



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

March 13, 2024

Re-Elect Cindy Allen for City Council 2024
Cindy Allen
David Gould
12501 Imperial Hwy, STE, 200
Norwalk CA, 90650

Warning Letter Re: FPPC Case No. 2024-00233; Re-Elect Cindy Allen for City Council 2024, Cindy Allen and David Gould

Dear Committee, Cindy Allen, and David Gould,

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 sworn complaint that alleged Re-Elect Cindy Allen for City Council 2024 (“Committee”) violated the Act by failing to timely report campaign contributions and expenditure activity on applicable campaign statements. The Enforcement Division has completed its review of the facts of the case. Specifically, we found that the Committee failed to timely report all campaign activity for the semi-annual period ending December 31, 2023, and the first pre-election period ending January 20, 2024.

A central purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring candidates and committees to disclose all contributions received and expenditures made throughout a campaign on timely filed campaign statements and reports.² The Act requires candidate-controlled committees to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year until the committee terminates.³ All contributions received and expenditures made during the applicable reporting periods must be disclosed.⁴ Controlling candidates and committee treasurers are jointly and severally liable for violations made by the committee.⁵

The Committee violated the Act’s campaign disclosure provisions by failing to timely report all contributions and expenditures on the semi-annual campaign statement covering the reporting period of July 1, 2023, to December 31, 2023. Additionally, the Committee failed to

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 81002(a); 84200, *et seq.*

³ Sections 84200.5; 84200.

⁴ Sections 84200.5(a)(1), 84200.8 and 84211.

⁵ Sections 83116.5; 91006.

timely report all contributions and expenditures on the pre-election campaign statement covering the reporting period of January 1, 2024, to January 20, 2024. Instead, you reported all contributions and expenditures on both statements for a total amount of zero dollars in every column. However, you timely filed the required campaign statements with the City of Long Beach (“City”) before the Primary Election (26 days prior to the election), after contact from the City you filed amendments disclosing all financial activity before Enforcement Division contact, you explained that the error in reporting may have been attributable to the online filing system used by the City, and the Committee has no prior enforcement history regarding non-reporting. 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.⁶ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁷ This resolution may not be used as a comparable case for other enforcement matters.⁸

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 need future guidance regarding candidate obligations, please visit our website at www.fppc.ca.gov. You may also contact me at 279-237-3766, or via e-mail at cfelkins@fppc.ca.gov.

Sincerely,

Michael Chance Felkins

Michael Chance Felkins

⁶ <https://www.fppc.ca.gov/content/dam/fppc/NS/Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁷ Regulation 18360.1 and 18360.3.

⁸ See Regulation 18361.5, subdivision (e)(3).

Commission Counsel
Enforcement Division