



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

December 2, 2021

Monterey County Sheriff's Office
1414 Natividad Road
Salinas, CA 93906

RE: No Action Closure Letter: Monterey County Sheriff's Office; FPPC No. 2020-01089

Dear Monterey County Sheriff's Office:

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 a sworn complaint alleging the Monterey County Sheriff's Office used staff time and resources to campaign prior to the June 5, 2018 Primary Election and failed to report the related expenditures. The alleged expenditures arose from communications made by certain members of the Monterey County Deputy Sheriffs Association, an email sent by an anonymous person, and a comment posted on a news article. After conducting our investigation and review of the case, we are closing this matter because the allegations have been disproven.

An expenditure for a communication is reportable under the Act if the communication expressly advocates the nomination, election, or defeat of a clearly identified candidate.² While each of the communications at issue here refer to a clearly identified candidate, they do not expressly advocate the nomination, election, or defeat of that candidate. Thus, any payments related to the communications are not considered "expenditures" and are not reportable under the Act. For this reason, we are closing this case without further action.

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 18109 through 18997 of Title 2 of the California Code of Regulations.

² Section 82025, subd. (c).

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Should you have any questions regarding this letter, please feel free to contact me at (916) 323-6302 or JRinehart@fppc.ca.gov.

Sincerely,

Jenna C. Rinehart

Jenna C. Rinehart,
Commission Counsel
Enforcement Division

cc: Christian Schneider @ christian@pivotalcampaignservices.com