both rest on the First Amendment and on the sheriff’s department’s and district attorney’s decisions not to prosecute Mrs. Yarber for her statement. It is true that the sheriff concluded that there is “insufficient evidence of such convincing force to warrant conviction.” (Sheriff’s Report of 2-15-2011). Reasonable doubt is a tough standard to prove. And Yarber’s attorney has also stayed on the right side of the law for a couple of decades. But the standard of conduct for participating in the political life of our community should be higher than simply avoiding criminal convictions, in my view.

Mrs. Yarber and her supporters have attempted to personify many of the issues facing the city by demonizing the city council and staff and comparing us to dictators in the

Middle East and North Korea. The reason for this is to advance PVP Watch's quest to control the city council. Mrs. Yarber has told me that she is "amazed" that people are "looking to her for guidance." She is determined to give us all her "guidance" and is likely running for city council, despite her denials. If she is elected, what will Mrs. Yarber's cronies Capozzola (a former RPV resident and council candidate) and PVP Watch founder and RPV resident Ken DeLong ask of her? We get a clue in DeLong's 9-9-2002 e-mail to a former councilmember complaining about the city failing to give him a contract after all of his support for that councilmember. (Also posted on my webpage.)

The voters of RPV don't need any "guidance" on Measure C in next Tuesday's election. We just need the opportunity to observe the discussion, weigh the issues, and make our decisions. I admit I am biased in favor of Measure C. But I have gathered links to all of the arguments (pro and con) on my webpage, including Mrs. Yarber's arguments and I have pushed hard for as many broadcasts of the Measure C debates as the city TV channel can handle. Consider all the arguments as you see fit and cast your vote on March 8th. I will respect your decision no matter what it may be. But I will not respect and will not associate with people whose standard of conduct is like that I see from Yarber, Capozzola and PVP Watch. I will do what I can to isolate such people.

Tom Long

Mayor, Rancho Palos Verdes