



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

November 26, 2013

Ms. Tina McKinnor
Justice PAC

REDACTED

RE: Warning Letter

FPPC No. 12/891, Justice Political Action Committee and Tina McKinnor ✓

Dear Ms. McKinnor:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you are aware, the Commission received complaints against you alleging violations of the Act in connection with robocalls to Simi Valley residents paid for by Justice Political Action Committee. The Commission has decided to close this case with this warning letter.

The FPPC has completed its investigation of the facts in this case. The Justice Political Action Committee, (the "Committee") qualified as a general purpose committee under the Act on or about August 2, 2011, upon the filing of a statement of organization. The Committee paid for robocalls, made to Simi Valley residents on or about October 22, 2012, which advocated against the reelection of Steve Sojka to city council. Specifically, the FPPC found that you failed to include required language stating that the calls were not authorized by a candidate or a committee controlled by a candidate.

The FPPC has determined to close this case with this warning letter, in part because you did include disclosure language in the calls stating that they were paid for by Justice PAC Political Action Committee.

Section 84506.5 requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure must include a statement that it was not authorized by a candidate or a committee controlled by a candidate.

By failing to include this disclosure language in the robocall, you violated the Act.

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.

Although the Enforcement Division is not seeking a penalty in this matter, you are still required to electronically file all outstanding statements immediately, and will be responsible for any late filing fees assessed by your filing officer. (Govt Code §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

Zachary W. Norton
Commission Counsel
Enforcement Division