



the advertisements it paid for supporting Measure S. The complainant submitted, along with the sworn complaint, copies of a number of advertisements that did disclose who paid for the advertisement. Citizens for Fair Laws provided us with copies of all of its advertising, which included each of the pieces the complainant sent us. All pieces had proper disclosure statements. The copies included with the complaint were only one-sided so they did not show the disclosure statement. In addition, the investigation found no evidence that ASA – NC did paid for any advertisements in support of Measure S and Citizens for Fair Laws had paid for each of the advertisements in question.

The investigation did find that Citizens for Fair Laws failed to properly file a campaign statement for the statement period ending June 30, 2014.

A ballot measure committee in an election year where the ballot measure appears on the general election ballot is required to file a campaign statement that covers the period from January 1<sup>st</sup> through March 31<sup>st</sup>.<sup>2</sup> The Act also requires a ballot measure committee to file a campaign statement for statement period ending on June 30<sup>th</sup> that covers the period from April 1<sup>st</sup> through June 30<sup>th</sup>.<sup>3</sup>

Citizens for Fair Laws filed its statement of organization on March 25, 2014<sup>4</sup> but it did not have any activity until May 5<sup>th</sup> when it deposited \$2,000 into its campaign bank account. That being the case, the Act required Citizens for Fair Laws to file a semi-annual statement that covered a period beginning when Citizens for Fair Laws qualified as a committee and ending on June 30<sup>th</sup>. Citizens for Fair Laws filed a pre-election statement on May 28<sup>th</sup> for a period starting on April 15<sup>th</sup> but the statement did not include a statement period end date. Citizens for Fair Laws next campaign statement covered the period from July 1<sup>st</sup> through September 30<sup>th</sup>, thus omitting the period from May 28<sup>th</sup> through June 30<sup>th</sup>.

According to Citizens for Fair Laws' bank statements, its only activity during the period for which it did not disclose its activity was the purchase of checks for \$24 on May 29<sup>th</sup>, and a \$50 check written from the account on June 11<sup>th</sup>. Given the lack of activity, this gap in Citizens for Fair Laws' statements caused negligible public harm. Citizens for Fair Laws' was inexperienced at campaign reporting and the investigation found no evidence it was attempting to deceive the public. Citizens for Fair Laws did file campaign statements properly during the second half of 2014 leading up to the general election when the vast majority of its activity occurred. Further, the committee terminated shortly after the election. For all these reasons, a fine is not justified in this case and we are closing this matter with this warning letter.

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<sup>2</sup> Section 84202.3

<sup>3</sup> Section 84200, subd. (a)

<sup>4</sup> All subsequent dates in this letter are in the year 2014.

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 need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Please feel free to contact me at (916) 322-5660 with any questions you may have regarding this letter.

Sincerely,

A solid black rectangular redaction box covering the signature of Dave Bainbridge.

Dave Bainbridge  
Senior Commission Counsel  
Enforcement Division

cc: Don Bessee, complainant