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In re Application of )

COMMUNITY ADVOCACY COALITION OF )  
VENTURA COUNTY )  
for New LPFM )  
Oxnard, California )

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File No. BNPL-2013AKO  
Facility ID No. 195126  
Reference: 1800B3-ATS

To: Peter Doyle, Chief Audio Division

## **APPLICANT'S RESPONSE TO BUREAU LETTER OF INQUIRY**

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## **I. Introduction and Summary**

Applicant is a highly regarded and well established community organization whose purposes are summarized in their Mission Statement<sup>1</sup> as:

*“Our mission as a Community Based Radio Initiative (CBRI) is to participate in and reflect the diversity of our community by presenting an educational broadcast program service for meeting the specific needs of the historically underserved African American residents in Ventura County, California and on the Central Coast.*

*Our programming addresses the educational, informational, cultural, economic advancement, and entertainment needs which have been neglected by commercial broadcasters.*

*Our intended content will be produced to provide uplifting programming that focuses on the relevant, critical issues affecting the economic, education, wellness, and legal well-being of the African American community, particularly the emerging generation (young men and women), an ever increasing number of whom are at-risk due to their socio-economic realities.”*

The Petition to Deny herein (“PTD”), filed on behalf of La Iglesia Cristiana de Oxnard, a formerly competing applicant for the Instant LPFM Station, makes the argument, without proof or evidence, that the members of the Board of Applicant willfully and knowingly concealed the prior a felony guilty plea of one of its Members, Alonzo G. McCowan (“McCowan”), who entered a guilty plea back in 2011.<sup>2</sup> As is more specifically discussed below, the other Board members at the time, and most specifically Applicant’s Board Chair, Byron K. Ward, who signed the Application (FCC Form 318), while generally aware that McCowan had been in legal difficulties several years before filing in late 2013, were unaware of the specific nature of the charges (i.e., whether they were for a misdemeanor, felony, or other type of infraction), and

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<sup>1</sup> Attachment 2, Exhibits Section, to Applicant’s FCC Form 318, executed November 6, 2013 (hereinafter “the Application”).

<sup>2</sup> See PTD at page 3.

indicated that they did not understand and had not been so advised that Question 7 in Section II inquired as to all felonies (rather than as many people read this section: felonies relating to the listed infractions).<sup>3</sup> It is noted that, two days after the PTD was filed with the Commission, McCowan resigned from Applicant's Board.<sup>4</sup>

The PTD goes on, for eight pages, to make the totally unproven and baseless argument that because McCowan's legal difficulties had been covered in the local press the five other members of Petitioner's Board were aware that it resulted in a felony plea. It also makes the baseless assumption that they were aware of those facts *and* understood Question 7 of Section II of their Application to require disclosure of *all* felony convictions, and that they willfully and intentionally misrepresented this information to the Commission. Based on those false and unproven assumptions, they argue that Applicant is itself guilty of concealment, misrepresentation, and lack of candor, that this (unproven) behavior somehow infects their character and the very character of Applicant, and that they will continue to mislead and otherwise violate the obligations of an FCC Licensee. Nothing could be further from the truth.

It is not contested that McCowan was a member of the board of Applicant at the time of filing; it is also true that he had plead guilty to a serious offense which was a felony. It is unknown to affiants hereunder whether McCowan reviewed the Application before it was filed and deliberately chose to conceal his prior felony conviction, did not properly understand the question, or failed to review the Application at all. It is conceded that, in connection with the filing of this Application, he did not draw attention to his prior felony conviction.

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<sup>3</sup> See, e.g., Exhibit 3, Declaration of Byron K. Ward, at §§ 4, 6, and 7; Exhibit 4, Declaration of Donald W. Montgomery, at § 4.

<sup>4</sup> It is unclear when Applicant was formally notified of the PTD, as the Certificate of Service, therein by its Counsel, is undated.

