



FAIR POLITICAL PRACTICES COMMISSION

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July 25, 2014

Kindel Morris, Treasurer
Committee to Re-Elect Doug Ferrell to the Glendora
Unified School Board 2011 (1342564)



Warning Letter Re: FPPC Case No. 140594; Douglas R. Ferrell / Committee to Re-Elect Doug Ferrell to the Glendora Unified School Board 2011

Dear Mr. Morris:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2008 through December 31, 2011. A copy of the audit report is enclosed for your information.

The audit found the following violations of the Act: 1) records, such as, copies of invoices, credit card statements, or canceled check(s) were not provided for a \$2,570 payment disclosed as made to Impact Signs; 2) a Late Contribution Report was not filed for a \$1,500 loan received on October 25, 2011; 3) the loan was not reported on the Semi-annual Statement filed for the period ending December 31, 2011; 4) contributions totaling \$1,330 received after the election were not disclosed on the Semi-annual Statement filed for the period ending December 31, 2011; and 5) three expenditures totaling \$2,604 were not disclosed on the campaign statements. Section 84104 of the Act makes it the duty of each candidate and treasurer to maintain detailed records to establish that campaign statements were properly filed; regulation 18401 details the specific records required for receipts and expenditures. Section 84203 requires a committee that receives a late contribution, as defined in Section 82036, to file a late contribution report within 24 hours of receiving the contribution. Section 84211 of the Act requires that all contributions and expenditures be included in the campaign statements; Sections 82015 and 82025, respectively, define contributions and expenditures. Since the overall activity

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.

of the committee was small, and you, the candidate, and the committee do not have a history of violations of the Act, we have decided to close this case with a warning letter.

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 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.

Please feel free to contact Program Specialist Robert Perna with any questions you may have regarding this letter.

Sincerely,

A black rectangular redaction box covers the signature of Gary S. Winuk. A handwritten checkmark is visible to the left of the redaction.

Gary S. Winuk
Chief, Enforcement Division

Enclosure