



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

April 29, 2024

Martin Zaehringer;
Committee to Elect Martin Zaehringer for Judge 2020 (I.D. No. 1425281) a.k.a. Committee to
Elect Martin and Committee to Elect Martin Zaehringer for Judge;
Kelli Zaehringer (Treasurer).

[REDACTED]

[REDACTED]

Also sent via e-mail at: [REDACTED]

**Warning Letter Re: FPPC Case No. 2021-00707; Martin Zaehringer; Committee to Elect
Martin Zaehringer for Judge 2020 (I.D. No. 1425281) a.k.a. Committee to Elect Martin and
Committee to Elect Martin Zaehringer for Judge; and Kelli Zaehringer (Treasurer).**

Dear Martin Zaehringer, Committee, and Kelli Zaehringer,

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a filing officer referral from Ventura County alleging that your committee did not timely file two Semi-Annual campaign statements covering the reporting periods of July 1, 2020 through December 31, 2020, and January 1, 2021 through June 30, 2021, after running in the March 3, 2020 general election for a seat as a Superior Court Judge of Ventura County.

The Act requires committees to timely file campaign statements and reports and disclose particular information. The Act’s disclosure provision requires the disclosure of occupation and employer information. For contributions totaling \$100 or more candidates and their controlled committees are required to itemize on each semi-annual and pre-election campaign statement the following information about the contributor: his or her full name and street address; his or her occupation, and the name of his or her employer, or if self-employed, the name of his or her business; the date and amount of each contribution; and the cumulative amount of contributions received from the contributor.²

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 84211, subd. (f).

The Enforcement Division has completed its investigation and review of the facts in this case and determined that you and the Committee violated the Act by failing to report complete information pertaining to the following seven contributions:

1. Re: Pre-Election campaign statement, Form 460, covering period January 1, 2020 through January 18, 2020. It is missing the employer information for Gene Burke for a contribution made on January 14, 2020. Here, the Committee reported Gene Burke's employer as "unknown." Since Gene Burke's employer is not reported, the Act's disclosure requirements were violated.
2. Re: Pre-Election campaign statement, Form 460, covering period January 19, 2020 through February 15, 2020. It is missing the employer information for Mark Zlocki for a contribution made on January 30, 2020. Here, the Committee reported Mark Zlocki's employer as "unknown." Since Mark Zlocki's employer is not reported, the Act's disclosure requirements were violated.
3. Re: Pre-Election campaign statement, Form 460, covering period January 19, 2020 through February 15, 2020. It is missing the occupation and employer information for Debra Larsson for a contribution made on January 31, 2020. Here, the Committee reported both of Debra Larsson's occupation and employer as "unknown." Since neither of Debra Larsson's occupation nor employer were reported, the Act's disclosure requirements were violated.
4. Re: Pre-Election campaign statement, Form 460, covering period January 19, 2020 through February 15, 2020. It is missing the occupation and employer information for Micaela Adams for a contribution made on February 14, 2020. Here, the Committee reported both of Micaela Adams' occupation and employer as "unknown." Since neither of Micaela Adams' occupation nor employer were reported, the Act's disclosure requirements were violated.
5. Re: Pre-Election campaign statement, Form 460, covering period January 19, 2020 through February 15, 2020. It is missing the occupation and employer information for Lawrence Hoodack for a contribution made on February 15, 2020. Here, the Committee reported Lawrence Hoodack's occupation and employer as "employer self." Since neither of Lawrence Hoodack's occupation nor employer were reported, the Act's disclosure requirements were violated.
6. Re: Pre-Election campaign statement, Form 460, covering period January 19, 2020 through February 15, 2020. It is missing the occupation and employer information for Todd Walk for a contribution made on February 15, 2020. Here, the Committee reported both of Todd Walk's occupation and employer as "unknown." Since neither of Todd Walk's occupation nor employer were reported, the Act's disclosure requirements were violated.
7. Re: Semi-Annual campaign statement, Form 460, covering period February 16, 2020 through June 30, 2020. It is missing occupation and employer information for Sunita

Siddhanti for a contribution made on February 16, 2020. Here, the Committee reported both of Sunita Siddhanti's occupation and employer as "unknown." Since neither of Siddhanti's occupation nor employer were reported, the Act's disclosure requirements were violated.

The Act requires candidates, committees, and treasurers to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.³ A "late contribution" includes a contribution, including a loan, that totals in the aggregate \$1,000 or more and is made to or received by a candidate or a controlled committee during the 90-day period preceding the date of the election, or on the date of the election, which the candidate is to be voted on. Each committee that receives a late contribution shall report the late contribution within 24 hours of the time it is received. Each committee that receives a late non-monetary contribution shall report the late non-monetary contribution within 48 hours of the time it is received.⁴ If the filing due date falls on a Saturday, Sunday, or official state holiday, then the filing due date for such a statement or report shall be extended to the next regular business day. This extension does not apply to 24-Hour Contribution Reports when the due date for these types of reports falls on a Saturday, Sunday, or official state holiday immediately before an election.⁵ You and the Committee violated the Act by failing to timely file the following 24-Hour Contribution Reports:

1. On February 15, 2020, Lawrence Hoodack contributed \$1,000 to the Committee. This was within the 90 days before the March 3, 2020 election. Therefore, the Committee was obligated to report the late contribution in a Form 497 on February 17, 2020 (February 15, 2020 was a Saturday). Since no Form 497 was filed to report this contribution, the Committee violated the Act.
2. On February 23, 2020, Scott Rushing contributed \$1,000 to the Committee. This was within the 90 days before the March 3, 2020 election. Therefore, the Committee was obligated to report the late contribution in a Form 497 on February 24, 2020. Since no Form 497 was filed to report this contribution, the Committee violated the Act.

The Act requires candidates, committees, and treasurers to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.⁶ If the filing due date falls on a Saturday, Sunday, or official state holiday, then the filing due date for such a statement or report shall be extended to the next regular business day.⁷ This extension does not apply to 24-Hour Contribution Reports when the due date for these types of reports falls on a Saturday, Sunday, or official state holiday immediately before an election.⁸ Recipient committees shall 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 31.⁹

³ Section 84200, et seq.

⁴ Section 84203.3, subd. (b).

⁵ Section 81005, subd. (b)(1).

⁶ See Section 84200, et seq.

⁷ Section 81005, subd. (a).

⁸ Section 81005, subd. (b)(1).

⁹ Section 84200, subd. (a).

The Enforcement Division has completed its review of the facts in this case and found that Form 460, covering period July 1, 2020 through December 31, 2020 was filed over eight months late on October 16, 2021, which was due on February 1, 2021. Similarly, Form 460 covering period January 1, 2021 through June 30, 2021 was filed over two months late on October 6, 2021, which was due on August 2, 2021. Because both forms were untimely filed, you and the Committee violated the Act's filing requirements.

Despite these violations, however, the Enforcement Division has decided to close this case with this warning letter rather than a fine because your Committee filed the campaign statements soon after being contacted by the Enforcement Division. Furthermore, there was a low risk of public harm because Zaehringer was a first-time candidate and did not prevail in the election, there was a low amount of economic activity for the Committee, and neither Zaehringer nor the Committee have a history of having similar violations.

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