



EXECUTIVE STAFF REPORTS

May 16, 2024, Commission Hearing

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I. ENFORCEMENT DIVISION

STAFF: JAMES M. LINDSAY, CHIEF OF ENFORCEMENT

A. Overview

During the period of April 1, 2024, through April 30, 2024, the Enforcement Division received the following complaints and referrals:

	Sworn	Non-Sworn	Anonymous	Referrals
Number Received	22	4	22	84

The number of complaints and referrals received by the Enforcement Division in April decreased slightly in comparison to the first quarter of 2024.

For the month of April, more time to respond beyond the 14-day statutory period was needed for approximately 6¹ sworn complaints. Generally, additional time to respond was utilized in order to give respondents more time to respond to inquiries when it was requested.

Additionally, for the month of April, the Enforcement Division opened 87 cases, rejected 108 complaints and referrals, and closed a total of 143 cases including:

- 71 warning letters – advertisement violations (3), campaign violations (22), behested payment violation (1), conflict of interests (3), and statement of economic interests violations (42);
- 17 no action closure letters: PREP completed – statement of economic interests violations;
- 30 no action closure letters alleging – advertisement violations (8), campaign violations (6), conflict of interests (4), gift over-the-limit violations (1) and statement of economic interests violations (11);
- 17 approved stipulations from the April Commission meeting;
- 6 committees were administratively terminated;
- 2 advisory letters.

The Division had a total of 971 cases in various stages of resolution at the time of the March Monthly Report and currently has approximately 928 cases in various stages of resolution, including the 10 streamline cases before the Commission as listed in the May Agenda. Net case closures since the last monthly report totaled 43.

¹ This figure includes 2 sworn complaints received in March 2024.

B. Annual Statistics

The following is a chart that details the annual statistics for enforcement complaints, referrals and cases over the past five years. The statistics show a marked increase in complaints during election years while referrals have generally increased gradually over time.

	Year	2019	2020	2021	2022	2023
1	Complaints Received	744	1,390	606	1,379	653
2	Referrals Received	1,950	1,518	1,751	1,724	1,971
3	Total Complaint and Referrals Received	2,694	2,908	2,357	3,103	2,624
4	Cases opened	1,820	1,155	1,185	990	831
5	Cases closed ³	1,465	1,526	1,058	1,075	1,295
6	Cases with penalties ²	343	278	269	161	98
	a Streamline cases	263	194	234	142	78
	b Mainline cases	73	77	32	14	18
	c Default cases	7	7	3	5	2
7	Total fines imposed	\$797,384	\$1,940,107	\$472,248	\$617,548	\$376,531
8	Warning letters issued	584	777	475	681	813
9	Administrative terminations	104	62	59	53	87
10	Cases closed with violations found ³	1,031	1,117	803	895	998
11	Advisory letters issued	9	7	16	8	15
12	No action closure letters	423	402	237	217	296

² Total for lines 6a, 6b, and 6c.

³ Total for lines 6, 8, and 9.

³ Total cases closed includes Commission approved cases from the previous year and Commission approved administrative judgements. It does not include Commission approved cases not yet closed.

C. 2022-2023 Quarterly Caseload Summary

The following is a chart that compares the number of cases from given years at the end of each quarter during 2023. Enforcement has successfully focused on the resolution of older cases.

	June 2023	September 2023	December 2023	March 2024	Difference in Existing Caseload Overall
2017	2	2	1	0	-2
2018	56	34	21	12	-44
2019	125	69	39	23	-102
2020	234	201	153	118	-116
2021	298	232	167	148	-150
2022	329	307	248	213	-116
2023	220	295	323	276	+56

D. Presentations

None to report.

E. Unexecuted Streamline Stipulations

Streamline penalty stipulations are approved by the Chief of Enforcement and reported to the Commission for discussion only before they are executed. The following streamline stipulations are presented for that purpose. After the close of the hearing, the Chief of Enforcement may execute all or any of the streamline penalty stipulations, at the Chief's discretion per Regulation 18360.2.

