



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

April 6, 2015

✓ Mr. Dan Harp

Dan Harp for San Bernardino County Assessor-Recorder 2014



RE: Warning Letter

**FPPC No. 13/914; Dan Harp, Dan Harp for San Bernardino County
Assessor-Recorder 2014, Sally Hill, Treasurer**

Dear Mr. Harp:

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”) found in Government Code Section 81000, and following. Section 83123.5 was added to the Act to allow the Commission to have primary responsibility for the impartial administration, implementation, and enforcement of the County of San Bernardino Campaign Finance Reform Ordinance (the “Ordinance”). The Commission is authorized to be the civil prosecutor of the Ordinance and. The Commission and the County of San Bernardino entered into a contract for these services effective for the term of January 1, 2013 through December 31, 2014. Under this contract, the Commission agreed to audit each candidate campaign committee for elected county offices to detect violations of the Act and the Ordinance. As you may be aware, the Enforcement Division conducted an audit of your candidate controlled committee (“Committee”). The Enforcement Division has decided to close this case with this warning letter.

The audit examined \$51,044 in reported contributions and \$50,614 in reported expenditures from January 1, 2013 through June 30, 2014. Specifically, we found that your committee paid for and sent a mass mailer, which failed to include complete sender identification. The mailer consisted of an envelope, which included the committee’s name and address, and an enclosed letter, with your name and signature. The sender identification failed to include the phrase “Paid for by” in the sender identification, as required by Section 84305, and Regulation § 18435.

We determined that further enforcement action was not warranted since there was minimal public harm; it was clear from the disclosure provided that your committee sent the mailer, the expenditure was properly reported on campaign statements, and you have no prior enforcement history.

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 Enforcement Division 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

A solid black rectangular redaction box covering the signature of Zachary W. Norton.

Zachary W. Norton
Commission Counsel
Enforcement Division