



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

June 15, 2022

Alum Rock Educators Association PAC (AREAPAC)
Sandra Rivera, Treasurer
Via email: areapoliticalactioncommittee@gmail.com

Warning Letter Re: FPPC No. 2022-00170; Alum Rock Educators Associations PAC

Dear Ms. Rivera & Alum Rock Educators Association PAC,

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 from the Santa Clara County Registrar of Voters alleging that you violated the campaign disclosure provisions of the Act by failing to include all required information on campaign statements filed during the calendar year 2020, which lead to a discrepancy in ending and beginning cash balances between campaign statements.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that Alum Rock Educators Association PAC (the "Committee") filed two pre-election campaign statements covering the periods July 1, 2020 through September 19, 2020, and September 20, 2020 through October 17, 2020, and a semi-annual campaign statement for the period October 18, 2020 through December 31, 2020. However the ending cash balance on the second pre-election campaign statement did not match the beginning cash balance for the subsequent semi-annual campaign statement. You have since filed an amendment to the first pre-election campaign statement to include a contribution which was previously unreported.

The Act requires general purpose committees to disclose detailed information on their campaign statements. Specifically, the Act requires that committees disclose the cumulative amount of contributions received during the period from persons who have contributed \$100 or more and provide detailed information regarding those contributions². The committee must also disclose the cumulative amount of contributions received from persons who have contributed \$100 or less³.

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.

² Section 84211(g)

³ Section 84211(d)

Your actions violated the Act because you failed to report a contribution in the amount of \$1,014 from the Alum Rock Educators Association on the pre-election campaign statement covering the period July 1, 2020 through September 19, 2020. However the Enforcement Division has decided to close this case with a warning letter rather than a fine because the amount received was fairly low, you filed an amendment to the campaign statement immediately after you were contacted by the Enforcement Division, and you have no prior history of violating this section of 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.

A warning letter is an Enforcement Division 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 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.

Please feel free to contact Ginny Laming at glaming@fppc.ca.gov or 916-322-8064 with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:gal

cc: Santa Clara County Clerk