Since the last Monthly Report, the Enforcement Chief has not used discretion to increase the penalties for Tier Two advertising violations resulting in public confusion, under Regulation 18360.3(d)(7)(B)(i)(b), or to increase the penalties for Tier Two violations involving the same candidate, committee, or principal officer who has paid a Tier One penalty to the Commission or received a Warning Letter from the Commission for the same type of violation occurring within the last five years, based on the resulting public harm.

The Enforcement Chief did not use discretion under Regulations 18360.1 and 18360.3 to exclude violations in any streamline case presented with this report.

Advertisements

[In the Matter of Commerce Business Alliance, Sachin Gulaya; FPPC No. 20/240.](#) Staff: Marissa Corona, Commission Counsel and Jay Gehres, Special Investigator. Commerce Business Alliance is a primarily formed committee in support of two candidates and in opposition of two candidates for Commerce City Council in the November 3, 2020 General Election. The

Committee and Gulaya failed to include the proper advertisement disclosure on four mailers, in violation of Government Code Sections 84502, 84504.2 and 84506.5 (4 counts) and failed to include the names of the candidates it supported and opposed along with the office sought and election year in the name of the committee, in violation of Government Code Section 84102 (1 count). **Total Penalty: \$1,303 (Tier One).**

In the Matter of Lynwood Families for Progress, Maria Santillan-Beas; FPPC No. 23/614.

Staff: Alex Rose, Senior Commission Counsel and Kristin Hamilton, Special Investigator. Lynwood Families for Progress is a primarily formed committee in support of Measure R in the City of Lynwood. Maria Santillan-Beas serves as the Committee's principal officer. The Committee and Santillan-Beas failed to include the proper advertising disclosure on mailers distributed prior to the June 7, 2022 Primary Election, in violation of Government Code Section 84502 (3 counts). **Total Penalty: \$903 (Tier One).**

In the Matter of Retain Judge Patrick Thompson 2024, Patrick Thompson; FPPC No.

24/326. Staff: Chance Felkins, Commission Counsel. Retain Judge Patrick Thompson 2024 is Patrick Thompson's candidate-controlled committee. Stacy Owens serves as the Committee's treasurer. Thompson was a successful candidate for judge of the Superior Court of San Francisco County in the March 5, 2024 Primary Election. The Committee failed to include "ad paid for by" disclaimers on text message advertisements, in violation of Government Code Section 84504.7 (1 count). **Total Penalty: \$124 (Tier One)**

Campaign Late Filer

In the Matter of Aneel Bhusri; FPPC No. 21/700. Staff: Neal Bucknell, Senior Commission Counsel and Ann Flaherty, Special Investigator. Aneel Bhusri is represented by Emily Erlingsson of Pillsbury Winthrop Shaw Pittman LLP. In 2018 and 2020, Aneel Bhusri qualified as a major donor, but failed to timely file three major donor campaign statements, in violation of Government Code Section 84200, subdivision (b) (3 counts), and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Penalty: \$3,200 (Tier Two).**

In the Matter of Zeka Ranch LLC, Louisa Zee Kao; FPPC No. 18/1061. Staff: Alex Rose, Senior Commission Counsel and George Aradi, Special Investigator. Zeka Ranch, LLC was a local independent expenditure committee. Zee Kao served as the Committee's treasurer. The Committee and Kao failed to timely file two 24-Hour Independent Expenditure Reports and one independent expenditure campaign statement, in violation of Government Code Sections 84204 and 84200 (3 counts). Additionally, the Committee and Zee Kao failed to include the proper disclosure on an advertisement in opposition of the City of Antioch's Measure T in the November 3, 2020 General Election, in violation of Government Code Section 84502 (1 count). **Total Penalty: \$1,936 (Tiers One & Two).**

