



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

June 18, 2015

David Roberts  
San Diego County Supervisor



**Warning Letter Re: FPPC No. 15/357, David Roberts, San Diego County Supervisor**

Dear Mr. Roberts:

The Enforcement Division of the Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the "Act").<sup>1</sup> As you are aware, the Enforcement Division received an email from your office self-reporting a potential violation of the behested payment reporting provision of the Act. Specifically, your District 3 Special Events Fund received a contribution of \$5,000 from the United Domestic Workers of America (UDWA), made at your behest, while serving as a San Diego County Supervisor. The Commission has decided to close this case with this warning letter.

The Enforcement Division has completed its investigation of the facts in this case. Specifically, the Enforcement Division found that you, as a public official, requested that the UDWA make a payment, at your behest, to the District 3 Special Events Fund for use at the State of the County address. The UDWA subsequently agreed to make a payment of \$5,000 on June 25, 2014. Therefore, a behested payment, for which you had reporting obligations under the Act, was made on your behalf.

Under Section 82015, subdivision (b)(2)(B)(iii) of the Act, payments that are made principally for a legislative, governmental, or charitable purpose are neither contributions nor gifts to the elected official. However, the payments made at the behest of a candidate who is an

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

ected official must be reported by the official within 30 days following the date on which the payment or payments are made, if they equal or exceed \$5,000 in the aggregate, and are from the same source in the same calendar year.

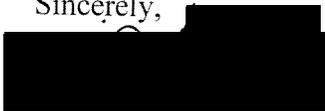
Although this filing was not made within 30 days of the actual date of the payment, we determined that further enforcement action for the late filing of this report was not warranted since there was little public harm and you self-reported this violation.

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 FPPC. 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 Tara Stock at (916) 327-2018 with any questions you may have regarding this letter.

Sincerely,

  
Galena West, Chief  
Enforcement Division

GW/ts