

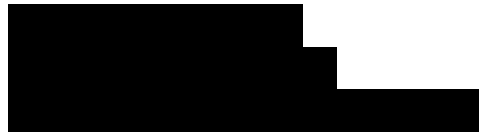


STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

December 12, 2024

Gloria Berry for Democratic County Central Committee 2020

Gloria Berry



Warning Letter Re: FPPC No. 2022-00364; Gloria Berry for Democratic County Central Committee 2020 and Gloria Berry

Dear Gloria Berry and Committee:

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 referral from the San Francisco Ethics Commission alleging you and your committee’s failure to timely file campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file nine semi-annual campaign statements and one pre-election campaign statement. In addition, you and the Committee failed to timely disclose expenditures on your second pre-election statement in connection with the March 3, 2020, Primary Election. Lastly, the Committee failed to timely include the correct dates on a semi-annual statement for the reporting period ending June 30, 2020.

The Act requires a candidate controlled committee to file two pre-election campaign statements prior to the applicable election in which the candidate is listed on the ballot.² In addition, the committee must file two 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 31.³ Finally, the Act requires candidate controlled committees to disclose specific information on their campaign statements. The Act requires that for expenditures of \$100 or more, the committee must report the full name of each person to whom an expenditure is made, as well as the person’s street address, the amount of the expenditure and a brief description of the expenditure.⁴

¹ The Political Reform Act is contained in Government Code sections 18104 through 18998, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200.5.

³ Section 84200, subd. (a).

⁴ Section 84211, subds. (i)-(k).

Your actions violated the Act because you failed to timely file nine semi-annual statements for the reporting period ending December 31, 2019; December 31, 2020; June 30, 2021; December 31, 2021; June 30, 2022; December 31, 2022; June 30, 2023; December 31, 2023 and June 30, 2024. Additionally, you and the Committee failed to timely file one pre-election statement for the reporting period ending February 15, 2020. Furthermore, you and the Committee failed to timely disclose expenditures in the amount of \$879.69 on your first second-election statement due on February 20, 2020. Lastly, you and the Committee failed to include the correct reporting period dates on a semi-annual statement for the reporting period ending on June 30, 2020. However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: all the late semi-annual campaign statements were unrelated to the relevant election, the Committee has since terminated, your campaign had minimal activity, and you filed amendments disclosing the unreported expenditures. Additionally, you were inexperienced with the requirements of the Act and neither you nor the Committee have a history of violating the Act.

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 Regulations 18360.1 and 18360.2 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 have any questions regarding this letter, please contact me at (279) 237-3766 or cfelkins@fppc.ca.gov

Sincerely,

Michael Chance Felkins

Michael Chance Felkins
Commission Counsel
Enforcement Division

cc: SF Ethics