FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
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October 5, 2010

Wayne Ordos, Treasurer
Crime Victims United Independent Expenditure Committee

REDACTED

Warning Letter Re: FPPC Case No. 10/701; Crime Victims United Independent Expenditure Committee and Wayne Ordos, Treasurer

Dear Mr. Ordos:

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 proactive investigation begun against you and your committee, Crime Victims United Independent Expenditure Committee ("CVUIE"), to investigate whether or not CVUIE has been using an appropriate name.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee, CVUIE, has not been using the correct name. Specifically, the Act provides that a committee's failing to use a name that fully discloses the committee's sponsors is a violation. In your response to our letter requiring an explanation of why California Correctional Peace Officers Association ("CCPOA"), which provides 87.5% of the contributions to CVUIE, was *not* included in CVUIE's name, you stated in a letter that, while CCPOA provides funding to CVUIE, a nonprofit, Crime Victims United, solely makes the decisions regarding the committee's expenditures. You based your answer on Section 84102, which provides that whenever a committee has more than one sponsor, and the sponsors are members of an industry or other identifiable group, a term identifying that industry or group shall be included in the name of the committee. (Section 84102(a); also see Regulation 18419(b)(1).)

[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.

We have advised that when a committee's two sponsors *cannot* be considered part of "an industry or other identifiable group," such that a "term identifying that industry or group" may be included in lieu of the groups' full names, then the committee must use both sponsors' names in the name of the committee. (See *Johnson* Advice Letter, A-99-323.) Because crime victims and correctional police officers cannot be accurately characterized by calling both groups "crime victims," the two sponsors are not part of the same group. Thus, pursuant to Section 84102(a), the committee must include the full name of both sponsors in the committee's name. Your actions violated the Act because the committee did not include the full name of both sponsors in the committee's name. Because, however, you responded quickly to our inquiry letter with a plausible reason for why you had chosen the committee's name, we are issuing a warning letter.

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,

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Gary S. Winuk, Chief
Enforcement Division

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