



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

January 31, 2013

Democrats of Rossmoor
Attn: Gregory Sanborn

REDACTED

✓ Dana Snider

REDACTED

Warning Letter Re: FPPC No. 11/834, Democrats of Rossmoor and Dana Snider

Dear Sirs:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"), found in Government Code section 81000, et seq.¹ The FPPC received a complaint against Democrats of Rossmoor ("Committee") alleging that the Committee's semi-annual campaign statements contained inconsistent data from one reporting period to the next. The treasurer of the Committee at the time, and the Committee itself, are responsible for complying with the Act's reporting and recordkeeping requirements and are jointly liable for any violations of the Act.

The FPPC has completed its investigation of the facts. The FPPC found that the Committee's semi-annual campaign statements for the July 1, 2010 through December 31, 2010, and January 1, 2011 through June 30, 2011 reporting periods did not include adequate information for all expenditures of \$100 or more made by the Committee during that time, and that the Committee did not maintain adequate records.

For an expenditure of \$100 or more made by a committee, Section 84211, subdivision (k) of the Act requires the committee to report on its campaign statements the recipient's name and street address, the amount of the expenditure, and a brief description of the consideration received for the expenditure. You violated the Act by failing to provide this information for a number of expenditures made by the Committee during the second half of 2010 and first half of 2011. The Committee's bank records show that the Committee made expenditures from the Committee account that exceeded the \$100 threshold during this time but the Committee campaign statements did not provide that information required by Section 84211, subdivision (k) for those expenditures. Instead, the statements combined a number of expenditures of \$100 or more together and reported them as unitemized expenditures.

¹ All statutory references are to the Government Code unless otherwise indicated.

You also violated the Act by failing to maintain adequate records to establish that your campaign statements were properly filed. Section 84104 of the Act and California Code of Regulations section 18401² detail the recordkeeping requirements for committees. Upon request from the FPPC, the Committee did not produce records sufficient to satisfy the requirements of Regulation section 18401, subdivision (a) regarding contributions received and expenditures made by the Committee.

Despite these violations of the Act, mitigating factors exist such that the FPPC has decided to issue a warning letter rather than impose a fine. The Committee participated in limited campaign activity in recent years and terminated in 2012. Also, the violations appear to be the result of inexperience with campaign reporting. Lastly, the Committee, and its new treasurer, have fully cooperated with the FPPC's investigation.

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. 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. 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.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov. Please feel free to contact me at (916) 323-6302 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Dave Bainbridge
Commission Counsel
Enforcement Division

cc: Suzie Martinez

² All references to regulations are to the California Code of Regulations unless otherwise indicated.