While several Board members were, in general, aware of McCowan's past legal difficulties,<sup>5</sup> other Board members at the time of filing (November 13, 2013) were, in general, aware that McCowan had been in legal difficulties of a criminal nature several years before.<sup>6</sup> Newspaper accounts relating to McCowan's legal difficulties had appeared several years earlier.<sup>7</sup> While generally aware that McCowan had had legal difficulties several years before, some Board members had no specific knowledge thereof and certainly were not aware of a felony plea.<sup>8</sup>

Those Board members who examined the Application closely read its Question 7 in Section II as inquiring as to felony convictions involving the classes of offences listed immediately thereafter (i.e., mass media, antitrust, unfair competition, fraud on government units, or discrimination).<sup>9</sup>

Given the high standing of the Board members of the Community Advocacy Coalition of Ventura County in Oxnard and its surrounding communities, there can be no serious question as to the character of this applicant. It is typical of the kind of community organization for whom the LPFM service was designed.

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<sup>5</sup> See, e.g., Exhibit 5, Declaration of Vernell J. Davis, at § 4.

<sup>6</sup> See, e.g., Exhibit 6, Declaration of John B. Hatcher III, at § 3.

<sup>7</sup> Cited in the Petition, dated April 2011, at fn. 2, September 2009 (*ibid.*), and related to an offense taking place in October 2004 (*ibid.*, fn. 4; see also fn. 7, relating to reports in December 2010).

<sup>8</sup> See Exhibit 3, Declaration of Byron K. Ward, at § 4; Exhibit 4, Declaration of Donald W. Montgomery, at § 3; and Exhibit 5, Declaration of Vernell J. Davis, at § 4.

<sup>9</sup> As have many others, in the experience of counsel.

II. **Requested Information Regarding Applicant Board Membership**

- a. List of names and addresses of Applicant's, Officers and Directors, as of the Date of Application, November 6, 2013.

**See Exhibit 1, Declaration of Byron K. Ward.**

- b. List of Officers and Directors as of the date herein.

**See Exhibit 2, Declaration of Arthur Joe Lopez.**

III. **Response to Allegations Raised in Petition to Deny**

*"I. CAC-VA Lacks the Basic Requisite Character Qualifications to be a Commission Licensee Because One of Its Board members Is a Convicted Felon"*

The Commission's Character Policy Statement states that "a propensity to comply with the law generally is relevant to the Commission's public interest analysis."<sup>10</sup> Petitioner refers to the Character Policy Statement for the proposition that an applicant's willingness to commit felonies is indicative of whether such applicant will conform to Commission rules and policies.<sup>11</sup> But Petitioner fails to include mitigating factors set forth in the same document, including "the frequency of the misconduct, the currentness of the misconduct, the seriousness of the misconduct, the nature of the participation (if any) of managers or owners, efforts made to

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<sup>10</sup> See 5 FCC Rcd No. 11, § 3.

<sup>11</sup> See PTD at p. 4.

remedy the wrong,”<sup>12</sup> which “must be taken into consideration in [the Commission’s] deliberations.”<sup>13</sup>

As is shown generally in the exhibits attached hereto, other than McCowan, the members of the Board of Applicant are community members of good standing and considerable professional achievement, and as such certainly demonstrate a propensity to comply with the law.<sup>14</sup> Indeed, one Member has for many years been involved in law enforcement and currently serves as a member of the Oxnard Police Chief Advisory Board.<sup>15</sup> The PTD does not suggest that any Board Member other than McCowan participated in the misconduct McCowan plead guilty to. In addition, as will be seen, each boasts a history of charitable community service and organizational work.<sup>16</sup> It is therefore unsupportable for the PTD to suggest that, as a result of McCowan’s conviction all the other members of the Board of Applicant or Applicant itself lack the basic character qualifications to become an LPFM licensee.

Of course mitigating factors must be taken into account. Whether McCowan’s own omission to make reference to his conviction was willful is unknown, however for the conduct of the other Board members in filing the Application to be so characterized is supported by no evidence whatsoever. As stated above and as supported by their declarations, at the time of its application Board members were generally aware that McCowan had experienced legal troubles in the past, but were unaware of its exact technical nature.<sup>17</sup> Furthermore, they did not possess specific knowledge regarding the nature or extent of those troubles (i.e., whether they fit into the categories of misdemeanor or felony).<sup>18</sup>

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<sup>12</sup> See 5 FCC Rcd No. 11, § 5.

<sup>13</sup> Id.

<sup>14</sup> See, generally, Exhibits 1–10.

<sup>15</sup> See Exhibit 7, Declaration of Vincent R. Stewart, at § 1.

