



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

August 8, 2024

Elect Rose Gonzales Oxnard School District Governing Board
Rose Gonzales



Warning Letter Re: FPPC No. 2024-00545; Elect Rose Gonzales Oxnard School District Governing Board, Rose Gonzales

Dear Respondent,

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 the County of Ventura alleging that the committee, Elect Rose Gonzales Oxnard School District Governing Board (the “Committee”), failed to timely file certain pre-election statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file the first pre-election campaign statement or the candidate campaign statement short form, the second pre-election campaign statement, a 24-hour contribution report, and a post-election semi-annual campaign statement.

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. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³ Additionally, the Act requires committees that make or receive a late contribution to file a late contribution report within 24 hours of making or receiving the contribution.⁴ A “late contribution” includes a contribution(s) aggregating \$1,000 or more that is made to or received by a committee primarily formed to support a candidate within 90 days before the date of the election, or on the date of the election, in which the pertinent candidate is to be voted on.⁵ If an officeholder does not have an open committee and does not plan to raise or

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 and 84200.

³ Sections 83116.5 and 91006.

⁴ Section 84203.

⁵ Section 82036.

spend \$2,000 or more in a non-election calendar year, they may file Form 470 covering the entire calendar year by July 31.⁶

Your actions violated the Act because the Committee failed to timely file the first pre-election campaign statement or the candidate campaign statement short form, the second pre-election campaign statement for the period ending October 22, 2022, and the post-election semi-annual campaign statement for the period ending December 31, 2022 by the applicable deadlines. In addition to this, the Committee failed to file a 24-hour contribution report after receiving a contribution of \$1,000 or more by the November 9, 2022 deadline. However, we are closing this case with this warning letter because the violations at issue here caused minimal public harm, there was very little activity to report, the committee has since terminated, and you and the Committee have no prior 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.⁷ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁸ 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 \$10,000.⁹ This resolution may not be used as a comparable case for other enforcement matters.¹⁰

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 your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail himself of these proceedings by requesting that his 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.

⁶ Section 84200 and 84206

⁷ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁸ Regulations 18360.1 and 18360.3.

⁹ Regulation 18360.2.

¹⁰ See Regulation 18361.5, subdivision (e)(3).

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me at jrivera@fppc.ca.gov or (279) 237-5913 with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division

cc: County of Ventura mark.lunn@ventura.org and tracy.saucedo@ventura.org