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Did CA Budget Chair Phil Ting use an extramarital affair to craft legislation?

written by Jennifer Oliver OConnell | Jun 19, 2020



LOS ANGELES: He is one of the most powerful politicians in Sacramento. She is the domestic worker who testified at Assemblywoman Lorena Gonzalez's first hearing in April 2019 on the notorious labor law, [^] n Bill 5 (AB5). Bay Area resident and author **Carmel Foster** first met **Assemblyman Phil Ting** (D-San Francisco) on an online dating platform. Now a naturalized citizen, Carmel Foster came to America from South Africa on a visa (fiancé visa) in 2003.

When Foster started the affair, she says she did not know that Ting's identity was that of the budget chair for California State Assembly.

Nonetheless, reports are that she soon found herself caught up in the dark underbelly of the legislative process in California. A process during which she says she was exploited not only by Ting for four years but by the California Labor Federation and the National Domestic Workers Alliance.

In speaking with Foster, she says *"I've never experienced abuse to this level,"* Foster says she was used as a prop to bolster support for a number of ballot measures and bills, including AB5.



Carmel Foster (Image courtesy author)

"These unions controlled my testimonies, got stories out of me, and then tossed me out. It was payday for them, not to help domestic

workers. I sat next to Lorena Gonzalez to testify at her AB5 hearing on April 3, 2019, yet she never talked to me and refused to meet with me beforehand. I've had so many sleepless nights. It's been hard for me as an immigrant and a divorcee, because I came from the corporate world. The worst humiliation is this person, Phil Ting, sleeping with me when I was living from motel to motel."

Phil Ting is a politician that likes to fly under the radar.

As assemblyman for San Francisco's District 19, Ting has been praised by **CalMatters** for "tilting at windmills" in terms of his lofty policy goals, and chooses to stand out for his sartorial style, if not his policy wins.

For those who mistake that for a lack of ambition, don't be fooled. From his early connection to Governor Gavin Newsom, then the progressive champion/mayor of San Francisco to his marriage to Susan Sun, a politically-connected spouse, to his timing of appointments, Ting's motivations are clear: to leave a footprint.

California EDD hits bottom, keeps digging with Audits and dodging Deloitte violations

Ting plays the long game not because he is plodding, but because wherever he chooses to go next, he will use a stepping stone. Just as he did in the San Francisco County Assessor's office, and as he is doing now in California State Assembly.

According to the Secretary of State's campaign website, the next stone is **State Controller in 2022**.

TING FOR CONTROLLER 2022; PHIL (ID# 1422646)	
CURRENT STATUS	ACTIVE
LAST REPORT DATE THIS SESSION	02/20/2020
REPORTING PERIOD	01/19/2020 - 02/15/2020
CONTRIBUTIONS FROM THIS PERIOD	\$0.00
TOTAL CONTRIBUTIONS 1/1/2020 - 02/15/2020	\$0.00
EXPENDITURES FROM THIS PERIOD	\$408.51
TOTAL EXPENDITURES 1/1/2020 - 02/15/2020	\$1,105.51
ENDING CASH	\$233,644.49

Like many in Sacramento, Ting has his predilections.

Ting began to frequent the dating site, "What's Your Price?" or "WYP." People sign up to the site and create profiles for things like how much would you pay for a dinner cruise on the San Francisco Bay? To how much for a round trip weekend in Paris? It's a cross between Hello Cupid and Ashley Madison; you can have a coffee date, an adventure, meet the one you love, or simply have a casual encounter.

Ting signed onto the site under the name of "Peter," with the email address thenostalgictraveller@gmail.com according to Foster.

With another Asian's profile picture (more on this later), Ting found Carmel Foster, who had just gone through a contentious divorce. It wasn't until almost nine months into their affair that she discovered his real identity while watching TV the night before the November 2016 election. Foster took a picture with her iPhone so she could capture the date: November 7, 2016.



