



FAIR POLITICAL PRACTICES COMMISSION

128 I Street • Suite 620 • Sacramento, CA 95814-3329

Phone: 916.322.5666 • Fax: 916.322.0866

October 1, 2012

✓ Janice Rutherford
Janice Rutherford for Supervisor

REDACTED

Ravelle Lyn Greene, Treasurer
Janice Rutherford for Supervisor

REDACTED

Warning Letter Re: FPPC Case No. 12/627, Janice Rutherford, Janice Rutherford for Supervisor, and Ravelle Lyn Green, Treasurer

Dear Ms. Rutherford and Ms. Green:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a referral made by the San Bernardino District Attorney's office forwarding a finding in their office's investigation that comes under the jurisdiction of the Act.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the Janice Rutherford for Supervisor campaign committee accepted and negotiated a money order for \$1,000. Subsequently, when the San Bernardino District Attorney's investigation revealed the negotiated money order, the committee sent the contributor a check reimbursing the amount in total.

The Act prohibits contributions of \$100 or more made in the form of money orders. Specifically the Act states that "[n]o contribution of one hundred dollars (\$100) or more other than an in-kind

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.

contribution shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or the intermediary, as defined in Section 84302.” (GC § 84300(c).)

Your actions violated the Act because your committee accepted and negotiated a money order in excess of \$100 as a contribution. However, because you have no prior violations of the Act and because you reimbursed the contributor the full amount of the contribution when the contribution’s illegality came to light, we are closing your case with this warning letter. 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.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.) 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 or visit our website at www.fppc.ca.gov.

Please feel free to contact Adrienne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

REDACTED 

Gary S. Winuk
Chief, Enforcement Division

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cc: R. Lewis Cope, Deputy District Attorney, San Bernardino County District Attorney