<sup>16</sup> See, generally, Exhibits 1–10.

<sup>17</sup> See, e.g., Exhibit 4, Declaration of Donald W. Montgomery, at § 3.

<sup>18</sup> See, e.g., Exhibit 3, Declaration of Byron K. Ward, at § 4; Exhibit 4, Declaration of Donald W. Montgomery, at

*“II. Failure to Disclose McCowan’s Felony Conviction in the Application Constitutes a Material Misrepresentation and Demonstrates a Lack of Candor”*

As stated above, the Board members (other than McCowan) at the time of the filing of the Application, were not aware that they were certifying to a lack of any felony conviction and in several cases did not understand the Application to be asking about felony convictions at all.<sup>19</sup>

McCowan resigned from the Board by letter of August 20, 2014, two days after the instant Petition to Deny was filed.<sup>20</sup> It is undisputed that he, as one Board Member at the time of filing, was aware of his own felony conviction. As McCowan’s ties to Applicant have been severed, it is unknown whether he reviewed the Application in detail and willfully joined in the attestation, or whether (as seems more likely) he relied on the preparation of the Application by others and could have been unaware that he should have volunteered the information with respect to his conviction.

Given the overall character of Applicant and its past and present Board members, the defect in character (in the FCC sense) of McCowan cannot be said to infect the entire character of Applicant.

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§ 3; and Exhibit 5, Declaration of Vernell J. Davis, at § 4.

<sup>19</sup> See, e.g., Exhibit 3, Declaration of Byron K. Ward, at § 4; Exhibit 4, Declaration of Donald W. Montgomery, at § 3; and Exhibit 5, Declaration of Vernell J. Davis, at § 4.

<sup>20</sup> See Exhibit 11, Resignation Letter of Alonzo G. McCowan.

#### IV. Conclusion

As discussed herein, the failure to note the prior felony conviction of one board member, Alonzo G. McCowan, was an innocent mistake on the part of a board composed of mature professionals and community activists not previously involved in FCC proceedings. As soon as they learned of the problem presented by McCowan's past, he resigned from the Board and has since been replaced. As is shown by the declarations of past and present board members, they seek to provide their community with valuable resources, including the planned LPFM radio station. This innocent mistake by a group of committed laypersons does not infect the organization as a whole, and certainly does not provide evidence of intent to deceive, bad character, or show any likelihood whatsoever to be other than the most responsible kind of FCC licensee.

Respectfully Submitted:



Dated: 7/21/15

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## **TABLE OF EXHIBITS**

### **Exhibit No.**

#### **DECLARATIONS RE BOARD MEMBERSHIP**

1. CAC Board members as of November 2013, Declaration of Byron K. Ward.
2. CAC Board members as of July 2015, Declaration of Arthur Joe Lopez.

#### **DECLARATIONS OF ORIGINAL BOARD MEMBERS**

3. Declaration of Byron K. Ward.
4. Declaration of Donald W. Montgomery.
5. Declaration of Vernell J. Davis.
6. Declaration of John R. Hatcher III.
7. Declaration of Vincent R. Stewart.

#### **ADDITIONAL DECLARATIONS OF CURRENT BOARD MEMBERS**

8. Declaration of Dr. Eugene Fussell.
9. Declaration of Arthur Joe Lopez.
10. Declaration of Dr. William Gregory Sawyer.

#### **LETTER OF RESIGNATION**

11. Resignation Letter of Alonzo G. McCowan.

# **EXHIBIT 1**

**Declaration of Byron K. Ward**

**CAC Board Membership, November 2013**

**DECLARATION OF BYRON K. WARD  
CAC BOARD MEMBERSHIP, NOVEMBER 2013**

1. My name is Byron K. Ward. I reside at 2597 Sextant Avenue, Port Hueneme, CA 93041. I am Chair of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC").
2. The Officers and Directors of the Board at the time of CAC's filing of Form 318 (application for a low-power FM radio station license) with the FCC, in November 2013, were as follows:

Byron K. Ward, *Chair of the Board*  
2597 Sextant Avenue, Port Hueneme, CA 93041

Donald W. Montgomery, *President*  
4431 Olds Road, Oxnard, CA 93033

Vernell J. Davis, *Secretary*  
516 North Anita Avenue, Oxnard, CA 93030

John R. Hatcher III  
2121 Rhonda Street, Oxnard, CA 93036

Vincent R. Stewart  
2127 Mariposa Street, Apt. 3, Oxnard, CA 93036

Alonzo G. McCowan  
5263 Teton Lane, Ventura, CA 93003

3. I attach hereto, as Ward Exhibit No. 1, biographical information as to said (November 2013) Board members. As to the information with regard to the Board members other than myself, I declare on information and belief that the information presented is true and correct.
4. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 18 day of July, 2015.

