



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

January 6, 2012

✓ Ms. Amy Herman
Committee to Elect Amy Herman, School
Board 2010

REDACTED

Ms. Cynthia B. Parti
Committee to Elect Amy Herman, School
Board 2010

REDACTED

Warning Letter Re: FPPC No. 11/1062; Committee to Elect Amy Herman, School Board 2010; Amy Herman, Cynthia B. Parti, Respondent(s)

Dear Ms. Herman and Ms. Parti:

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 referral from the San Diego County Registrar of Voters that alleged you failed to file a semi-annual campaign disclosure statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee failed to file a semi-annual campaign statement for the period January 1, 2011 through June 30, 2011 by the August 1, 2011.

The Act requires that candidates and their committees file campaign statements at periodic intervals. Specifically, the Act provides that candidates and their committees shall file

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.

semiannual statements on July 31 and January 31 of each year reporting activity for the prior six month period. (Gov. Code § 84200.) Additionally, you would continue to file campaign statements until you terminated your committee.

Your actions violated the Act because you failed to file your semiannual campaign statement due August 1, 2011 until December 29, 2011 and only after contact by the Commission's Enforcement Division. However, since you have now filed that statement, we are closing our file on 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

GSW/jt