On TV was an assembly member, Phil Ting, speaking in support of Measure RR. The assemblyman on the television was also the man that Foster knew as the consultant “Pete” or “Peter.”

“Am I going crazy? I took the picture from the TV and I texted to him. *Is this you?! If you’re Peter, I’ll be the pumpkin!*” she said in her interview with this writer. “This is the man I have been dating, not see him talk about Measure RR. I said, *this can’t be?!*”

“Peter” texted her back. “He said, *please, we’ll talk, we’ll talk.* I thought, *Man, I can’t believe you would take me for a fool like this!*”

“So many things went through my mind,” said Foster. “Remember, I’m homeless, I’m staying at hotels and motels. He’s come to every hotel, everywhere I am he wants to know where I’m at. He wanted me to stay at these motels, hotels to sleep with me. I remember one day I had all these [ballot measure] pamphlets on my bedside. He was looking at it, and he said, *Oh, I see you’re involved.* And I said, yes, I just registered to vote. He just laughed.”

Just as she had done in South Africa, Foster worked hard to build a life, take care of her child, and strived to establish herself as a professional person. After five years of marriage, she studied and gained her American citizenship. Once her daughter turned 17, she helped her to do this as well. Her daughter moved on to college and Carmel decided she had had enough.

It was time to disconnect from her abusive marriage, but this would also not be easy or have the outcome she desired.

“I came from apartheid, and I walked into a whole different situation that don’t make sense to me as a Black person, it’s like I’ve been singled out for deprivation,” she says.

Carmel Foster was no climber looking for a better life in America. Before emigrating, she had already built a life for herself in her native South Africa. She worked as an executive assistant to Fikile Tebogo de Buck, the female in the government and the chief financial and operating officer of the Council for Medical Schemes—a regulating body for the medical industry in South Africa).

California’s AB5 destroys women, minorities Gonzalez claims to champion

She owned her own home in a gated community, complete with her own domestic staff.

Despite a lack of formal education, Foster had been a part of accomplishing policy changes in the South African government post-apartheid. In 1997, she worked for the Association for Personal Service Organization:

“We advised the Minister of Labor and developed the Skills Development Act, the Skills Development Funding Act, and the South African Qualifications Act, she said. “During this time, we worked on the National Recognition of Prior Learning, where knowledge, skills, and years was used to come up with the National Qualifications Framework” or certifications—like advanced degrees. A powerful building block for working South Africans, especially domestic workers, who were a large majority that benefited from these initiatives.”

In her book, *The Awakening: A Story of a South African American*, Foster writes,

“Was I really ready to leave everything I had built for myself behind and start a new life from scratch in America? After lots of consideration, I figured I was ready to experience this ‘American Dream’”



In our interview, Foster says the 10-year relationship she had prior to her marriage (which produced her daughter) did not turn out as desired. She worked hard to pull herself and her daughter out of poverty and create a better life.

Her “handsome, tall Denzel Washington look-a-like” had a long work history with the City of San Francisco, he treated her and her daughter well, and she felt marriage to a successful Black American man would be the icing on the cake.

Carmel’s ex-husband had many vices

The costliest was his hoarding of old engines, oil, and other hazardous waste belonging to the City and County of San Francisco that should have been properly disposed of by them.

Instead, he brought them home and housed them in the back of their home in Fairfield, a Bay Area suburb. Foster spent years trying to get the waste removed and paid heavy fines and citations because of it. Foster stayed married to him for the sake of her daughter.

Family Law and the court system is inequitable to poor citizens and citizens of color.

Gavin Newsom’s privilege stymies his ability to reopen California

Foster was rightfully frightened of what might happen to her daughter if she tried to separate from her husband before she could gain her U.S. citizenship.

Because of her then husband’s employment with the City and County of San Francisco, and her earlier attempts to get them to intervene in the waste disposal, she was made a target in the divorce proceedings. Foster discovered the depths of her husband’s dishonesty and malfeasance and was dragged through a two-year court battle with multiple attorneys taking on, then dropping her case.

