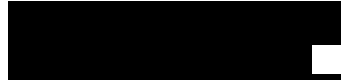




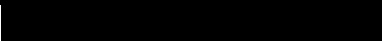
STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

May 20, 2024

David Thomas



Via email:



Warning Letter Re: FPPC No. 2020-00150; David W. Thomas

Dear Mr. Thomas,

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 a referral from Los Angeles County alleging that you failed to timely file certain pre-election campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file the statement of organization, four pre-election campaign statements, and two semi-annual statements.

The Act requires candidates to file Form 410 to establish a candidate-controlled committee within 10 days of meeting the \$2,000 committee qualification threshold. For state candidate-controlled committees, the original Form 410 must be filed with the Secretary of State.² Candidate-controlled committees must also file a Form 410 to terminate the committee.³ The Act also requires candidate-controlled committees to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as 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 31.⁴ The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.⁵

Your actions violated the Act because you failed to file an initial statement of organization with the Secretary of State to establish a candidate-controlled committee, and failed

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 84101.

³ Regulation 18404.

⁴ Sections 84200.5 and 84200.

⁵ Sections 83116.5 and 91006.

to file a terminating statement of organization. Additionally, you failed to timely file the pre-election campaign statement for the periods ending January 18, 2020, February 15, 2020, September 19, 2020, and October 17, 2022 by the applicable deadlines as well as two semi-annual campaign statements for the periods ending June 30, 2020 and December 31, 2020 by the applicable deadlines. However, because there was very little activity to report, you and the Committee have no prior history of violating the Act, you and the committee filed two of the pre-election statements before the relevant election, and you were unsuccessful as a candidate, we are closing this case with this warning letter.

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 your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail himself of these proceedings by requesting that his 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 need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me at jrivera@fppc.ca.gov or (279) 237-5913 with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division

cc: Los Angeles County voterinfo@rrcc.lacounty.gov