



EXECUTIVE STAFF REPORTS

January 18, 2024, Commission Hearing

CONTENTS

EXECUTIVE STAFF REPORTS	1
CONTENTS	1
I. ENFORCEMENT DIVISION	3
A. Overview	3
B. Annual Statistics	4
C. 2022-2023 Quarterly Caseload Summary.....	5
D. Presentations.....	5
E. Unexecuted Streamline Stipulations	5
F. Policy Directives Quarterly Progress Report	9
G. Biannual Progress Report	10
II. AUDIT DIVISION	12
A. Overview	12
B. Current Period Updates.....	12
III. LEGAL DIVISION	13
A. Pending Litigation	13
B. Outreach and Training	13
C. New and Updated Educational Resources	15
D. Political Reform Education Program (PREP):	15
E. Advice	15
F. Miscellaneous Decisions	16
G. Upcoming Regulation Projects.....	16
H. Conflict of Interest Codes.....	16
I. Probable Cause Proceedings	17
IV. ADMINISTRATION & TECHNOLOGY DIVISION	20
A. New Employee Report.....	20
B. Statement of Economic Interest (Form 700).....	20

I. ENFORCEMENT DIVISION

STAFF: JAMES M. LINDSAY, CHIEF OF ENFORCEMENT

A. Overview

During the period of November 1, 2023 through December 31, 2023 the Enforcement Division received the following complaints and referrals:

	Sworn	Non-Sworn	Anonymous	Referrals
Number Received	38	14	38	236

When compared to the Annual Statistics chart in Section B, the number of complaints and referrals in November and December was representative of 2023 as a whole.

For the months of November and December, more time to respond beyond the 14-day statutory period was needed for approximately 12¹ sworn complaints. Generally, additional time to respond was utilized in order to give respondents more time to respond to inquiries when it was requested.

Additionally, the Enforcement Division opened 104 cases, rejected 156 complaints and referrals, and closed a total of 283 cases including:

- 150 warning letters – advertisement violations (8), campaign violations (26), conflict of interest violations (4), gift violations (3), statement of economic interests violations (109);
- 23 no action closure letters: PREP completed – statement of economic interests violations;
- 63 no action closure letters alleging – advertisement violations (32), campaign violations (15), conflict of interest violations (3), and statement of economic interests violations (13);
- 14 approved stipulations from the April, October, and November Commission meetings;
- 1 approved default from the September Commission meeting,
- 22 committees were administratively terminated;
- 9 advisory letters; and
- 1 closed as a duplicate.

The Division had 1,132 cases in various stages of resolution at the time of the November Monthly Report and currently has approximately 964 cases in various stages of resolution,

¹ This figure includes 1 sworn complaint received in October 2023.

including the 16 streamline cases, 5 mainline cases, and 1 default before the Commission as listed in the January Agenda. Net case closures in November and December totaled 179.

B. Annual Statistics

The following is a chart that details the annual statistics for enforcement complaints, referrals and cases over the past five years. The statistics from 2023 show activity that is largely typical of a non-election year.

	Year	2019	2020	2021	2022	2023
1	Complaints Received	744	1,390	606	1,379	653
2	Referrals Received	1,950	1,518	1,751	1,724	1,971
3	Total Complaint and Referrals Received	2,694	2,908	2,357	3,103	2,624
4	Cases opened	1,820	1,155	1,185	990	831
5	Cases closed ³	1,465	1,526	1,058	1,075	1,295
6	Cases with penalties ²	343	278	269	161	98
	a Streamline cases	263	194	234	142	78
	b Mainline cases	73	77	32	14	18
	c Default cases	7	7	3	5	2
7	Total fines imposed	\$797,384	\$1,940,107	\$472,248	\$617,548	\$376,531
8	Warning letters issued	584	777	475	681	813
9	Administrative terminations	104	62	59	53	87
10	Cases closed with violations found ³	1,031	1,117	803	895	998
11	Advisory letters issued	9	7	16	8	15
12	No action closure letters	423	402	237	217	296

² Total for lines 6a, 6b, and 6c.

³ Total for lines 6, 8, and 9.

³ Total cases closed includes Commission approved cases from the previous year and Commission approved administrative judgements. It does not include Commission approved cases not yet closed.

C. 2022-2023 Quarterly Caseload Summary

The following is a chart that compares the number of cases from given years at the end of each quarter during 2023. Enforcement has successfully focused on the resolution of older cases.

	March 2023	June 2023	September 2023	December 2023	Difference in Existing Caseload Overall
2016	3	0	0	0	-3
2017	5	2	2	1	-4
2018	68	56	34	21	-47
2019	166	125	69	39	-127
2020	269	234	201	153	-116
2021	346	298	232	167	-179
2022	365	329	307	248	-117
2023	139	220	295	323	+184

D. Presentations

None to report.