Signature

  
Byron K. Ward

**WARD EXHIBIT No. 1**  
**CAC BOARD MEMBERS, NOVEMBER 2013**

**Byron K. Ward, Director and Board Chair**

2597 Sextant Avenue, Port Hueneme, CA 93941

Byron K. Ward is currently employed by JSL Technologies, Inc. ([jsltechinc.com/about-jsl](http://jsltechinc.com/about-jsl)), as a Senior Systems Analyst. He is also the President and CEO of Action Human Technologies, LLC, a consulting practice established in 1986 that provides services to corporate, governmental, and nonprofit communities. His current community service includes chairing the Community Advocacy Coalition, a 501(c)(3) nonprofit social justice organization comprising leaders from across the African-American community; serving as the Community Liaison of the Ventura County Branch of the National Association for the Advancement of Colored People; member of the Ventura County Chapter of the Black American Political Association of California, member of Citizen's Advisory Body of the Ventura County Community College District.

**Donald W. Montgomery, President**

4431 Olds Road, Oxnard, CA 93033

Donald W. Montgomery is retired from Southern California Edison, the primary electricity supply company for Southern California, after 39 years of service. He also worked as a steward for the IBEW Local #47 and was a certified officer in labor grievances and arbitrations. A former varsity basketball coach with the Oxnard Union High School District, Mr. Montgomery presently serves as the Chair of the Black American Political Association of California, Ventura County Chapter.

**Vernell J. Davis, Secretary**

516 North Anita Avenue, Oxnard, CA 93030

Vernell J. Davis is a lifelong human rights activist whose work with community-based organizations has centered on tending to the needs of the needy, including families with children and the elderly with disabilities. Working with such organizations as Operation Warm-Up, Rev. Harel Jackson Ministries, Helen Kelley Adult Daycare, and Cyrus Urban Interdenominational Sustainability Network comprised a large part of her community service. In addition, Mrs. Davis, together with her husband, Paul Davis, created Feeding Ministry, which fed the homeless living along Ventura County's Santa Clara River bottom for 16 years. An advocate for civil rights, she is a member the Black American Political Association of California, Ventura County Chapter. Presently, Mrs. Davis operates a home-based business, Sierra Compliance Services, that prepares income tax returns, bookkeeping services, and training for small to medium-size churches.

**John R. Hatcher III**

2121 Rhonda Street, Oxnard, CA 93030

John R. Hatcher III has been a civil rights leader and activist in the National Association for the Advancement of Colored People (NAACP) for over 60 years. He has presided as President of Ventura County's chapter for 38 years. In addition, he served as Chairman for five area Presidents of the NAACP representing nine states. Under his tenure, he successfully advocated for affirmative action programs, race relations, women's and veteran's issues, and for legislation to ensure quality and accessible education for all. Mr. Hatcher's passion and commitment in

defending the rights of all minorities has marked him as a widely acclaimed pioneer in the civil rights movement, and a living legend who continues to advance the cause of justice and equality for all people of color.

**Vincent R. Stewart**

2127 Mariposa Street, Apt. 3, Oxnard, CA 93036

Vincent R. Stewart is retired from Lockheed Martin after 27 years of service as a Senior Systems Security Engineer. He also worked as a Reserve Police Officer for the Oxnard Police Department as well as a Police Officer for the Ventura County Community College District. Currently, Mr. Stewart serves as a Planning Commissioner for the City of Oxnard, and is also a member of the Oxnard Police Chief Advisory Board, Vice-Chair for the Ventura County Chapter of the Black American Political Association of California, and Trustee for the Saint Paul Baptist Church in Oxnard.

