



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

February 9, 2024

John Leopold and Friends of John Leopold – Supervisor 2016



Warning Letter Re: FPPC No. 2019-01738, John Leopold and Friends of John Leopold – Supervisor 2016

Dear John Leopold and 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 an anonymous complaint filed against you, which alleged that you violated the Act’s mass mailing at public expense prohibition. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to include the words “Paid for by” in mass electronic mailings you sent as required by the Act.

Under the Act, a candidate or a candidate-controlled committee established for an elective office shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words “Paid for by” in at least the same size font as a majority of the text in the electronic mailing.²

You violated the Act by failing to include the words “Paid for by” preceding the committee’s name in the mass emails you sent, and the mass emails are missing the committee name as the name on the emails is incomplete. However, for the following reasons, the Enforcement Division is closing this case with a warning letter rather than a fine: it was clear that the Committee sent the subject mass e-mails, the Committee has terminated, and you have no 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

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 84305(c)(1).

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 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 me at (279) 237-5913 or jrivera@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera,
Commission Counsel
Enforcement Division