

1 ANGELA J. BRERETON
2 Assistant Chief of Enforcement
3 THERESA GILBERTSON
4 Senior Commission Counsel
5 **FAIR POLITICAL PRACTICES COMMISSION**
6 1102 Q Street, Suite 3050
7 Sacramento, CA 95811
8 Telephone: (279) 237-5960
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10 Attorneys for Complainant

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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No.: 24/1046
)	
BROWN FOR BASSETT SCHOOL BOARD	)	DEFAULT DECISION AND
MEMBER 2024 and SAMUEL W. BROWN,	)	ORDER
Candidate, Bassett Unified School District)	
Governing Board Member	)	(Government Code Sections 11506
	)	and 11520)
Respondents.)	

Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby submits this Default Decision and Order for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

Pursuant to the California Administrative Procedure Act,¹ Samuel W. Brown (“Brown”) and Brown for Bassett School Board Member 2024 (“Committee”) have been served with all of the documents necessary to conduct an administrative hearing regarding the above-captioned matter, including the following:

1. An Order Finding Probable Cause;
2. An Accusation;
3. A Notice of Defense (Two Copies per Respondent);

¹ The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code.

EXHIBIT 1

INTRODUCTION

Respondent Samuel W. Brown (“Brown”) was a candidate for the Bassett Unified School District Governing Board in the November 5, 2024 General Election. Respondent Brown for Bassett School Board Member 2024 (“Committee”) is Brown’s candidate-controlled committee. This matter arose out of a pre-election outreach program.

The Political Reform Act (the “Act”)¹ requires candidates on the ballot and their controlled committees to timely file campaign statement(s). Brown violated the Act by failing to timely file required campaign statements.

DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.² Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the “APA”).³ A hearing to determine whether the Act has been violated is initiated by the filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules which the respondent is alleged to have violated.⁴

Included among the rights afforded a respondent under the APA, is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing; (2) object to the accusation on the ground it does not state acts or omissions upon which the agency may proceed; (3) object to the form of the accusation on the ground that it is so indefinite or certain that the respondent cannot identify the transaction or prepare a defense; (4) admit the accusation in whole or in part; (5) present new matter by way of a defense; or (6) object to the accusation on the ground that, under the circumstances, compliance with a Commission regulation would result in a material violation of another department’s regulation affecting substantive rights.⁵

The APA provides that a respondent’s failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent’s right to a hearing.⁶ Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action

¹ The Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission (“Commission”) are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Section 83116.

³ The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code; Section 83116.

⁴ Section 11503.

⁵ Section 11506, subd. (a)(1)–(6).

⁶ Section 11506, subd. (c).

based on the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to the respondent.⁷

PROCEDURAL REQUIREMENTS AND HISTORY

A. Initiation of the Administrative Action

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated starts the administrative action.⁸

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated the Act.⁹ Additionally, the required notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office.¹⁰

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of the Act may be commenced more than five years after the date on which the violation occurred.¹¹

Documents supporting the procedural history are included in the attached Certification of Records ("Certification") filed herewith at Exhibit 1, A-1 through A-10, and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against Brown in this matter by serving them with a Report in Support of a Finding of Probable Cause (the "Report") (Certification, Exhibit A-1) by personal service. Subsequently, the Enforcement Division served both the Committee and Brown an amended Report in Support on a Finding of Probable Cause (the "Amended Report") by certified mail.¹² (Certification, Exhibit A-2). The Committee and Brown were served with the Report on October 25, 2024 and the Amended Report on November 4, 2024. (Certification, Exhibit A-3.) The administrative action commenced on October 25, 2024, and the five-year statute of limitations was effectively tolled on this date.

As required by Section 83115.5, the packets served on the Committee and Brown contained a cover letter and a memorandum describing probable cause proceedings, advising that they had

⁷ Section 11520, subd. (a).

⁸ Section 91000.5, subd. (a).

⁹ Section 83115.5.

¹⁰ Section 83115.5.

¹¹ Section 91000.5.

¹² Section 83115.5.

21 days in which to request a probable cause conference and/or to file a written response to the Report. The Committee and Brown did not request a probable cause conference or submit a written response to the Reports.

B. Ex Parte Request for a Finding of Probable Cause

Because the Committee and Brown failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to the Hearing Officer of the Commission on December 3, 2024. (Certification, Exhibit A-4.)

On December 4, 2024, the Hearing Officer, Legal Division, John Feser, issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on the Committee and Brown. (Certification, Exhibit A-5.)

C. The Issuance and Service of the Accusation

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.¹³

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules that the respondent is alleged to have violated but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3) include (i) a statement that respondent may request a hearing by filing a notice of defense as

¹³ Regulation 18361.4, subd. (g).

provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.¹⁴ The APA also sets forth the language required in the accompanying statement to the respondent.¹⁵

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.¹⁶

On January 17, 2025, the Commission's Chief of Enforcement, James Lindsay, issued an Accusation against the Committee and Brown. (Certification, Exhibit A-6.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form for each respondent, copies of Government Code Sections 11506, 11507.5, 11507.6, and 11507.7, were served upon the Committee and Brown by personal service on January 29, 2025. (Certification, Exhibit A-7.)

Along with the Accusation, the Enforcement Division served the Committee and Brown with a "Statement to Respondent," which notified them that they could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, they would be deemed to have waived the right to a hearing. The Committee and Brown did not file a Notice of Defense within the statutory time period, which ended on February 12, 2025.

As a result, on May 6, 2025, the Enforcement Division sent a letter to the Committee and Brown advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for August 21, 2025 (Certification, Exhibit A-9.)

On July 2, 2025, the Enforcement Division sent another letter to the Committee and Brown advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for August 21, 2025. (Certification, Exhibit A-10.) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

SUMMARY OF THE LAW

The Act and its regulations are amended from time to time. The violations in this case occurred in 2024. For this reason, all legal references and discussions of law pertain to the Act's provisions as they existed at that time.

At the core of the Act's campaign reporting system is the requirement that candidates and committees must file campaign statements and reports for certain periods and by certain deadlines.

¹⁴ Section 11505, subd. (a).

¹⁵ Section 11505, subd. (b).

¹⁶ Section 11505, subd. (c).

The Act requires candidates and, if applicable, their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.¹⁷

A candidate must file pre-election campaign statements prior to elections in which the candidate appears on the ballot.¹⁸ For the general election, a candidate must file a first pre-election campaign statement no later than 40 days before the election for the reporting period ending 45 days before the election.¹⁹ A candidate must file a second pre-election statement no later than 12 days before the election for the reporting period ending 17 days before the election.²⁰ If a person has not previously filed a campaign statement, the period covered begins on January 1.²¹

For the November 5, 2024 General Election, candidates are required to file pre-election campaign statements for the period ending September 21, 2024, no later than September 26, 2024, and for the period ending October 19, 2024, no later than October 24, 2024.²²

Candidates who do not plan to raise or spend more than two thousand dollars during a calendar year are permitted to file an Officeholder and Candidate Campaign Statement - Short Form (Form 470) (“Form 470”) that takes the place of all required pre-election and semi-annual statements for the year.²³ In order to avoid the obligation to file pre-election statements, a candidate would need to file the Form 470 on or before the first pre-election statement was due and not have an open controlled committee.²⁴

Under the Act, it is a duty of the candidate to ensure compliance with all the requirements of the Act concerning the receipt, expenditure, and reporting of funds.²⁵ Any person who has a filing or reporting obligation and who violates the Act shall be liable.²⁶

SUMMARY OF THE EVIDENCE

Brown was an unsuccessful candidate for Bassett Unified School District Governing Board in the November 5, 2024 General Election. Brown filed an initial statement of organization for his controlled committee on or around September 27, 2024 but indicated it had not yet qualified. (Certification, Exhibit A-8.) As a candidate, Brown was required to file a campaign statement to disclose his campaign activity and if Brown did not intend to raise or spend sufficient funds to qualify as a Committee, Brown could have filed a short form disclosure statement (a Form 470).

¹⁷ Section 84200, *et seq.*

¹⁸ Section 84200.5, subd. (a)(1).

¹⁹ Section 84200.8, subd. (a).

²⁰ Section 84200.8, subd. (b).

²¹ Section 82046, subd. (b).

²² Section 84200.8.

²³ Section 84206, subd. (a); Regulation 18406, subd. (a).

²⁴ Regulation 18406.

²⁵ Sections 81004, 84100, 84104, and 84213; Regulation 18427

²⁶ Section 83116.5.

