



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

March 7, 2024

Gustavo Ramirez
[REDACTED]

Warning Letter Re: FPPC No. 2024-00203, Gustavo Ramirez

Dear Gustavo Ramirez:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is sent in response to a filing officer referral received alleging you failed to timely file a pre-election campaign statement.

The Act requires candidates that raise or spend \$2,000 or more in a calendar year to file a statement of organization with the Secretary of State and local filing officer.² The Act requires candidates and their committees to file pre-election campaign statements.³

Upon review, the Enforcement Division determined that you violated the Act by failing to timely file a statement of organization and a pre-election campaign statement with the reporting period ending on January 20, 2024.

However, mitigating circumstances exist here: you are inexperienced with the Act, you decided to remove yourself as a candidate prior to the election, however you remained on the ballot and were unsuccessful, and you raised and spent a low amount regarding the election.

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.

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 84101.

³ Section 84200.5.

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. Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁴ Additionally, discretion was used for violations that caused minimal public harm when the total penalty met or exceeded the total amount raised or spent by the filer, lack of experience or knowledge of the Act's requirements caused multiple violations with minimal public harm that were corrected upon contact, the committee raised and spent less than \$10,000.⁵ This resolution may not be used as a comparable case for other enforcement matters.⁶

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

Sincerely,

Alex Rose

Alex J. Rose
Senior Commission Counsel,
Enforcement Division

⁴ Regulations 18360.1 and 18360.3.

⁵ Regulation 18360.2.

⁶ See Regulation 18361.5, subdivision (e)(3).