



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

July 17, 2023

Caleb Standafer
[REDACTED]

Warning Letter Re: FPPC No. 2020-00202: Caleb Standafer

Dear Caleb Standafer:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to an AdWatch submission regarding a failure to include proper disclosures on three advertisements sent prior to the March 3, 2020 Primary Election.

The Act defines “committee” as any person who directly or indirectly receives contributions totaling \$2,000 or more in a calendar year.² A recipient committee is required to file a statement of organization (Form 410) with the Secretary of State and the local filing officer within 10 days after the committee has qualified.³ Additionally, recipient committees shall file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.⁴

The Act also requires a candidate to establish one campaign contribution account at an office of a financial institution located in the state.⁵

“Mass mailing” means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.⁶ Mass mailings must include the words “Paid for by” followed by the Committee name.⁷ Furthermore, the Act requires mass mailings to include the name, street address, and city

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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 82013.

³ Section 84101.

⁴ Section 84200.

⁵ Section 85201.

⁶ Section 82041.5.

⁷ Regulation 18435, subd. (c).

of the candidate or committee on the outside of each piece of mail in no less than 6pt type and contrasting font.⁸

The Enforcement Division found that Caleb Standafer qualified as a recipient committee under the Act, and therefore failed to timely file a statement of organization upon qualifying on February 20, 2020. Standafer also failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2020 to June 30, 2020. Additionally, Standafer failed to open and use a campaign bank account. Finally, Standafer failed to include the proper disclosures on 5,500 mailers sent on or about February 11 and 20, 2020. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁹ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.¹⁰ There are certain mitigating factors present: the activity was relatively low, you filed campaign short form statements, you were inexperienced, you had no prior enforcement history, you are no longer in office, and you were the only contributor for your campaign. This resolution may not be used as a comparable case for other enforcement matters.¹¹ Although we are issuing the warning letter, you may still be subject to penalties from the filing officer and are still required to file the outstanding reports.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation. Furthermore, the Enforcement Division expects Standafer to file the appropriate campaign statements as they still require filing.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative

⁸ Section 84305.

⁹ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

¹⁰ Regulations 18360.1 and 18360.3.

¹¹ See Regulation 18361.5, subdivision (e)(3).

prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

Please feel free to contact Alex Rose at arose@fppc.ca.gov or 916- 327-6358 with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Alex J. Rose". The signature is written in a cursive, flowing style.

Alex J. Rose, Commission Counsel
Enforcement Division