



## FAIR POLITICAL PRACTICES COMMISSION

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September 21, 2010

✓ Alfred L. "Leroy" Ornellas  
Ornellas for Supervisor (1237630)  
Ornellas for Supervisor 2008 (1301695)

**REDACTED**

### **Warning Letter Re: FPPC Case No. 100708; Alfred Ornellas**

Dear Mr. Ornellas:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> found in Government Code section 81000, et seq. This letter is in response to two audit reports referred to us by the Franchise Tax Board. The audits covered a combined period of July 1, 2004 through June 30, 2008. Copies of the audit reports are enclosed for your information.

The audits found the following: (1) three campaign statements were not timely filed; (2) disbursements totaling \$12,989 were not disclosed on one initial pre-election statement, and (3) accrued expenses totaling \$27,880 were not disclosed on Schedule F prior to the election.

Sections 84200 and 84200.5 of the Act detail the requirements for filing semi-annual and pre-election statements. Section 84211 requires all expenditures of \$100 or more to be itemized on the campaign statements and Section 82025 defines an expenditure as being made on the date payment is made or consideration is received, whichever is earlier.

The findings in the audit reports are violations of the Act. The only transactions during the late-filed statement periods, however, were transfers to the newer committee and those were reported by the recipient. Additionally, the dollar amounts of the other violations were not large. Therefore, we have decided to close this case with a warning letter.

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<sup>1</sup> 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.

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 William Marland with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Sue Straine  
Chief Investigator  
Enforcement Division

Enclosures