



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

March 27, 2009

Mr. Stephen Blagden

RE: **Advisory Letter**  
FPPC Case Nos. 09/132 and 09/134; Stephen Blagden

Dear Mr. Blagden:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act (the Act) found in Government Code Section 81000, and following. We recently received complaints (enclosed) alleging that two mailers featuring La Habra City Council Candidates Carl Westerhoff, Councilmember Vipperman and Councilmember Baroldi were sent without the required sender identification information. We determined that you paid Whittier Mailing Service to prepare and send the mailings. After review of the complaints, we have decided to close this matter without commencing further investigation.

When a mass mailing is sent by a candidate or a committee, the mailing is required to have the name, street address and city of the candidate or committee on the outside of the mailing in no less than 6 point type in a color or print which contrasts with the background. (Section 84305.) A "candidate" is a person who, among other things, is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials; has given his or her consent to receive contributions or make expenditures on his or her behalf with a view to bringing about his or her nomination or election to any elective office, or who has filed a declaration of candidacy. (Section 82007.) A "committee" is any person or group of persons who receives contributions totaling \$1,000 or more in a calendar year, or who makes independent expenditures of \$1,000 or more in a calendar year. (Section 82013.) An "independent expenditure," in part, means a payment made by a person or persons for a communication which expressly advocates the election or defeat of a clearly identified candidate. (Section 82031.)

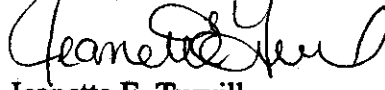
Based upon our preliminary review and the evidence provided, it does not appear that you are presently a candidate. Moreover, because the mailers did not contain express advocacy, you did not become an independent expenditure committee by paying \$1,000 in 2009 for the mailings.

We are therefore closing this matter. If, in the future, you anticipate becoming a candidate, or anticipate making independent expenditures for a political purpose, please be aware that the sender identification requirements of the Act may then apply to you.

If you need any assistance with any future mailing, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Friday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,



Jeanette E. Turvill  
Political Reform Consultant  
Enforcement Division

JET/jt  
Enclosures