



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

September 23, 2024

Yes on Prop 25, A Coalition of Justice Reform and Labor Organizations
Oscar Lopez, Treasurer
Via email: RRios@olsonremcho.com

Warning Letter: Re: FPPC No. 2020-00729; Yes on Prop 25, A Coalition of Justice Reform and Labor Organizations and Oscar Lopez

Dear Committee and Oscar Lopez:

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 anonymous complaints that alleged the committee, Yes on Prop 25, A Coalition of Justice Reform and Labor Organizations (the “Committee”), violated the Act’s advertisement disclosure provisions by failing to include the correct disclosure on two YouTube advertisement and a website the Committee produced before the November 3, 2020 general election. The Enforcement Division has completed its investigation and found that the Committee failed to include the words “Ad paid for by” followed by the committee’s name on two YouTube advertisements. Additionally, the Enforcement Division determined there was insufficient evidence to support the finding that the Committee’s top contributor disclosure was incorrect in the YouTube and website advertisements.

When an advertisement is disseminated as a video, the Act requires committees to display the name of the committee preceded by the words “Ad paid for by”² in writing and displayed at the beginning or end of the advertisement for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast that lasts longer than 30 seconds.³

The Enforcement Division has decided to close this case with a warning letter rather than a fine because this violation caused minimal public harm since the “Ad paid for by” language was missing from the YouTube videos when the complaint was submitted but added sometime before the election took place; the Committee is now terminated; there is no evidence of intent to violate the Act or regulations related to the Act, and neither you nor the Committee have a history of violating the Act.

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 84504.1, subd. (a).

³ Section 84504.1, subd. (b).

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 Regulations 18360.1 and 18360.2 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.

Although we are closing our file on this matter, please be advised of the provisions in the Act regarding advertisement disclosure requirements. If you need future guidance regarding advertisement disclosure 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,

Cynthia Bernabé

Cynthia Bernabé
Commission Counsel
Enforcement Division