E. Unexecuted Streamline Stipulations

Streamline penalty stipulations are approved by the Chief of Enforcement and reported to the Commission for discussion only before they are executed. The following streamline stipulations are presented for that purpose. After the close of the hearing, the Chief of Enforcement may execute all or any of the streamline penalty stipulations, at the Chief's discretion per Regulation 18360.2.

Since the last Monthly Report, the Enforcement Chief has not used discretion to increase the penalties for Tier Two advertising violations resulting in public confusion, under Regulation 18360.3(d)(7)(B)(i)(b), or to increase the penalties for Tier Two violations involving the same candidate, committee, or principal officer who has paid a Tier One penalty to the Commission or received a Warning Letter from the Commission for the same type of violation occurring within the last five years, based on the resulting public harm.

The Enforcement Chief used discretion under Regulations 18360.1 and 18360.3 to exclude violations in the following streamline cases presented with this report: In the Matter of Greg Eckert; FPPC No. 20/781 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the totality of the circumstances, including situations where an exclusion may apply.] ; In the Matter of Paul Courtney; FPPC No. 22/764 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the

totality of the circumstances, including situations where an exclusion may apply.] In the Matter of California Political Rebuild Team and Orrin Heatlie; FPPC No. 20/665 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the totality of the circumstances, including situations where an exclusion may apply.] In the Matter of Friends of Dominic Foppoli for Windsor Town Council 2018 and Dominic Foppoli; FPPC No. 21/362 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the totality of the circumstances, including situations where an exclusion may apply.] In the Matter of Friends of Michael Tubbs; FPPC No. 18/140 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the totality of the circumstances, including situations where an exclusion may apply.] In the Matter of Elwyn California; FPPC No. 20/469 [The Chief of Enforcement may include or exclude any filer from receiving a streamline penalty based upon mitigating or aggravating circumstances and the totality of the circumstances, including situations where an exclusion may apply.]

Behested Payments

In the Matter of Michael Tubbs; FPPC No. 18/140. Staff: Theresa Gilbertson, Senior Commission Counsel and Kaitlin Osborn, Special Investigator. Michael Tubbs, in their capacity as Mayor for the City of Stockton, failed to timely file eight behested payment reports, in violation of Government Code Section 84224 (8 counts). **Total Penalty: \$3,800 (Tiers One & Two).**

Advertisements

In the Matter of Mountain View Professional Firefighters Political Action Committee and Melton Wong; FPPC No. 20/921. Staff: Jenna C. Rinehart, Commission Counsel and Jay Gehres, Special Investigator. The respondents were represented by Richard Rios and Rachael Rutkowski of Olson Remcho LLP. Mountain View Professional Firefighters Political Action Committee is a city general purpose committee who was active in the City of Mountain View prior to the November 3, 2020 General Election. Melton Wong served as the Committee's treasurer. The Committee and Wong failed to include the Committee's full name and the "not authorized" language on four mailer advertisements, in violation of Government Code Sections 84502 and 84506.5 (4 counts). Additionally, the Committee and Wong failed to timely file an amendment to its statement of organization to disclose its change in jurisdiction from state to city, in violation of Government Code Section 84103 (1 count). Finally, the Committee failed to timely disclose certain expenditures on a pre-election campaign statement, in violation of Government Code Section 84211 (1 count). **Total Penalty: \$3,770 (Tier Two).**

In the Matter of Dunsmuir Association of Ratepayers & Taxpayers (DART) and Leslie Wilde; FPPC No. 23/798. Staff: Alex Rose, Commission Counsel and Roone Peterson, Special Investigator. DART was a local primarily formed committee in support of Ahmet Tasci, Dena Marlatt, and Sandra Vaughan for Dunsmuir City Council and Treasurer in the November 3, 2020 General Election. Wilde served as the Committee's treasurer. The Committee and Wilde failed to timely file a pre-election campaign statement and a semi-annual campaign statement, in violation

of Government Code Sections 84200.5 and 84200 (2 counts). Furthermore, the Committee and Wilde failed to include proper advertising and mailing disclosures, in violation of Government Code Section 84502 (2 counts). Finally, the Committee and Wilde failed to include the names of the candidates the Committee was primarily formed to support, in violation of Government Code Section 84102 (1 count). **Total Penalty: \$1,701 (Tiers One & Two).**

