



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

November 6, 2023

Sandra Vaughan
[REDACTED]

Warning Letter Re: FPPC No. 2020-00978; Sandra Vaughan

Dear Sandra Vaughan:

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 an anonymous complaint filed against you which alleged that you violated the advertisement disclosure requirements of the Act. The Enforcement Division completed its investigation and found that you failed to disclose identifying information on a mass mailing.

The Act requires single candidates to disclose specific information on the outside of each piece of mass mailings they send. A mass mailing exists when more than 200 substantially similar pieces of mail are sent in a calendar month.² A candidate sending a mass mailing must show on the outside of each piece of mail the name, street address, and city of the candidate.³ The sender is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing.⁴

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that: 2,500 similar postcards were created for the November 2, 2020 General Election regarding your candidacy for the Dunsmuir City Council; you paid for the creation of the postcards; you disseminated the postcards prior to the election; and the postcards did not state your street address, and city of residence. Here, you violated the Act by failing to state your street address and city.

The Act also requires mass mailings of single candidates to identify who paid for the mailings, preceded by the words “Paid for by” immediately adjacent to and above or immediately adjacent to and in front of the required identification.⁵ Here, while the postcards correctly stated your name, you violated the Act by failing to state the words “Paid for by” immediately above or in front of your name.

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 Section 82041.5 and Regulation 18435, subd. (a).

³ Section 84305, subd. (a).

⁴ Regulation 18435, subd. (b).

⁵ Regulation 18435, subdivision (c).

Despite these violations, however, the Enforcement Division has decided to close this case with this warning letter rather than a fine because the violation resulted in minimal public harm since the postcards prominently display your name, so it is clear who sent the mailing. Also, you were a first-time candidate, you lost the election, and you raised and spent a low amount of money for the election, not even reaching the \$2,000 committee threshold. Another important thing the Enforcement Division considered for closing this case with a warning letter is the fact that you have no prior 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