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

December 17, 2014

Mr. Ted Bestolarides
Stockton Kids First
[redacted]

Warning Letter Re: FPPC No. 14/1322; Stockton Kids First Supporting Flores, Mendez, Midura and Smith and Opposing Burrise, Zamarippa, Phillip & Hague; Ted Bestolarides, Respondents

Dear Mr. Bestolarides:

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 sworn complaint filed against you and your committee that alleged that a mass mailing sent by you 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 complete name of the committee and failed to include a disclaimer that it was not authorized by any candidate or a committee controlled by a candidate.

The Act provides that any candidate or committee sending 200 or more pieces of mail must be identified by the name of the committee, and 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.) Whenever identification of a committee is required by law, such as in a mass mailing, the

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[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.

identification shall include the full name of the committee as required in the statement of organization. (Regulation 18402(c).) Additionally, advertisements and mass mailings are also required to include the phrase "Paid for by" preceding the name of the committee. (Regulation 18435(d).) Finally, the Act requires that any advertisement that is an independent expenditure supporting or opposing a candidate, must include a statement that the advertisement was not authorized by a candidate, or by any committee controlled by a candidate. (Section 84506.5).

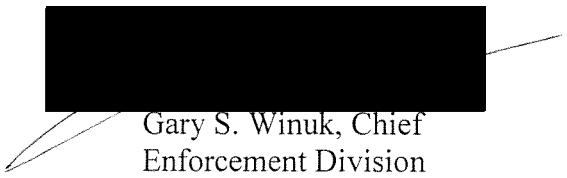
Your actions violated the Act because while your mailing made it clear that it was paid for by Stockton Kids First, that name was not the full name of the committee, nor did the mailer contain the disclaimer that it was not authorized by a candidate, or a committee controlled by a candidate. However, since the mailing did provide minimally sufficient information identifying the sender, 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
cc: Ms. Patricia Hague