In the Matter of Paul Courtney; FPPC No. 22/764. Staff: Alex Rose, Commission Counsel and George Aradi, Special Investigator. Paul Courtney is a local Independent Expenditure Committee. The Committee failed to timely file a 24-hour report and an independent expenditure campaign statement, in violation of Government Code Sections 84204 and 84200 (2 counts). Furthermore, the Committee failed to include the “Ad paid for by” and “Not authorized” disclaimers on advertisements, in violation of Government Code Sections 84502 and 84506.5 (2 counts). **Total Penalty: \$1,506 (Tier Two).**

In the Matter of Committee to Elect Ahmet Tasci to the City Council 2020 and Ahmet Tasci; FPPC No. 20/967. Staff: Alex Rose, Commission Counsel and Roone Peterson, Special Investigator. Ahmet Tasci was an unsuccessful candidate for Dunsuir City Council in the November 3, 2020 General Election. Committee to Elect Ahmet Tasci to the City Council 2020 was a Tasci’s candidate-controlled committee and they served as the Committee’s treasurer. The Committee and Tasci failed to timely file two pre-election campaign statements, a semi-annual campaign statement, and a 24-hour report, in violation of Government Code Sections 84200.5, 84200, and 84203 (4 counts). Additionally, the Committee and Tasci failed to include the proper advertising and mailing disclosures, in violation of Government Code Sections 84502 and 84506.5 (1 count). **Total Penalty: \$1,458 (Tiers One & Two).**

In the Matter of One Temecula Valley PAC and David Matics; FPPC No. 23/815. Staff: James M. Lindsay, Chief of Enforcement and Laura Mandler, Political Reform Consultant. One Temecula Valley PAC is a local general purpose committee. David Matics served as the Committee’s treasurer. The Committee and Matics failed to include the proper advertising disclosures on two types of campaign signs, in violation of Government Code Section 84502 (2 counts). **Total Penalty: \$806 (Tier Two).**

In the Matter of Athena Medical Group; FPPC No. 18/1397. Staff: Artin Berjikly, Senior Commission Counsel and Lance Hachigian, Special Investigator. Athena Medical Group is an independent expenditure committee. Dr. William Khieu served as the Committee’s treasurer and principal officer. The Committee and Khieu failed to include the proper advertising disclosures and disclaimers on a newspaper advertisement and yard signs distributed prior to the November 6, 2018, General Election, in violation of Government Code Sections 84502 and 84506.5 (4 counts). **Total Penalty: \$428 (Tier One).**

In the Matter of CA Political Rebuild Team, Orrin Heatlie; FPPC No. 20/665. Staff: Alex Rose, Commission Counsel and Jay Gehres, Special Investigator. CA Political Rebuild Team is a state general purpose committee. Orrin Heatlie served as the Committee’s principal officer and treasurer. The Committee and Heatlie failed to include the proper advertising disclosure on a billboard advertisement purchased prior to the September 14, 2021 election, in violation of Government Code Section 84504.2 (1 count). **Total Penalty: \$112 (Tier One).**

Lobbying Reporting

[In the Matter of Elwyn California; FPPC No. 20/469.](#) Staff: Chance Felkins, Commission Counsel. Elwyn California a \$5,000 filer and lobbyist employer, failed to timely file six lobbyist employer quarterly reports, in violation of Government Code Section 86117 (1 count). **Total Penalty: \$350 (Tier One).**

[In the Matter of California Advocacy, LLC.; FPPC 23/784.](#) Staff: James M. Lindsay, Chief of Enforcement and Laura Mandler, Political Reform Consultant. California Advocacy, LLC, a lobbying firm, failed to timely disclose lobbying activity on two quarterly lobbyist reports, in violation of Government Code Section 86114 (2 counts). **Total Penalty: \$251 (Tier One).**

Campaign Late Reporter

[In the Matter of Dominic Foppoli and Friends of Dominic Foppoli for Windsor Town Council 2018; FPPC No. 21/362.](#) Staff: Neal Bucknell, Senior Commission Counsel and George Aradi, Special Investigator. On campaign statements filed for the reporting periods ending June 30 and September 22, 2018, respondents failed to timely report Schedule E expenditures totaling approximately \$12,849 and \$7,789, respectively, in violation of Government Code Section 84211 (2 counts). **Total Penalty: \$1,405 (Tier Two).**

