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

February 5, 2016

Norma Torres
Torres for Senate 2013
[redacted]

Warning Letter: FPPC No. 15-1409 – Norma Torres

Dear Ms. Torres:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").[1] This letter is in response to a referral the Enforcement Division received from the Franchise Tax Board's ("FTB") Political Reform Audit Program resulting from an audit of your committee, Torres for Senate 2013 (the "Committee"), for the period from January 1, 2013 through January 22, 2014.

The FTB audit report concluded that the Committee substantially complied with the Act's disclosure and recordkeeping provisions but the Committee did violate the Act. The Committee raised contributions that exceeded its net debt by $4,722 and used them for expenses related to a swearing in event and a $1,000 contribution to the Los Angeles County Democratic Party on December 31, 2013. Contributions may not exceed the net debts outstanding from the election and may not be expended for any contribution to any state or local committee. Thus, these actions are in violation of Section 85316, subdivision (a) and (b).

Despite this violation, the Enforcement Division has determined that further enforcement action is not warranted. The FTB audit report concluded the Committee substantially complied with the Act. It appears the violations were inadvertent and that there was no intent to conceal the transactions, or deceive the public. Specifically, Yolanda Miranda, the Committee's

[1] The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

treasurer, stated she did not realize these types of expenses could not be paid from the campaign bank account with funds raised after the election. Further, the amount of money used for these post-election expenses was relatively small when compared to the over $850,000 raised and spent by the Committee for this audit period.

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 Enforcement Division case resolution without administrative prosecution or fine. But the warning letter resolution does not provide your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail itself of these proceedings by requesting that its 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please visit our website at www.fppc.ca.gov. Please feel free to contact me at screadick@fppc.ca.gov or (916) 322-7050 with any questions you may have regarding this letter.

Sincerely,

[redacted]

Galena West
Chief, Enforcement Division

cc: Franchise Tax Board