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

June 16, 2011

Mr. James Lacy
Wewer & Lacy LLP
Civic Center Plaza
REDACTED

Warning Letter Re: FPPC No. 11/151; Voter Education Group; Kinde Durkee, Respondent(s)

Dear Mr. Lacy:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires candidates and committees to file campaign statements at specified times disclosing contributions and expenditures.

An exception applies for organizations that produce slate mailers. A slate mailer organization is an entity that receives a payment of $500 or more for the purpose of producing one or more slate mailers. (Section 82048.4.) A slate mailer is a mailing that supports or opposes four or more candidates or ballot measures. (Section 82048.3.) Organizations that produce slate mailers have a more abbreviated filing obligation than that of a campaign committee because slate mailer organizations are not deemed to be receiving contributions or making expenditures.

Your client, a slate mailer organization, notified the Commission that an error occurred in the production of three of its slate mailers sent in connection with the November 2010 elections. These mailers inadvertently supported or opposed only three candidates or measures. Such mailers would not constitute a slate mailer and the expenditures to produce the mailers would subject the organization to the same type of campaign filing obligations as that of a campaign committee. However, we determined that the error occurred as a result of an error at the graphic design stage and that the error occurred on only three of the ten mailers produced by your client. Each of the three mailers contained the required slate mailer disclaimer and each appear for all intents and purposes to be a

slate mailer. Since the error was inadvertent and your client voluntarily brought this to our attention, we are closing our file on this matter.

If in the future your client intends to produce a slate mailer, be sure the mailer supports or opposes four or more candidates or measures in accordance with Section 82048.3. The Commission publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact the Enforcement Division me at (916) 322-5660.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt