



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

April 25, 2022

Gus Kramer for Assessor 2022

Gus Kramer

Via email: [REDACTED]

Warning Letter Re: FPPC No. 2022-00298; Gus Kramer for Assessor 2022; Gus Kramer

Dear Committee and Mr. Kramer:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a complaint against you alleging that you used county records to send a campaign email. While that activity is not regulated by the Act, the Enforcement Division found that you failed to include the words "Paid for by" in a mass electronic mailing.

Under the Act, a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee may not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.²

You violated the Act by failing to include the words "Paid for by" preceding the committee name in the mass electronic mailing sent on or around April 8, 2022. However, it was clear that you sent the subject mass electronic mailing, so the violation resulted in minimal harm. Additionally, you have no prior history of violating the advertisement disclosure provisions of the Act. For these reasons, the Enforcement Division is closing this case with a warning letter rather than a fine.

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.

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 84305, subd. (c)(1).

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.

Please feel free to contact Tara Stock at tstock@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB:ts