The first pre-election campaign statement that was due was required to be filed by September 26, 2024 to report activity from January 1, 2024 through September 21, 2024.

The second pre-election campaign statement that was due was required to be filed by October 24, 2024 to report activity from September 22, 2024 through October 19, 2024.

According to the filing officer, Brown failed to timely file both statements. As of April 23, 2025, Brown has not filed any campaign statements. As Brown failed to file, there is no disclosure regarding any contributions received or expenditures.

Summary of Contact

Through a Pre-Election Outreach Program, the Fair Political Practices Commission staff made multiple attempts to obtain compliance. Overall, staff contacted the Committee and Brown 34 times throughout this case, as follows:

- October 2, 2024: Email to Brown from Pre-election Outreach Program
- October 2, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 3, 2024: Email from Pre-election Outreach Program
- October 3, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 3, 2024: Email from Pre-election Outreach Program
- October 3, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 4, 2024: Email from Pre-election Outreach Program
- October 4, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 4, 2024: Email from Pre-election Outreach Program
- October 7, 2024: Email from Pre-election Outreach Program
- October 7, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 7, 2024: Email from Pre-election Outreach Program
- October 8, 2024: Email from Pre-election Outreach Program
- October 8, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 8, 2024: Email from Pre-election Outreach Program
- October 8, 2024: Phone call and voicemail from Pre-election Outreach Program
- October 9, 2024: Email from the Enforcement Division
- October 9, 2024: Phone call and voicemail from the Enforcement Division
- October 9, 2024: Email from the Enforcement Division
- October 10, 2024: Email from the Enforcement Division
- October 11, 2024: Email from the Enforcement Division
- October 14, 2024: Email from the Enforcement Division
- October 14, 2024: Phone calls and voicemail from the Enforcement Division
- October 14, 2024: Direct message via Instagram to an account named “Sam Brown Vasquez - #SomosBasset” identified as Respondent’s Instagram account, from the Enforcement Division
- October 14, 2024: Respondent replied to the Direct Message via Instagram
- October 15, 2024: Phone call from the Enforcement Division

- October 15, 2024: Email from the Enforcement Division
- October 15, 2024: Direct message via Instagram from the Enforcement Division
- October 15, 2024: Respondent replied to Direct Message from the Enforcement Division
- October 16, 2024: Direct message via Instagram from the Enforcement Division
- October 16, 2024: Respondent replied to Direct Message from the Enforcement Division
- October 17, 2024: Direct message via Instagram from the Enforcement Division
- October 23, 2024, Direct message via Instagram from the Enforcement Division
- October 25, 2024: Report in Support of Probable Cause served on the Committee and Brown
- November 4, 2024: Amended Report in Support of Probable Cause served on the Committee and Brown
- November 14, 2024: Email from the Enforcement Division with a courtesy copy of the Reports in Support of a Finding of Probable Cause
- December 3, 2024: copy of Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served mailed to the Committee and Brown
- January, 29, 2025: Accusation served on the Committee and Brown
- March 5, 2025: Direct message via Instagram from the Enforcement Division
- March 5, 2025: Phone call and voicemail from the Enforcement Division
- March 6, 2025: Email from the Enforcement Division
- March 12, 2025: Email from the Enforcement Division
- March 12, 2025: Phone call and voicemail from the Enforcement Division
- May 6, 2025 letter to the Committee and Brown informing them that a Default Decision and Order would appear on the agenda for the June 19, 2025 Commission meeting as a notice item. A copy was also sent by email.
- July 2, 2025: Notice of Intent to Enter Default Decision and Order to the Committee and Brown informing them that the Default Decision and Order would be presented at the August 21, 2025 meeting for Commission action. A copy was also sent by email.

VIOLATIONS

The Committee and Brown committed two violations of the Act as follows:

COUNT 1

Failure to Timely File Pre-Election Campaign Statements

The Committee and Brown had a duty to timely file pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024 by the September 26, 2024 due date. The Committee and Brown failed to timely file a pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024 by the September 26, 2024 due date. By failing to timely file the pre-election campaign statement by the September 26, 2024 due date, the Committee and Brown violated Government Code sections 84200.5, 84200.8, and 84206.

COUNT 2

Failure to Timely File Pre-election Campaign Statement

The Committee and Brown had a duty to timely file a pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024 by the October 24, 2024 due date. The Committee and Brown failed to timely file a pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024 by the October 24, 2024 due date. By failing to timely file the pre-election campaign statement by the October 24, 2024 due date, the Committee and Brown violated Government Code sections 84200.5 and 84200.8.

CONCLUSION

This matter consists of two counts of violating the Act, which carry a maximum total administrative penalty of \$10,000.²⁷

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5 subdivision (e)(1) through (8): (1) The extent and gravity of the public harm caused by the specific violation; (2) The level of experience of the violator with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (8) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.²⁸

A central purpose of the Act is to ensure receipts and expenditures in election campaigns are fully and truthfully disclosed. The violations here include the failure to timely file campaign statements.

The Committee's failure to timely file preelection campaign statements deprived the public of important time-sensitive information regarding the Committee's activity prior to the election. Brown has never served in a public position and does not have experience with the requirements of the Act. The violations in this case appear to have been negligent, as there is no evidence of an intent to conceal campaign activity. The Committee and Brown do not have prior enforcement history. There is no evidence that Brown sought or received advice from the Commission or from any other government official prior to the violations. Brown received 16.83% of the vote and was an unsuccessful candidate. Based on evidence gathered, the Enforcement Division believes that

²⁷ Section 83116, subd. (c).

²⁸ Regulation 18361.5, subd. (e).

the violations described herein would qualify for the streamline settlement program, indicating that there was low public harm associated overall.

The Enforcement Division also considers previous cases approved by the Commission in determining penalties. In this matter, the following case was used as a guideline.

Counts 1 - 2

- *In the Matter Ramos for City Council 2018, Committee to Elect Daniel Ramos Adelanto City Council 2020, Daniel Ramos, and Arley Arsineda*, FPPC No. 19/464. (The Commission approved a default decision on September 19, 2024). The respondents, among other violations, failed to timely file pre-election campaign statements. The Commission imposed a penalty of \$3,500 for this violation.
 - A lower penalty of \$2,500 is recommended because, like in Ramos, the Committee and Brown filed an initial statement of organization indicating it had not yet reached the threshold to qualify as a committee, and failed to file subsequent campaign statements that would justify the committee's status. A notable difference between the comparable and this case is that Ramos was a successful candidate and had run for office previously. Here, Brown was not experienced and did not win the election.

PROPOSED PENALTY

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, the following penalties are proposed:

Counts	Violations: The Committee and Brown	Proposed Penalty per Count
1 - 2	Failure to Timely File Pre-election Campaign Statements	\$2,500
	Total:	\$5,000



**DECLARATION OF CUSTODIAN OF RECORDS
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
Enforcement Division**

CERTIFICATION OF RECORDS

The undersigned declares and certifies as follows:

1. I am employed as an Associate Governmental Program Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 1102 Q St, Ste 3050, Sacramento, CA 95811.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 24/1046; Samuel W. Brown and Brown for Bassett School Board Member 2024* and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

EXHIBIT A-1: Report in Support of a Finding of Probable Cause, dated October 17, 2024

EXHIBIT A-2: Amended Report in Support of a Finding of Probable Cause, dated October 28, 2024

EXHIBIT A-3: Proofs of Service for the Report and Amended Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated October 30, 2024 and October 29, 2024, and certified mail receipts and USPS tracking

EXHIBIT A-4: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated December 3, 2024

EXHIBIT A-5: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated December 4, 2024

EXHIBIT A-6: Accusation, dated January 17, 2025

EXHIBIT A-7: Proof of Service on January 29, 2025, for Accusation and accompanying documents from process server, dated February 6, 2025

EXHIBIT A-8: Initial statement of organization, filed on September 19, 2018

EXHIBIT A-9: Notice of Default Decision and Order, dated May 6, 2025.

EXHIBIT A-10: Notice of Intent to Enter Default Decision and Order, dated July 2, 2025.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 7, 2025, at Sacramento, California.



