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

August 20, 2009

Mr. Bobby Miller
REDACTED

Re: Warning Letter
FPPC No. 090591; Bobby Miller

Dear Mr. Miller:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires that employees designated in their employer's conflict of interest code file Statements of Economic Interests (Form 700) when they assume office, annually thereafter, and within 30 days of leaving their position.

The Enforcement Division of the Commission has determined that you failed to file a leaving office statement of economic interests with the City of Berkeley by the January 28, 2009, deadline regarding your position as a former Police Captain with the City of Berkeley Police Department.

We have decided to close this case. Your failure to file the required statement is a violation of the Act. (Gov. Code § 87300.) 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 future conduct or newly discovered information.

You must immediately file this statement with the City of Berkeley.

Failure to comply with the provisions of the Act in the future may result in an enforcement action against you, including monetary penalties of up to $5,000 for each violation.

Although the Commission is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Gov. Code § 91013.)

If you disagree with our determination that you violated the Act, please contact Terri Rindahl in writing postmarked within 14 days of the date of this letter.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact Terri Rindahl at (916) 327-2018.

Sincerely,

Gary S. Winuk
Chief, Enforcement Division

GSW:TR:fp
cc: Ms. Deanna Despain, City of Berkeley Clerk Department