**Alonzo G. McCowan** (resigned August 20, 2014)

5263 Teton Lane, Ventura, CA 93003

Alonzo G. McCowan is Pastor of the Miracle Center of Ventura, CA. Dr. McCowan has stated that he has been a minister since 1978 and that he is a graduate of the Oral Roberts University Ministry Training and Development Institute.

# **EXHIBIT 2**

**Declaration of Arthur Joe Lopez**  
**CAC Board Membership, July 2015**

**DECLARATION OF ARTHUR JOE LOPEZ  
CAC BOARD MEMBERSHIP, JULY 2015**

1. My name is Arthur Joe Lopez. I reside at 550 Janetwood Drive, Oxnard, CA 93030. I am a member of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA.
2. The members of the Board and the Offices presently held as of July 2015 are as follows<sup>1</sup>:

Byron K. Ward, *Chair of the Board*  
2597 Sextant Avenue, Port Hueneme, CA 93041

Donald W. Montgomery, *President*  
4431 Olds Road, Oxnard, CA 93033

Vincent R. Stewart, *Secretary*  
2127 Mariposa Street, Apt. 3, Oxnard, CA 93036

Dr. Eugene Fussell\*  
660 Fernwood Drive, Oxnard, CA 93030

Arthur Joe Lopez\*  
550 Janetwood Drive, Oxnard, CA 93030

Dr. William Gregory Sawyer\*  
5353 Seneca Place, Simi Valley, CA 93063

3. I attach hereto, as Lopez Exhibit No. 1, biographical information for current Board members who were not on the Board as of November 2013. As to the information with regard to the Board members other than myself, I declare on information and belief that the information presented is true and correct.
4. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 20<sup>th</sup> day of July, 2015.

Signature Arthur Joe Lopez  
Arthur Joe Lopez

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<sup>1</sup> Those members who are new to the Board since November 2013 are indicated by an asterisk (\*).

**LOPEZ EXHIBIT No. 1**  
**CAC BOARD MEMBERS, JULY 2015,**  
**WHO JOINED AFTER NOVEMBER 2013**

**Dr. Eugene Fussell**

660 Fernwood Drive, Oxnard, CA 93030

Dr. Eugene Fussell is a retired Admiral with the United States Navy after 37 years of military service. He is also a retired Physician Executive with Dignity Healthcare, the eighth largest healthcare provider in the United States, where he worked for 14 years. Dr. Fussell is a Board Certified Orthopedic Surgeon and Fellow of the American Academy of Orthopedic Surgeons.

**Arthur Joe Lopez**

550 Janetwood Drive, Oxnard, CA 93030

Arthur Joe Lopez served as a trustee for the Oxnard School District's Governing Board for 16 years. He was the founding Consortium Director for instructional television, serving the Oxnard area's five elementary and secondary school districts, as well as Oxnard College. Mr. Lopez was also the Communication Arts Chair and founding broadcast director for KCLU 88.3 FM, California Lutheran University's much acclaimed NPR radio station. Additionally, Mr. Lopez served as the Public Access TV Director for the City of Oxnard, as founding board member for Gull Wing's Children's Museum, and on Oxnard's Planning Commission.

**Dr. William Gregory Sawyer**

5353 Seneca Place, Simi Valley, CA 93063

Dr. William Gregory Sawyer is the founding Vice President for Student Affairs at California State University Channel Islands. Since accepting this position in 2004, Dr. Sawyer has received numerous accolades and awards for his tireless efforts in promoting a diverse student-centered Student Affairs division, and in 2013, he was appointed by Governor Jerry Brown to the California Student Aid Commission as the CSU system's representative. As Vice President, Dr. Sawyer is tasked with providing vision, leadership, and strategic direction to programs and personnel within the Division of Student Affairs, which includes Assessment & Strategic Operations, Associated Students Incorporated, Housing & Residential Education, Student Life, and Wellness & Athletics.



