



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

May 30, 2024

Andrew Do, Andrew.Do@ocgov.com

Warning Letter Re: FPPC No. 2020-00736, Andrew Do for Supervisor 2020, Andrew Do

Dear Andrew Do:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is sent in response to a sworn complaint alleging Do’s participation on a VietLink Radio AM 1840 station’s segment functioned as a campaign advertisement in support of Do’s re-election. Following an investigation, we determined that we will not pursue the allegations due to insufficient evidence of a violation of the Act. However, our investigation found video advertisements on Facebook that did not contain the proper ad disclosures.

The Act requires video advertisements to include the words “Ad paid for by” followed by the name of the committee.² The disclosure must be displayed for at least five seconds and take up at least one-third of the video.³

Upon review, the Enforcement Division determined that you violated the Act by failing to include the proper disclosures on three video ads posted on Facebook on July 1 and August 17, 2020. However, mitigating circumstances exist here: you had 28 other Facebook ads that included the proper disclosures, even though the videos themselves did not have the proper advertisement disclosures, the video ads were posted with an “Ad paid for by” disclosure on the Facebook posts, the Committee has terminated, and you have no prior Enforcement history with advertisement violations.

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.

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 84502.

³ Section 84504.1.

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 279-237-3752 or arose@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Alex J Rose

Alex J. Rose
Senior Commission Counsel,
Enforcement Division