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

August 1, 2014

Mr. John J. Griffin
John J. Griffin for
Ventura County Assessor 2014
[redacted]

Mr. Thomas A. Mullens, Jr.
John J. Griffin for
Ventura County Assessor 2014
[redacted]

Re: Warning Letter - FPPC No. 14/425, John J. Griffin for Ventura County Assessor 2014; John J. Griffin; Thomas A. Mullens, Jr., Treasurer, Respondent(s)

Dear Messrs. Griffin and Mullens:

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 as a result of a sworn complaint and a referral from the Ventura County Clerk concerning your failure to comply with the Act's campaign reporting provisions and sender identification provisions.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that despite notification by the Ventura County Clerk, you failed to amend your campaign statement for the period March 18, 2014 through May 17, 2014 to report the occupation and employer information for loans from the candidate and also failed to include the correct reporting period on your campaign statement.

[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.

Finally, we received a copy of a campaign mailer you sent in connection with the June election and while you provided the campaign website and campaign identification number (which is not required by the Act), you failed to include the committee's mailing address in the sender identification.

Specifically, the Act provides that for every person who contributes a cumulative amount of $100 or more, including loans, the campaign statement must disclose the person's full name, street address, and occupation and employer, or if self employed, the name of the business. (Section 84211(f).) The designation of "candidate" is not an occupation, nor does it provide the name of a person's employer.

The Act also requires that campaign statements report cumulative contributions and expenditures for a calendar year. (Section 82018.) Even though you may not have qualified as a committee until March of 2014, the reporting period for your first campaign statement must begin January 1, 2014.

Finally, with respect to mass mailings by a candidate, the candidate or committee must be identified by the name of the candidate or committee, street address and city and include the statement "Paid for by" preceding its name. (Section 84305; Regulation 18435.) The inclusion of a candidate's website or campaign identification number does not substitute for a street address.

Your actions violated the Act because the candidate made a loan to his committee but failed to include his own occupation and employer information; failed to include the correct reporting period on the first campaign statement filed by the committee, and failed to include the sender identification required by law

Since your campaign was primarily self-funded and the sender identification, while not correct, was recognizable to a reasonable person, we are closing our file on this matter. However, your campaign statements must be amended to correct the omissions described above. Those amendments must be filed with the Ventura County Clerk.

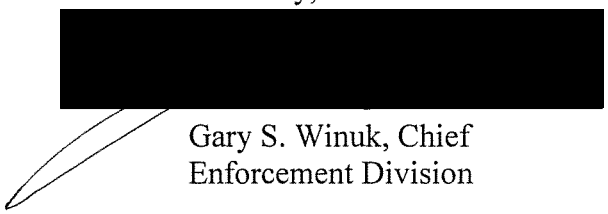
This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary 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 me with any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk, Chief
Enforcement Division

GSW/jt