



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

December 12, 2023

Rincon Valley Union Teachers Association Political Action Committee
2490 Guerneville Road
Santa Rosa, CA. 95403

Halley McKenzie-Hamlow (Treasurer)
[REDACTED]

Re: Warning Letter Re: FPPC No. 2023-00557; Rincon Valley Union Teachers Association Political Action Committee (I.D. No. 1438757) and Halley McKenzie-Hamlow (Treasurer)

Dear Rincon Valley Union Teachers Association Political Action Committee, and Halley McKenzie-Hamlow:

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 Sonoma County which alleged that you violated the Act by failing to timely file the second pre-election statement for the November 8, 2022 election, which was due on October 27, 2022. That statement was filed on October 31, 2022. Furthermore, an additional investigation by the Commission revealed two additional late filings. The first is the first pre-election statement, which was due on September 29, 2022, but not filed until October 8, 2022; and the second is a 24-hour Contribution Report (Form 497), which was due on September 9, 2022, but not filed until September 12, 2022.

The Act requires general purpose committees to file pre-election campaign statements until the committee terminates.² You and the Committee violated the Act by failing to timely file the first pre-election campaign statement covering the period of July 1, 2022 through September 24, 2022, and failing to timely file the second pre-election campaign statement covering the period of September 25, 2022 through October 22, 2022. In addition, under the Act, a committee that makes a contribution that totals in the aggregate \$1,000 or more to a candidate or a controlled committee during the 90-day period preceding the date of the election, or on the date of the election, must file a 24-hour Contribution Report (Form 497) within 24-hours after making such contribution.³ You and the Committee violated the Act by failing to timely file a 24-hour Contribution Report by September 9, 2022 when the Committee made three non-monetary contributions of \$1,208.00 to three candidates for the Rincon Valley Union School Board on September 8, 2022.

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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84200.5(a)(1) and 84200.8

³ Sections 82036(a) and 84203.

Despite these violations, however, the Enforcement Division has decided to close this case with this warning letter rather than impose a fine. The violations resulted in minimal public harm since the pre-election campaign statements and the 24-hour Contribution Reports were filed before the election, the amount of activity the Committee had related to the election was relatively low, the Committee does not appear to have a professional treasurer, and neither you nor the Committee have a history of violating 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. 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.

Although we are closing our file on this matter, please be advised of the provisions in the Act regarding mass mailing and advertisement disclosure statements. If you need future guidance regarding candidate obligations, please visit our website at www.fppc.ca.gov. You may also contact me at (279)237-5978, or via e-mail at cbernabe@fppc.ca.gov.

Sincerely,

Cinthya Bernabé

Cinthya Bernabé
Commission Counsel
Enforcement Division