



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

February 26, 2010

Mr. Harry Martin

REDACTED

**Warning Letter Re: FPPC No. 08/294; Harry Martin**

Dear Mr. Martin:

The Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (“Act”) found in Government Code Section 81000, and following. As you are aware, the FPPC was investigating whether you, as a candidate for Napa County Supervisor in 2008, violated the Act’s reporting and campaign disclosure provisions. Although we have determined that you violated a number of provisions of the Act, we are closing this matter with a warning letter based upon the facts of this case.

The investigation has determined that you failed to timely file a number of campaign statements for the 2008 June and November elections. First, you failed to timely file a campaign statement for the period covering March 18 through May 17. Although you filed this statement late, there was no activity to report. Second, you filed campaign statements late covering the periods from January 1 through March 17; July 1 through September 30; and October 1 through October 18. These statements were filed late but only within a few days of the due dates. You also failed to file your campaign statement for the period covering May 18 through June 30. For this statement, it appears as though you were provided incorrect advice from the Napa County Elections Office when you were told that your filings were up to date. Furthermore, you reported the activity for this period on your following campaign statements. Finally, on these statements you failed to properly report your campaign activity for the advertisements that you placed in the newspaper that you own, the Napa Sentinel. However, our investigation has determined that you reported the advertisement activity on your campaign statements prior to the November election.

We are closing this matter with a warning letter. Although you had a non delegable duty to understand and abide by the provisions of the Act, we are closing this matter with a warning letter based upon the specific facts of this case. You had little campaign activity during 2008, you have no prior enforcement action by the FPPC, and you currently do not hold an elected position.

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A warning letter is a 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 a 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 within 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 manuals or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. You may also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

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Mellonie S. Yang  
Assistant Chief of Enforcement

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