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

December 19, 2012

Mr. Anthony Silva
Silva for Stockton Mayor 2012

REDACTED

Warning Letter Re: FPPC No. 12/882; Silva for Stockton Mayor 2012; Anthony Silva, Respondent(s)

Dear Mr. Silva:

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.

Just prior to the November 2012 election, the Enforcement Division conducted a pro-active inquiry of city and county clerks to verify candidate compliance in connection with the election in order to ensure that campaign disclosures were made prior to the election, when they are most important.

Based on our inquiry, we found that you and your committee failed to file your pre-election campaign statement due October 25, 2012. Additionally, we learned that your second pre-election statement due May 24, 2012 in connection with the June 5, 2012 election was not timely filed. We then directed you to file these delinquent campaign statements immediately. Based on this direction, you immediately filed your campaign statements with the city clerk, and these reports were filed on or before June 5, 2012.

Your actions violated the Act because you failed to file your pre-election campaign statements by their respective filing deadlines. (Sections 84200.7.) Pre-election statements serve an important purpose under the Act in that they inform the voters of campaign activity just

[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 18110 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.

prior to an election. By failing to timely file your statements, you deprived the voters of information pertaining to your campaign. However, since you have now filed your campaign statements, we are closing our file on this matter. Since you won your election as the new Mayor of Stockton, please note the importance and legal requirements to inform the public of your campaign contributions and expenditures. This information must be filed in a timely manner.

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

GSW/jt
cc: City Clerk, City of Stockton