



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

December 12, 2023

Joseph Guardarrama

o/b/o Youth and Families Taking Power Supporting Chesa Boudin for SF District Attorney 2019,
Ken Wang, and Kevine Boggess

Via email: jguardarrama@kaufmanlegalgroup.com

**Warning Letter Re: FPPC No. 2019-01498: Youth and Families Taking Power Supporting
Chesa Boudin for SF District Attorney 2019, Ken Wang, Kevine Boggess**

Dear Ken Wang and Kevine Boggess:

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 complaint alleging that you failed to include proper disclosures on an advertisement. The Enforcement Division found that you failed to properly format ad disclosures on one advertisement and failed to timely report expenditures on two campaign statements.

The Act requires that print ads paid for by a committee shall underline the text of the disclosures if there are any top contributors.² Furthermore, the Act requires an advertisement supporting or opposing a candidate that is paid for by an independent expenditure to include a statement that it was not authorized by a candidate or a committee controlled by a candidate.³

Upon review, the Enforcement Division determined that you violated the Act by failing to include the exact disclaimer of “not authorized by” and to underline the text of the disclosure on an ad sent prior to the November 5, 2019 General Election. Furthermore, you violated the Act by failing to timely itemize \$136,000 in payments made to SF Rising Action Fund on campaign statements with reporting periods ending on September 21, 2019, October 19, 2019, and October 30, 2019. However, mitigating circumstances exist here: the content of your ad disclosure was

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 84504.3, subd. (a)(3).

³ Section 84506.5.

proper, you timely reported the expenditures and only failed to itemize the expenditures on Schedule G, and you have no prior history with Enforcement.

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.

Additionally, our investigation did not reveal any evidence that you were a sponsored committee. Therefore, we are closing this matter without further action as the sponsor allegation has been disproven.

Please feel free to contact Alex Rose at arose@fppc.ca.gov or 279-237-3752 with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Alex J. Rose". The signature is written in a cursive, flowing style.

Alex J. Rose, Commission Counsel
Enforcement Division