



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

June 4, 2014

Californians for Jobs and A Strong Economy
Daralyn Reed, Treasurer

REDACTED

**Re: FPPC No. 14/428 ✓
Warning Letter, Californians for Jobs and A Strong Economy; and Daralyn Reed,
Treasurer**

Dear Committee and Ms. Reed:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a sworn complaint filed against you that alleged a robocall produced by Californians for Jobs and A Strong Economy (the "Committee") failed to have the proper disclaimer language required by the Act. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. The Act requires certain disclaimer language on independent expenditures. Section 84506 requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure shall include a disclosure statement that identifies the name of the committee making the independent expenditure. Furthermore, Section 84506.5 requires an advertisement supporting or opposing a candidate that is paid for by an independent expenditure to include a statement that it was not authorized by a candidate or a committee controlled by a candidate.

Your actions violated the Act because the Committee failed to have the proper disclaimer required for a robocall supporting Jim Cooper for Assembly District 9 in the June 3, 2014 Primary election. However, because the Committee corrected the script for future robocalls prior to contact from the Enforcement Division, and you do not have an enforcement history, we are closing this matter with a warning letter.

¹ 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.

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. Please also visit our website at 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

cc: Peter Bagatelos, Bagatelos Law Firm
William Wong