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

January 21, 2015

Mayor Pam O'Connor for City Council 2014
Pam O'Connor, Candidate
David Gould, Treasurer
[redacted]

RE: Warning Letter
FPPC No. 14/1403; Mayor Pam O'Connor for City Council 2014; Pam O'Connor; and David Gould, Treasurer

Dear Ms. O'Connor and Mr. Gould:

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 sworn complaint that alleged you failed to have the proper sender identification on your campaign mass mailings. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the campaign mailers that supported your re-election to the Santa Monica City Council failed to have the required sender language. Section 84305 requires candidates and committees to include the name, street address, and city of the committee on each piece of mail in a mass mailing. Furthermore, Regulation 18435(d) states the committee name identification required by Section 84305 shall be preceded by the words "Paid for by."

Your actions violated the Act because you failed to have the "Paid for by" words preceding your committee name on your mass mailings as required by Section 84305. However, because the mailers included your committee name, address and city, we are closing 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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[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.

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.

The FPPC 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 FPPC'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,

Gary S. Winuk
Chief, Enforcement Division

GSW/tr

cc: Fred Huebscher
Mary Marlow, Santa Monica Transparency Group