California is a no-fault state

After 11 years of an abusive marriage where she took the bulk of financial drain from her own personal savings, Foster ended up on the other side with a certificate of divorce, and nothing else. She was also barred from contacting the City and County of San Francisco, including Mayor Ed Lee.

After this ordeal, the state of mind she was in when "Peter" began his persistent correspondence was dismissed at best.



Human Kindness <zipporah1703@gmail.com>

Hi

1 message

Aa Aa <thenostalgictraveller@gmail.com>
To: zipporah1703@gmail.com

Wed, Mar 16, 2016 at 12:34

Hi. It's Pete again. Do you prefer email or text? You free Wed night?

He had corresponded with her several times since March of 2016, and when Foster responded in May, he mentioned he was "attached":

Aa Aa <thenostalgictraveller@gmail.com>
To: maria <zipporah1703@gmail.com>

Looking forward to it Carmel! How's the app been for you? What are you looking for?

On Monday, May 2, 2016, maria <zipporah1703@gmail.com> wrote:
yes, aaaaa, I remember, just love your smile.....see u later

"Education is the most powerful weapon which you can use to change the world" Nelson Mandela

Carmel Foster Gillis
zipporah1703@gmail.com | 415.407.0472

On Mon, May 2, 2016 at 11:27 AM, Aa Aa <thenostalgictraveller@gmail.com> wrote:



Beautiful!

On Monday, May 2, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
FYI I'm no sure if you saw my profile but I'm attached. Not sure if it changes your mind.

On Monday, May 2, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
Lol. Really? Funny. Well you read my note way back when. Lol. Looking forward to tonight

On Monday, May 2, 2016, maria <zipporah1703@gmail.com> wrote:
actually, you wont believe, I forgot about where we met. never been on it, until today. I'm looking forward to meeting you. hugs and kisse

"Education is the most powerful weapon which you can use to change the world" Nelson Mandela

Carmel Foster Gillis
zipporah1703@gmail.com | 415.407.0472

On Mon, May 2, 2016 at 11:36 AM, Aa Aa <thenostalgictraveller@gmail.com> wrote:
Looking forward to it Carmel! How's the app been for you? What are you looking for?

On Monday, May 2, 2016, maria <zipporah1703@gmail.com> wrote:
yes, aaaaa, I remember, just love your smile.....see u later

“This person was so persistent. Persistent. I told myself, *You know what? Maybe this is what I need* she said. “Remember, I was held in court for literally... it was 2014... two years. I was going through much. And I was like, I don’t want to focus on nobody good looking, smart, maybe this is what I need to sit down, and have coffee, and get my mind off it for a little bit.”

Foster lived in an apartment in Sacramento and chose to meet “Pete” at Scott’s Seafood on the River, near her neighborhood.

“While I was on my way, he texted me,” Carmel said. “He says, *When you get here, I’ll be sitting in the restaurant all the way to the back.* I texted back, okay. He also texted and says, *Did I tell you I’m married?*”

“I wrote back, *yeah you didn’t lie! You’re just married,* I said. *Don’t worry about it.* It didn’t bother

When she arrived at the restaurant and saw him from a distance, she thought it did not look like the picture had sent.

“I get there, and I looked. I shook my head and said, ‘For the first time, I can honestly say, somebody from the website—you look better in person than you do on your profile.’ This is a pleasant surprise

They ordered but didn’t eat. *“I was looking at his hands and looking at his demeanor. We clicked right away.”*

Foster said she let “Pete” take her home, and that night the affair began.

“He told me he was a consultant. I remember that first night he just wanted to know about me,” Foster said. “I felt comfortable telling him things, even though he was a stranger; he was definitely such a charmer.”

“Pete” was not content with a one-night stand, continuing to pursue Foster.

