



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

July 7, 2022

James Sutton
o/b/o Chris Gruwell & New Deal Advisers
via email: jsutton@campaignlawyers.com

Warning Letter Re: FPPC No. 2022-00304; Chris Gruwell & New Deal Advisers

Dear Mr. Sutton,

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 Commission-initiated investigation which found that your client, Chris Gruwell and New Deal Advisers, failed to report a contribution on their major donor campaign statement (Form 461).

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that your client qualified as a major donor committee in the calendar year 2018, and your client filed a Form 461 for the first and second halves of 2018. However, the Enforcement Division discovered that a \$10,000 contribution was omitted from the Form 461 for the period July 1, 2018 through December 31, 2018.

Under the Act, an individual or entity that makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee and incurs filing obligations.² If the \$10,000 threshold is met in the first six months of the calendar year, a major donor must file a Form 461 covering the period of January 1 through June 30 by July 31 of the calendar year. If the threshold is met in the latter six months of the calendar year, a major donor must file a Form 461 covering the period January 1 through December 31 by January 31 of the following calendar year.³

Your client's actions violated the Act because although they filed the Form 461 for the period July 1, 2018 through December 31, 2018, they neglected to include one \$10,000 contribution made during that period. However, mitigating evidence exists such that the Enforcement Division has decided to close this matter with this warning letter rather than issue a fine: the amount not reported represented a small percentage of your client's total activity for the calendar year 2018, and the committee that received the contribution timely disclosed its receipt on a corresponding campaign statement (Form 460). Further, your client amended their Form 461 immediately after being contacted by the Enforcement Division, and they have no prior Enforcement history.

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(c)

³ Section 84200

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 your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail themselves of these proceedings by requesting that their 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 need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Ginny Brown at gbrown@fppc.ca.gov or 916-322-8064 with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela Brereton, Chief
Enforcement Division

AJB/gal