



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

December 19, 2024

Via email: [REDACTED]
David Diamond, Individually and
O/B/O Diamond for Judge 2020

Via email: jane@leidermanassociates.com
Jane Leiderman, Individually and
O/B/O Diamond for Judge 2020

**Re: Warning Letter; FPPC No. 2023-00148; David Diamond; Diamond for Judge 2020;
and Jane Leiderman**

Dear David Diamond; Diamond for Judge 2020; and Jane Leiderman:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the Franchise Tax Board’s (“FTB”) Political Reform Audit Program resulting from an audit of Diamond for Judge 2020 (“Committee”) for the periods of January 1, 2019, through December 31, 2020.

The FTB’s audit found that the Committee violated the Act by failing to: ensure all campaign expenditures and contributions were made and first deposited into the Committee bank account; timely disclose all contributions received; and maintain all records as required.

Under the Act, all campaign contributions must be deposited into the committee bank account and all expenditures must be made from the designated committee bank account.² This is also referred to as the one bank account rule. Further, the total amount of contributions received must be disclosed on campaign statements, as well as, the full name, street address, occupation, name of the employer, and the amount of the contribution for contributions of \$100 or more.³ Additionally, the candidate and treasurer are required to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements and to establish campaign statement were accurately filed, including a copy of each mass mailing and invoices of expenditures.⁴

You each violated the Act by failing to: make \$1,368 in payments to Facebook through the Committee bank account; deposit \$631 in contributions into the Committee bank account; timely disclose \$1,439 in expenditures and 11 contributors totaling \$1,750 in contributions; and maintain copies of multiple mass mailers sent, as required. However, the Enforcement Division

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.

² Section 85201, subds. (c) and (e).

³ Section 84211, subds. (a) and (f).

⁴ Section 84104 and Regulation 18401.

has decided to close this matter with a warning letter rather than a fine for the following reasons: once informed of the violations, you explained a mistake inadvertently allowed Facebook payments to be made through the PayPal account without first depositing the funds into the Committee bank account, which was fixed immediately upon notice; amendments were made to ensure accurate disclosure; the audit determined you substantially complied with the disclosure and recordkeeping provisions of the Act; and the candidate has no prior history of enforcement actions.

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.

Please feel free to contact me at bcastillo@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division