# **EXHIBIT 3**

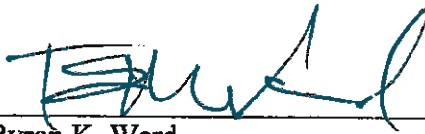
**Declaration of Byron K. Ward**

## DECLARATION OF BYRON K. WARD

1. My name is Byron K. Ward. I reside at 2597 Sextant Avenue, Port Hueneme, CA 93041. I am a Senior Systems Analyst at JSL Technologies, Inc., of Oxnard, CA.
2. I am Chair of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC").
3. I became Chair of the Board in July 2013. The other members of the Board at that time were John R. Hatcher III, Donald W. Montgomery, Vincent R. Stewart, Vernell J. Davis, and Alonzo G. McCowan. The composition of the Board was the same in November 2013, at the time of CAC's filing with the FCC for a low-power FM radio station license.
4. I first met Pastor Alonzo McCowan in fall 2010, at a planning session for the 2011 African-American Leadership Commission. I had known of Pastor McCowan prior to 2010 and had heard something about his legal troubles, but I had not followed them closely in the media. At the time Pastor McCowan joined the Board, in July 2013, it was my understanding that his legal difficulties were behind him, and since that time I have been aware of no other legal troubles in which he may have been involved.
5. As Chair of the Board, I was responsible for the preparation of our application to the FCC. I consulted the website of the Prometheus Radio Project ("Prometheus") for guidance and subsequently contracted with Prometheus to receive assistance with the application. Ian Smith of Prometheus provided me with assistance in its preparation.
6. In reviewing the application, I read the phrase "any felony" in the Adverse Findings section of FCC Form 318 as referring specifically to any mass-media, antitrust, government-fraud, or discrimination-related felony.
7. The application was distributed to the other Board members for review prior to its submission. The question of whether any Board members had been involved in legal trouble was never raised by Mr. Smith of Prometheus or any member of the Board, and the issue was never discussed.
8. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 19 day of July, 2015.

Signature

  
Byron K. Ward

# **EXHIBIT 4**

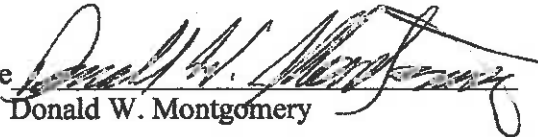
**Declaration of Donald W. Montgomery**

## DECLARATION OF DONALD W. MONTGOMERY

1. My name is Donald W. Montgomery. I reside at 4431 Olds Road, Oxnard, CA 93033. I am now retired. For 39 years, I worked at Southern California Edison in Ventura, CA, the last seven of which as Service Supervisor.
2. I am President of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I was President of the Board when CAC filed its FCC application for a low-power FM station in November 2013.
3. I had become acquainted with Pastor Alonzo McCowan in passing conversations about the kind of organizational work that was needed in our community, and got to know him after he joined the Board in 2013. I had read in the press about Pastor McCowan's legal troubles and understood that some kind of plea deal had been made. At the time Pastor McCowan joined the Board, it was my belief that his legal difficulties were behind him. From that time forward, I have been aware of no other legal troubles in which he may have been involved.
4. I reviewed CAC's application to the FCC for a low-power FM radio station. I understood the phrase "any felony" in the Adverse Findings section of FCC Form 318 as referring specifically to any mass-media, antitrust, government-fraud, or discrimination-related felony.
5. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 20<sup>th</sup> day of July, 2015.

