

**TINA BACA DEL RIO  
4903 ASTOR AVENUE  
COMMERCE, CA 90040**

July 18, 2016

Via Email (CommAsst@fppc.ca.gov)

Hon. Jodi Remke, Chair  
and Hon. Commission Members  
FAIR POLITICAL PRACTICES COMMISSION  
428 J Street, Suite 620  
Sacramento, CA 95814

**Re: July 21, 2016, Meeting Agenda Item No. 4  
In the Matter of Tina Baca Del Rio, Friends of Tina Baca Del Rio and  
Tina Baca Del Rio for City Council 2013; FPPC No. 12/832 (Default  
Decision)**

Honorable Chair and Members of the Commission:

I am writing this letter to request that the Commission not enter the proposed default against me and my Committee in connection with the above-referenced matter. The fine that is being proposed against me is being reported as the largest fine to ever be imposed by the Commission. I am requesting that I be given the opportunity to respond to the issues raised in the Accusation at a hearing where I will be provided with the due process of the law. The basis for my request as follows.

I was served with the Accusation immediately before a City of Commerce Council meeting. I was naturally scared of the Accusation. I reviewed it and decided I needed to get an attorney. I looked for one over the course of the next few weeks. I did not know what to do and did not understand all of the allegations. Some of the allegations were true, but there were also a number of inaccuracies. I knew that I needed to fight the allegations. But I could not find a lawyer that I could afford.

There were a number of exhibits attached to the Accusation. Among other things, there was a Finding of Probable cause document that was attached at the end. I did not really read that document carefully because the allegations were set forth in the Accusation, which I was focused on, and I believed I had seen that exhibit (and the other exhibits) before. Later, around May 18, 2016, I was looking at the Accusation again very carefully to see how I might be able to respond myself to the specific allegations. I read through every page and was taking notes for future use. I then decided to read through the Finding of Probable Cause document to see what information I might use regarding my response. **I realized then that attached to the end of the Finding of Probable Cause, in between copies of certain Government Code sections and the Proof of Service, was a document called Notice of Defense. I had not seen the document before and had thought it was part of the Finding of Probable Cause document.** I read it and saw that I

was being given 15 days from the receipt of the Accusation to send in the Notice of Defense; that time period had already passed. I then immediately prepared the Notice of Defense and a letter to Galena West, the Enforcement Chief, advising her of the situation. I asked that she extend my time for submitting the Notice of Defense, but on June 1, 2016, I was advised that my request was being denied.

I have a number of issues to raise in my defense. The allegations that I have misappropriated campaign funds, are wrong. These were repayments of loans that I made to myself over the course of many years. As pointed out in the paperwork, and as I am sure you know, in April of 2011, I was fined \$26,000 by the FPPC for a number of violations regarding my paperwork – that went back to 2007 – 2009. After I settled, my paperwork was still in shambles. That situation impacted some of my filings that are the subject of the Accusation.

The bottom line is that I am asking for an opportunity for a hearing. The Notice of Defense was hidden away behind exhibits. I respectfully believe that the law should provide me with at least the opportunity to be heard and try and defend myself. The granting of this opportunity will not prejudice the Commission. If I am found in violation of the law at that time, then that will be the result of a fair process. At this time, however, I am being assessed a record breaking fine that I will never be able to repay and I have been forbidden from having a fair hearing because the Notice of Defense was filed a few weeks late. Based on the circumstances discussed above, I beg that you give me the opportunity for a hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Baca Del Rio". The signature is fluid and cursive, with the first name "Tina" being the most prominent.

Tina Baca Del Rio