



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

September 11, 2023

Sent Via Email: jguard@kaufmanlegalgroup.com
Joseph Guardarrama
Kaufman Legal Group
O/B/O Keri Kropke and
Keri Kropke for Brea School Board 2018

Warning Letter: FPPC No. 2019-01320; Keri Kropke and Keri Kropke for Brea School Board 2018

Dear Joseph Guardarrama:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to an anonymous complaint alleging your clients, Keri Kropke and Keri Kropke for Brea School Board 2018 (“Committee”), misused campaign funds when using a Nordstrom Credit Card for campaign purchases. The Enforcement Division has completed its investigation and determined that your clients failed to properly disclose payments of \$100 or more on campaign statements in connection with the November 6, 2018 Election. The Enforcement Division is closing this case with this warning letter.

The Act provides that a candidate or committee shall disclose the information, as pertinent, required by paragraphs (1) through (5) of subdivision (k) of Section 84211 for expenditures paid by the candidate or committee to a credit, debit or charge card company if the expenditures reach the \$100 aggregate threshold for that subdivision. A candidate or committee shall also disclose the information, as pertinent, required by paragraphs (1) through (5) of subdivision (k) of Section 84211 for each specific expenditure of \$100 or more charged on the candidate's or committee's credit, debit or charge card.²

Your clients actions violated the Act by failing to properly disclose credit card payments of \$100 or more on Schedule G, disclosing the addresses of each business. However, mitigating factors exist such that the Enforcement Division has decided to close this case with a warning letter. First, the Committee initially itemized the payments made as accrued expenses, providing some disclosure to the public. Second, the Committee filed amendments immediately after contact from the Enforcement Division and prior to the relevant election. Lastly, there was no prior history found of your clients 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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Regulation 18421.9.

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 me at (916) 324-8787 or Bcastillo@fppc.ca.gov.

Sincerely,

Bridgette Castillo

Bridgette Castillo, Senior Commission Counsel
Enforcement Division