Signature

  
Donald W. Montgomery

# **EXHIBIT 5**

**Declaration of Vernell J. Davis**

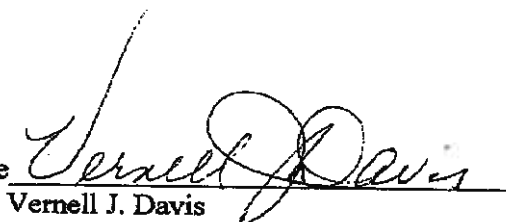
### DECLARATION OF VERNELL J. DAVIS

1. My name is Vernell J. Davis. I reside at 516 North Anita Avenue, Oxnard, CA 93030. I own and operate a home-based business, Sierra Compliance Services, that prepares income tax returns and provides bookkeeping services and compliance training for small to medium-size churches
2. I am the former Secretary of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I was Secretary of the Board when CAC filed its FCC application for a low-power FM station in November 2013. I served as Secretary until August 2014, when I resigned from the Board, for personal reasons.
3. My first face-to-face encounter with Pastor Alonzo McCowan was at a CAC Board meeting in July 2013. I had known of Pastor McCowan for more than 15 years, and first spoke to him by telephone regarding my husband's feeding ministry for the homeless, in which a few of the women from his church were participating. This took place several years before I joined the Board of CAC. Shortly before joining the board, I became aware of the efforts of Pastor McCowan and others in uniting the African-American ministers and those of other ethnic groups in addressing some of challenges facing our respective communities. One manifestation of that union was the ministers' march that drew attention to the issues of violence in our community.
4. I had read about Pastor McCowan's legal troubles in the newspaper, but understood that they were behind him by the time he joined the Board in 2013. I am aware of no other legal troubles in which he may have been involved.
5. I read over CAC's Form 318 (application for a low-power FM radio station license) before it was submitted to the FCC, but do not recall any language in the application that caused me concern.
6. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 19 day of July, 2015.

Signature

Vernell J. Davis



# **EXHIBIT 6**

**Declaration of John R. Hatcher III**

### DECLARATION OF JOHN R. HATCHER III

1. My name is John R. Hatcher III. I reside at 2121 Rhonda Street, Oxnard, CA 93036. I am now retired. For more than 22 years, I served in the United States Air Force, stationed at the Naval Base Ventura County. For 38 years, I was President of the Ventura County Chapter of the NAACP.
2. I am a former member of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I was a member of the Board when CAC filed its FCC application for a low-power FM station in November 2013.
3. I have been acquainted with Pastor Alonzo McCowan for many years, and got to know him through his membership in the NAACP. I became aware of Pastor McCowan's legal troubles when he approached me to ask for assistance in his defense. It was my understanding that Pastor McCowan's legal troubles were over by the time he joined the Board, in July 2013.
4. I reviewed CAC's Form 318 (application for a low-power FM radio station license) and discussed the application with other Board members before it was submitted to the FCC. I do not, however, recall reading the phrase "any felony" in the Adverse Findings section of the form.
5. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 18 day of July, 2015.

Signature

  
John R. Hatcher III



# **EXHIBIT 7**

**Declaration of Vincent R. Stewart**

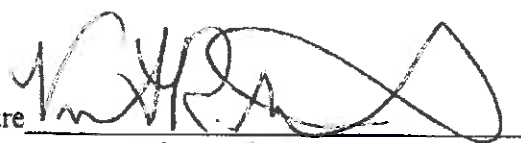
## DECLARATION OF VINCENT R. STEWART

1. My name is Vincent R. Stewart. I reside at 2127 Mariposa Street, Apt. 3, Oxnard, CA 93036. I am now retired. For 27 years, I worked as a Systems Security Engineer at Lockheed Martin in various locations to include: Port Hueneme, CA, Camarillo, CA, Santa Monica, CA, Onizuka AFB, Sunnyvale, CA & Los Angeles Air Force Base, CA. I served as a Reserve Officer with the Oxnard Police Department for 14 years.

My other community activities include:

- Member, Oxnard Police Chief Advisory Board (2010–present)
  - Police Officer, Ventura Community College District (part time) (1990–2001)
  - Planning Commissioner, City of Oxnard (past Chairman) (2010–present)
  - Board Member, Oxnard Housing Authority (2014–present)
  - Vice President, NAACP, Ventura County Chapter (2014–present; Secretary, 2007–2014)
  - Vice-Chair, Black American Political Association of California, Ventura County Chapter (2007–present)
  - Member, City of Oxnard Mayor Tim Flynn's Veteran's Day Celebration Committee (2014–present)
  - Member, Kappa Alpha Psi Fraternity, Ventura Alumni Chapter (Chapter Secretary, 2009–2010; Chapter President, 2010–2012; Editor in Chief, Western Region Newsletter, 2010–2013; Member, Western Region Board of Directors, 2010–2013; Editor, *The Journal* (national magazine), 2010–2013)
  - Vice-Chair, Board of Directors, Community Action of Ventura County (2014–present; Secretary, 2012–2013; Member, 2010–present)
  - Trustee and Deacon, Saint Paul Baptist Church, Oxnard (2006–present)
2. I am Secretary of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I was a member of the Board when CAC filed its FCC application for a low-power FM station in November 2013.
  3. I have known Pastor Alonzo McCowan for at least ten years, having met him in a social setting through mutual acquaintances. I heard about Pastor McCowan's legal troubles at the time they began in 2009, but because of my relationship to local law enforcement I did not follow them and never discussed them with Pastor McCowan. It was, however, my understanding that Pastor McCowan's legal troubles were behind him when he joined the Board in July 2013.
  4. I did not actually review CAC's Form 318 (application for a low-power FM radio station license) before it was submitted to the FCC.
  5. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 20 day of July, 2015.

