



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

April 28, 2022

California Health and Human Services Agency
Attn: Virginia Franco
Via email: Virginia.Franco@chhs.ca.gov

Warning Letter: FPPC No. 2022-00282, CA Health and Human Services Agency

Dear California Health and Human Services Agency:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received a sworn complaint against your employee, Melissa Stafford Jones. The complaint alleged that Ms. Stafford Jones failed to file her Assuming Office Statement of Economic Interests (“SEI”) by the specified deadline. After review of the complaint, the Enforcement Division found that the California Health and Human Services Agency (“CalHHS”) violated the filing officer duties provisions of the Act by failing to promptly notify Ms. Stafford Jones and two additional Cal HHS employees that a required statement had not been filed.

The Act imposes specific duties upon filing officers who receive SEIs.² Regulation 18115 requires filing officers to supply SEIs to officials who have assuming, annual, and leaving office filing obligations and to determine whether the proper statements have been filed. Filing officers must promptly notify an official who has not filed a required statement. After making at least two attempts to attain compliance, filing officers must report any apparent violation of the Act to the appropriate agencies (i.e., the FPPC’s Enforcement Division). Filing officers are also required to compile and maintain current lists of all statements required to be filed with the agency and all those actually filed with the agency. Regulation 18115.1 requires a filing official to indicate the date of the agency's receipt of the statement on the statement's cover page.

CalHHS’ actions violated the Act by failing to promptly notify Melissa Stafford Jones, Corrin Buchanan, and Nathaniel Mitchell that their required statements had not been filed. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because CalHHS has since contacted the three employees who were not previously notified that their required statements had not been filed, these SEIs have now been filed, the specific CalHHS official assigned the responsibility for receiving and retaining SEIs is relatively new to filing officer duties, and CalHHS has no history of violating the Act.

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 81010 and 82027; Regulations 18115, 18115.1, and 18115.2.

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.

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 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.

If you have any questions regarding this letter, please contact Amber Rodriguez at (916) 322-1198 or arodriguez@fppc.ca.gov.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:ar