“Where are you, I need to see you, he’d text,” Foster said. “I thought, *You need to get a real job, I’m busy.* He came to my place, and he *literally* stayed at my place. Then he’d tell me he needed to go to San Francisco. So, he would come on a Monday, literally, he’s busy during the day, he comes to

about 7 o'clock at night and he'd leave in the morning, he'd leave around 7 o'clock AM. Then he left on a Thursday to San Francisco."



This continued from May through June of 2016, which dovetails with the California Legislature that met through July 1, then recessed for the summer. Foster writes in her book,

"I felt as though he was my best friend; he was always interested in knowing about what I was doing and where I was going. He talked to me about anything and everything and spent many hours overnight at my apartment[...] We would spend many nights together, at times relaxing in the hot tub and taking showers together. Whenever he would be busy playing pool with his 'boys,' he would always text or call me to let me know if he was late or on his way."

If Phil Ting's Instagram account is any indication, his "boys" are the California Asian and Pacific Islander Caucus with fellow assemblymembers Todd Gloria of the 78th District in San Diego, Ash Kalra of the 27th District in San Jose, Phillip Chen of the 55th District in Southern California, and David Chiu of the 17th District in San Francisco.



Foster continues:

"We could not stay away from each other, but when I had enough and blocked his number, he would send me an email and tell me to unblock him."

As the California Legislative year moved toward its summer recess, out of the blue, Foster receives a phone call from the Democratic National Committee offering her a position as a field organizer for Hillary Clinton's campaign in Philadelphia.

There are many conclusions one could come up with regarding this sudden offer. It was a naked attempt by Foster to move his mistress East. In this 2016 election year, the conventions for both parties were coming up, and the head California Democrat contingent would show up in force for Hillary.

Or, it was a naked attempt to get rid of her because he would not be able to be in Sacramento during the recess without raising eyebrows.

More than likely it was a combination of the two. Foster, who needed a glimmer of hope and wanted to make a difference for a candidate she supported, jumped at the opportunity.

“I was like, *Wow*. I have never been affiliated with any [American] political organization until I got this call,” she said. “Naturally, I am feeling excited because I was usually involved with the ANC, African National Congress, so it’s like... *huh*, I wonder how did they know about me? But I’m thinking that’s nice.”

She continues.

“I get to Philadelphia, and I was working as a field organizer for immigrants. I had my own challenges working as a field organizer. I talk about it in my book. I talk about the racism, I talk about Democrats—and I’m a Democrat. It’s scandalous.”

In the midst of her work with the DNC,

“Pete calls me, he texts me, this is while I’m in Philadelphia. And he’s telling me, *I’m in New York, I want to see you, come to this hotel*. And I’m like, *huh*, this is really too much! What is he even doing in New York? I told him, *Listen Dude, I am working, I cannot see you*. He texted me the room number, the hotel, everything.”

So, I didn’t say nothing to him, I just didn’t go, even though he just bugged me, bugged me, bugged me!”

On Monday, August 29, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Lol. Im just missing you. I think you did block me. Lol. Did you come back home? If not when do you come back.

On Monday, August 29, 2016, maria <zipporah1703@gmail.com> wrote:
 U funny

On Monday, August 29, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Are you blocking me? Lol

On Monday, August 29, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 How are you doing? Did you make it back home? I'm visiting NY in Sep if you want to visit me.

On Thursday, June 23, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Hi. Miss u

On Thursday, May 19, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Miss you so much!!! What are you doing?

On her return to California, Carmel found herself once again without a home. She stayed in motels, drove for Uber, and did domestic work. "Peter" tracked her down, and they restarted the affair, hooking up in hotels and motels by means of text and email.

Are you feeling better. Does this Tuesday the 25th work?

On Friday, October 21, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Thinking of you

On Friday, October 21, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 I miss hanging out with you so much!!! Hope the medication makes you feel better!!!

On Friday, October 21, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 You blocked my calls. Lol. Can you unblock me? Absolutely. I do have time. But I'm not as flexible in the evenings like Sacramento. I can hang out for much of the day Nov 1st. Can you get a hotel? I can also hang out for a few hours on next Tuesday Oct 25th. Let me know if those work for you.

