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

November 17, 2014

Carl Johnson, Sr.
Brian O. Williams, Treasurer
Carl Johnson, Sr., for Perris Union High School Board 2014
[redacted]

Warning Letter Re: FPPC Case No. 14/1166; In the Matter of Carl Johnson, Sr., Carl Johnson, Sr., for Perris Union High School Board 2014, and Brian O. Williams, Treasurer

Dear Mr. Johnson and Mr. Williams:

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 the resolution to a letter previously sent to you. The FPPC has completed its investigation of the facts in this matter. Specifically, the FPPC found that you violated the Act's campaign disclosure provisions with regard to the campaign filings required once you qualified as a committee under the Act.

A primary purpose of the Act is to ensure that receipts and expenditures in election campaigns be fully and truthfully disclosed so that voters may be fully informed and improper practices may be prohibited. (Section 81002(a).) In furtherance of this goal, the Act provides that a committee (a candidate becomes a committee at the $1,000 threshold; see Section 82013) must file periodic campaign statements disclosing all contributions received and expenditures made. (Sections 84200; 84202.3; 84211(a) and (b).) Section 84206 allows a candidate who does not intend to raise $1,000 or more in contributions, including the candidate's own funds, or make expenditures totaling $1,000 or more during a calendar year to file a single short form campaign statement (Form 470) in lieu of filing semiannual and preelection statements using the regular Recipient Committee Campaign Statement (Form 460). If the candidate files a Form 470 in connection with an election and subsequently raises or spends $1,000 or more, the candidate must, within 48

[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.

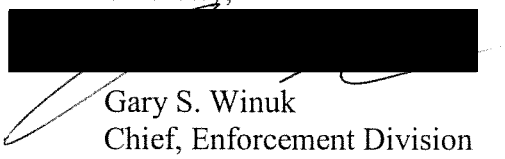
hours, notify the Secretary of State, the local filing officer with whom the candidate is required to file original campaign statements pursuant to section 84215, and each candidate contending for the same office that the $1,000 threshold has been met. (Regulation 18406.) Once the Form 470 Supplement (or the required information) has been filed, the original Form 470 is revoked, and the candidate must begin filing the Form 460 campaign statement on the regular pre-election and semiannual deadlines specified in the Act. (Sections 84200 and 84200.5.) The Form 460 must contain accurate and detailed itemization of the committee's activity including money the candidate contributed to the committee from the candidate's own funds. (Section 84211.) The Form 410, Statement of Organization, must also be filed with the Secretary of State and the local filing officer. (GC Sec. 84101.) Your actions violated the Act because you failed to file the Form 470 Supplement, the Form 410 Statement of Organization, and the Form 460. Once you did file the Form 460, it contained several errors and omissions.

However, because you have no prior cases with our Enforcement Division and because you filed quickly after receiving our letter, 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 Adrianne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk
Chief, Enforcement Division

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