



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

December 14, 2022

Committee to Elect Denise Jaime to the GUSD Board, 2022
Denise Jaime, Candidate and Treasurer
[REDACTED]

Warning Letter Re: FPPC No. 2022-00778; Committee to Elect Denise Jaime to the GUSD Board, 2022, and Denise Jaime

Dear Denise Jaime:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, in response to the Enforcement Division’s pre-election outreach program, we were made aware by Monterey County that you failed to timely file a pre-election campaign statement in connection with the November 8, 2022 General Election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the second pre-election statement, semi-annual campaign statements for the reporting periods between January 1, 2019 through June 30, 2022, and a 24-hour contribution report.

The Act requires candidate-controlled committees and candidates to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² A candidate or officeholder who plans to receive contributions of less than \$2,000 and who plans to make expenditures of less than \$2,000 in a calendar year may file a short form campaign statement for that calendar year.³ The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.⁴

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 Sections 84200.5 and 84200.

³ Regulation 18406.

⁴ Sections 83116.5 and 91006.

The Act also requires that if there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change.⁵ The committee shall file the original of the amendment online or electronically with the Secretary of State and shall also file a copy of the amendment with the local filing office.⁶ Finally, the Act requires each candidate or committee that makes or receives a late contribution to file a 24-hour contribution report.⁷

Your actions violated the Act because you failed to timely file the second pre-election campaign statement for the period covering September 25, 2022 through October 22, 2022 by the October 27, 2022 deadline. Additionally, you failed to timely file seven semi-annual campaign statements between the reporting periods of January 1, 2019 and June 30, 2022. Additionally, you failed to timely file a statement of organization qualification amendment with the Secretary of State by the September 29, 2022 deadline. Finally, you failed to file a 24-hour contribution report for a \$2,136 contribution received on September 19, 2022. But, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: You were referred as part of the proactive pre-election program; you filed the pre-election campaign statement immediately before you were contacted by the Enforcement Division; you filed both pre-election campaign statements before the election; as an officeholder receiving a monthly stipend of \$240, you were only required to file campaign short forms during the reporting years between 2019 – 2021; the statement of organization amendment was filed timely with Monterey County, and you have no history of violating the Act. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

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

⁵ Section 84103.

⁶ *Id.*

⁷ Section 84203.

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 Alex Rose at arose@fppc.ca.gov or 916-327-6358 with any questions you may have regarding this letter.

Sincerely,

Alex Rose

Alex Rose, Commission Counsel
Enforcement Division