



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

October 4, 2023

Citizens for a Brighter Tomorrow
David Gould
[REDACTED]

Warning Letter Re: FPPC No. 2018-01254; Citizens for a Brighter Tomorrow, and David Gould

Dear Citizens for a Brighter Tomorrow, and David Gould:

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 sworn complaint alleging that Citizens for a Brighter Tomorrow failed to report independent expenditures and failed to use the Committee’s street address on a mass mailing opposing Alan Wapner that was disseminated prior to the November 6, 2018 General Election.

The Enforcement Division has completed its investigation of the facts in this case. Specifically, we found that Citizens for a Brighter Tomorrow reported independent expenditures in campaign statements (Form 460) and 24-hour independent expenditure reports (Form 496), and that Citizens for a Brighter Tomorrow violated the Act by failing to timely file several 24-hour independent expenditure reports in the proper jurisdictions.

Additionally, it was found that Citizens for a Brighter Tomorrow included the street address identified in their statement of organization (Form 410) filed with the Secretary of State in mass mailings, so this allegation has been disproven. Thus, the Enforcement Division will take no further action regarding the allegations involving mass mailings.

“Independent expenditure” means an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate.² A committee that makes a late independent expenditure shall file a late independent expenditure report in the places where it would be required to file campaign statements as if it were formed or existing primarily to support or oppose the candidate or measure for or against which it is making the late independent expenditure.³

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 Section 82031.

³ Section 84204, subd (c).

Under the Act, a committee shall not send a mass mailing unless the committee's name, street address, and city are shown on the outside of each piece of mail, and a post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.⁴ This identification must be preceded by the words "Paid for by." The words "Paid for by" must be immediately adjacent to and above or immediately adjacent to and in front of the required identification.⁵

Citizens for a Brighter Tomorrow violated the Act by failing to timely file 24-hour independent expenditure reports with the cities of Montebello, Ontario, Hawaiian Gardens, and Artesia for independent expenditures to oppose Rosie Vasquez, Kim Cobos, Vivian Romero, Alan Wapner, Jesse Alvarado, Luis Roa, Victor Manolo, Ali Taj, and Bill Molinari. However, mitigating circumstances exist here. Citizens for a Brighter Tomorrow disclosed all independent expenditures on 24-hour independent expenditure reports and pre-election campaign statements filed with the Secretary of State before the election and before Enforcement contact. Citizens for a Brighter Tomorrow has since terminated and does not have any history of violating the Act.

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.

Please feel free to contact Angela Brereton at 916-322-5771 or abrereton@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton
Assistant Chief
Enforcement Division

⁴ Section 84305, subd. (a)(2) [2018].

⁵ Regulation 18435, subd. (c) [2018].