In the Matter of Vinton Bacon and Vinnie Bacon for Alameda County Board of

Supervisors District 1 - 2020; FPPC No. 20/750. Staff: Artin Berjikly, Senior Commission Counsel and Roone Petersen, Special Investigator. Vinton Bacon was an unsuccessful candidate for the Alameda County Board of Supervisors District 1 in the November 3, 2020 General

Election. Vinnie Bacon for Alameda County Board of Supervisors District 1 – 2020 was Bacon's candidate-controlled committee. Bacon served as the Committee's treasurer. The Committee and Bacon failed to timely file four 24-Hour Reports, in violation of Government Code Section 84203 (4 counts). **Total Penalty: \$1,836 (Tier Two).**

Campaign Non-Reporter

In the Matter of Ronald Terry for Sheriff 2019, Ronald Terry; FPPC No. 21/1024. Staff: Alex Rose, Senior Commission Counsel and Katelin Angeloni, Special Investigator. Ronald Terry was an unsuccessful candidate for San Francisco County Sheriff in the November 5, 2019 General Election. Ronald Terry for Sheriff 2019 was Terry's candidate-controlled committee. Terry served as the Committee's treasurer. The Committee and Terry failed to timely report \$20,334 in contributions on a semi-annual campaign statement, in violation of Government Code Section 84211 (1 count). **Total Penalty: \$710 (Tier One).**

In the Matter of Carolyn Wysinger for WCCUSD 2020; Carolyn Wysinger; FPPC No. 21/297. Staff: Alex Rose, Senior Commission Counsel and Kristin Hamilton, Special Investigator. Carolyn Wysinger was an unsuccessful candidate for West Contra Costa Unified School District in the November 3, 2020 General Election. Carolyn Wysinger for WCCUSD 2020 was Wysinger's candidate-controlled committee. Wysinger served as the Committee's treasurer. The Committee and Wysinger failed to timely report \$1,062 in expenditures on a pre-election campaign, in violation of Government Code Section 84211 (1 count). **Total Penalty: \$131 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Kellie Burt; FPPC No. 23/775. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Kellie Burt, a Planning Commissioner for the City of Willows, failed to timely file a 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Frank Damrell; FPPC No. 22/594. Staff: Christopher Burton, Assistant Chief of Enforcement. Frank Damrell, a Board Member with the Delta Stewardship Council, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 Count). **Total Penalty: \$200 (Tier One).**

II. AUDIT DIVISION

STAFF: SHRDHA SHAH, CHIEF OF AUDITS

Audits are conducted per Government Code sections 90000 - 90008 of the Political Reform Act (the Act). The Act requires full disclosure of receipts and expenditures of candidates and committees and disclosure of the finances of lobbyists. The purpose of the audits is to determine the level of compliance of the auditees with the Act. The opinions expressed in the audit report reflect the level of compliance with the Act. The FPPC is not responsible for the contents of the candidate's documents. Audit reports are then submitted to the Enforcement Division for further review.

A. Overview

The audit reports prepared by the FPPC summarize findings with respect to the filer's conformity with the disclosure and recordkeeping requirements of the Political Reform Act. Copies of audit reports are always sent to the auditees and those included in the audit report (such as the prior treasurer, current treasurer, and/or their representatives). These reports are public documents.

B. Current Period Updates

During the period of April 1, 2024 to April 30, 2024, the Audits and Assistance Division adopted 2 audit reports, both with findings. Currently, the team has 34 audits in progress at various stages, including fieldwork, post-fieldwork, and quality review.

Details of the audit report adopted during the period are as follows:

1. Sloat Higgins Jensen and Associates, LLC (ID# F24758)

Findings noted:

- Form 601 Lobbying Firm Registration Statements, Form 605 Amendment to Registration Statements, and Form 602 Lobbying Firm Activity Authorizations, were filed late or not filed in paper or electronically.

