



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

March 21, 2024

Mike Leahy



o/b/o Mike Leahy for Supervisor 2020

Warning Letter Re: FPPC Nos. 2020-00380 and 2021-00819, Mike Leahy for Supervisor 2020, Mike Leahy

Dear Mike Leahy:

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 complaints received alleging you failed to timely file a pre-election campaign statement and an annual/leaving office statement of economic interest (“SEI”).

The Act requires candidates and their committees to file pre-election campaign statements.² Additionally, the Act requires candidates and their committees to file a late contribution report for each late contribution received within 24 hours of the time it is received.³

The Act requires that each semi-annual campaign statements to contain, for each person to whom an expenditure of \$100 or more has been made during the period covered by the campaign statement, that person’s full name, street address, amount of each expenditure, and a brief description of the consideration of the expenditure.⁴

The Act requires all campaign expenditures to be made from the campaign bank account.⁵

The Act requires members of the board of supervisors to file, each year while in office, an annual statement of economic interests disclosing the person’s investments, interests in real

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 84200.5.

³ Section 84203.

⁴ Section 84211, subd. (k).

⁵ Section 84201, subd. (c).

property, and income during the period since the previous statement filed.⁶ Additionally, supervisors must file a statement within 30 days of leaving the office.⁷

Upon review, the Enforcement Division determined that you violated the Act by failing to timely file a pre-election campaign statement with the reporting period ending on February 15, 2020 and a 24-hour contribution report for a \$1,500 contribution received from Recology on December 9, 2019. Furthermore, you failed to timely report \$5,040 in expenditures on the Schedule E of the semi-annual campaign statement with the reporting period ending on December 31, 2019. You failed to utilize your campaign bank account for two expenditures totaling \$340 on two different campaign statements with reporting periods ending on February 15, 2020 and June 30, 2020. Finally, you failed to timely file a 2020 annual/leaving office SEI for your position as a Yuba County Supervisor.

However, mitigating circumstances exist here: you are inexperienced with the Act, you timely filed a 2020 annual/leaving office SEI as a board member for the Feather River Air Quality District, you were unsuccessful in your re-election campaign, you raised and spent a low amount regarding the election, and you have agreed to a streamline stipulation for 2 bank account violations that capture the campaign late reporter violations above.

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. Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁸ 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

⁶ Sections 87200 and 87203.

⁷ Section 84204.

⁸ Regulations 18360.1 and 18360.3.

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 \$10,000.⁹ This resolution may not be used as a comparable case for other enforcement matters.¹⁰

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

⁹ Regulation 18360.2.

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