



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

September 26, 2023

CA Against Cruelty, Cages and Fraud- No on Prop 12- Sponsored by Humane Farming Action Fund
Lowell Finley, Committee Treasurer



Sent via email: hfa@hfa.org

Warning Letter: FPPC No. 2019-00218; CA Against Cruelty, Cages and Fraud- No on Prop 12- Sponsored by Humane Farming Action Fund and Lowell Finley

Dear Respondents,

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 complaint filed against CA Against Cruelty, Cages and Fraud- No on Prop 12- Sponsored by Humane Farming Action Fund (“the Committee”) alleging violations of the Act related to a video advertisement opposing Prop 12 that the Committee distributed in connection with the November 6, 2018 General Election.

The Enforcement Division has completed its investigation and determined that you failed to include the proper advertisement disclosure on the video advertisement distributed in connection with the November 6, 2018 General Election.

The Act requires advertisements paid for ballot measure committees to include the words “Paid for by” followed by the name of the committee as it appears on the committee’s most recent statement of organization.² Additionally, the Act requires the words “committee major funding from” followed by the names of “top contributors.” Top contributors mean the top three contributors of \$50,000 or more, cumulatively.³

Specifically, you violated the Act by failing to include “Paid for by”, “Sponsored by”, and “Committee major funding from” in the video advertisement. The Enforcement Division has determined that mitigating circumstances are present here. The Committee added the proper disclosure immediately after Enforcement contact and before the relevant election. Additionally, all of the contributions from the Committee’s sponsor (and top contributor) were timely disclosed on the Committee’s campaign statements before the election. Further, the Committee was unsuccessful in opposing Prop 12, the Committee is terminated and has no prior Enforcement

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

² Gov. Code Sec 84502, subd. (a).

³ Gov. Code Sec 84503.

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.⁴ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁵ This resolution may not be used as a comparable case for other enforcement matters.⁶

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 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

⁴ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁵ Regulations 18360.1 and 18360.3.

⁶ See Regulation 18361.5, subdivision (e)(3).