2. Jason Anderson for District Attorney 2018 (ID# 1403197)

- Occupation and/or employer information was not disclosed for contributions totaling \$19,250 received from 16 individuals. A record of this information was not maintained and the contributions were not returned.
- Expenditures made totaling \$31,362 were not disclosed, including \$31,238 paid to the San Bernardino County Registrar of Voters (SBROV) for the 2018 Candidate Statement, on the Form 460 Preelection Statement filed for the period ending

April 21, 2018. In addition, receipts and/or invoices were not maintained for expenditures made totaling \$60,612, including the payment to SBROV.

- The beginning cash balance on the Summary Page of the Form 460 Semi-annual Statement filed for the period May 20 through June 30, 2018, was reported as \$35,266, a decrease of \$25,616 from the \$60,882 ending cash balance reported on the Form 460 Preelection Statement filed for the prior period ending May 19, 2018. An explanation for the adjustment was not disclosed on the campaign statement, including to explain that the \$31,238 payment to SBROV was not reported. This reduced cash balance was carried over to subsequent campaign statements filed.
- Subvendor information was not disclosed for payments totaling \$25,625. In addition, subvendor information was not timely disclosed for payments totaling \$21,338.
- Subvendor information was not available to determine the reporting periods and amounts required to be reported as a subvendor payment to Facebook for \$9,898 paid to IVC Media LLC on May 25, 2018. The payment was for advertising services provided during the period May 1 through May 22, 2018. For another \$26,861 of expenses for IVC Media LLC, sufficient documentation was not available to determine if subvendor payments needed to be disclosed.
- Accrued expenses totaling \$30,005 were not disclosed on the Form 460 Preelection Statements filed for the periods January 1 through April 21, 2018 or April 22 through May 19, 2018. The expenses were reported when paid or reported as accrued on the Form 460 Semi-annual Statement filed for the period ending June 30, 2018.
- Sufficient documentation was not available to determine the amount required to be accrued in a prior reporting period for \$10,029 paid to IVC Media LLC on May 25, 2018. The amount was for IVC Media LLC subvendor payments to Facebook and Google Advertising for \$9,898 and \$131 respectively. The payments were for advertising services provided during the period May 1 through May 22, 2018. For another \$26,861 of expenses for IVC Media LLC, sufficient documentation was not available to determine if the expenses were required to be accrued.

C. Update on FPPC Lobbying Audits

Below is the summary of findings concerning lobbying audits conducted by the FPPC Audit Team. The FPPC Audit Team initiated a discretionary audit program to complete 6 lobbying audits to enhance our understanding of the workload, analysis, and outcomes of such audits. Out of the 6 audits selected, the FPPC Audit Team has completed 5, with the final one in progress. Material findings were noted in 4 of the 5 completed audits. Each of the findings noted

are described in detail in the respective lobbying audit reports. These reports are public documents.

The findings noted on the completed audits have been generally categorized as below:

1. Lobbying Statements/Reports Not Filed or Not Timely Filed and Not Filed in Paper and/or Electronically

The most common findings noted relate to the following Statements/Reports not filed or not timely filed and not filed in paper and/or electronically.

Lobbying Firm Registration Statement (Form 601)

Lobbying Firm Activity Authorization (Form 602)

Lobbyist Employer/Lobbying Coalition Registration Statement (Form 603)

Lobbyist Certification Statement (Form 604)

Amendment to Registration (Form 605)

Notice of Termination (Form 606)

Some examples of the findings noted in these audits are below (the list is not inclusive of all findings noted):

- During multiple instances, we noted that the Form 605, Amendment to Registration was not filed or filed late for 3 of the 5 audits completed. It is required that the Amendment to Registration (Form 605) is filed timely in both electronic and paper format.
- Late filings or not filing of Report of Lobbying Firm (Form 625) when shutting down lobbying activities, not filing or not timely filing of Notice of Termination (Form 606), and late or not timely filing of Lobbying Firm Activity Authorizations (Form 602).

