



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

July 8, 2024

Steven S. Lucas

On behalf of Respondents Neighbors for a Better San Francisco Advocacy

Via email: higibson@nmgovlaw.com and SLucas@nmgovlaw.com

Jesse Mainardi

On behalf of Respondents San Francisco Common Voter Sense Guide; Stop All Asian Hate, Supporting the Chesa Boudin Recall, Supported by Neighbors for a Better San Francisco Advocacy; and San Franciscans for Public Safety Supporting the Recall of Chesa Boudin

Via email: jesse@mainardi.law

Re: No Action Closure Letter; FPPC No. 2021-00818, In the Matter of San Francisco Common Sense Voter Guide; Stop All Asian Hate, Supporting the Chesa Boudin Recall, Supported by Neighbors for a Better San Francisco Advocacy; San Franciscans for Public Safety Supporting the Recall of Chesa Boudin; and Neighbors for a Better San Francisco Advocacy

Dear all:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you know, the Fair Political Practices Commission received a sworn complaint alleging that nine contributions received by the committee, Neighbors for a Better San Francisco Advocacy, were earmarked to support to recall of Chesa Boudin in violation of the Act’s prohibition on undisclosed earmarked contributions. After an investigation, the Enforcement Division has determined that there is insufficient evidence to sustain the allegation.

Under Section 85704, a person shall not make a contribution to any committee or candidate that is earmarked for a contribution to any other particular committee, ballot measure, or candidate, unless the contribution is fully disclosed. The section further provides that a violation cannot be found solely on the basis of the timing of contributions made or received.

On June 7, 2022, voters in the City and County of San Francisco were asked whether to recall the San Francisco District Attorney, Chesa Boudin (“Boudin”). Boudin was successfully recalled. As part of that effort, the committee, Neighbors for a Better San Francisco Advocacy (“Neighbors Committee”), solicited contributions to support its fundraising goals to support or oppose ballot measures, including supporting the recall of Boudin. The complaint alleged that nine individual contributions, totaling approximately \$720,000, were actually earmarked contributions. Neighbors Committee, upon receiving most of these identified contributions, made contributions to

¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

three other committees. Neighbors Committee made several contributions directly to one of the primarily formed committees to support the recall of Boudin, San Franciscans for Public Safety, Supporting the Recall of Chesa Boudin ("Recall Committee"). Neighbors Committee also made contributions to two other committees, San Francisco Common Sense Voter Guide and Stop All Asian Hate. These two committees, in turn, made contributions to the Recall Committee. Based on the timing of the contributions, the complaint alleged that the contributions from nine individual contributors to Neighbors were earmarked.

Following an investigation into the allegations, the Enforcement Division has determined that there is insufficient evidence that the nine identified contributions were earmarked or directed contributions. Therefore, we are closing the matter with this letter.

If you have any questions regarding this matter, please feel free to contact me at (279) 237-5960.

Sincerely,

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division

CC: Sworn Complainant, Rebecca Bond