FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

July 14, 2015

D. Shelly Yarbrough
Yarbrough 4 Assembly 2014
[redacted]

Warning Letter Re: FPPC No. 15/101; Yarbrough 4 Assembly 2014

Dear Ms. Yarbrough:

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 referral from the Office of the Secretary of State alleging that you failed to file a semi-annual campaign statement for the campaign committee Yarbrough 4 Assembly 2014 (the "Committee"). The Enforcement Division has completed its investigation and found that the Committee did not file a semi-annual campaign statement for the May 18, 2014 to June 30, 2014 reporting periods in the paper format.

The Act requires committees to file semi-annual campaign statements each year no later than July 31st for period ending June 30th and no later than January 31st for the period ending December 31.st [2] The obligation to file semi-annual statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.[3]

You violated the Act because you and the Committee failed to file semi-annual campaign statements in the paper format for the period ending June 30, 2014 despite remaining an open committee. But the Enforcement Division has decided to close this case with this warning letter rather than a fine because your committee does not have a prior history of violating the Act and you filed the statement electronically.

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[1] The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code.
[2] Section 84200.
[3] Sections 83116.5 and 91006.

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.

While the Enforcement Division does not intend to pursue further action in this case, the Committee must file the paper versions of the outstanding statements or it will incur additional filing penalties from the filing officer.

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 Preeti Grewal at [redacted] with any questions you may have regarding this letter.

Sincerely,

[redacted]

Galena West
Enforcement Division Chief

cc: Secretary of State