



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

April 29, 2024

Nathan R. Hardy
Reed & Davidson, LLP
o/b/o Alex Villanueva
Via email: Nathan@politicallaw.com

Re: No Action Closure Letter: FPPC Case No. 2022-00571, Alex Villanueva

Dear Nathan R. Hardy,

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act.¹ This letter arises from a commission-initiated investigation regarding an allegation of a mass mailing sent at public expense. Specifically, the Enforcement Division received information that the Sheriff’s department was distributing flyers featuring then-Sheriff, Alex Villanueva. After a review of the available evidence, the Enforcement Division is closing our investigation in this matter due to insufficient evidence of a violation.

The Act prohibits mass mailings sent at public expense.² A mailing is prohibited if all the following criteria are met: 1) the item is delivered, by any means, to a recipient at the recipient’s residence, place of employment or business, or post office box. The item must be a tangible item, such as a videotape, record, or button, or a written document; 2) the item either features an elected officer affiliated with the agency that produces or sends the mailing, or includes the name, office, photograph, or other reference and is prepared in coordination with that officer; 3) the costs of distribution are paid for with public money and the cost exceeds \$50, and 4) more than 200 substantially similar items are sent in a single calendar month.

There is insufficient evidence to show that the flyer distributed qualifies as a mass mailing under the Act. Therefore, we have closed our investigation in this matter. 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

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 89001.