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

December 12, 2024

Protect Culver City, in Support of Measure B
Ron Bassilian- Principal Officer
Richard Glaser- Treasurer
Via email: info@protectculvercity.org

**Warning Letter: FPPC No. 2021-00902; Protect Culver City, in Support of Measure B; Ron Bassilian; Richard Glaser**

Dear Respondents,

The Enforcement Division of the Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act").[1] This letter is in response to a complaint alleging that Protect Culver City ("the Committee") failed to register as a primarily formed committee and failed to timely file campaign statements in connection with the November 3, 2020, General Election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file 24-hour contribution reports (Form 497), two campaign statements, and two independent expenditure reports (Form 496), and failed to properly disclose independent expenditures on campaign statements. Additionally, the Committee failed to include proper advertisement disclosures on four mass mailings and two signs.

Under the Act, a primarily formed 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.[2] In addition to these campaign statements, committees that are primarily formed to support or oppose the qualification, passage, or defeat of a measure shall file quarterly campaign statements on or no later than April 30 for the period January 1 through March 31.[3] Additionally, each committee that makes or receives a "late contribution" must file a 24-hour contribution report ("Form 497") within 24 hours of making or receiving the contribution.[4]

The Act requires a committee that makes an independent expenditure totaling $1,000 or more during the 90-day period preceding the applicable election, or on the date of the election, to file a Form 496

[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, subd. (a).
[3] Section 84200.
[4] Section 84202.3.

within 24 hours of making the independent expenditure.[5] A primarily formed ballot measure committee does not file independent expenditure reports for expenditures made in support of its campaign, but must file reports for independent expenditures separate from the campaign.[6] Additionally, a committee's principal officer must sign an independent expenditure verification (Form 462) under penalty of perjury stating that the independent expenditures were not coordinated with the affected measure committee or their opponent and the committee reported all contributions and reimbursements.[7] Finally, the Act requires committees to disclose all expenditures made, including independent expenditures to support or oppose a candidate or measure, on a timely filed campaign statement under Schedule D.[8]

Lastly, a mass mailing is made when more than 200 substantially similar pieces of mail are sent in a calendar month.[9] The Act requires a mass mailing to disclose the name, street address, and city of the primarily formed committee.[10] Additionally, a print advertisement that is larger than those designed to be individually distributed, such as a yard sign, paid for by a primarily formed committee, shall include the required disclosures in a printed or drawn box with a solid white background on the bottom of the advertisement that is set apart from any other printed matter.[11]

The Committee violated the Act because it failed to timely file four 24-hour contribution reports between August 21, 2020 and October 8, 2020, one quarterly campaign statement and one semi-annual campaign statement with reporting periods ending on March 31, 2020 and September 19, 2020. In addition, the Committee failed to file a Form 462 for verification of independent expenditures and two late independent expenditure reports for advertisements in the amount of $2,178 and $2,910 relating to Defend the Police. Moreover, the Committee failed to properly disclose independent expenditures on Schedule D for the first and second pre-election statements and two semi-annual statements with reporting periods ending on September 19, 2020; October 17, 2020; June 30, 2021; and December 31, 2021, respectively. Lastly, the Committee distributed four mass mailings that violated the Act because the mailers failed to include a street address. Additionally, three mass mailings and two signs did not include disclosures in a printed or drawn box with a solid white background. However, the Enforcement Division has decided to resolve this case with a warning letter because of the following reasons: the Committee filed the four 24-hour contribution reports before the election, the independent expenditures were recorded on the campaign statements under Schedule E, there was a low level of experience, the Committee has no prior Enforcement history, and the Committee made a good faith effort to comply with the Act by contacting the Legal Division for advice. Additionally, there was a low level of harm as it was clear that the Committee was responsible for the advertisements and Measure B was defeated.

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[5] Sections 82036.5 and 84204.
[6] Sections 82036.5 and 84204.
[7] Section 84213, subd. (b).
[8] Section 84211.
[9] Section 82041.5.
[10] Section 84305, subd. (a)(2).
[11] Section 84504.2, subd. (b).

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 yourselves 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 any questions regarding this letter, please contact me at (279) 237-5974 or email me at lcolumbel@fppc.ca.gov.

Sincerely,

*Laura Columbel*

Laura Columbel
Commission Counsel
Enforcement Division