



FAIR POLITICAL PRACTICES COMMISSION

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October 3, 2012

William J. Hunt

✓ Bill Hunt for Sheriff 2010

REDACTED

Barrett Garcia

Barrett Garcia & Co.

REDACTED

Warning Letter Re: FPPC No. 12/226; William Hunt, Bill Hunt for Sheriff 2010, and Barrett Garcia, Treasurer

Dear Mr. Hunt and Mr. Garcia:

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 of Bill Hunt for Sheriff 2010 performed by the Political Reform Audit Program of the Franchise Tax Board.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that in 2009 and 2010 Bill Hunt for Sheriff 2010 accepted nine contributions of \$100 or more, totaling \$1,650, in the form of money orders and cash.

The Act prohibits cash contributions of \$100 or more and contributions in the form of money orders of \$100 or more. (Section 84300, subd. (a) and (c).)

Mr. Hunt, Bill Hunt for Sheriff 2010, and Mr. Garcia violated the Act because they accepted nine contributions of \$100 or more in the form of cash and money orders, in violation of Section 84300, subdivisions (a) and (c).

The FPPC also found that in 2007 and 2008, Mr. Hunt paid for campaign expenses with personal funds without first depositing those funds into a campaign bank account.

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.

The Act requires that any personal funds to be used for campaign expenditures be first deposited into the campaign bank account. (Section 85201.)

Mr. Hunt violated the Act because he paid \$2,840.85 of the campaign's expenses from his personal funds without first depositing those funds into the campaigns bank account.

However, it appears that these were inadvertent errors, you fully disclosed these contributions on properly filed campaign statements, and you retained the required information in your campaign records. You also fully cooperated with the FTB audit and the FPPC investigation into this matter, and have no prior history of enforcement action by the FPPC. Also, the amounts involved in both violations are relatively low. Therefore we are closing this matter 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 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,

REDACTED

Milad Dalju /
Commission Counsel
Enforcement Division