



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

January 24, 2025

East County Voters for Equal Protection
Via email only: [REDACTED]

Warning Letter Re: FPPC Case No. 2020-00883; East County Voters for Equal Protection

Dear Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (“the Act”).¹ As you are aware, the Enforcement Division received a sworn complaint alleging that East County Voters for Equal Protection (“the Committee”) violated campaign reporting and lobbying provisions of the Act concerning potential ballot measures prior to the November 3, 2020 election. The Enforcement Division has completed its investigation of this case and has found that the Committee failed to timely file campaign statements, failed to accurately report campaign activity, and failed to include required advertisement disclosures. As explained further below, the Enforcement Division is closing this case with this warning letter.

Under the Act, a primarily formed committee includes a recipient committee that supports a single ballot measure.² The Committee qualified as a primarily formed ballot measure committee in April 2019 (per amended Statements of Organization (Form 410) filed 4/11/19 and 9/9/19). At all relevant times, the Committee was in support of a local ballot measure in Brentwood, California (“The Brentwood Emergency Response for All Act”) that was not being voted on because the proposed measure never received a number or letter designation for any election.

The Act requires committees primarily formed to support or oppose local ballot measures not being voted on to file 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 31.³ The obligation to file semi-annual campaign statements continues until the committee is terminated.

The Act also requires that, when the cumulative amount of contributions received from a person is one hundred dollars (\$100) or more and a contribution has been received from that person during the period covered by a campaign statement, the statement must include the person’s full

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 82047.5 and Regulation 18247.5.

³ Section 84200.

name, street address, occupation, employer, date and amount contributed during the related reporting period, and the cumulative amount of contributions.⁴

The Act further requires that print advertisements paid for by a committee other than a political party committee or a candidate-controlled committee established for an elective office of the controlling candidate that are intended to be individually distributed, such as doorhangers and newspaper ads, display a disclosure with the words “Ad paid for by [committee’s name (on file with Form 410 or 461)]” in at least 10-point size, Arial-equivalent font in a contrasting color, centered horizontally, with the committee’s name underlined and with the entire disclosure in a printed or drawn box with a solid white background, at the bottom of at least one page, set apart from other printed matter.⁵ The Act requires that internet websites paid for by a committee other than a political party committee or a candidate-controlled committee established for an elective office of the controlling candidate display a disclosure with the words “Paid for by [committee’s name (on file with Form 410 or 461)]” printed clearly and legibly in a contrasting color and in no less than 8-point font at the top or bottom of every publicly accessible page of the website.⁶

The Committee violated the Act by failing to timely file the semi-annual campaign statement for the period ending December 31, 2019 with the correct jurisdiction (Brentwood City Clerk) by the applicable deadline and by failing to timely file the semi-annual campaign statement for the period ending June 30, 2022 by the applicable deadline. The Committee also failed to timely provide occupation and employer information for a \$100 contribution reported on the semi-annual campaign statement for the period ending June 30, 2020. Lastly, the Committee also failed to include the word “Ad” and underline the Committee’s name on door hanger advertisements, failed to include the word “Ad,” underline the Committee’s name, and place the disclosure in a printed or drawn box on a newspaper advertisement, and displayed the disclosure on the “About Us” page of the Committee’s website but failed to display it on every other publicly accessible page of the site.

However, the Enforcement Division has determined that mitigating circumstances are present here and has decided to close this case with a warning letter rather than a fine for the following reasons: the Committee raised and spent a relatively low amount; the Brentwood ballot measure never made it onto the ballot; the semi-annual campaign statement due on January 31, 2020 was filed with another filing officer (the City of Oakley), although it was filed in the wrong jurisdiction; the \$100 contribution was reported on the relevant semi-annual campaign statement although it did not have all required information; the advertisements displayed the Committee’s name despite failing to comply with the specific advertisement disclosure language and display requirements, which resulted in relatively low public harm; the Committee’s website did display a disclosure, although not on every publicly accessible page as required; there was no evidence of an intent to violate the Act or conceal the violations; you cooperated during the investigation; and, the Committee does not have prior Enforcement history involving the same violation.

⁴ Section 84211(f).

⁵ Sections 84502 and 84504.2.

⁶ Sections 84502 and 84504.3(d).

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 need forms, 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 vjimmy@fppc.ca.gov or (279) 237-5971 with any questions that you may have regarding this letter.

Sincerely,

Vanessa Jimmy

Vanessa Jimmy
Commission Counsel
Enforcement Division

Cc: *Sworn Complainant*