



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

November 14, 2022

Christian Shaughnessy for Board of Trustees Area 4 2022
Christian Shaughnessy, Candidate
Azley Tellez Rivera, Treasurer
[REDACTED]

Christian Shaughnessy for San Bernardino City Council 2022
Christian Shaughnessy, Candidate
Jasmine Cunningham, Treasurer
[REDACTED]

Warning Letter Re: FPPC No. 2022-00661; Christian Shaughnessy, Christian Shaughnessy for Board of Trustees Area 4 2022, and Christian Shaughnessy for San Bernardino City Council 2022

Dear All:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a case that was opened against the candidate, Christian Shaughnessy (“Shaughnessy”); the controlled committees, Christian Shaughnessy for Board of Trustees Area 4 2022 (“Board of Trustees Committee”) and Christian Shaughnessy for San Bernardino City Council 2022 (“City Council Committee”); and the treasurers, Azley Tellez Rivera and Jasmine Cunningham. Specifically, the Enforcement Division opened this matter to investigate whether the transfer from the City Council Committee to the Board of Trustees Committee violated the San Bernardino County’s Campaign Finance Reform Ordinance. The ordinance requires that transfers be attributed by naming all contributors on a first in last out basis. Upon review of the ordinance and in consultation with the San Bernardino County Counsel – the Enforcement Division confirmed that the Ordinance does not apply to the Board of Trustees Committee.

The Enforcement Division has confirmed that the two committees failed to timely file a semiannual campaign statement for the reporting period of January 1, 2022 through June 30, 2022 by the deadline of August 1, 2022. However, the committees filed the statement within eight days of the deadline, by August 9, 2022, and this was completed prior to Enforcement contact. In addition, the Enforcement Division confirmed that the reporting of the subject transfer was

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.

erroneously reported on Schedule A – for Monetary Contributions, rather than on Schedule I – Miscellaneous Increase to Cash, as required. However, the Enforcement Division has determined that this error has low public harm as the reporting is otherwise clear that the activity is a transfer of committee funds from the City Council Committee to the Board of Trustees Committee. The Enforcement Division has determined that further enforcement action is not warranted.

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. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 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 call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me at 916-323-6421 or tgilbertson@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division