



## FAIR POLITICAL PRACTICES COMMISSION

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

April 19, 2013

✓ Keith McCarter  
2010 Fontana Mayoral Candidate

# REDACTED

**Warning Letter Re: FPPC No. 13/234; Keith McCarter**

Dear Mr. McCarter:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code Section 81000, et seq. This letter is in response to your self-reported potential violation that alleged violations of the Act. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you accepted a contribution and used personal funds for campaign expenditures without first depositing those funds into a campaign bank account prior to making the expenditures.

Section 85201 requires all contributions made to the candidate, and any personal funds which will be utilized to promote the election of the candidate shall first be deposited into a campaign bank account and all campaign expenditures shall be made from the campaign bank account.

Your actions violated the Act because you failed to open a campaign bank account and deposit those funds prior to making campaign expenditures for your mayoral campaign. However, because you funded a majority of your campaign yourself, and you do not have an open committee, we are closing this matter with a warning letter.

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<sup>1</sup> 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.

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. However, because this is your second violation of the Act, please be advised that should an investigation become necessary due to a future violation of the Act, another warning letter will not be issued. Instead, you will be subject to an enforcement action.

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. Additionally, you can visit our website at [www.fppc.ca.gov](http://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,

**REDACTED**

Gary S. Winuk  
Chief, Enforcement Division

GSW/tr