



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

July 8, 2010

Mr. Alfonso Contreras

✓ Mr. Jonathan Contreras, Treasurer

Alfonso "Al" Contreras for Assembly 2010

REDACTED

Warning Letter Re: FPPC No. 10/488, Alfonso Contreras, Alfonso "Al" Contreras for Assembly 2010, and Jonathan Contreras, Treasurer

Dear Messrs. Contreras:

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 complaint filed against you that alleged you and your committee failed to file campaign disclosure statements. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee failed to timely file a semi-annual campaign disclosure statement covering the 2009 year, electronically file the 1st pre-election campaign disclosure statement, the \$5,000 and the 90-Day Election Cycle Reports.

Specifically the Act provides that candidates and committee treasurers file campaign disclosure statements at periodic intervals. (Sections 84200 and 84200.5.) In addition, the Act requires candidates and committee treasurers file campaign reports electronically with the Secretary of State as well as on paper. (Section 84605.) Once electronic filing requirements have been triggered, all future reports filed by the candidate's controlled committees must be filed electronically. (Section 84605(g).) In addition, committees that are required to file electronically are also required to file the \$5,000 and Election Cycle reports. (Section 85309.)

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.

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Your actions violated the Act because you failed to file the required reports in a timely manner. When you loaned your committee \$50,000, it qualified your committee for electronic filing and subjected you and your committee to Section 85309 of the Act. However, since the pre-election statement was filed by the deadline, the loan and the other contributions received that triggered the requirements of Section 85309 were disclosed and available for public review. We are closing this matter with a warning letter because the information was available for public review prior to the election, the electronic reports were filed immediately after contact from the Enforcement Division, public harm was minimal, and you and your committee do not have a history of violating the Act.

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.

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