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

November 23, 2010

Francisco Rivero
Rivero for Sheriff 2010
Redacted

Jonathan Meyer, Treasurer
Rivero for Sheriff 2010
Redacted

Warning Letter Re: FPPC Case No. 10/926; Francisco Rivero, Rivero for Sheriff 2010, and Treasurer Jonathan Meyer

Dear Mr. Rivero and Mr. Meyer:

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 that alleged your committee, Rivero for Sheriff 2010, had filed several campaign reports with inaccuracies.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee, Rivero for Sheriff 2010, did not fully disclose expenditures one statement and made various accounting errors on the summary pages of several reports.

The Act provides that a committee's failing to accurately disclose the required information on its campaign reports is a violation. Specifically, the Act requires candidates and their controlled committees to file periodic reports disclosing contributions received and expenditures made. Section 84211, in pertinent part, requires a campaign statement to contain the total amount of expenditures made during the period of the statement to persons who have received $100 or more as well as the

[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.

total amount of expenditures made during the period of the statement to persons who have received less than $100 (GC §§ 84211 (j) and (k).) Section 84211 also requires that the campaign statement accurately disclose cumulative totals for the period covered by the statement. (GC §§ 84211 (a) through (d).) These cumulative totals are recorded on the statement's summary page. Your actions violated the Act because your disclosure of expenditures and your disclosure of cumulative totals were inaccurate. Because, however, you did not appear to be avoiding disclosure, the inaccuracies appear to be inadvertent mistakes, and you have since amended the reports to correct the errors, 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

cc: Rodney Mitchell