



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

April 15, 2024

Roberto Rodriguez
Rodriguez for Palomar College District 3 2020
[REDACTED]

Warning Letter Re: FPPC No. 2023-00489; Rodriguez for Palomar College District 3 2020, Roberto Rodriguez

Dear Roberto Rodriguez and 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, the Enforcement Division received a referral from the County of San Diego alleging that you failed to timely file the semi-annual campaign statements for the reporting periods of January 1, 2022 through June 30, 2022, and July 1, 2022 through December 31, 2022.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the semi-annual campaign statements for the reporting periods of January 1, 2022 through June 30, 2022, by the August 1, 2022 due date; July 1, 2022 through December 31, 2022, by the January 31, 2023 due date; and, January 1, 2023 through June 30, 2023, by the July 31, 2023 due date. Additionally, we found that you failed to timely file a Statement of Organization (Form 410) amendment to disclose the date your committee qualified.

The Act requires candidate-controlled committees to file 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 recipient committees to file a Form 410 with the Secretary of State’s office within 10 days of their committee’s qualification date.³ 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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200.

³ Section 84101, subd. (a).

⁴ Sections 83116.5 and 91006.

Your actions violated the Act because you failed to timely file the semi-annual campaign statements by the August 1, 2022, January 31, 2023, and July 31, 2023 due dates. Your actions further violated the Act because you failed to timely file a Form 410 amendment with the Secretary of State's office to disclose the committee's date of qualification. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because you filed the missing campaign statements after you were contacted by the Enforcement Division, you reported minimal activity on the campaign statements, the campaign statements were unrelated to an election, and you have no history of violating this section of 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 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 Vanessa Greer at vgreer@fppc.ca.gov or 279-237-5965 with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

CBB: vg

cc: County of San Diego