



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

September 20, 2024

Patricia Dunnam
Patti Dunnam for School Board 2020
Jorge Aguayo



Warning Letter Re: FPPC No. 2020-00997; Patricia Dunnam, Patti Dunnam for School Board 2020, and Jorge Aguayo

Dear Respondents:

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 Commission-initiated investigation regarding potential advertisement disclaimer violations. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file one 24-hour report and five semi-annual campaign statements. Additionally, you and the Committee failed to include a proper advertisement disclaimer on one mass mailer sent in connection with the November 3, 2020, General Election.

The Act requires a committee to file two 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 Each candidate or committee that makes or receives a "late contribution" must file a 24-hour contribution report ("Form 497") within 24 hours of making or receiving the contribution.³ In the case of a candidate who is on the ballot, a "late contribution" includes any contribution of \$1,000 or more that is received by the candidate or committee during the 90 days leading up to the election.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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200, subd. (a).

³ Section 84203.

⁴ Section 82036

In addition, the Act requires candidates who send a mass mailing (over 200 substantially similar pieces of mail) to include the following on each piece in no less than 6-point type in a color or print that contrasts with the background:

- Committee name and address
- “Paid for by” in the same color and font as the committee’s name and address and immediately in front of or above the name and address⁵

Your actions violated the Act because you failed to timely file five semi-annual campaign statements for the reporting periods ending on December 31, 2020, June 30, 2021, December 31, 2021, June 30 2022, and December 31 2022, and one 24-hour report for a contribution totaling \$1,000. Additionally, you and the Committee failed to include the words “paid for by” followed by the Committee’s name on one mass mailer sent in connection with the November 3, 2020, General Election. However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: the Committee disclosed the late contribution on a timely filed campaign statement, the late-filed campaign statements did not have any activity during their respective reporting periods, four of the late campaign statements were unrelated to the relevant election, you were unsuccessful and the Committee has since terminated, you were inexperienced with the requirements of the Act, only a small amount of money was raised and spent, and there was no confusion as to who was responsible for the mailer. Additionally, 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.

⁵ Section 84305; Regulation 18435.

If you need guidance regarding your obligations in the future, please visit our website at www.fppc.ca.gov/advice.html or call the Commission's Toll-Free Advice Line at 1-866-ASK-FPPC (1-866-275-3772).

If you have any questions regarding this letter, please contact me at (279) 237-5974 or LColumbel@fppc.ca.gov

Sincerely,

Laura Columbel

Laura Columbel
Commission Counsel
Enforcement Division