STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811 • (916) 322-5660

June 1, 2026

David McGowan
Via email: [redacted]

Warning Letter re FPPC No. 2023-00304; David McGowan

Dear David McGowan:

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 that alleged you failed to timely file four behested payment reports. The Enforcement Division has completed its review of the facts in this case and found three payments that did not require behested payment reports and one that did. Regarding the three payments, there is insufficient evidence to support a finding that you violated the Act.

However, we found that Deepak Chopra made a $10,000 payment, at your behest, on June 23, 2021, to the Palos Verdes Estates Foundation. This payment triggered behested payment reporting obligations under the Act. Once a source reaches the $5,000 disclosure threshold in a calendar year, all payments from that source, regardless of the amount, must be disclosed.

The Act provides that payments that are made principally for a legislative, governmental, or charitable purpose are neither contributions nor gifts to the elected official.[2] However, the payments made at the behest of an elected official must be reported by the official within 30 days following the date on which the payment or payments are made, if they equal or exceed $5,000 in the aggregate, and are from the same source in the same calendar year.[3]

Your actions violated the Act because you failed to timely file a behested payment report (Form 803) within 30 days of the date of the payment. However, mitigating factors exist such that the Enforcement Division has decided to close this case with this warning letter rather than issue a fine. The payment amount was less than $30,000; this is the only late Form 803 in the last 5 years; the violation resulted in minimal public harm; you receive no benefit or payment from Palos Verdes Estates Foundation; you were cooperative throughout our investigation; and you have no prior history of violating this section of the Act.

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[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] Sections 82004.5 and 82015(c)(4).

[3] Section 84224.

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 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 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 arose@fppc.ca.gov or 279-237-3752 with any questions you may have regarding this letter.

Sincerely,

Alex J Rose

Alex J. Rose, Senior Commission Counsel
Enforcement Division