



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

June 22, 2023

Joel Anderson, individually and on behalf of Anderson for Board of Equalization 2018
William Baber, Treasurer
7918 El Cajon Boulevard #N-162
La Mesa, CA 91942

Sent via email: wrbaw@flash.net

Warning Letter: FPPC No. 2020-00932; Anderson for Board of Equalization 2018, Joel Anderson and William Baber

Dear Committee, Joel Anderson and William Baber

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the Commission’s Audit Division resulting from an audit of Anderson for Board of Equalization 2018 (“the Committee”), for the audit period of January 1, 2018 to December 31, 2018. The Commission’s Audit Report concluded that the Committee substantially complied with the Act’s disclosure and recordkeeping requirements. However, the Commission’s Audit Report determined the Committee violated the Act by failing to timely report expenditures totaling \$70,785 on campaign statements for reporting periods ending June 30, 2018 and December 31, 2018.

The Act requires committees to report all contributions and expenditures.² For expenditures of \$100 or more, the committee must disclose: (1) the full name of each person to whom an expenditure is made; (2) the person’s street address; (3) the amount of the expenditure; and (4) a brief description of the expenditure.³ An expenditure also includes payments made by an agent or independent contractor, commonly referred to as “subvendor payments,” of \$500 or more.⁴

Here, the Committee failed to timely report \$48,785 in subvendor payments on the campaign statement covering the period May 20, 2018 to June 30, 2018 and \$22,000 in subvendor payments on the campaign statement covering the period July 1, 2018 to December 31, 2018. However, the Enforcement Division has determined that mitigating circumstances exist here. The evidence shows all of the unreported expenditures were reported on Slate Mailer Committee Campaign Statements, the amount of unreported activity was a relatively small percentage of the overall activity, the candidate was unsuccessful, the Committee has no prior Enforcement history, and there was no

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014.

² Section 84211

³ Section 84211, subd. (k)

⁴ Sections 84211, subd. (k)(6), and 84303, subd. (a).

evidence of an intent to conceal the violations. 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. Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances. This resolution may not be used as a comparable case for other enforcement matters.

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.

Although the Enforcement Division is closing this case without seeking a penalty, the Committee is still required to amend the campaign statements and pay any late filing fees assessed by the filing officer. Please contact the Committee's filing officer for further information about required filings. Any future non-filings may result in monetary penalties and this warning letter may be considered in any future enforcement actions.

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 yourselves of these proceedings by requesting that this 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 me at (916) 322-5772 or MCorona@fppc.ca.gov

Sincerely,

Marissa Corona

Marissa Corona
Commission Counsel
Enforcement Division

CC: Patricia Ballantyne, pballantyne@fppc.ca.gov