Shaina Elkin
Associate Governmental Program Analyst
Enforcement Division
Fair Political Practices Commission

Exhibit A-1

JAMES M. LINDSAY
Chief of Enforcement
THERESA GILBERTSON
Senior Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street, Suite 3050
Sacramento, CA 95811
Telephone: (279) 237-5960
Email: tgilbertson@fppc.ca.gov

Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of:	) FPPC No. 2024-01046
)
	) REPORT IN SUPPORT OF A FINDING OF
SAMUEL W. BROWN,	) PROBABLE CAUSE
Candidate, Bassett Unified School District)
Governing Board Member.	) Conference Date: TBA
	) Conference Time: TBA
	) Conference Location: Commission Offices
Respondents.	) 1102 Q Street, Suite 3000
	) Sacramento, CA 95811
)
)

INTRODUCTION

Respondent Samuel W. Brown (“Brown”) is a candidate for the Bassett Unified School District Governing Board in the November 5, 2024 General Election.

The Political Reform Act (the “Act”)¹ requires candidates on the ballot to timely file campaign statement(s). Brown violated the Act by failing to timely file a campaign statement.

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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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

SUMMARY OF THE LAW

Jurisdiction

The Fair Political Practices Commission (the “Commission”) has administrative jurisdiction to enforce the provisions of the Act.²

Probable Cause Proceedings

Prior to the Enforcement Division commencing an administrative action, the General Counsel of the Commission or his designee (the “hearing officer”), must make a finding that there is probable cause to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

Standard for Finding Probable Cause

To make a finding of probable cause, the hearing officer must be presented with sufficient evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion, that a respondent committed or caused a violation.⁶

Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

When enacting the Political Reform Act, the people of the state of California found and declared that previous laws regulating political practices suffered from inadequate enforcement by state and local authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

A central purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring committees to disclose all contributions and expenditures made throughout a

² Section 83116.

³ Section 83115.5; Regulations 18361 and 18361.4.

⁴ Section 11500, *et seq.*

⁵ Section 83116; Regulation 18361.4, subd. (e).

⁶ Section 18361.4, subd. (e).

⁷ Section 81001, subd. (h).

⁸ Section 81003.

campaign.⁹ Another is to provide adequate enforcement mechanisms so that the Act will be “vigorously enforced.”¹⁰

Duty to File Campaign Statements

At the core of the Act’s campaign reporting system is the requirement that candidates and committees must file campaign statements and reports for certain periods and by certain deadlines. The Act requires candidates and, if applicable, their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.¹¹

Duty to File Pre-Election Campaign Statements

A candidate must file pre-election campaign statements prior to elections in which the candidate appears on the ballot.¹² For the general election, a candidate must file a first pre-election campaign statement no later than 40 days before the election for the reporting period ending 45 days before the election.¹³ A candidate must file a second pre-election statement no later than 12 days before the election for the reporting period ending 17 days before the election.¹⁴ If a person has not previously filed a campaign statement, the period covered begins on January 1.”¹⁵

For the November 5, 2024 General Election, candidates are required to file pre-election campaign statements for the period ending September 21, 2024, no later than September 26, 2024, and for the period ending October 19, 2024, no later than October 24, 2024.¹⁶

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⁹ Section 81002, subd. (a).

¹⁰ Section 81002, subd. (f).

¹¹ Section 84200, *et seq.*

¹² Section 84200.5, subd. (a)(1).

¹³ Section 84200.8, subd. (a).

¹⁴ Sections 84200.8, subd. (b).

¹⁵ Section 82046, subd. (b).

¹⁶ Section 84200.8.

1 Short Form Campaign Statements

2 Candidates who do not plan to raise or spend more than two thousand dollars during a calendar
3 year are permitted to file an Officeholder and Candidate Campaign Statement - Short Form (Form 470)
4 (“Form 470”) that takes the place of all required pre-election and semi-annual statements for the year.¹⁷
5 In order to avoid the obligation to file pre-election statements, a candidate would need to file the Form
6 470 on or before the first pre-election statement was due and not have an open controlled committee.¹⁸

7 Candidate Liability

8 Under the Act, it is a duty of the candidate to ensure compliance with all the requirements of the
9 Act concerning the receipt, expenditure, and reporting of funds.¹⁹ Any person who has a filing or
10 reporting obligation and who violates the Act shall be liable.²⁰

11 **SUMMARY OF THE EVIDENCE**

12 According to Los Angeles County Registrar-Recorder/County Clerk (“Filing Officer”), Brown is
13 a candidate for the Bassett Unified School District Governing Board on the November 5, 2024 General
14 Election ballot. As a candidate, Brown is required to file a campaign statement to disclose his campaign
15 activity. This first campaign statement that was due was required to be filed by September 26, 2024 to
16 report activity from January 1, 2024 through September 21, 2024. According to the filing officer, Brown
17 failed to timely file this statement. As of October 16, 2024, Brown has not filed any campaign statements.

18 Through a Pre-Election Outreach Program, the Fair Political Practices staff made multiple
19 attempts to obtain compliance. On October 2, October 3, October 4, October 7, and October 8, staff made
20 numerous calls, left voicemails, and sent emails to remind Brown of the filing obligation. The case was
21 transferred to an enforcement attorney. On October 9, 10, 11, 13, and 15, the enforcement attorney made
22 numerous calls, left voicemails, sent emails, and contacted Brown at an Instagram account believed to be
23 his. Brown’s Instagram account, @Brown4Bassett responded to the direct messages on October 14,
24

25 ¹⁷ Section 84206, subd. (a); Regulation 18406, subd. (a).

26 ¹⁸ Regulation 18406.

27 ¹⁹ Sections 81004, 84100, 84104, and 84213; Regulation 18427.

28 ²⁰ Section 83116.5.

October 15, and October 16. Brown indicated that he would contact the FPPC or file, however, Brown has failed to follow through.

VIOLATIONS

Count 1: Failure to Timely File a Pre-Election Campaign Statement

Brown failed to timely file the first pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024, in connection with his candidacy during the November 5, 2024 General Election, by the deadline of September 26, 2024, in violation of Government Code sections 84200.5, 84200.8, and 84206.

OTHER RELEVANT MATERIAL

The Enforcement Division is not aware of any other relevant material at this time.

EXCULPATORY AND MITIGATING INFORMATION

The Enforcement Division is not aware of any other exculpatory or mitigating information at this time.

CONCLUSION

Probable cause exists to believe that Samuel W. Brown violated the Act as described above. The Enforcement Division respectfully requests an order finding probable cause pursuant to Section 83115.5 and Regulation 18361.4.

Dated: October 17, 2024

Respectfully Submitted,

FAIR POLITICAL PRACTICES COMMISSION

James M. Lindsay
Enforcement Chief



By: Theresa Gilbertson
Senior Commission Counsel
Enforcement Division

Exhibit A-2

JAMES M. LINDSAY
Chief of Enforcement
THERESA GILBERTSON
Senior Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street, Suite 3050
Sacramento, CA 95811
Telephone: (279) 237-5960
Email: tgilbertson@fppc.ca.gov

Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of:	)	FPPC No. 2024-01046
)	
BROWN FOR BASSETT SCHOOL	)	AMENDED REPORT IN SUPPORT OF A
BOARD MEMBER 2024, and	)	FINDING OF PROBABLE CAUSE
SAMUEL W. BROWN,)	
Candidate, Bassett Unified School District	)	Conference Date: TBA
Governing Board Member.	)	Conference Time: TBA
	)	Conference Location: Commission Offices
	)	1102 Q Street, Suite 3000
	)	Sacramento, CA 95811
Respondents.)	

INTRODUCTION

Respondent Samuel W. Brown (“Brown”) is a candidate for the Bassett Unified School District Governing Board in the November 5, 2024 General Election. Brown filed an initial Statement of Organization but indicated that his controlled committee, named Brown for Bassett School Board Member 2024 (“Committee”), had not yet qualified.

1 The Political Reform Act (the “Act”)¹ requires candidates on the ballot and their controlled
2 committees to timely file campaign statement(s). Brown violated the Act by failing to timely file required
3 campaign statements.

4 SUMMARY OF THE LAW

5 Jurisdiction

6 The Fair Political Practices Commission (the “Commission”) has administrative jurisdiction to
7 enforce the provisions of the Act.²

8 Probable Cause Proceedings

9 Prior to the Enforcement Division commencing an administrative action, the General Counsel of
10 the Commission or his designee (the “hearing officer”), must make a finding that there is probable cause
11 to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may
12 hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether
13 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

14 Standard for Finding Probable Cause

15 To make a finding of probable cause, the hearing officer must be presented with sufficient
16 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
17 that a respondent committed or caused a violation.⁶

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19
20
21 ///

23 ¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory
24 references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through
18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

25 ² Section 83116.

26 ³ Section 83115.5; Regulations 18361 and 18361.4.

27 ⁴ Section 11500, *et seq.*

28 ⁵ Section 83116; Regulation 18361.4, subd. (e).

