



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

May 27, 2015

Mr. Larry Walker ✓
Larry Walker Auditor Committee 2014

RE: **Warning Letter**
FPPC No. 13/912, Larry Walker, Larry Walker Auditor Committee 2014

Dear Mr. Walker:

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 may investigate possible violations and bring administrative actions prior to any election. 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 Committee reported \$37,585 in contributions and \$37,530 in expenditures from January 1, 2013 through June 30, 2014. Specifically, we found that the that the Committee received and deposited into the campaign bank account at least \$10,000 by January 29, 2014, meeting the threshold to trigger electronic filing requirements, but that the Committee did not file electronic statements of the periods ending March 17, 2014, May 17, 2014 and June 30, 2014. Campaign statements were filed in paper format on March 24, 2014, May 23, 2014 and August 4, 2014, respectively, and these statements were made available on line as scanned copies on San Bernardino County’s E-Filing System. Nine 24 hour reports were not filed electronically to disclose nine contributions totaling \$36,700 received within the 90 days prior to the 2014 Primary Election. The reports were filed late in paper format, and these reports were made available on line as scanned copies on San Bernardino County’s E-Filing System. San Bernardino County Ordinance § 12.4311 requires electronic filing for any candidate and the candidate's controlled committee that raises or spends at least \$10,000.

We determined that further enforcement action was not warranted since there was minimal public harm, scanned copies of campaign statements were made available electronically, 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.

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

Sincerely,



Zachary W. Norton
Commission Counsel
Enforcement Division