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

November 21, 2014

Mr. Daniel Flores
Flores for Judge 2014
[redacted]

Warning Letter Re: FPPC No. 14/1242; Daniel Flores for Judge 2014; Daniel Flores, Respondent(s)

Dear Mr. Flores:

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 a review of a mailer received by this agency that did not contain proper sender identification.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your mass mailing failed to include the name of the committee preceded with the phrase "Paid for by" on a mass mailing sent to encourage a vote for you in the November 2014 election.

The Act provides that any candidate or committee sending 200 or more pieces of mail must be identified by the name of the committee, the committee's street address and city, in at least 6 point type, in a color or print that contrasts from the background. (Section 84305.) Additionally, the words "Paid for by" must precede the name of the committee. (Regulation 18435(d).)

---

[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.

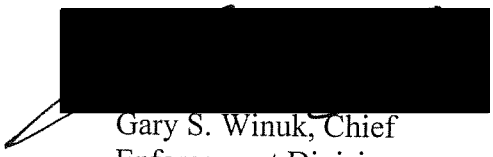
Your actions violated the Act because while your mailing contained a street address and city, it did not contain the name of the committee paying for the mass mailing as required by Section 84305. Since the mailing did provide minimally sufficient information and since several identically graphic mailers or advertisements prepared by you all contained "Paid for by Daniel Flores for Judge," we are closing this matter.

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,



Gary S. Winuk, Chief
Enforcement Division

GSW/jt