⁶ Section 18361.4, subd. (e).

1 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

2 When enacting the Political Reform Act, the people of the state of California found and declared
3 that previous laws regulating political practices suffered from inadequate enforcement by state and local
4 authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

5 A central purpose of the Act is to ensure voters are fully informed and improper practices are
6 inhibited by requiring committees to disclose all contributions and expenditures made throughout a
7 campaign.⁹ Another is to provide adequate enforcement mechanisms so that the Act will be “vigorously
8 enforced.”¹⁰

9 Duty to File Campaign Statements

10 At the core of the Act’s campaign reporting system is the requirement that candidates and
11 committees must file campaign statements and reports for certain periods and by certain deadlines. The
12 Act requires candidates and, if applicable, their controlled committees to file campaign statements at
13 specific times disclosing information regarding contributions received and expenditures made by the
14 campaign committees.¹¹

15 Duty to File Pre-Election Campaign Statements

16 A candidate must file pre-election campaign statements prior to elections in which the candidate
17 appears on the ballot.¹² For the general election, a candidate must file a first pre-election campaign
18 statement no later than 40 days before the election for the reporting period ending 45 days before the
19 election.¹³ A candidate must file a second pre-election statement no later than 12 days before the election
20 for the reporting period ending 17 days before the election.¹⁴ If a person has not previously filed a
21 campaign statement, the period covered begins on January 1.”¹⁵

22 ⁷ Section 81001, subd. (h).

23 ⁸ Section 81003.

24 ⁹ Section 81002, subd. (a).

25 ¹⁰ Section 81002, subd. (f).

26 ¹¹ Section 84200, *et seq.*

27 ¹² Section 84200.5, subd. (a)(1).

28 ¹³ Section 84200.8, subd. (a).

¹⁴ Sections 84200.8, subd. (b).

¹⁵ Section 82046, subd. (b).

For the November 5, 2024 General Election, candidates are required to file pre-election campaign statements for the period ending September 21, 2024, no later than September 26, 2024, and for the period ending October 19, 2024, no later than October 24, 2024.¹⁶

Short Form Campaign Statements

Candidates who do not plan to raise or spend more than two thousand dollars during a calendar year are permitted to file an Officeholder and Candidate Campaign Statement - Short Form (Form 470) ("Form 470") that takes the place of all required pre-election and semi-annual statements for the year.¹⁷ In order to avoid the obligation to file pre-election statements, a candidate would need to file the Form 470 on or before the first pre-election statement was due and not have an open controlled committee.¹⁸

Candidate Liability

Under the Act, it is a duty of the candidate to ensure compliance with all the requirements of the Act concerning the receipt, expenditure, and reporting of funds.¹⁹ Any person who has a filing or reporting obligation and who violates the Act shall be liable.²⁰

SUMMARY OF THE EVIDENCE

According to Los Angeles County Registrar-Recorder/County Clerk ("Filing Officer"), Brown is a candidate for the Bassett Unified School District Governing Board on the November 5, 2024 General Election ballot. Brown filed an initial statement of organization for his controlled committee on or around September 27, 2024. As a candidate, Brown is required to file a campaign statement to disclose his campaign activity. This first pre-election campaign statement that was due was required to be filed by September 26, 2024 to report activity from January 1, 2024 through September 21, 2024. The second pre-election campaign statement that was due was required to be filed by October 24, 2024 to report activity from September 22, 2024 through October 19, 2024. According to the filing officer, Brown failed to timely file both statements. As of October 28, 2024, Brown has not filed any campaign statements.

¹⁶ Section 84200.8.

¹⁷ Section 84206, subd. (a); Regulation 18406, subd. (a).

¹⁸ Regulation 18406.

¹⁹ Sections 81004, 84100, 84104, and 84213; Regulation 18427.

²⁰ Section 83116.5.

Through a Pre-Election Outreach Program, the Fair Political Practices staff made multiple attempts to obtain compliance. On October 2, October 3, October 4, October 7, and October 8, staff made numerous calls, left voicemails, and sent emails to remind Brown of the filing obligation. The case was transferred to an enforcement attorney. On October 9, 10, 11, 13, and 15, the enforcement attorney made numerous calls, left voicemails, sent emails, and contacted Brown at an Instagram account believed to be his. Brown's Instagram account, @Brown4Bassett responded to the direct messages on October 14, October 15, and October 16. Brown indicated that he would contact the FPPC or file, however, Brown has failed to follow through. Enforcement followed up with Brown on Instagram on October 17 and October 23, but Brown did not respond.

VIOLATIONS

Count 1: Failure to Timely File a Pre-Election Campaign Statement

Brown and the Committee failed to timely file the first pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024, in connection with his candidacy during the November 5, 2024 General Election, by the deadline of September 26, 2024, in violation of Government Code sections 84200.5 and 84200.8.

Count 2: Failure to Timely File a Pre-Election Campaign Statement

Brown and the Committee failed to timely file the second pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024, in connection with his candidacy during the November 5, 2024 General Election, by the deadline of October 24, 2024, in violation of Government Code sections 84200.5 and 84200.8.

OTHER RELEVANT MATERIAL

The Enforcement Division is not aware of any other relevant material at this time.

EXCULPATORY AND MITIGATING INFORMATION

The Enforcement Division is not aware of any other exculpatory or mitigating information at this time.

///

1 **CONCLUSION**

2 Probable cause exists to believe that Samuel W. Brown violated the Act as described above. The
3 Enforcement Division respectfully requests an order finding probable cause pursuant to Section 83115.5
4 and Regulation 18361.4.

5
6 Dated: 28 October 2024

7
8 Respectfully Submitted,

9 **FAIR POLITICAL PRACTICES COMMISSION**

10 James M. Lindsay
Enforcement Chief

11 

12 By: Theresa Gilbertson
13 Senior Commission Counsel
Enforcement Division

Exhibit A-3

AFFIDAVIT OF SERVICE

by FAX CCP 2.305

Case: FPPC No. 2024 01046	Court: BEFORE THE FAIR POLITICAL PRACTICES COMMISSION STATE OF CALIFORNIA	County:	Job: 12013245
Plaintiff / Petitioner: In the Matter of: SAMUEL W. BROWN, Candidate, Bassett Unified School District Governing Board Member.		Defendant / Respondent:	
Received by: GET'EM PROCESS SERVER		For: FAIR POLITICAL PRACTICES COMMISSION	
To be served upon: Samuel W. Brown			

I, Elias Elhayek , being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Samuel W Brown, [REDACTED]

Manner of Service: Personal/Individual, Oct 25, 2024, 1:07 pm PDT

Documents: REPORT IN SUPPORT OF A FINDING OF PROBABLE CAUSE; LETTER TO SAMUEL W. BROWN

Additional Comments:

1) Unsuccessful Attempt: Oct 17, 2024, 8:03 pm PDT at [REDACTED]
Per Elena "DOE" , Samuel is not available at this time
Elena is a Caucasian female 30s 5.7" 135 pounds Brown hair, brown eyes

2) Unsuccessful Attempt: Oct 18, 2024, 11:30 am PDT at [REDACTED]
I spoke to John Doe from behind the door did not see him I asked him about Samuel Brown. He said he is not available at this time.

3) Unsuccessful Attempt: Oct 19, 2024, 12:26 pm PDT at [REDACTED]
I spoke to Elena "DOE" Outside the property being hostile Told me that Samuel is not home then came Back and asked me for a business card I told her that I am a Process Server Doing my job she said that you keep coming to my property and I don't want that. She asked me for a business card.
Obviously, knowing about the legal documents and Avoiding service. She said that she wants a business card so she can cause a lawyer.

4) Unsuccessful Attempt: Oct 22, 2024, 12:59 pm PDT at [REDACTED]
No one answered the door no movement was heard coming from inside the house no cars in the driveway or on the street

5) Unsuccessful Attempt: Oct 23, 2024, 5:55 pm PDT at [REDACTED]
No one answered the door the car Toyota Corolla license plate number [REDACTED] Elena was driving as parked in the driveway and the truck Chevy truck license plate [REDACTED] is parked on the other side of the house I heard people talking inside, but no one came to the door

6) Unsuccessful Attempt: Oct 24, 2024, 6:18 pm PDT at [REDACTED]
No one opened the door, no cars in the driveway on both sides of the house. No lights in the house.

