



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

December 22, 2010

Mr. Perry Litchfield

Redacted

Re: Warning Letter
Re: FPPC No. 10/757; Perry Litchfield

Dear Mr. Litchfield:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code section 81000, and following. The Act requires that committees file campaign statements at periodic intervals. This letter is to inform you that you failed to comply with the campaign reporting requirements when you contributed \$3,000 on June 2, 2010, to the Mazzoni for Supervisor 2010 committee.

Section 82013, subdivision (c), defines one type of committee, commonly referred to as a major donor committee, as any person who makes contributions totaling \$10,000. The Act requires that a committee file a Late Contribution Report (LCR), Form 497, disclosing any contributions of \$1,000 or more made to support or oppose a candidate, ballot measure, or state political party during the "late reporting period," the 16 days prior to the election in which the candidate or measure is on the ballot. The LCR must be filed by the committee within 24 hours of making the contribution and filed at every location that the committee is required to file its regular campaign statements. (Section 84203.)

Since your \$3,000 contribution to the Mazzoni for Supervisor 2010 committee occurred during the "late reporting period," you were required to file an LCR within 24 hours of making the contribution. Accordingly, your failure to file the LCR was a violation of the Act. To fulfill this filing requirement, you must immediately file an LCR with the Marin County Registrar of Voters office. However, because you filed the Major Donor Campaign Statement, Form 461, disclosing the contribution in a timely manner and the fact that you do not have any prior enforcement violations, we have decided to close our file on this matter with a warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

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A warning letter is a Commission case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Commission will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

Although the Commission is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.)

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at (916) 327-2018 with any questions you may have regarding this letter.

Sincerely,

Redacted 

 Gary S. Winuk
Chief, Enforcement Division

GSW/tr

cc: Daniel Miller, Marin County Registrar of Voters