



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

April 2, 2015

J. Clark Kelso
[REDACTED]
[REDACTED]

Re: In the Matter of J. Clark Kelso; FPPC No. 14/592

Dear Mr. Kelso:

In 2014, the Enforcement Division of the Fair Political Practices Commission ("Commission") opened a proactive investigation regarding your position as a federal receiver for the California Department of Corrections. The investigation was in response to the cancellation of the Request for Proposal #12265 (RFP). Please be advised that the Enforcement Division is closing its file on this matter without instituting an enforcement action against you.

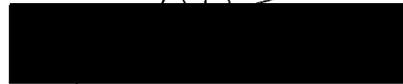
The Commission enforces the provisions of the Political Reform Act found in Government Code sections 81000 through 91014. Under the Act, no public official at any level of state or local government may make, participate in making, or in any way use or attempt to use her official position to influence a governmental decision in which she knows or has reason to know she has a disqualifying conflict of interest. (Section 87100.)

The focus of the investigation was whether you violated section 87100 by participating in the decision to cancel RFP #12265 while your wife was employed by RFP bidder, Health Net. However, the decision to cancel RFP #12265 occurred three days before the commencement of your wife's employment with Health Net. Therefore, you did not have an economic interest in the decision to cancel the RFP. After a comprehensive review of the matter, we have found insufficient evidence that you violated the Political Reform Act.

Even though we are closing our file on this matter, please be advised of the conflict of interest provisions of the Act in future decisions that you may make as a

public official. The Commission 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 Commission's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov. If you have any questions regarding this matter, feel free to contact me at (916) 322-5796.

Sincerely,

A black rectangular redaction box covering the signature of Galena West.

Galena West
Acting Chief of Enforcement