7) Successful Attempt: Oct 25, 2024, 1:07 pm PDT at [REDACTED] received by Samuel W Brown. Age: 30's 40's;
Ethnicity: Hispanic; Gender: Male; Weight: 175; Height: 5'10"; Hair: Brown; Eyes: Brown;
I arrived to the address. I saw Mr. Brown, leaning on the ground, spray painting a sign in blue and white. I approached him. The gate was closed, I called his name, Mr. Samuel Brown, and I told him that I have legal documents for him. He said I am not Samuel Brown. I told him that I have a picture of him and that he is served. I dropped serve the documents on the side of the gate that Mr. Brown was on as he was running inside the house .

Fees: \$170.00



10/30/2024

Elias Elhayek SAN BERNARDINO 1756

Date

GET'EM Process Servers
230 E. Foothill Blvd.
Arcadia, CA 91006
(626) 499 5099

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is: Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811. On October 29, 2024, I served the following document(s):

1. Letter dated October 28, 2024 from Theresa Gilbertson, Senior Commission Counsel;
2. FPPC Case No. 2024/01046 Amended Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet;
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission;
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings; and
6. Probable Cause Checklist.

☐ By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

☐ By personal service. At _____ a.m./p.m.: _____

☐ I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

☐ By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

☒ By United States Postal Service. I enclosed the documents in a sealed envelope or package addressed to the person at the address listed below and placed the envelope or package for collection and mailing by certified mail, return receipt requested, following my company's ordinary business practices. I am readily familiar with this business' practice for collection and processing correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

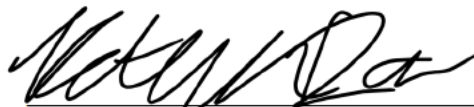
Samuel W. Brown

[REDACTED]

Samuel W. Brown

[REDACTED]

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 29, 2024.



Katelyn Rader

9589 0710 5270 0783 4031 18

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street

City

Samuel W. Brown

Postmark
Here

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0783 4031 18

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street

City, State

Samuel W. Brown

Postmark
Here

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Tracking Number:

Remove X

9589071052700783403101

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Feedback

Latest Update

Your item was delivered to an individual at the address at 3:54 pm on November 4, 2024 in [redacted].

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

[redacted]
November 4, 2024, 3:54 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus[®]



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Exhibit A-4

JAMES M. LINDSAY
Chief of Enforcement
THERESA GILBERTSON
Senior Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street, Suite 3050
Sacramento, CA 95811
Telephone: (279) 237-5960
Email: tgilbertson@fppc.ca.gov

Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of

BROWN FOR BASSETT SCHOOL
BOARD MEMBER 2024, and
SAMUEL W. BROWN,
Candidate, Bassett Unified School District
Governing Board Member,

Respondents.

) FPPC No. 2024-01046

)
) EX PARTE REQUEST FOR A FINDING OF
) PROBABLE CAUSE AND AN ORDER THAT
) AN ACCUSATION BE PREPARED AND
) SERVED

) Gov. Code § 83115.5

)
)

TO THE HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:

Pursuant to Section 83115.5 of the Political Reform Act (the “Act”)¹ and Regulation 18361.4, Respondent Samuel Brown (“Brown”) was served with a copy of a report in support of a finding of probable cause (“PC Report”) in the above-entitled matter.² The PC Report, attached as “Exhibit A,” was part of a packet of materials, including a cover letter and a memorandum describing probable cause proceedings, which was personally served to Brown on or by October 25, 2024. A copy of the proof of service “Exhibit B.”

In the cover letter dated October 17, 2024, and the attached materials, Brown was advised that he could respond in writing to the PC Report and orally present the case to the Hearing Officer at a probable

¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 cause conference to be held in Sacramento. Brown was further advised that in order to have a probable
2 cause conference he needed to make a written request for one within 21 days of the date he received the
3 PC Report, or the date requested records were sent by the Enforcement Division. Additionally, Brown
4 was advised that if he did not request a probable cause conference, such a conference would not be held
5 and probable cause would be determined based solely on the PC Report and any written response that he
6 submitted within 21 days of the date he was served with the PC Report, or the date requested records were
7 sent by the Enforcement Division. To date, Brown has not submitted a written response or requested a
8 probable cause conference in response to the PC Report.

9 Additionally, Brown was served with an amended report in support of a finding of probable cause
10 (“Amended PC Report”) in the above-entitled matter. The Amended PC Report added an additional count
11 and added the Respondent, “Brown for Bassett School Board Member 2024” (“Committee”), Brown’s
12 candidate controlled committee. The Amended PC Report, attached as “Exhibit C,” was part of a packet
13 of materials, including a cover letter and a memorandum describing probable cause proceedings, which
14 was sent to Brown on October 29, 2024 by certified mail, with return receipt requested, and was delivered
15 on or by November 4, 2024. A copy of the return receipt and USPS tracking confirmation is attached as
16 “Exhibit D.”

17 In the cover letter dated October 28, 2024, and the attached materials, Brown was advised that he
18 could respond in writing to the Amended PC Report and orally present the case to the Hearing Officer at
19 a probable cause conference to be held in Sacramento. Brown was further advised that in order to have a
20 probable cause conference he needed to make a written request for one within 21 days of the date he
21 received the Amended PC Report, or the date requested records were sent by the Enforcement Division.
22 Additionally, Brown was advised that if he did not request a probable cause conference, such a conference
23 would not be held and probable cause would be determined based solely on the Amended PC Report and
24 any written response that he submitted within 21 days of the date he was served with the Amended PC
25 Report, or the date requested records were sent by the Enforcement Division. To date, Brown has not
26

submitted a written response or requested a probable cause conference in response to the Amended PC Report.

WHEREFORE, based on the attached PC Report and Amended PC Report, the Enforcement Division requests a finding by the Hearing Officer that probable cause exists to believe that the Respondent Brown and “Committee” committed two violations of the Act, stated as follows:

Count 1: Failure to Timely File a Pre-Election Campaign Statement

Brown and the Committee failed to timely file the first pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024, in connection with his candidacy during the November 5, 2024 General Election, by the deadline of September 26, 2024, in violation of Government Code sections 84200.5 and 84200.8.

Count 2: Failure to Timely File a Pre-Election Campaign Statement

Brown and the Committee failed to timely file the second pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024, in connection with his candidacy during the November 5, 2024 General Election, by the deadline of October 24, 2024, in violation of Government Code sections 84200.5 and 84200.8.

Additionally, after finding probable cause exists, the Enforcement Division requests an order by the Hearing Officer that an accusation be prepared against Brown and the Committee and served upon them.³

///

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///

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³ Gov. Code § 11503.

1 A copy of this Request was mailed via U.S. Mail to Pritchard on or by December 3, 2024 at the
2 last known address, as follows:

3 Samuel W. Brown
4 [REDACTED]
5 [REDACTED]

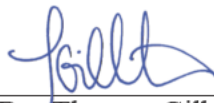
Samuel W. Brown
[REDACTED]
[REDACTED]

6
7 Dated: December 3, 2024

Respectfully Submitted,

8
9 **FAIR POLITICAL PRACTICES COMMISSION**

10 James M. Lindsay
Chief of Enforcement

11 
12 _____

13 By: Theresa Gilbertson
14 Senior Commission Counsel
15 Enforcement Division
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Exhibit A-5

**FPPC No. 2024-01046, In the matter of Brown for Bassett School Board Member 2024 and
Samuel W. Brown
PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, CA 95811. On the date below, I served the following document:

FINDING OF PROBABLE CAUSE AND ORDER TO PREPARE AND SERVE AN ACCUSATION

MANNER OF SERVICE

(U.S. Mail) By causing a true copy thereof to be served on the parties in this action through the U.S. Mail and addressed as listed below. I am familiar with the procedure of the Fair Political Practices Commission for collection and processing of correspondence for mailing with the United States Postal Service, and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

SERVICE LIST

Samuel W. Brown
[REDACTED]

Samuel W. Brown
[REDACTED]

(By Personal Service) On Tuesday, December 10, 2024 at approximately 1:15 p.m., I personally served:

Theresa Gilbertson, Senior Commission Counsel, at 1102 Q Street, Suite 3050, Sacramento, CA 95811.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this document is executed at Sacramento, California, on December 10, 2024.

Amanda Apostol

Amanda Apostol

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of	) FPPC No. 2024-01046
)
)
BROWN FOR BASSETT SCHOOL	) FINDING OF PROBABLE CAUSE AND
BOARD MEMBER 2024, and	) ORDER TO PREPARE AND SERVE AN
SAMUEL W. BROWN,	) ACCUSATION
Candidate, Bassett Unified School District)
Governing Board Member,	) Gov. Code § 83115.5
)
Respondent.)

