



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

January 30, 2024

Palm Drive Health Care District Committee for Measure A (ID # 1416874)
Joan Marler
[REDACTED]

Warning Letter Re: FPPC No. 2019-00345; Palm Drive Health Care District Committee for Measure A (ID # 1416874) and Joan Marler

Dear Joan Marler and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received a sworn complaint alleging Palm Drive Health Care District Committee for Measure A (the “Committee”) failed to timely file a statement of organization with the Secretary of State to establish a committee. The Enforcement Division has completed its investigation and found that the Committee failed to timely file campaign statements, failed to include the proper advertisement disclosures in mailers, flyers, and yard signs, and failed to timely file a statement of organization reporting its date of qualification with the Secretary of State.

The Act requires recipient committees to file a statement of organization within 10 days after the committee has qualified as a committee, and if there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change.² Committees must file semi-annual campaign statements each year no later than July 31 for the period ending June 30 and January 31 for the period ending December 31.³ Committees primarily formed to support or oppose a measure appearing on the ballot shall file the applicable preelection statements.⁴ For the period ending 45 days before the election, the first preelection statement shall be filed no later than 40 days before the election, and for the period ending 17 days before the election, the second preelection statement shall be filed no later than 12 days before the election.⁵ The Act also requires any advertisement paid for by a committee to include the words “Paid for by” followed by the committee’s name as it appears on the most recent statement of organization.⁶ Furthermore, disclosure on yard signs shall be in Arial equivalent type with a total height of at least 5 percent of the height of the advertisement and

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 Sections 84101 and 84103.

³ Section 84200.

⁴ Section 84200.5, subd. (a).

⁵ Section 84200.8, subd. (a)-(b).

⁶ Section 84502.

printed on a solid background with sufficient contrast that is easily readable by the average viewer.⁷

You violated the Act by failing to timely file a statement of organization with the Secretary of State within 10 days after the Committee reached \$2,000 in contributions or expenditures. You failed to timely file the second preelection campaign statement and a semi-annual campaign statement. Additionally, you failed to include the “paid for by” disclaimer on yard signs and the Committee’s full name on mailers and flyers as it appeared on the most recent statement of organization. However, mitigating circumstances exist here. You filed both preelection statements before the election and filed the semiannual only 7 days late. You filed amendments immediately after the Enforcement Division contacted you. The Committee’s mailing address, email, and part of the Committee’s name were included in the mailer and flyer. The Committee reported a low amount of activity. Over 90% of the Committee’s contributions were from a loan, now forgiven. The Committee has since terminated. Finally, you were inexperienced with the Act and have no history of violating the Act. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division’s annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁸ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁹ This resolution may not be used as a comparable case for other enforcement matters.¹⁰

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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⁷ Section 84504.2, subd. (6)(b).

⁸ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁹ Regulations 18360.1 and 18360.3.

¹⁰ See Regulation 18361.5, subdivision (e)(3).

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