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

July 24, 2014

Election Digest-A Project of the Coalition for Literacy
[redacted]

Tracey Pomerance-Poirier, Treasurer
Election Digest-A Project of the Coalition for Literacy
[redacted]

Re: **Warning Letter**
FPPC No. 14/495: Election Digest-A Project of the Coalition for Literacy; and Tracey Pomerance-Poirier, Treasurer

Dear Slate Mailer Organization and Ms. Pomerance-Poirier:

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 pro-active investigation begun against you by the FPPC for a violation of the Act's slate mailer identification laws.

The FPPC has completed its investigation of the facts in this case. Specifically, the Election Digest-A Project of the Coalition for Literacy produced and mailed slate mailers which supported a number of candidates listed on the June 3, 2014 Primary election ballot that failed to have the proper boldface type printed on the mailers.

Section 84305.5 requires a slate mailer organization to include certain disclosures in its mailers. Subdivision (a)(2) requires that at the top or bottom of the front side or surface of at least one insert or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print which contrasts with the background so as to be easily legible and in a printed or drawn box and set apart from any other printed matter.

While the mailer had the required notice language, it was not printed in roman boldface type. However, because the mailer contained all other requirements of Section 84305.5, we are closing this case with this warning letter.

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[1] The Political Reform Act is contained is 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.

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 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 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,

Gary S. Winuk, Chief
Enforcement Division

GSW/tr