



FAIR POLITICAL PRACTICES COMMISSION

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March 11, 2015

Ms. Emily Gehrman
Long Beach City College Community
College Assn Pac



Warning Letter Re: FPPC No. 14/196, Long Beach City College Community College Assn Pac; Emily Gehrman, Treasurer, Respondents

Dear Ms. Gehrman:

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 complaint filed against the Long Beach City College Community College Association PAC ("committee") that alleged that door hangars produced by the committee to support Marshall Blesofsky were produced in corroboration with Dr. Blesofsky and should have been reported as a contribution by you.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the allegation made by the complainant is unfounded in that the committee did not work with the candidate in hosting the meet and greets identified on the door hangars. The meet and greets were arranged between Dr. Blesofsky and the faculty member hosting the event and the committee obtained that information either from the faculty member or from Dr. Blesofsky's publicly available Facebook page.

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.

We did however review your campaign statements and found entries or errors that required amendments.

The Act requires that a campaign committee must disclose the name, street address, amount of expenditure and a brief description of the consideration for which each expenditure of \$500 or more was made by an agent or contractor on behalf of the committee. (Section 84211(k)(6).) These payments, referred to as "subvendor payments," are reported on Schedule G of the Form 460. You were provided with an excerpt from the campaign disclosure manual that illustrates how subvendor payments are reported.

The Act also requires that any expenditure which is a contribution or an independent expenditure to support or oppose a candidate, the date of the contribution or independent expenditure, the cumulative amount made to the candidate, the full name of the candidate and the office and district for which he or she seeks election and the jurisdiction in which the candidate is voted upon. (Section 84211(k)(5).) In addition to reporting the name of the payee on Schedule E, that amount representing the contribution or independent expenditure to the candidate would be reported on Schedule D.

We determined that the committee failed to report as subvendor payments, the reimbursements made to campaign workers. For instance, on Schedule E, the expenditure schedule, a reimbursement in the amount of \$1,372 was made to you. This was for the purpose of purchasing postage. You were then required report on Schedule G, as a subvendor payment, any payment of \$500 or more made to the post office. Additionally, we noted on Schedule E that expenditures made in the form of campaign contributions were not also then reported on Schedule D. At our request, your committee amended its campaign statements to reflect the corrections we requested.

Your actions violated the Act because the committee failed to itemize subvendor payments of \$500 or more made through campaign workers and failed to report on Schedule D, those expenditures representing contributions or independent expenditures to a candidate. However, since you have since amended your campaign statements, we are closing this matter without 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.

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

Sincerely,



Galena West, Acting Chief
Enforcement Division

GW/jt

cc. Jeff Kellogg