On Friday, October 21, 2016, maria <zipporah1703@gmail.com> wrote:
 I really want to spend QUALITY time with you. Unless you have the time don't bother. Family comes 1st, value them. Enjoy your weekend.

On Friday, October 21, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 I could not wait any longer. I had to go. Buy groceries and meet up with my family. Let me know when you can meet up again

On Sunday, October 16, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Are you available and in Sac Monday night? I want to see you.

On Tuesday, October 4, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 What's your plan? How long are you staying before you go back home to South Africa?

On Saturday, September 24, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Are you coming today?

On Wednesday, August 31, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 How was your day?

On Tuesday, August 30, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 Morning!

On Monday, August 29, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:
 When can you come back?

On Monday, August 29, 2016, Aa Aa <thenostalgictraveller@gmail.com> wrote:

The California legislature resumed the session in August, doing more illustrious work like decriminalizing prostitution for people under 18 through SB1322. With the elections happening in a little over a month, the Democrat majority was sleepwalking into their new terms.

Foster was once again saved by an email out of the blue offering to pay her \$18 an hour to work on a campaign proposition.

“I remember it was 55, 56, 57, 58, and the job was in San Francisco for two companies: San Francisco Rising and the other one was We Are California,” Carmel said.



San Francisco Rising and We Are California are leading progressive groups calling for social justice (read: tax on the rich) and free college for all. The propositions they were pushing reflected this. Proposition 55 was a 12-year increase on anyone making 250,000 or more annually. Then Proposition 56 called for an increase in tobacco taxes. Proposition 57 called for barring teenage minors from being tried as adults. Finally, Proposition 58 called for bilingual education to remain in schools.

Measure RR was also on the 2016 ballot. This bond measure covering San Francisco, Alameda, and Contra Costa counties would supply \$3.5 billion to help improve the BART's (Bay Area Rapid Transit) infrastructure. Ting championed the measure, stating,

“We deserve a system that integrates BART with MUNI buses and light rail in a way that makes sense. We should be sure that transit stations and vehicle stops have good pedestrian access. In order to ensure that our transportation systems have good pedestrian access, we must implement Vision Zero. Walking is the simplest and most equitable form of transportation, so we must work to build walkable communities.”

During this time, Foster enjoyed her work as an organizer, especially for issues that were “near and dear” to

“So later on, the night before elections, I remember (November 7) that like yesterday. I'm watching the news because I can't wait to see all the props that I worked on. I turn on the TV, just watching, and then there was 'Peter,' only his name was Phil Ting.”



On November 8, 2016, Donald J. Trump beat Hillary Clinton to become the 45th President of the United States. California ballot Measure RR, as well as California propositions 55, 56, 57, and 58 were overwhelmingly approved by voters.

Assemblyman Phil Ting handily won his re-election for the District 19 Assembly seat with 80 percent of the vote. His alter ego, "Peter" had yet to explain himself to Carmel.

This is the first article in a three-part investigative series.

To view Carmel Fosters's testimony for Lorena Gonzalez' AB5 hearing in the Labor Committee on April 3, 2019 [scr...](#)
timecode 1:52: [Labor Committee Hearing 04-03-2019](#)

Karen Anderson, Managing Editor, At Home magazine, and columnist contributed to this article.



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- CALIFORNIA STATE ASSEMBLY
- CALIFORNIA'S AB5
- CARMEL FOSTER
- LORENA GONZALEZ
- PHIL TING
- SACRAMENTO
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JENNIFER OLIVER OCONNELL

Jennifer Oliver OConnell offers witty, insightful, and direct opinion, analysis and musings on local and national politics and popular culture, with occasional detours into reinvention, food and Yoga. Jennifer also teaches Yoga, and coaches clients on careers and reinvention. You can keep up with what's in Jennifer's orbit through her As the Girl Turns website.

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