



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

July 3, 2015

Anthony Rackauckas
Orange County District Attorney



Advisory Letter RE: Anthony Rackauckas, Orange County District Attorney, 15-808

Dear Mr. Rackauckas:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the Act).¹ This letter is in response to a sworn complaint filed against you (copy enclosed). The complaint alleges that you intentionally failed to timely add the Chief of Staff position to your agency's conflict of interest code.

The Act requires every state and local government agency to adopt a conflict of interest code enumerating the positions within the agency that make or participate in making decisions which may foreseeably have a material effect on any financial interest. (Sections 87300 and 87302.) Pursuant to an agency's adopted code, designated positions must disclose certain economic interests including investments, business positions, real property, and income. (Section 87302(b).)

When circumstances make it necessary to change the code, such as the creation of a new position that must be designated, proposed amendments to the conflict of interest code must be submitted to the code reviewing body within 90 days of the changed circumstances. (Section 87306.)

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code.

Once brought to your attention, you timely complied with the Board of Supervisors' (your agency's code reviewing body) request to review and update your agency's conflict of interest code. However, in the future, pursuant to Section 87306, you must submit conflict of interest code amendments to the code reviewing body within 90 days of when changed circumstances become apparent.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely,


Galena West, Chief
Enforcement Division

GW/ts

cc: Ms. Shirley Grindle