By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated December 3, 2024, the Enforcement Division submitted the above-entitled matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served (“Ex Parte Request”), the Enforcement Division served a Report in Support of a Finding of Probable Cause (“PC Report”) on Respondent Samuel Brown (“Brown”) on or by October 25, 2024 by personal service. Additionally, Brown and his controlled committee, “Brown for Bassett School Board Member 2024” were served an Amended report in support of a finding of probable cause (“Amended PC Report”) on or by November 4, 2024 by certified mail, return receipt requested. Accompanying both the PC Report and the Amended PC Report (together, “Reports”) was a packet of materials that informed the Respondents of their right to file a written response to the Reports and to request a probable cause conference within 21 days following service of the Reports, or transmittal of any requested records by the Enforcement Division. During the 21 days that followed service of the PC Report and the 21 days that followed service of the Amended Report, Respondents did not file a response to either Report, did not request records, and did not request a probable cause conference. Pursuant to California Code of Regulations title 2, section 18361.4,¹ determination of probable cause may be made solely on papers submitted when the respondent does not request a probable cause conference.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations.

1 In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political
2 Practices Commission to determine whether probable cause exists to believe that a respondent violated
3 the Political Reform Act as alleged by the Enforcement Division in the Reports served on the respondent.

4 Probable cause to believe a violation has occurred can be found to exist when “the evidence
5 sufficiently supports a reasonable belief or strong suspicion that the Act has been violated. .”²

6 The Reports served on Respondents Brown and Committee and the subsequent Ex Parte Request
7 in this matter alleges two violations of the Political Reform Act were committed, as follows:

8 Count 1: Failure to Timely File a Pre-Election Campaign Statement

9 Brown and the Committee failed to timely file the first pre-election campaign statement for the
10 reporting period of January 1, 2024 through September 21, 2024, in connection with his candidacy during
11 the November 5, 2024 General Election, by the deadline of September 26, 2024, in violation of
12 Government Code sections 84200.5 and 84200.8.

13 Count 2: Failure to Timely File a Pre-Election Campaign Statement

14 Brown and the Committee failed to timely file the second pre-election campaign statement for the
15 reporting period of September 22, 2024 through October 19, 2024, in connection with his candidacy during
16 the November 5, 2024 General Election, by the deadline of October 24, 2024, in violation of Government
17 Code sections 84200.5 and 84200.8.

18 Based on the Ex Parte Request given to me, I find that notice has been given to Brown and the
19 Committee.³ I further find, based on the Reports and the Ex Parte Request, that there is probable cause to
20 believe that Brown and the Committee violated the Political Reform Act as alleged in Counts 1 and 2, as
21 identified above.

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26
27 ² Cal. Code Reg., tit. 2, § 18361.4, subd. (a).

28 ³ Government Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4, subd. (c).

1 I therefore direct that the Enforcement Division issue an accusation against Brown and the
2 Committee in accordance with this finding.

3 IT IS SO ORDERED.

4
5 Dated: December 4, 2024



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7 Hearing Officer
Fair Political Practices Commission
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Exhibit A-6

JAMES M. LINDSAY
Chief of Enforcement
THERESA GILBERTSON
Senior Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
1102 Q St, Suite 3050
Sacramento, CA 95811
Telephone: (279) 237-5960
Email: tgilbertson@fppc.ca.gov

Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of:	) FPPC No. 2024-01046
)
)
BROWN FOR BASSETT SCHOOL	) ACCUSATION
BOARD MEMBER 2024 and SAMUEL)
W. BROWN, Candidate, Bassett Unified)
School District Governing Board Member.	) (Gov. Code §11503)
)
Respondents.)

Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding of probable cause pursuant to Government Code Section 83115.5, alleges the following:

JURISDICTION

1. Complainant is the Enforcement Division of the Fair Political Practices Commission (the “Commission”) and makes this Accusation in its official capacity and in the public interest.

2. The authority to bring this action is derived from Title 2, California Code of Regulations, Sections 18361 and 18361.4, subdivision (g), and the statutory law of the State of California, specifically including, but not limited to, Government Code Sections 83111, 83116, and 91000.5, which assign to the Enforcement Division the duty to administer, implement, and enforce the provisions of the Political Reform Act, found at Government Code Sections 81000 through 91014.

///

3. When enacting the Political Reform Act (the “Act”),¹ California voters specifically found and declared that previous laws regulating political practices had suffered from inadequate enforcement, and it was their purpose to ensure that the Act be vigorously enforced.²

4. To that end, Section 81003 requires that the Act be liberally construed to achieve its purposes.

5. One of the stated purposes of the Act is to ensure that receipts and expenditures in election campaigns are fully and truthfully disclosed so that voters are fully informed and improper practices are inhibited.³ Another purpose is to provide adequate enforcement mechanisms so that the Act will be “vigorously enforced.”⁴

RESPONDENTS

6. Respondent Samuel W. Brown (“Brown”) was a candidate for the Bassett Unified School District Governing Board in the November 5, 2024 General Election.

7. Respondent Brown for Bassett School Board Member 2024 (“Committee”) is Brown’s candidate-controlled committee.

APPLICABLE LAW

8. All applicable law in this Accusation is the law as it existed during the relevant time for the violations alleged.

A. Duty to File Campaign Statements

9. At the core of the Act's campaign reporting system is the requirement that candidates and committees must file campaign statements and reports for certain periods and by certain deadlines. The Act requires candidates and, if applicable, their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.⁵

///

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations.

² Sections 81001, subdivision (h), and 81002, subdivision (f).

³ Section 81002, subdivision (a).

⁴ Section 81002, subdivision (f).

⁵ Section 84200, *et seq.*

1 **B. Duty to File Pre-Election Campaign Statements**

2 10. A candidate must file pre-election campaign statements prior to elections in which the
3 candidate appears on the ballot.⁶ For the general election, a candidate must file a first pre-election
4 campaign statement no later than 40 days before the election for the reporting period ending 45 days
5 before the election.⁷ A candidate must file a second pre-election statement no later than 12 days before
6 the election for the reporting period ending 17 days before the election.⁸ If a person has not previously
7 filed a campaign statement, the period covered begins on January 1.⁹

8 11. For the November 5, 2024 General Election, candidates are required to file pre-election
9 campaign statements for the period ending September 21, 2024, no later than September 26, 2024, and
10 for the period ending October 19, 2024, no later than October 24, 2024.¹⁰

11 **C. Short Form Campaign Statements**

12 12. Candidates who do not plan to raise or spend more than two thousand dollars during a
13 calendar year are permitted to file an Officeholder and Candidate Campaign Statement - Short Form
14 (Form 470) ("Form 470") that takes the place of all required pre-election and semi-annual statements for
15 the year.¹¹ In order to avoid the obligation to file pre-election statements, a candidate would need to file
16 the Form 470 on or before the first pre-election statement was due and not have an open controlled
17 committee.¹²

18 **D. Candidate Liability**

19 13. Under the Act, it is a duty of the candidate to ensure compliance with all the requirements
20 of the Act concerning the receipt, expenditure, and reporting of funds.¹³ Any person who has a filing or
21 reporting obligation and who violates the Act shall be liable.¹⁴

22
23 ///

24 ⁶ Section 84200.5, subd. (a)(1).

25 ⁷ Section 84200.8, subd. (a).

26 ⁸ Section 84200.8, subd. (b).

27 ⁹ Section 82046, subd. (b).

28 ¹⁰ Section 84200.8.

¹¹ Section 84206, subd. (a); Regulation 18406, subd. (a).

¹² Regulation 18406.

¹³ Sections 81004, 84100, 84104, and 84213; Regulation 18427.

¹⁴ Section 83116.5.

1 **E. Factors to be Considered by the Fair Political Practices Commission**

2 14. In framing a proposed order following a finding of a violation pursuant to Government
3 Code Section 83116, the Commission and the administrative law judge shall consider all the
4 surrounding circumstances including but not limited to the following factors set forth in Regulation
5 18361.5 subdivision (e)(1) through (8): (1) The extent and gravity of the public harm caused by the
6 specific violation; (2) The level of experience of the violator with the requirements of the Political
7 Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence
8 or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate,
9 negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the
10 Commission staff or any other governmental agency in a manner not constituting complete defense
11 under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern
12 and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and
13 (8) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide
14 full disclosure.¹⁵

15 **GENERAL FACTS**

16 15. Brown was an unsuccessful candidate for Bassett Unified School District Governing
17 Board in the November 5, 2024 General Election.

