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

September 15, 2010

Mr. Art Brown
Art Brown for Clerk Recorder 2010
REDACTED

Mr. Chris Brown
Art Brown for Clerk Recorder 2010
REDACTED

Warning Letter Re: FPPC No. 10/792, Art Brown for Clerk Recorder 2010; Art Brown, Chris Brown, Treasurer, Respondents

Dear Messrs. Brown and Brown:

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 complaint filed against you (hat alleged your committee Art Brown for Clerk Recorder 2010 failed to file a semi annual campaign statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee failed to file a statement for the period January 1, 2010 through June 30, 2010 by the August 2, 2010 deadline.

The Act provides that you must file a campaign disclosure statement for each semi-annual reporting period that your committee remains open, as well as during specified times just prior to an election, should you be on the ballot. (Sections 84200 and 87200.7.)

[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 and your committee failed to file the semi-annual campaign statement for the period January 1, 2010 through June 30, 2010 by the August 2, 2010 deadline. Since we have been informed by the Orange County Registrar of Voters that you did not complete the process necessary to place your name on the November ballot, 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.

You must immediately file your semi-annual statement with the Orange County Registrar of Voters. Note that this committee retains a campaign filing obligation until such time as you file a terminating Statement of Organization (Form 410) with the Secretary of State and a terminating campaign statement (Form 460) with Orange County.

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