Campaign Late Filer

[In the Matter of Carla J Neal for Assembly 2018, Carla J. Neal, and Stephen A. Smith; FPPC No. 18/714.](#) Staff: Jenna C. Rinehart, Commission Counsel. Carla J. Neal was a successful candidate for State Assembly, District 5, in the June 5, 2018 Primary Election but was defeated in the November 6, 2018 General Election. Carla J Neal for Assembly 2018 was Neal's candidate-controlled committee. Stephen A. Smith served as the Committee's treasurer. The Committee, Neal, and Smith failed to timely file an amendment to its statement of organization to disclose its date of qualification, in violation of Government Code Sections 84101 and 84103 (1 count). Additionally, the Committee, Neal, and Smith failed to timely file two pre-election campaign statements and three 24-hour contribution reports, in violation of Government Code Sections 84200.5 and 84203 (5 counts); and failed to timely file six semi-annual campaign statements electronically and/or in paper format, in violation of Government Code Sections 84200 and 84605 (6 counts). **Total Penalty: \$2,619 (Tier One).**

Statement of Economic Interests Late Filer

[In the Matter of Greg Eckert; FPPC No. 20/781.](#) Staff: Jenna C. Rinehart, Commission Counsel. Greg Eckert, a Planning Commissioner for the Town of Mammoth Lakes, failed to timely file a 2020 and 2021 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (2 counts). **Total Penalty: \$1,200 (Tier Two).**

[In the Matter of John Redmond; FPPC No. 21/211.](#) Staff: Jenna C. Rinehart, Commission Counsel. John Redmond, a City Council Member for the City of Mount Shasta, failed to timely

file a 2019 and 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (2 counts). **Total Penalty: \$400 (Tier One).**

In the Matter of Lawrence Ratto; FPPC No. 23/748. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Lawrence Ratto, a Planning Commissioner for the County of Alameda, failed to timely file a 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Ivy Duarte; FPPC No. 23/749. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Ivy Duarte, a Planning Commissioner for the City of South Gate, failed to timely file a 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Penalty: \$200 (Tier One).**

F. Policy Directives Quarterly Progress Report

As mandated by the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, the following provides the second progress report on achieving the case reduction goals stated in the Policy Directives. In particular, the Policy Directives require the Chief of Enforcement, in consultation with the Executive Director, to (i) take all appropriate actions within their discretion to reduce by 75 percent the number of open cases existing prior to January 1, 2023 as quickly as possible, and in no event later than December 31, 2024; and (ii) decrease the Division's annual carryover caseload to no more than 625 cases. The Policy Directives went into effect on February 1, 2023.

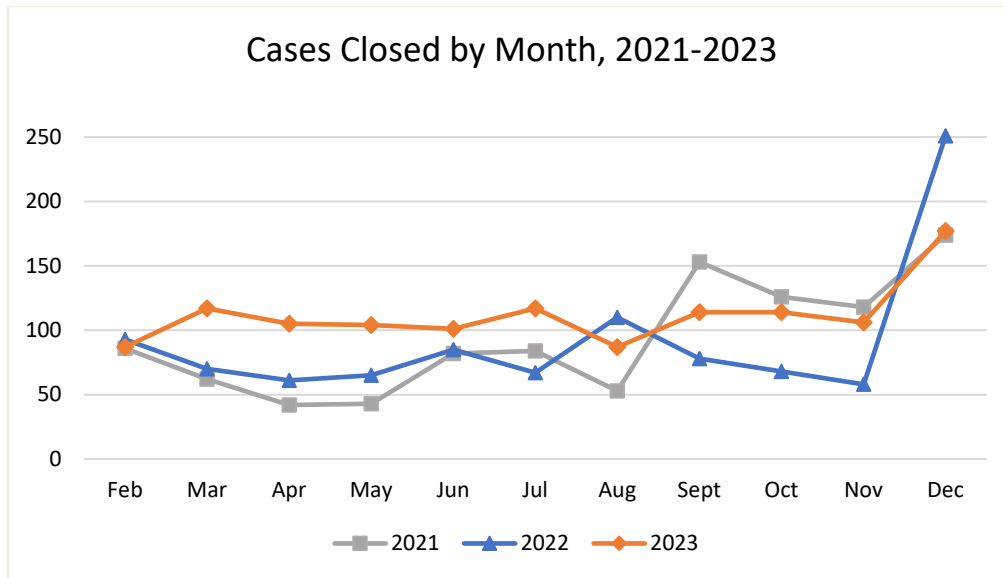
(i) The number of open cases existing prior to January 1, 2023 was 1,415. As of December 31, 2023, there were 629 open cases that existed prior to January 1, 2023, showing a decrease of 786 cases, or a 56 percent decrease. The following chart compares the number of cases opened from each year at the beginning of 2023 to the current number of cases for each year.