Signature   
Vincent R. Stewart

# **EXHIBIT 8**

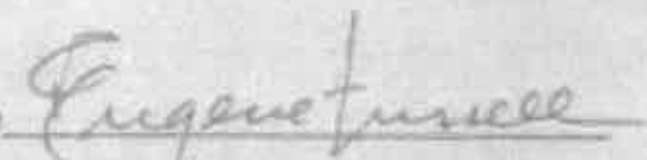
**Declaration of Dr. Eugene Fussell**

**DECLARATION OF DR. EUGENE FUSSELL**

1. My name is Dr. Eugene Fussell. I reside at 660 Fernwood Drive, Oxnard, CA 93030. I am a retired Admiral with the United States Navy after 37 years of military service. I am also retired as a Physician Executive with Dignity Healthcare, where I worked for 14 years. I am a Board Certified Orthopedic Surgeon and Fellow of the American Academy of Orthopedic Surgeons.
2. I am a member of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I joined the Board in December 2014.
3. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 18<sup>th</sup> day of July, 2015.

Signature



Dr. Eugene Fussell

# **EXHIBIT 9**

**Declaration of Arthur Joe Lopez**

## DECLARATION OF ARTHUR JOE LOPEZ

1. My name is Arthur Joe Lopez. I reside at 550 Janetwood Drive, Oxnard, CA 93030. I am now retired. I was a trustee for the Oxnard School District's Governing Board for 16 years and founding Consortium Director for instructional television in Oxnard's school districts and at Oxnard College. I was Communication Arts Chair and founding broadcast director for KCLU 88.3 FM, the NPR radio station at California Lutheran University. I also served as the Public Access TV Director for the City of Oxnard, a founding board member for Gull Wing's Children's Museum, and on Oxnard's Planning Commission.
2. I am a member of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I joined the Board in March 2015.
3. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 20th day of July, 2015.

Signature   
Arthur Joe Lopez

# **EXHIBIT 10**

**Declaration of Dr. William Gregory Sawyer**

## DECLARATION OF DR. WILLIAM GREGORY SAWYER

1. My name is Dr. William Gregory Sawyer. I reside at 5353 Seneca Place, Simi Valley, CA 93063. I am the founding Vice President for Student Affairs at California State University Channel Islands ("CSUCI"), where I have held that position since 2004. In 2013, I was appointed by Governor Jerry Brown to the California Student Aid Commission as the CSU system's representative. As Vice President at CSUSI, I provide vision, leadership, and strategic direction to programs and personnel within the Division of Student Affairs.
2. I am a member of the Board of Directors ("Board") of the Community Advocacy Coalition of Ventura County, CA ("CAC"). I joined the Board in December 13, 2014.
3. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 20 day of July, 2015.

Signature: \_\_\_\_\_

Dr. William Gregory Sawyer

7/20/15



# **EXHIBIT 11**

**Resignation Letter of Alonzo G. McCowan**



August 20, 2014

Dear Byron Ward & CAC Board,

Please accept my immediate resignation from my position with the CAC Board. Unfortunately, due to my ministry schedule, I am unable to continue to serve the CAC in the capacity that is needed. I will continue to support the forward the vision and goals of the CAC organization in the upcoming endeavors.

Sincerely,

Lonnie G McCowan ,D.D., J.D.

Pastor, Miracle Center, Ventura, CA

**CERTIFICATE OF SERVICE**

I, Peter Franck, hereby certify that for the forgoing Applicant's Response to Bureau Letter of Inquiry, with Exhibits is being served on the following by First Class Mail:

Dan J. Alpert  
The Law Office of Dan J. Alpert  
2121 N. 21st Rd.  
Arlington, VA 22201

Peter Franck

Dated: July 21, 2015

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