



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

May 30, 2024

Liesa Schimmelpfennig
Get Kids Back Safely Laguna Beach
Sent Via email: Getkidsbacksafelylagunabeach@gmail.com

Warning Letter Re: FPPC Case No. 2020-00965; Liesa Schimmelpfennig; Get Kids Back Safely Laguna Beach.

Dear Liesa Schimmelpfennig and Get Kids Back Safely Laguna Beach,

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 two complaints that allege Liesa Schimmelpfennig and Get Kids Back Safely Laguna Beach violated the Act's advertisement disclosure related to the November 3, 2020 General Election supporting Sheri Morgan's ("Morgan") and Amy Kramer's ("Kramer") campaigns for the Laguna Beach School Board. The Enforcement Division completed its investigation and found the following:

Regarding the allegations against Get Kids Back Safely Laguna Beach, our investigation found insufficient evidence of a violation of the Act, and these allegations will not be pursued further.

Regarding the Act's advertisement disclosure provisions, Liesa Schimmelpfennig violated the Act by failing to disclose identifying information on door hanger advertisements used to support Morgan's and Kramer's election.

During its investigation, the Enforcement Division found that the Act's campaign disclosure provisions were also violated.

Regarding the Act's campaign disclosure provisions, Liesa Schimmelpfennig violated the Act by failing to timely file a semiannual campaign statement as an independent expenditure committee covering the reporting period of January 1, 2020 to December 31, 2020.

Regarding the advertisement disclosure violation, when distributing a print advertisement, including a door hanger, the Act requires committees to display the name of the candidate or committee, preceded by the words "Paid for by" in a printed or drawn up box with a solid white background at the bottom of at least one page that is set apart from any other printed

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.

matter. The text must be in a contrasting color, in Arial Regular type with a type size of at least 10-point.²

Regarding the campaign disclosure provisions, the Act requires Independent Expenditure Committees³ to file semiannual 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 31.⁴

The Enforcement Division has completed its review of the facts in this case. Regarding the door hangers, we found that on October 22, 2020 and October 23, 2020, Liesa Schimmelpfennig paid \$1,845.77 to Laguna Digital Inc. for door hangers used to support Kramer's and Morgan's election. Liesa Schimmelpfennig violated the Act by failing to include Liesa Schimmelpfennig's full name preceded by the words "Paid for by" on the door hangers as required by the Act.

Regarding independent expenditure committee campaign statements, the Enforcement Division found that the \$1,845.77 Liesa Schimmelpfennig spent to pay for door hangers in support of Kramer's and Morgan's election triggered the duty to file an independent expenditure committee semiannual campaign statement, Form 461, covering the period from January 1, 2020 through December 31, 2020, disclosing the \$1,845.77 spent on the door hangers. Liesa Schimmelpfennig violated the Act by failing to timely file the independent expenditure committee semiannual campaign statement covering the reporting period from January 1, 2020 to December 31, 2020.

Despite these violations, the Enforcement Division has decided to close this case with a warning letter rather than a fine because it appears that this is a first-time independent expenditure committee, there was a very low amount of activity for the election, the efforts to get Kramer and Morgan elected were unsuccessful, the violations resulted in minimal public harm, and you and the Committee have no prior 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 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

² Section 84504.2 and 84502.

³ Section 82013, subd. (b).

⁴ Section 84200, subd. (b).

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.

Although we are closing our file on this matter, please be advised of the provisions in the Act regarding advertisement disclosure and campaign disclosure requirements. If you need future guidance regarding candidate obligations, please visit our website at www.fppc.ca.gov. You may also contact me at (279)237-5978, or via e-mail at cbernabe@fppc.ca.gov.

Sincerely,

Cinthy Bernabé

Cinthy Bernabé
Commission Counsel
Enforcement Division