



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

June 30, 2023

deDomenico 4 Trustee 2022
Sophia deDomenico
Thomas Montgomery, Treasurer
[REDACTED]

Warning Letter re: FPPC No. 2023-00453; Sophia deDomenico, deDomenico 4 Trustee 2022

Dear Committee, Sophia deDomenico, and Thomas Montgomery:

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 filed against you that alleged you violated the Act's campaign reporting requirements. The Enforcement Division has completed its review of this matter and found that deDomenico 4 Trustee 2022 failed to accurately report one expenditure made by an agent ("subvendor payment") on its pre-election campaign statement for the reporting period of January 1, 2022 through September 24, 2022.

The Act requires committees to disclose specific information on their campaign statements. Specifically, the Act requires that for expenditures of \$100 or more, the committee must report the full name of each person to whom an expenditure is made, as well as the person's street address, the amount of the expenditure, and a brief description of the expenditure.² An expenditure includes payments made to an agent or independent contractor, commonly referred to as "subvendor payments," of \$500 or more.³ An expenditure is made on the date the payment is made or on the date consideration is received.⁴

You violated the Act because you failed to accurately report a subvendor payment on deDomenico 4 Trustee 2022's first pre-election campaign statement for the reporting period of January 1, 2022 through September 24, 2022. However, mitigating evidence exists such that the Enforcement Division has elected to close this case with a warning letter rather than issue a fine: the initial statement included a \$2,100 expenditure to vendor "Political Communications, Inc" on Schedule E with a corresponding subvendor payment made to "the Acorn" on Schedule G. However, you inadvertently described the payment as "yard signs," rather than "print ads." You amended the campaign statement to correct the payment description soon after you were contacted by the Enforcement Division. Additionally, the candidate was unsuccessful in this election, the committee has since terminated, and you do not have a prior history of 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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84211(i)

³ Section 84211(k)

⁴ Section 82025(a)

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 Amber Rodriguez at arodriguez@fppc.ca.gov or (916) 322-1198.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Acting Chief
Enforcement Division

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