



Office of the City Clerk
200 E. Santa Clara Street, Tower 14th Floor
San José, CA 95113
(408) 535-1260 (main); (408) 292-6207 (Fax)
Email: city.clerk@sanjoseca.gov

COMPLAINT FORM

BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES

This form can be used to submit complaints to the San José Board of Fair Campaign and Political Practices (Board). The Board is appointed by the City Council to monitor compliance with certain campaign and ethics ordinances under Title 12 of the San José Municipal Code (SJMC). The Board is authorized to review and investigate alleged violations of Title 12, and take enforcement action when appropriate. The Board also makes recommendations to the City Council on campaign and ethics regulations and policies. (SJMC § 12.04.070.)

The Board does not investigate placement or size of political signs. For these complaints, contact the San José Code Enforcement Division at (408) 535-7770. The Board also does not have jurisdiction to act on any complaint against the Board, the Office of the City Clerk, or matters unrelated to Title 12.

Any person may file a complaint. Complaints must be filed with the Office of the City Clerk, and may be submitted in person during business hours or by mail, fax, or email. (Resolution 78390)

Complaints must identify the specific alleged violation which forms the basis for the complaint and contain sufficient facts to warrant a formal investigation. (SJMC § 12.04.080.) Complaints that fail to identify the specific alleged violation will be rejected without prejudice. Complaints that provide specificity and detail, including the identity of the Complainant, will be forwarded to a neutral evaluator for review.

Complaints may be submitted anonymously at (408) 975-ANON (2666). The Complainant must state good cause for anonymity, which is limited to a City employee who is not protected by the Civil Service system making a complaint about a supervisor in his or her chain of command, or a private sector employee making a complaint about his or her employer. The Chair of the Board or Vice Chair, if the Chair is unavailable, will assess whether there is good cause for anonymity. Although not required, it is recommended that the anonymous Complainant provide a telephone number. This telephone number will only be used if the Board Member reviewing the complaint needs additional information. If the Board Member reviewing the complaint determines there is good cause for anonymity, the City Clerk will forward the complaint to the evaluator. (Resolution 78390.)

The Board meets monthly on the second Wednesday of the month at 5:30 pm in San José City Hall, Wing Room 120. Address all correspondence to:

City of San José
Board of Fair Campaign and Political Practices
C/O Office of the City Clerk
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San José, CA 95113



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For Official Use Only

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BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES

*Name: _____

**Your name, address and phone number are required when submitting this form. If you wish to remain anonymous, you may call the Board of Fair Campaign and Political Practices Anonymous Complaint Hotline at 408-975-ANON (2666). (As noted on the instruction sheet, certain restrictions may apply.)*

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ (Home Work Mobile) Alt. Phone: _____ (Home Work Mobile)

E-mail: _____

Complaint Type (Check all that apply. Specify the applicable Municipal Code section which forms the basis of the alleged violation):

Municipal Campaign & Officeholder Contributions (12.06): SJMC § _____

Prohibition on Gifts (12.08): SJMC § _____

Revolving Door Restrictions (12.10): SJMC § _____

San José Municipal Lobbying (12.12): SJMC § _____

Disclosure of Fund-raising Solicitations (12.16): SJMC § _____

Income and Time Disclosure (12.19): SJMC § _____

Political Sign placement or size violations—please call (408) 535-7770 directly or submit this form.

Political Sign complaints related to placement or size will be forwarded to Code Enforcement and NOT investigated by the Board of Fair Campaign and Political Practices. Only electioneering communication violations related to political signs are under the purview of the Board of Fair Campaign and Political Practices.

1. Who is the person(s) or organization(s)/committee(s) against whom you are filing a complaint (please provide name(s), address(es), phone number(s) and email address(es), if known):
2. Describe the complaint. State all facts as specifically as possible. (Attach additional pages if necessary)
3. Provide the names, addresses, phone numbers and e-mail addresses of potential witnesses, if known:
4. Additional Information:
5. Documentation: Please attach copies of any available documentation (e-mails, letters, mailers, photos, etc.) regarding the alleged violation.

VERIFICATION

I certify under penalty of perjury under the law of the State of California that the above statements are true and correct.

Executed on _____ at _____
(Date) (City and State)

(Signature)

CONFIDENTIALITY OF COMPLAINTS

No complaint, investigative file or information contained therein, shall be disclosed by any City Official, city employee, the evaluator or investigator to any person other than a Respondent or Respondent's representative, the City Attorney, District Attorney, a court, a law enforcement agency, or otherwise as necessary to the conduct of an investigation prior to the presentation of the Report and Recommendations to the Board. The Evaluator, however, may communicate with the Chair of the Board on procedural matters relating to a pending complaint during the course of the investigation. After presentation of the Report and Recommendations, complaints, related documents, and investigative files shall not be disclosed except as required by the California Public Records Act. (Resolution 78390 and SJMC 12.04.080 (E))

Persons filing the complaint are requested not to release said complaint to anyone other than the City Clerk or his/her designees before the investigation is completed. When the investigation is completed, the complaint will be agendized for a public meeting.

I have read and understood the above policy on the confidentiality of complaints.

(Signature)

(Printed Name)