



December 19, 2025

Sent Via Email: consumerlawyer@gmail.com

Jason Baker

O/B/O Marlena Smith, Individually as Treasurer of Silicon Valley Community Coalition PAC

Warning Letter re FPPC No. 2025-00502; Silicon Valley Community Coalition PAC and Marlena Smith, Treasurer

Dear Jason Baker:

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (“Act”).¹ This case was Commission initiated, with respect to the Silicon Valley Community Coalition PAC (“Committee”) and Marlena Smith, as the treasurer.

The Enforcement Division completed an investigation² and found that your client, in their capacity as treasurer, and the Committee failed to: properly file a qualifying statement of organization identifying Anthony Phan as the controlling candidate in the name of the Committee; and timely file two 24-Hour Independent Expenditure Reports. As explained further below, the Enforcement Division is closing this case with this warning letter.³

The Act requires that every recipient committee must file a statement of organization with the Secretary of State within 10 days of qualifying as a committee, which includes the name of any candidate controlling the committee.⁴ The last name of the controlling candidate must be included in the name of the committee.⁵ Further, at the core of the Act’s campaign reporting system is the requirement that committees must file campaign statements and reports for certain reporting periods and by certain deadlines.⁶ A late independent expenditure that totals in the aggregate \$1,000 or more and is made for or against a specific candidate involved in an election during the 90-days preceding the date of the election, or on the date of the election, shall file a 24-Hour Late Independent Report within 24 hours.⁷

¹The 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 Marlena Smith entered into a Tolling Agreement in this matter.

³ This Warning Letter is only applicable to FPPC No. 2025-00502, related to violations against Smith and the Committee. The open case, FPPC No. 2019-01497, including the Committee, is not impacted by this Warning Letter.

⁴ Section 84101.

⁵ Sections 84101; 84102, subd. (e) and (g); and Regulation 18402, subd. (c)(1).

⁶ Sections 84200, et seq.

⁷ Sections 82036.5 and 84204, subds. (a) and (c).

The Enforcement Division has completed its review of the facts of this case. Specifically, we found that your client, in their capacity as the treasurer, and the Committee, failed to comply with the naming requirements under the Act, when the name of the controlling candidate was not included in the name of the Committee on the statement of organization. Additionally, your client failed to timely file two 24-Hour Independent Expenditure Reports for independent expenditures made on June 1, 2018 and June 2, 2018. However, the Enforcement Division has decided to close this case with a warning letter rather than a fine because your client had a low level of experience with the Act at the time of the violations, was cooperative with the investigation, the Committee is now terminated, and your client had 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 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 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 10 days from the date of this letter.

If you have questions regarding this letter, please contact me at bcastillo@fppc.ca.gov or (279) 237-3764.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division