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

February 13, 2015

Suisun City Police Officers Association
Dan Healy
[redacted]

RE: Warning Letter: FPPC No. 14/1313: Suisun City Police Officers Association; and Dan Healy

Dear Committee and Mr. Healy:

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 the Suisun City Police Officers Association (SCPOA) failed to file as a recipient committee in connection with Suisun City's November 2014 election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that SCPOA failed to file a campaign disclosure Form 496 within 24 hours when it expended funds to purchase campaign signs which supported two candidates and opposed two candidates.

Effective July 1, 2014, new rules address when a multipurpose organization, including a 501(c)(3), that makes political expenditures in California must register as a recipient committee. Pursuant to Government Code Section 84222, certain groups will qualify as recipient committees and must file campaign disclosure forms. However, based on the requirements under Section 84222, and the specific set of facts pertaining to the expenditure of campaign signs, SCPOA did not qualify as a recipient committee at this time. Nonetheless, SCPOA triggered filing obligations under the Act as an independent expenditure committee required to file the Form 461. (Section 82013.) Furthermore, due to the timing of the expenditure, SCPOA also triggered the Act's late independent filing requirements, and the Form 496 should have been filed within 24 hours of making the expenditure. (Section 84204.)

[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.

Your actions violated the Act because you failed to file the Form 496 within 24 hours of making the expenditure. Because you filed the Form 461 prior to the deadline, you filed the Form 496 immediately after the error was realized, and you do not have an enforcement history, we are closing this matter without any enforcement action.

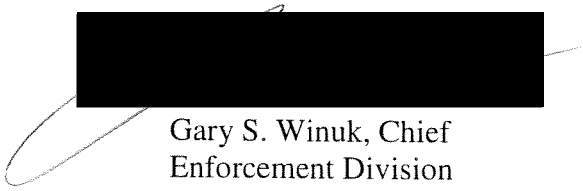
This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary 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.

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