Year	# of Cases as of January 1, 2023	# of Cases as of December 31, 2023	Difference in Caseload for 2016-2022 Cases
2016	3	0	-3
2017	5	1	-4
2018	89	21	-68
2019	195	39	-156
2020	301	153	-148
2021	382	167	-215
2022	440	248	-192
		Total	-786

(ii) As of January 1, 2023, the Enforcement Division had approximately 1,415 cases in various stages of resolution. On December 31, 2023, there were 953 cases in various stages of resolution.

As such, substantial progress has been made to achieve a carryover caseload of no more than 625.

(iii) For the period of February 1, 2023 through December 31, 2023, the Enforcement Division closed 1,229 cases total. For the period of February 1, 2022 through December 31, 2022, 1,006 cases were closed. For the period of February 1, 2021 through December 31, 2021, 1,023 cases were closed. The graph below shows a comparison of the number of cases closed for the same period in 2021, 2022, and 2023.



G. Biannual Progress Report

(i) Lastly, the Policy Directives provide that the goal of the Enforcement Division shall be to resolve complaints and referrals within two years of receipt, except where the Enforcement Chief determines that circumstances warrant a longer period of time and require a biannual progress report regarding this directive. Since the goal relates to a two-year timeframe and the Policy Directives went into effect less than a year ago, there is limited ability to assess progress on this goal presently; however, there are data points that are helpful at this time.

(ii) The following chart provides a breakdown of complaints and referrals received, as well as cases opened and closed, and cases that were referred to other agencies. It is common for the Enforcement Division to see an increase in complaints received during an election year, as can be seen in 2020 and 2022.

The number of referrals does not follow the same pattern, but the numbers have gradually increased each year. In 2020 and 2022, the Enforcement Division participated in the proactive pre-election outreach program, which could be a contributing factor to the increase in referrals received in both election and non-election years as more filing officers become informed of the referrals process and filing obligations. General education efforts within FPPC have increased awareness and referrals as well.

Year	Complaints Received	Referrals Received	Cases Opened	Cases Closed	Cases Referred to other Agencies
2020	1,390	1,518	1,155	1,526	0
2021	606	1,751	1,185	1,058	10
2022	1,379	1,724	990	1,075	2
2023	653	1,971	831	1,295	0

(iii) In addition to the overall case reduction achieved in 2023, Enforcement has placed significant attention on the quicker resolution of cases as required by the Policy Directives. Although there can be no two-year comparison at this point, an example of the Enforcement Division's success in this area is that Enforcement successfully resolved 66% of cases opened in 2023 within 2023. This figure is much higher than same year closures in past years. The chart above shows not only a focus on increased closures, but also shows a lower percentage of cases being opened. There are likely multiple reasons for this reduction, but the predominant factor is the restructuring of the Intake unit and the increase in personnel.

II. AUDIT DIVISION

STAFF: SHRDHA SHAH, CHIEF OF AUDITS

Audits are conducted per Government Code sections 90000 - 90008 of the Political Reform Act (the Act). The Act requires full disclosure of receipts and expenditures of candidates and committees and disclosure of the finances of lobbyists. The purpose of the audits is to determine the level of compliance of the auditees with the Act. The opinions expressed in the audit report reflect the level of compliance with the Act. The FPPC is not responsible for the contents of the candidate's documents. Audit reports are then submitted to the Enforcement Division for further review.

A. Overview

The audit reports prepared by the FPPC summarize findings with respect to the filer's conformity with the disclosure and recordkeeping requirements of the Political Reform Act. Copies of audit reports are always sent to the auditees and those included in the audit report (such as the prior treasurer, current treasurer, and/or their representatives). These reports are public documents.

B. Current Period Updates

During the period of November 1, 2023 to December 31, 2023, the Audits and Assistance Division adopted 3 audit reports, one with findings. Currently, the team has 30 audits in progress at various stages, including fieldwork, post-fieldwork, and quality review.

Details of the audit report adopted during the period are as follows:

1. David Miller for CalPERS Board 2017 (ID# 1397766)

- No findings noted.

2. David Miller for CalPERS Board 2021 (ID# 1438382)

Findings Noted:

- A copy of the Form 460 Preelection Statement for the period ending September 22, 2021 was not filed with CalPERS.
- Copies of Form 497 Contribution Reports due within 24 hours were not filed with CalPERS for eleven contributions totaling \$77,900. One of the eleven reports was also not filed with the SOS.

3. Clifford Young for Supervisor 2020 (ID# 1418384)

- No findings noted.