Lobbyists and lobbying firms must ensure timely and accurate filing of these documents to comply with California lobbying laws and regulations. Failure to do so may result in penalties, fines, or other enforcement actions. Additionally, staying updated on any changes to filing requirements or deadlines is essential to maintaining compliance with evolving regulations.

2. Lobbying Prior to Registering

Forms 603 and 604 are required to be filed timely in paper and electronic format within 10 days when adding or deleting a lobbyist or for renewal of lobbying certification by completing the ethics orientation course. In one audit, a Form 604 was filed 29 days late (in paper and electronically) after a lobbyist was added and another Form 604 was filed 80 days late in paper and 79 days late electronically. In another audit, Form 604 was filed 59 days late in paper and 60 days late electronically after a staff qualified as a lobbyist. As a result of filing the Form 604 late, the lobbyists in each case began lobbying activities before registering as a lobbyist.

3. Over/underreporting of Payments Received or Expense Reimbursements Received

In one audit, we noted that payments received by the lobbying firm were overstated by a total of \$20,000 for four months and expense reimbursements received by the lobbying firm were overstated by \$25,488 on the Report of Lobbying Firm (Form 625). An expense reimbursement received by the same lobbying firm was also not reported on the Form 625 – Report of Lobbying Firm.

4. Over/underreporting of Activity Expenses

Findings related to activity expenses noted that the Lobbyist Employer Report (Form 635) underreported the total amount of an Activity Expense for one lobbying audit.

Issues noted by the FPPC Audit Team include the absence of detailed time sheets and dated supporting documents prevented the auditor from verifying time spent in reportable lobbying as opposed to time spent on non-reportable lobbying activities and other non-lobbying activities. And, the lack of requirements for specific documents for allocation amounts reported on lobbying reports results in receiving information and documentation containing explanations for activities reviewed during an audit which lack the details needed for verifying the activities and the amount of reportable lobbying activities.

III. LEGAL DIVISION

STAFF: DAVE BAINBRIDGE, GENERAL COUNSEL

A. Pending Litigation

None

B. Outreach and Training

Webinars & Workshops

- April 11, the FPPC presented a Campaign Filing Officer webinar. Political Reform Consultant, Katie Trumbly, and Education & External Affairs Unit Manager, Chloe Hackert, presented. 160 people attended.
- April 12, the FPPC presented a Candidate/Treasurer webinar requested by Oakland Ethics. Political Reform Consultant, Chloe Hackert, presented. 15 people attended.
- April 16, the FPPC presented a Behested Payments (Form 803) webinar. Political Reform Consultant, Adam Ramirez, and Education & External Affairs Unit Manager, Chloe Hackert, presented. 17 people attended.
- April 23, the FPPC presented a Candidate/Treasurer – After the Election webinar. Political Reform Consultants, Stephen Hernandez and Alexandra Castillo, presented. 37 people attended.

Scheduled Webinars

- May 9, the FPPC is presenting a Section 84308 (Levine Act) webinar.
- May 16, the FPPC is presenting a Candidate/Treasurer webinar.
- May 23, the FPPC is presenting a Candidate/Treasurer webinar.

Video Tutorials: Commission video tutorials were accessed a total of 546 times in April. Form 700 videos were accessed 343 times, the Candidate/Treasurer video was accessed 125 times, and the filing officer videos were accessed 78 times.

C. New and Updated Educational Resources

None

D. Political Reform Education Program (PREP):

In April, PREP received 17 referrals for the Statement of Economic Interests course. During this time, 13 learners completed PREP, 3 learners failed to complete PREP, and 37 learners are enrolled but have not yet completed the course.

E. Advice

The [April Advice Letter Report](https://www.fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2024-advice-letter-reports.html) is available on the FPPC website at <https://www.fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2024-advice-letter-reports.html>.

