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

June 16, 2011

Gloria Romero
California Director, Democrats for Education Reform
c/o Stephen J. Kaufman
Kaufman Legal Group
REDACTED

Warning Letter Re: FPPC No. 11/462, Gloria Romero

Dear Ms. Romero:

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 letter sent to us by your attorney, Mr. Kaufman, regarding your violation of the 87406 (b).

The Act provides that a former Legislator's lobbying the State Legislature within a year after leaving the Legislature is a violation. Specifically, 87406 states that "no Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the Legislature, any committee or subcommittee thereof, any present Member of the Legislature, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action." (GC § 87406(b).)

Your actions violated the Act because, within a year of having left office with the Senate, you contacted members of the Legislature for the purpose of stating the position of your employer, Democrats for Education Reform, regarding one Assembly Bill, AB 203, and two Senate Bills, SB 161 and SB 355. Because, however, once you realized you had violated the one-year lobbying prohibition of Section 87406 (b), you ceased any contact with members of the Legislature on these

[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.

bills and promptly brought the matter to our attention through your attorney's letter, we have decided to close this case.

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.

If you have questions regarding this matter, please contact Adrianne Korchmaros at (916) 322-8241.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW:ak