18 16. Brown filed an initial statement of organization for his controlled committee on or around
19 September 27, 2024 but indicated it had not yet qualified.

20 17. As a candidate, Brown was required to file a campaign statement to disclose his
21 campaign activity.

22 18. The first pre-election campaign statement that was due was required to be filed by
23 September 26, 2024 to report activity from January 1, 2024 through September 21, 2024.

24 19. The second pre-election campaign statement that was due was required to be filed by
25 October 24, 2024 to report activity from September 22, 2024 through October 19, 2024.
26
27

28

¹⁵ Regulation 18361.5, subdivision (e).

1 20. According to the filing officer, Brown failed to timely file both statements. As of January
2 17, 2025, Brown has not filed any campaign statements. As Brown failed to file, there is no disclosure
3 regarding any contributions received or expenditures.

4 21. Through a Pre-Election Outreach Program, the Fair Political Practices Commission staff
5 made multiple attempts to obtain compliance. On October 2, October 3, October 4, October 7, and
6 October 8, staff made numerous calls, left voicemails, and sent emails to remind Brown of the filing
7 obligation. The case was transferred to an enforcement attorney. On October 9, 10, 11, 13, and 15, the
8 enforcement attorney made numerous calls, left voicemails, sent emails, and contacted Brown at an
9 Instagram account believed to be his. Brown's Instagram account, @Brown4Bassett responded to the
10 direct messages on October 14, October 15, and October 16. Brown indicated that he would contact the
11 FPPC or file, however, Brown has failed to follow through. Enforcement followed up with Brown on
12 Instagram on October 17 and October 23, but Brown did not respond.

13 **PROCEDURAL HISTORY**

14 22. The Enforcement Division initiated an administrative action against Brown in this matter
15 by serving a packet containing a cover letter, a Report in Support of a Finding of Probable Cause ("PC
16 Report"), a fact sheet regarding probable cause proceedings, selected sections of the Government Code
17 regarding probable cause proceedings for the Commission, and selected regulations of the Commission
18 regarding probable cause proceedings.

19 23. Brown was served with the PC Report via personal service on October 25, 2024.

20 24. On November 4, 2024, the Committee and Brown were served with an Amended PC
21 Report via certified mail.

22 25. The information contained in both the PC Report and Amended PC Report packets
23 advised the Committee and Brown that they had 21 days in which to request a probable cause
24 conference, file a written response to the PC Report, or both. During the 21 days that followed service of
25 the PC Report and the Amended PC Report, neither Committee nor Brown filed a response to the PC
26 Report, the Amended PC Report. Neither party requested a probable cause conference.

26. By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served (“Ex Parte Request”), dated December 3, 2024, the Enforcement Division submitted the matter to the Hearing Officer for a determination of probable cause.

27. On or about December 4, 2024, the Hearing Officer issued an order finding, based on the Ex Parte Request, the PC Report, and Amended PC Report, that there was probable cause to believe the Committee and Brown violated the Act and directed the Enforcement Division to issue an Accusation against the Committee and Brown in accordance with the finding.

VIOLATIONS

28. The Committee and Brown committed two violations of the Act as follows:

Count 1: Failure to Timely File Pre-Election Campaign Statement

29. Complainant incorporates paragraphs 1 – 28 of this Accusation, as though completely set forth here.

30. The Committee and Brown had a duty to timely file pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024 by the September 26, 2024 due date.

31. The Committee and Brown failed to timely file a pre-election campaign statement for the reporting period of January 1, 2024 through September 21, 2024 by the September 26, 2024 due date.

32. By failing to timely file the pre-election campaign statement by the September 26, 2024 due date, the Committee and Brown violated Government Code sections 84200.5, 84200.8, and 84206.

Count 2: Failure to Timely File Pre-Election Campaign Statement

33. Complainant incorporates paragraphs 1 – 32 of this Accusation, as though completely set forth here.

34. The Committee and Brown had a duty to timely file a pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024 by the October 24, 2024 due date.

35. The Committee and Brown failed to timely file a pre-election campaign statement for the reporting period of September 22, 2024 through October 19, 2024 by the October 24, 2024 due date.

36. By failing to timely file the pre-election campaign statement by the October 24, 2024 due date, the Committee and Brown violated Government Code sections 84200.5 and 84200.8.

MITIGATING OR EXCULPATORY FACTORS

37. Brown does not have prior enforcement history.

AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS

38. The Enforcement Division is not aware of any other relevant material at this time.

PRAYER

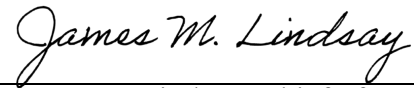
WHEREFORE, Complainant prays as follows:

1. That the Fair Political Practices Commission hold a hearing pursuant to Section 83116 and Regulation 18361.5, and at such hearing find that the Committee and Brown violated the Act as alleged herein;
2. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c), order the Committee and Brown to pay a monetary penalty of up to \$5,000 for the violation of the Political Reform Act alleged in **Count 1**;
3. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c), order the Committee and Brown to pay a monetary penalty of up to \$5,000 for the violation of the Political Reform Act alleged in **Count 2**;
4. That the Fair Political Practices Commission, pursuant to Regulation 18361.5, subdivision (e), consider the following factors in framing a proposed order following a finding of a violation pursuant to Section 83116: (1) The extent and gravity of the public harm caused by the specific violation; (2) The level of experience of the violator with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar

1 laws; and (8) Whether the violator, upon learning of a reporting violation, voluntarily filed
2 amendments to provide full disclosure.

3 5. That the Fair Political Practices Commission grant such other and further relief as it
4 deems just and proper.

5
6 Dated: January 17, 2025



James M. Lindsay, Chief of Enforcement
Fair Political Practices Commission

Exhibit A-7

AFFIDAVIT OF SERVICE

By Fax CCP 2.305

Case: FPPC No. 2024 01046	Court: BEFORE THE FAIR POLITICAL PRACTICES COMMISSION STATE OF CALIFORNIA	County:	Job: 12602889
Plaintiff / Petitioner: In the Matter of: SAMUEL W. BROWN, Candidate, Bassett Unified School District Governing Board Member.		Defendant / Respondent:	
Received by: GET'EM PROCESS SERVERS		For: FAIR POLITICAL PRACTICES COMMISSION	
To be served upon: Samuel W. Brown			

I, Elias Elhayek , being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Samuel w Brown, [REDACTED]

Manner of Service: Personal/Individual, Jan 29, 2025, 5:07 pm PST

Documents: Accusation Packet

Additional Comments:

1) Successful Attempt: Jan 29, 2025, 5:07 pm PST at [REDACTED] received by Samuel w Brown. Age: 30's-40's;
Gender: Male; Weight: 190; Height: 6'0"; Hair: Brown; Eyes: Brown;



02/06/2025

Elias Elhayek San Bernardino 1756

Date

GET'EM PROCESS SERVERS
230 E. FOOTHILL BLVD.
ARCADIA CA 91006
626-499-5099

Exhibit A-8

**Statement of Organization
Recipient Committee**

Statement Type

☒ Initial

☒ Not yet qualified
or

☐ Date qualification threshold met

☐ Amendment

Date qualification threshold met

☐ Termination – See Part 5

Date of termination

Date Stamp

RECEIVED BY
LOS ANGELES COUNTY

2024 SEP 27 AM 8:30

CAMPAIGN FINANCE

**CALIFORNIA
FORM**

410

For Official Use Only

1. Committee Information

I.D. Number
(if applicable)

NAME OF COMMITTEE

Brown for Bassett School Board Member 2024

STREET ADDRESS (NO P.O. BOX)

CITY

La Puente

STATE

CA

ZIP CODE

91746

AREA CODE/PHONE

2139737285

FULL MAILING ADDRESS (IF DIFFERENT)

E-MAIL ADDRESS OF COMMITTEE (REQUIRED) / FAX (OPTIONAL)

Brown4Bassett@gmail.com

COUNTY OF DOMICILE

Los Angeles County

JURISDICTION WHERE COMMITTEE IS ACTIVE

Bassett Unified School District

Attach additional information on appropriately labeled continuation sheets.