III. LEGAL DIVISION

STAFF: DAVE BAINBRIDGE, GENERAL COUNSEL

A. Pending Litigation

None

B. Outreach and Training

Webinars & Workshops

November

- November 1, the FPPC presented a Section 84308 (Levine Act) webinar. Senior Commission Counsel, Kevin Cornwall, and Education and External Affairs Unit Manager, Chloe Hackert, presented. 181 people attended.
- November 2, the FPPC presented a Statement of Economic Interests Filers webinar requested by the Fresno Unified School District. Political Reform Consultants, Alexandra Castillo and Stephen Hernandez, presented. 76 people attended.
- November 2, the FPPC presented a Section 84308 (Levine Act) webinar requested by the California Alliance of Child and Family Services, the Association of Community Human Services Agencies, and the Silicon Valley Council of Nonprofits. Senior Commission Counsel, Kevin Cornwall, and Commission Counsel, Toren Lewis, presented. 70 people attended.
- November 2, the FPPC presented a Candidate/Treasurer webinar requested by the San Luis Obispo County Democratic Party. Political Reform Consultant, Stephen Hernandez, presented. 20 people attended.
- November 3, the FPPC presented a Statement of Economic Interests Filers webinar requested by the Fresno Unified School District. Education and External Affairs Unit Manager, Chloe Hackert, and Political Reform Consultant, Katie Trumbly, presented. 70 people attended.
- November 7, the FPPC presented a Statement of Economic Interests Filers and Conflict of Interests workshop requested by the California Special Districts Association. Commission Counsel, Toren Lewis, and Political Reform Consultant, Adam Ramirez, presented. 75 people attended.
- November 14, the FPPC presented a General Purpose Committee webinar. Education and External Affairs Unit Manager, Chloe Hackert, and Political Reform Consultant, Alexandra Castillo, presented. 10 people attended.
- November 15, the FPPC presented a Candidate/Treasurer webinar requested by the CAGOP. Education and External Affairs Unit Manager, Chloe Hackert, and Political Reform Consultant, Katie Trumbly, presented. 28 people attended.
- November 17, Chair Miadich and Assistant Chief Counsel Sukhi Brar spoke to the California Political Treasurers Association. Chair Miadich spoke about recent developments at the FPPC affecting treasurers including the new PREP program as well

as future objectives for the FPPC. Assistant Chief Counsel Brar provided an overview of the FPPC's advice functions including telephone, email, formal written advice and opinions.

- November 29, the FPPC presented a Statement of Economic Interests Filing Officer webinar. Political Reform Consultants, Adam Ramirez, and Stephen Hernandez, presented with Associate Governmental Program Analyst, Andrea Carey, of the FPPC SEI Unit. 31 people attended.

December

- December 12, Assistant Chief Counsel Sukhi Brar and Communications Director Jay Wierenga presented an overview of the Fair Political Practices Commission and its role in ensuring accountability in California's state agencies and elected officials to delegates from Vietnam visiting through the Congressional Office of International Leadership's Open World Program. Approximately 8 people attended.
- December 12, the FPPC presented a Candidate/Treasurer webinar requested by the County of San Diego. Political Reform Consultants, Adam Ramirez and Stephen Hernandez, presented. 26 people attended.
- December 14, the FPPC presented a Statement of Economic Interests Filers webinar. Political Reform Consultants, Alexandra Castillo and Katie Trumbly, presented. 4 people attended.
- December 14, General Counsel Dave Bainbridge presented a training and participated in a roundtable discussion concerning Levine Act compliance at the California Clerks and Elections Officials (CACEO) annual conference. Approximately 45 people attended.
- December 14, Assistant Chief Counsel Sukhi Brar and Education and External Affairs Unit Manager Chloe Hackert presented at the Cal Cities City Clerks New Law & Elections seminar. Chloe Hackert presented on the Core Responsibilities of a Filing Officer and Sukhi Brar presented on Conflicts of Interest, Government Code Section 1090, and the Act's new Section 84308 Pay-to-Play rules. Approximately 400 people attended between the two sessions.
- December 19, the FPPC presented a Section 84308 (Levine Act) webinar. Senior Commission Counsel, Kevin Cornwall, and Education and External Affairs Unit Manager, Chloe Hackert, presented. 66 people attended.

Scheduled Webinars

- January 11, the FPPC is presenting a Statement of Economic Interests Filers webinar.

Video Tutorials:

November: Commission video tutorials were accessed a total of 618 times. Form 700 videos were accessed 423 times, the Candidate/Treasurer video was accessed 139 times, and the filing officer videos were accessed 56 times.

December: Commission video tutorials were accessed a total of 536 times. Form 700 videos were accessed 364 times, the Candidate/Treasurer video was accessed 106 times, and the filing officer videos were accessed 66 times.

