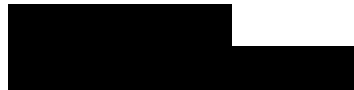




STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

April 3, 2023

Joette Spencer Campbell for School Board 2020
Joette Spencer Campbell, Candidate & Treasurer



Warning Letter Re: FPPC No. 2021-00527; Joette Spencer Campbell for School Board 2020; Joette Spencer Campbell

Dear Ms. Spencer Campbell & Committee,

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 the San Bernardino County Registrar of Voters that you failed to timely file a pre-election campaign statement in connection with the November 3, 2020 election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the first and second pre-election campaign statements and subsequent semi-annual campaign statement, and failed to properly disclose your committee’s campaign expenditures.

The Act requires candidate-controlled committees 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 The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. The Act also requires specific information to be disclosed on campaign statements (Form 460). For expenditures made of \$100 or more, detailed information must be disclosed, including the payees full name, street address, amount of expenditure, and a brief description of the consideration for which each expenditure was made.³

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 Section 84211(k)

Your actions violated the Act because you failed to timely file the first pre-election campaign statement for the period covering July 1, 2020 through September 19, 2020 by the September 24, 2020 deadline and the second pre-election campaign statement for the period covering September 20, 2020 through October 17, 2020 by the October 22, 2020 deadline. Additionally, we found that you failed to properly disclose your committee's campaign expenditures. 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 both pre-election campaign statements before the election; your committee barely surpassed the \$2,000 qualification threshold; you were an unsuccessful candidate; your committee is now terminated; and you have no history of violating the Act. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁴ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁵ Additionally, discretion was used for violations that caused minimal public harm when lack of experience or knowledge of the Act's requirements caused multiple violations with minimal public harm that were corrected upon contact and the committee raised and spent less than \$10,000.⁶ This resolution may not be used as a comparable case for other enforcement matters.⁷

Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties. Further, you are still required to file corrective amendments disclosing the above-referenced missing financial activity with your filing officer.

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

⁴ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁵ Regulation 18360.1.

⁶ Regulation 18360.2.

⁷ See Regulation 18361.5, subdivision (e)(3).

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 Brown at 916-322-8064 or gbrown@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher Burton, Acting Chief
Enforcement Division

CBB:gab

cc: San Bernardino County ROV