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

August 7, 2015

Joshua Smith
Committee to Elect Joshua Smith CVESD 2014
[redacted]

Douglas Smith
Committee to Elect Joshua Smith CVESD 2014
[redacted]

Warning Letter Re: FPPC No. 15/281, Committee to Elect Joshua Smith CVESD 2014; Joshua Smith; Douglas Smith, Treasurer, Respondents

Dear Messrs. Smith and Smith:

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 San Diego County Registrar of Voters that alleged you failed to file a semi-annual Campaign Statement for the period October 19, 2014 through December 31, 2014.

The Enforcement Division has completed its investigation of the facts in this case. Specifically, we found that you failed to file your semi-annual statement due January 31, 2015.

[1] The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

Specifically the Act provides that candidates and their committees must file campaign statements on pre-election reporting schedules and on a semi-annual basis until such time as the committee is terminated. (Sections 84200/84200.5/84214.)

Your actions violated the Act because you and your committee failed to timely file a campaign statement for the period October 19, 2014 through December 31, 2014, which was due on January 31, 2015. However, that statement has now been filed with the San Diego County Registrar of Voters.

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 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.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Jeanette Turvill at [redacted] with any questions you may have regarding this letter.

Sincerely,

[redacted]

Galena West, Chief
Enforcement Division

GW/jt