



August 16, 2024

Sent Via Email: [REDACTED]
Edward Neal

Warning Letter Re: FPPC No. 2022-00368; Edward Neal

Dear Edward Neal:

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act.¹ This letter is in response to our proactive pre-election efforts to gain compliance prior to the June 7, 2022 Election, in the above referenced matter. The Enforcement Division has completed its review of this matter and found that you failed to comply with the campaign filing provisions of the Act.

The Act requires a candidate to file a statement of intention to be a candidate prior to the solicitation or receipt of any contribution or loan, with the original filed with the Secretary of State.² Further, 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.³ 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.⁴

You violated the Act by failing to timely file a statement of intention to be a candidate and statement of organization with the Secretary of State within 10 days after reaching the \$2,000 threshold in contributions or expenditures. Also, you failed to timely file the first pre-election campaign statement for the reporting period January 1, 2022 through April 23, 2022. However, mitigating circumstances exist here. You filed the statement of intention to become a candidate and statement of organization after contact from the Enforcement Division and prior to the election. Also, you filed the preelection campaign statement prior to the election and timely filed the following semi-annual campaign statement. The statement of organization was rejected by the Secretary of State’s Office, resulting in some confusion, the total amount spent in connection with this election was relatively low, totaling \$2,500.56, paid for with personal funds, and you have no prior history with the Enforcement Division for campaign filing violations. Based on the foregoing, the Enforcement Division is closing this case with this warning letter.

¹The 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 85200.

³ Sections 84101 and 84103.

⁴ Section 84200.5.

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 your clients wish to avail themselves of these proceedings by requesting that this 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 have questions regarding this letter, please contact me at bcastillo@fppc.ca.gov or (279) 237-3764.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division