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

August 17, 2011

Mr. James Badiner
California Society for Clinical Social Work PAC

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Warning Letter Re: FPPC No. 11/730; California Society for Clinical Social Work PAC; James Badiner, Respondent(s)

Dear Mr. Badiner and Committee:

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 referral from the Office of the Secretary of State that alleged you have failed to file campaign statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee failed to file a semi-annual campaign statement for the period July 1, 2010 through December 31, 2010.

The Act requires that campaign committees file campaign statements at periodic intervals. Specifically, the Act provides that with regard to semi-annual statements, committees shall file on July 31 and January 31 of each year reporting activity for the prior six-month period. (Gov. Code § 84200.) The Act requires you to file campaign statements until you terminate your committee.

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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 18109 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 you failed to file a semiannual campaign statement for the period July 1, 2010 through December 31, 2010 by the January 31, 2011 deadline. Since it does not appear that your committee had significant activity in 2010, we are closing our file on this matter.

However, you must immediately file your delinquent campaign statement with the Office of the Secretary of State and with your local filing officer. Please note that you maintain an obligation to file campaign statements until such time as you terminate your committee.

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.

While the FPPC is not imposing monetary penalties at this time, you are still responsible for any late filing fees assessed by the Office of the Secretary of State. (Section 91013.)

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,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt
cc: Mr. Chris Reynolds, Chief
Political Reform Division
Office of the Secretary of State