



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

March 8, 2023

International Association of Fire Fighters
David Mitrani
1750 New York Avenue, NW
Washington DC, 20016
[REDACTED]

Warning Letter Re: FPPC No. 2022-00302; International Association of Fire Fighters and Matthew Golsteyn

Dear International Association of Fire Fighters,

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 the International Association of Fire Fighters (“Committee”) failed to timely file a 24-hour contribution report (Form 497) and a pre-election campaign statement.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee made a \$20,000 contribution to a primarily formed candidate committee, San Francisco for London Breed Mayor 2018, Sponsored by the San Francisco Firefighters Local 798, on April 20, 2018. The contribution qualified as a “late contribution” requiring the filing of a 24-hour contribution report, which the Committee did not timely file. Also, the Committee was required to file a pre-election campaign statement prior to the June 5, 2018 Primary Election and failed to do so.

The Act requires committees that make or receive a late contribution to file a late contribution report within 24 hours of making or receiving the contribution.² A “late contribution” includes a contribution(s) aggregating \$1,000 or more that is made to or received by a committee primarily formed to support a candidate within 90 days before the date of the election, or on the date of the election, in which the pertinent candidate is to be voted on.³ The Act requires general-purpose committees to file pre-election statements if that committee makes contributions totaling five hundred dollars (\$500) or more to support or oppose a candidate or measure appearing on the ballot at the next city election as well as semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than

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 84203.

³ Section 82036.

January 31 for the period ending December 31.⁴ The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.⁵

The Committee's actions violated the Act because it failed to timely file a Form 497 for a late contribution in the amount of \$20,000 made to San Francisco for London Breed Mayor 2018, Sponsored by the San Francisco Firefighters Local 798 on April 20, 2018, by the April 21, 2018 deadline. Also, the Committee violated the Act by failing to timely file a pre-election campaign statement for the reporting period of January 1, 2018 to April 21, 2018 by the April 25, 2018 deadline. However, the committee reported the contribution on a timely filed semi-annual campaign statement, the committee that received your contribution timely disclosed receipt of the contribution on a timely filed pre-election campaign statement (Form 460) and 24-hour contribution report resulting in minimal public harm, and you have no prior Enforcement history. 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.⁶ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁷ This resolution may not be used as a comparable case for other enforcement matters.⁸

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 himself of these proceedings by requesting that his 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.

⁴ Sections 84200.5 and 84200.

⁵ Sections 83116.5 and 91006.

⁶ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁷ Regulation 18360.1.

⁸ See Regulation 18361.5, subdivision (e)(3).

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 me at jrivera@fppc.ca.gov or 916-738-6411 with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division