C. New and Updated Educational Resources

- Updated [Quick Guide to Section 1090 Fact Sheet](#)
- Updated [Overview of Section 1090 and FPPC Advice Fact Sheet](#)

D. Political Reform Education Program (PREP):

- In November, PREP received 31 referrals for the Statement of Economic Interests course. During this time, 13 learners completed PREP, 1 failed to complete PREP, and 60 learners are enrolled but have not yet completed the course.
- In December, PREP received 26 referrals for the Statement of Economic Interests course. During this time, 17 learners completed PREP, 2 learners failed to complete PREP, and 67 learners are enrolled but have not yet completed the course.

E. Advice

The [November Advice Letter Report](#) is available on the FPPC website at <https://fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2023-advice-letter-reports.html>.

In November, the Legal Division responded to the following requests for advice:

- **Education:** The Education unit responded to 432 requests for technical assistance via telephone.
- **Requests for Advice:** Political Reform Consultants and Legal Division attorneys collectively responded to 472 email requests for advice, 123 of which were not responded to within 24 hours and 72 of those were not responded to within 48 hours.
- **Advice Letters:** The Legal Division received 5 advice letter requests under the Political Reform Act and completed 9.
- **Section 1090 Letters:** The Legal Division received 5 advice letter request concerning Section 1090 and completed 7.

The [December Advice Letter Report](#) is available on the FPPC website at <https://fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2023-advice-letter-reports.html>.

In December, the Legal Division responded to the following requests for advice:

- **Education:** The Education unit responded to 429 requests for technical assistance via telephone.

- **Requests for Advice:** Political Reform Consultants and Legal Division attorneys collectively responded to 571 email requests for advice, 214 of which were not responded to within 24 hours and 170 of those were not responded to within 48 hours.
- **Advice Letters:** The Legal Division received 12 advice letter requests under the Political Reform Act and completed 7.
- **Section 1090 Letters:** The Legal Division received 0 advice letter request concerning Section 1090 and completed 10. In 2023 we have received 64 advice requests regarding Section 1090.

F. Miscellaneous Decisions

Regulation 18740 provides that an official or candidate is not required to disclose the name of a source of income on their Statement of Economic Interest if disclosure would violate California or Federal law. The following exemption was approved in December:

- Beki Berrey, candidate for Superior Court Judge, County of Sonoma, is exempt from disclosing as sources of income certain clients of her law firm, Beki Berrey Family Law

G. Upcoming Regulation Projects

See regulation calendar item on Commission agenda.

H. Conflict of Interest Codes

Adoptions and Amendments

State Agencies

- CA Earthquake Authority
- Department of FI\$Cal
- Resources Agency
- State Compensation Insurance Fund
- CA Community Choice Financing Authority
- CA Mental Health Services Authority
- East Bay Community Energy Authority
- Pleasant Valley Joint Union Elementary School District
- Tulare County Office of Education

Multi-County Agencies

- CA Community Choice Financing Authority
- CA Mental Health Services Authority
- East Bay Community Energy Authority
- Pleasant Valley Joint Union Elementary School District

- Tulare County Office of Education
- CA Community Choice Financing Authority
- CA Mental Health Services Authority
- East Bay Community Energy Authority
- Pleasant Valley Joint Union Elementary School District
- Tulare County Office of Education

Exemptions

- CA Dept. of Health and Human Services, 988-Crisis Policy Advisory Group

Extensions

- None

I. Probable Cause Proceedings

Probable cause proceedings are conducted per Government Code section 83115.5. A finding of probable cause exists when the evidence supports a reasonable belief or strong suspicion that a violation occurred but does not constitute a finding a violation occurred. Respondents are presumed innocent of any violation of the Act until a violation is proven in a subsequent proceeding.

In the Matter of Ramos For City Council 2018, Committee To Elect Daniel Ramos Adelanto City Council 2020, Daniel Ramos, Ricardo Ramos, And Arley Arsineda, Case No. 2019-00464.

On November 8, 2023, probable cause was found, on the papers, to believe Respondents committed the following violations of the Act:

Count 14: The Victorville Committee, Daniel, and Ricardo failed to timely file the Victorville Committee's semi-annual campaign statement for the reporting period of July 1, 2021 to December 31, 2021, in violation of Section 84200.

Count 15: The Victorville Committee, Daniel, and Ricardo failed to timely file the Victorville Committee's semi-annual campaign statement for the reporting period of January 1, 2022 to June 30, 2022, in violation of Section 84200.

Count 16: The Victorville Committee, Daniel, and Ricardo failed to timely file the Victorville Committee's semi-annual campaign statement for the reporting period of July 1, 2022 to December 31, 2022, in violation of Section 84200.

Count 17: The Victorville Committee, Daniel, and Ricardo failed to timely file the Victorville Committee's semi-annual campaign statement for the reporting period of January 1, 2023 to June 30, 2023, in violation of Section 84200.