2. Treasurer and Other Principal Officers

NAME OF TREASURER

Samuel Brown

STREET ADDRESS (NO P.O. BOX)

CITY

La Puente

STATE

CA

ZIP CODE

91746

EMAIL ADDRESS OF TREASURER (REQUIRED)

Brown4Bassett@gmail.com

AREA CODE/PHONE

2139737285

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX)

CITY

STATE

ZIP CODE

EMAIL ADDRESS OF ASSISTANT TREASURER (REQUIRED)

AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

Samuel Brown

STREET ADDRESS (NO P.O. BOX)

CITY

La Puente

STATE

CA

ZIP CODE

91746

EMAIL ADDRESS OF PRINCIPAL OFFICER(S) (REQUIRED)

Brown4Bassett@gmail.com

AREA CODE/PHONE

2139737285

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 09/26/2024 By _____
DATE

SIGNATURE OF TREASURER

Executed on 09/26/2024 By _____
DATE

SIGNATURE OF CONTROLLING OFFICEHOLDER

PROPONENT

Executed on _____ By _____
DATE

SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on _____ By _____
DATE

SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Statement of Organization Recipient Committee

INSTRUCTIONS ON REVERSE

CALIFORNIA
FORM 410

Page 2

I.D. NUMBER.

COMMITTEE NAME

Brown for Bassett School Board Member 2024

- All committees must list the financial institution where the campaign bank account is located and the person(s) authorized to obtain bank records.

NAME OF FINANCIAL INSTITUTION AND PERSON(S) AUTHORIZED TO OBTAIN BANK RECORDS

AREA CODE/PHONE

BANK ACCOUNT NUMBER

ADDRESS OF FINANCIAL INSTITUTION

CITY

STATE

ZIP CODE

4. Type of Committee *Complete the applicable sections.*

Controlled Committee

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "nonpartisan." Stating "No party preference" is acceptable.
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT

ELECTIVE OFFICE SOUGHT OR HELD
(INCLUDE DISTRICT NUMBER IF APPLICABLE)

YEAR OF
ELECTION

PARTY
CHECK ONE

Samuel Brown	Bassett Unified School District Board Member	2024	Nonpartisan ✓	Partisan	(list political party below)
			Nonpartisan	Partisan	(list political party below)

Primarily Formed Committee

Primarily formed to support or oppose specific candidates or measures in a single election. List below:

CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)
IF A RECALL, STATE "RECALL" IN FRONT OF THE OFFICEHOLDER'S NAME.

CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION
(INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)

CHECK ONE

		SUPPORT	OPPOSE
		SUPPORT	OPPOSE

FPPC Form 410 (October/2023)

FPPC Advice: advice@fppc.ca.gov (866/275-3772)

www.fppc.ca.gov

**Statement of Organization
Recipient Committee**

INSTRUCTIONS ON REVERSE

**CALIFORNIA
FORM 410**

Page 3

I.D. NUMBER

COMMITTEE NAME

Brown for Bassett School Board Member 2024

4. Type of Committee (Continued)

General Purpose Committee

Not formed to support or oppose specific candidates or measures in a single election. Check only one box:

☐ CITY Committee

☒ COUNTY Committee

☐ STATE Committee

PROVIDE BRIEF DESCRIPTION OF ACTIVITY

Candidate Controlled Committee for School Board

Sponsored Committee

List additional sponsors on an attachment.

NAME OF SPONSOR

INDUSTRY GROUP OR AFFILIATION OF SPONSOR

STREET ADDRESS

NO. AND STREET

CITY

STATE

ZIP CODE

AREA CODE/PHONE

Small Contributor Committee

☐

Date qualified

5. Termination Requirements

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or ponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
- This committee does not anticipate receiving contributions or making expenditures in the future;
- This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
- This committee has no surplus funds; and
- This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.
 - There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.
 - Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

Exhibit A-9



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street, Suite 3050 • Sacramento, CA 95811

May 6, 2025

Samuel W. Brown



Via USPS and email: Samuel.brown@bassettusd.org and brown4bassett@gmail.com

NOTICE OF DEFAULT DECISION AND ORDER

Re: FPPC No. 2024-01046; In the Matter of Brown for Bassett School Board Member 2024 and Samuel W. Brown

Dear Samuel Brown:

On January 29, 2025, you were personally served with an accusation in the above-referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.**¹

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default will appear on the published agenda for the Commission’s public meeting on **June 19, 2025**. This agenda will be public and you could be contacted by the media with questions. The Commission will be asked to adopt the default at the subsequent public meeting on **August 21, 2025** and impose an administrative penalty of \$5,000 against you.

Following the issuance of the default, the Commission will obtain a judgment in superior court for the amount owed and then take action to collect the judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

You may still resolve this matter informally by way of a stipulated settlement if an agreement can be reached prior to this matter appearing for consideration by the Commission. Please contact me at (279) 237-5960 or tgilbertson@fppc.ca.gov if you wish to enter into a settlement to resolve this matter in its entirety.

Sincerely,

Theresa Gilbertson

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division

¹ Government Code section 11505.

Exhibit A-10



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street, Suite 3050 • Sacramento, CA 95811

July 2, 2025

Samuel W. Brown
[REDACTED]

Via USPS and email: Samuel.brown@bassettusd.org and brown4bassett@gmail.com

NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER

Re: FPPC No. 2024-01046; In the Matter of Brown for Bassett School Board Member 2024 and Samuel W. Brown

Dear Samuel Brown:

On January 29, 2025, you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.¹**

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default appeared on the published agenda for the Commission’s public meeting on June 19, 2025. The Commission will be asked to adopt the default at its public meeting scheduled for **August 21, 2025** and impose an administrative penalty of \$5,000 against you. A copy of the default, decision, and order and accompanying exhibits the Commission will consider at its meeting on **August 21, 2025** is enclosed with this letter.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission’s order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

//

¹ Government Code Section 11505.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the **August 21, 2025** meeting. Please contact me at (279) 237-5960 or tgilbertson@fppc.ca.gov if you wish to enter into a negotiated settlement.

Sincerely,

Theresa Gilbertson

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division

Enclosures: Default Decision and Order, Exhibit 1 and attachments

2 CCR 18361.11

This document is current through Register 2024, No. 47, November 22, 2024

<i>Code of Regulations</i>	>	<i>CA - Barclays Official California</i>
<i>2. ADMINISTRATION</i>	>	<i>TITLE</i>
<i>DIVISION 6. FAIR POLITICAL PRACTICES COMMISSION</i>	>	
<i>CHAPTER 3. FAIR POLITICAL PRACTICES COMMISSION</i>		

§ 18361.11 Default Proceedings

(a) Notice of Default

(1) Where a respondent has failed to timely file a notice of defense pursuant to Section 11506, and the Enforcement Division pursues a default judgment from the Commission pursuant to Section 11520, the Enforcement Division shall send notice, a copy of the proposed Default Decision and Order, and a copy of the proposed Exhibit in Support of a Default Decision and Order, by first class mail, to the respondents against whom the default judgment has been entered at least 15 calendar days before the Commission hearing at which the default is scheduled to be heard.

(2) Notice shall be considered served from the date the default notice is postmarked.

(b) Briefing Procedure

(1) The Enforcement Division shall provide to the Commission a proposed Default Decision and Order, along with a proposed Exhibit in Support of a Default Decision and Order no later than 10 calendar days before the Commission hearing at which the default is scheduled to be heard.

(2) The respondent may provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. The response brief shall be served on the Commission Assistant, who shall provide a copy to the Enforcement Division.

(c) Default Hearing Procedure

(1) The Commission, in its discretion, may choose whether or not to consider any argument, evidence or material of any kind from respondents that is not provided more than five calendar days before the Commission hearing at which the default is scheduled to be heard.

(2) The Commission has full discretion to consider and take action based on any evidence without notice to the respondents, consistent with Section 11520.

(d) Motion to Vacate Default Judgments

(1) If a default judgment is entered into against a respondent, the Enforcement Division shall serve, by personal service on the respondent, notice of the default judgment, signed Default

Decision and Order, an Exhibit in Support of a Default Decision and Order and a copy of this regulation to the respondent.

(2) Within seven calendar days after service on the respondent of a decision based on the respondent's default, the respondent may serve, by first class mail or in person, a written motion requesting that the decision be vacated and stating the grounds relied on. The Commission in its discretion may vacate the decision and grant a hearing on a showing of good cause consistent with Section 11520.

(3) The Motion to Vacate a Default Judgment shall be the only administrative remedy available to a respondent after entry of a default judgment.

Statutory Authority

AUTHORITY:

NOTE: Authority cited: Section 83112, Government Code. Reference: Section 83116, Government Code.

History

HISTORY

1. New section filed 12-7-2011; operative 1-6-2012. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2011, No. 49).

2. Amendment of subsection (d)(1) filed 11-16-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 47).

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

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