



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

December 19, 2024

Donald Dear, Candidate and Treasurer
Don Dear for Water Board 2020
Via email: [REDACTED]

Warning Letter Re: FPPC No. 2023-00840; Don Dear for Water Board 2020, Donald Dear

Dear Donald Dear:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a referral from the Los Angeles County Registrar-Recorder/County Clerk alleging that you failed to timely file the semi-annual campaign statements for the reporting periods of July 1, 2021 through December 31, 2021, and January 1, 2022 through June 30, 2022.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2021 through December 31, 2021, by the January 31, 2022 due date; and failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2022 through June 30, 2022, by the July 31, 2022 due date.

The Act requires committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³

Your actions violated the Act because you failed to timely file the semi-annual campaign statements by the January 31, 2022, and July 31, 2022 due dates. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because it does not appear there was any activity to disclose on the missing campaign statements, so the violations resulted in minimal public harm; your committee has since been terminated; and you have no prior Enforcement history. 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

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.

³ Sections 83116.5 and 91006.

discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁴ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁵ Additionally, discretion was used for violations that caused minimal public harm when the committee had a small amount of activity.⁶ This resolution may not be used as a comparable case for other enforcement matters.⁷

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 Vanessa Greer at vgreer@fppc.ca.gov or 279-237-5965 with any questions you may have regarding this letter.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

JML: vg

cc: Los Angeles County Registrar-Recorder's office

⁴ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁵ Regulations 18360.1 and 18360.3.

⁶ Regulation 18360.2.

⁷ See Regulation 18361.5, subdivision (e)(3).