Count 18: The Adelanto Committee, Daniel, and Arsineda failed to timely file the Adelanto Committee's semi-annual campaign statement for the reporting period of July 1, 2021 to December 31, 2021, in violation of Section 84200.

Count 19: The Adelanto Committee, Daniel, and Arsineda failed to timely file the Adelanto Committee's semi-annual campaign statement for the reporting period of January 1, 2022 to June 30, 2022, in violation of Section 84200.

Count 20: The Adelanto Committee, Daniel, and Arsineda failed to timely file the Adelanto Committee's semi-annual campaign statement for the reporting period of July 1, 2022 to December 31, 2022, in violation of Section 84200.

Count 21: The Adelanto Committee, Daniel, and Arsineda failed to timely file the Adelanto Committee's semi-annual campaign statement for the reporting period of January 1, 2023 to June 30, 2023, in violation of Section 84200.

Count 22: The Adelanto Committee, Daniel, and Arsineda failed to properly establish, maintain, and utilize a campaign bank account upon the filing of the statement of intention, in violation of Section 85201.

In the Matter of Juan D. Thomas and Raya Advocacy, LLC, Case Nos. 2020-00439 and 2020-00441. On December 6, 2023, probable cause was found, on the papers, that Respondents committed the following violations of the Act:

Raya

Count 1: Raya failed to timely file a Lobbying Firm Activity Authorization alongside its Lobbying Firm Registration Statement within 10 days of qualifying as a lobbying firm, in violation of Government Code Section 86104, subdivision (d)(2).

Count 2: Raya failed to timely file a lobbying firm report for the reporting period January 1, 2019 to March 31, 2020, in violation of Government Code Section 86114.

Count 3: Raya failed to timely file a lobbying firm report for the reporting period April 1, 2019 to June 30, 2019, in violation of Government Code Section 86114.

Count 4: Raya failed to timely file a lobbying firm report for the reporting period July 1, 2019 to September 30, 2019, in violation of Government Code Section 86114.

Count 5: Raya failed to timely file a lobbying firm report for the reporting period October 1, 2019 to December 31, 2019, in violation of Government Code Section 86114.

Count 6: Raya failed to timely file a lobbying firm report for the reporting period January 1, 2020 to March 31, 2020, in violation of Government Code Sections 86114.

Count 7: Raya failed to file a Notice of Termination within 20 days of ceasing all their lobbying activity, in violation of Government Code Section 86107.

Thomas

Count 8: Thomas failed to timely file a lobbyist report for the reporting period January 1, 2019 to March 31, 2020, in violation of Government Code Section 86113.

Count 9: Thomas failed to timely file a lobbyist report for the reporting period April 1, 2019 to June 30, 2019, in violation of Government Code Section 86113.

Count 10: Thomas failed to timely file a lobbyist report for the reporting period July 1, 2019 to September 30, 2019, in violation of Government Code Section 86113.

Count 11: Thomas failed to timely file a lobbyist report for the reporting period October 1, 2019 to December 31, 2019, in violation of Government Code Section 86113.

Count 12: Thomas failed to timely file a lobbyist report for the reporting period January 1, 2020 to March 31, 2020, in violation of Government Code Section 86113.

Count 13: Thomas acted as a lobbyist after the lobbyist certification was voided, in violation of Government Code Section 86103.

Count 14: Thomas failed to file a Notice of Termination within 20 days of ceasing all their lobbying activity, in violation of Government Code Section 86107.

In the Matter of Augusto Caudillo, Case No. 2022-00191. On December 13, 2023, probable cause was found, on the papers, that Respondent committed the following violations of the Act:

Count 1: Caudillo failed to timely file an Assuming Office SEI by February 19, 2021, in violation of Government Code section 87202.

Count 2: Caudillo failed to timely file a 2021 Annual SEI by April 1, 2022, in violation of Government Code section 87203.

Count 3: Caudillo failed to timely file a 2022 Annual SEI by April 3, 2023, in violation of Government Code section 87203.

Count 4: Caudillo failed to timely file a Leaving Office SEI by May 15, 2023, in violation of Government Code section 87204.

IV. ADMINISTRATION & TECHNOLOGY DIVISION

STAFF: LORESSA HON, CHIEF OF ADMINISTRATION

A. New Employee Report

Enforcement Division

Fela Williams, Staff Services Analyst

B. Statement of Economic Interest (Form 700)

As of January 1, 2024, 132 persons out of 17,110 who were required under their state or local agency conflict of interest code to file a 2022/2023 Annual Form 700 have not timely done so.