



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

May 16, 2023

Lind Larsen McSorley for Lafayette School Board 2022

Sarah Lind, Candidate

Niels Larsen, Candidate

Robert McSorley, Candidate

William Fraser, Treasurer



Warning Letter Re: FPPC No. 2022-00747; Lind Larsen McSorley for Lafayette School Board 2022

Dear Mr. Fraser, Ms. Lind, Mr. Larsen, Mr. McSorley, & Committee,

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 multiple complaints filed against you and Lind Larsen McSorley for Lafayette School Board 2022 (the “Committee”) that alleged you failed to timely disclose expenditure information on a pre-election campaign statement filed in advance of the November 8, 2022 election.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you filed the first pre-election campaign statement covering the period January 1, 2022 through September 24, 2022, a few days after the deadline of September 29, 2022. Additionally we found that on that pre-election campaign statement, you failed to disclose specific expenditure information (names, addresses, and amounts) for \$19,693 of expenditures.

The Act requires candidate-controlled committees to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Additionally, the Act requires committees to disclose all contributions received and expenditures

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 Sections 84200.5 and 84200.

made during the period covered by the campaign statement. Specifically, a campaign statement must disclose all expenditures of \$100 or more made during the period.³ And for those expenditures of \$100 or more, the Committee must report the names, addresses, and a description of the expenditure.⁴

Your actions violated the Act because you failed to timely file the first pre-election campaign statement and, once filed, failed to include the relevant information, as required in Section 84211, for all expenditures of \$100 or more made during the period covered by that statement. However, the Enforcement Division decided resolve these violations with this warning letter rather than issuing a fine because: you and the Committee filed the first pre-election campaign statement prior to Enforcement contact and well in advance of the November 8, 2022 election; you and the Committee filed an amendment to that campaign statement to add the missing expenditure information immediately after being contacted by the Enforcement Division; you were unsuccessful first-time candidates; and you and the Committee have no prior Enforcement history.

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.

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³ Section 84211(b)

⁴ Section 84211(k)

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 Ginny Brown at 916-322-8064 or gbrown@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Acting Chief
Enforcement Division

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