



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 22, 2009

Mr. Michael Rodriquez
Committee to Elect Michael A. Rodriquez

REDACTED

✓ Ms. Rosemarie Rodriquez
Committee to Elect Michael A. Rodriquez

REDACTED

Warning Letter Re: FPPC No. 07/004, Committee to Elect Michael A. Rodriquez; Michael Rodriquez; Rosemarie Rodriquez, Respondents

Dear Mr. and Ms. Rodriquez:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you and your committee that alleged that you failed to timely file campaign disclosure statements in connection with the November 7, 2006 election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee failed to file two pre-election campaign disclosure statements by their respective deadlines, and failed to file the committee's statement of organization by its respective deadline at the correct location.

The Act provides that once you have raised or spent \$1,000 or more in connection with your election, you are required to file a Statement of Organization (Form 410) within 10 days. (Section 84101.) That statement of organization is filed with the Office of the Secretary of State and with your local filing officer, and in your case that would be the Riverside County Registrar

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

of Voters. In addition, the Act requires that in connection with the November 7, 2006 election, you were required to file your first pre-election statement 40 days before the election, October 5, 2006 and your second pre-election statement 12 days before the election, October 26, 2006. (Section 84200.7)

Your actions violated the Act because you not only failed to file your statement of organization within 10 days of raising or spending \$1,000, but also failed to file it with the Office of the Secretary of State. Additionally, you failed to file your pre-election campaign statements by their respective deadlines. However, since it appears that your committee was primarily self-funded, we are closing this matter.

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.

A warning letter is an FPPC 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 FPPC 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 FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely

REDACTED

✓ Gary S. Winuk, Chief
Enforcement Division

✓ RGP/jt
cc. Mr. Robert Bier