In April, the Legal Division responded to the following requests for advice:

- **Education:** The Education unit responded to 419 requests for technical assistance via telephone.
- **Requests for Advice:** Political Reform Consultants and Legal Division attorneys collectively responded to 611 email requests for advice, 130 of which were not responded to within 24 hours and 93 of those were not responded to within 48 hours.
- **Advice Letters:** The Legal Division received 6 advice letter requests under the Political Reform Act and completed 6.
- **Section 1090 Letters:** The Legal Division received 7 advice letter request concerning Section 1090 and completed 2.

F. Miscellaneous Decisions

None

G. Upcoming Regulation Projects

June

Audits by the FPPC – Clarify in regulation that certain requirements and provisions applicable to the Franchise Tax Board when conducting audits under the Political Reform Act also apply to the FPPC in the conduct of audits. This proposal would also bring back a prior regulatory provision which permitted the FPPC to exclude from audit draws jurisdictions where its candidates were already subject to audit by the FPPC or a local agency. (Pre-notice)

Honorarium ban – Amend current regulation to permit elected officials to receive payment for public speaking engagements when the official had a business that preceded their election to public office. (Adoption)

Paid social media posts – Amend existing regulation concerning disclosure on third-party social media posts and adopt a new related regulation in response to SB 678. (Adoption)

August

Transfers to interest-bearing accounts – Amend existing regulation concerning committee bank accounts to explicitly permit general purpose committees and political party committees to

transfer “all purpose” funds to an interest-bearing account so long as the funds are transferred back to the “all purpose” account before the committee spends the funds. (Pre-notice)

Audits by the FPPC – Clarify in regulation that certain requirements and provisions applicable to the Franchise Tax Board when conducting audits under the Political Reform Act also apply to the FPPC in the conduct of audits. This proposal would also bring back a prior regulatory provision which permitted the FPPC to exclude from audit draws jurisdictions where its candidates were already subject to audit by the FPPC or a local agency. (Adoption)

For more information on these and other regulation projects planned for 2024, go to <https://www.fppc.ca.gov/the-law/fppc-regulations.html>.

H. Conflict of Interest Codes

Adoptions and Amendments

State Agencies

- Department of Justice
- CA Cultural and Historical Endowment

Multi-County Agencies

- Redwood Schools Empire Group
- Wetlands Water District
- Ava Community Energy Authority
- Compass Charter Schools
- Victor Valley Community College District

Exemptions

None

Extensions

None

I. Probable Cause Proceedings

Probable cause proceedings are conducted per Government Code section 83115.5. A finding of probable cause exists when the evidence supports a reasonable belief or strong suspicion that a violation occurred, but does not constitute a finding a violation occurred. Respondents are presumed innocent of any violation of the Act until a violation is proven in a subsequent proceeding.

In the Matter of Jeffrey Williams, Case No. 2022-00007. On April 12, 2024, probable cause was found, on the papers, to believe that Respondent committed the following violations of the Act:

Count 1: Williams failed to timely file his Assuming Office SEI by the June 22, 2020 due date, in violation of Government Code Section 87300.

Count 2: Williams failed to timely file his 2020 Annual SEI by the April 1, 2021 due date, in violation of Government Code Section 87300.

Count 3: Williams failed to timely file his 2021 Annual SEI by the April 1, 2022 due date, in violation of Government Code Section 87300.

Count 4: Williams failed to timely file his 2022 Annual SEI by the April 3, 2023 due date, in violation of Government Code Section 87300.

In the Matter of Diego Garcia for Richmond City Council 2018, Diego Garcia, and Annabelle Leal, Case No. 2022-00568. On April 17, 2024, probable cause was found, on the papers, to believe Respondents committed the following violations of the Act:

Count 1: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2019 to June 30, 2019, by the July 31, 2019 due date, in violation of Government Code Section 84200.

Count 2: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2019 to December 31, 2019, by the January 31, 2020 due date, in violation of Government Code Section 84200.

Count 3: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2020 to June 30, 2020, by the July 31, 2020 due date, in violation of Government Code Section 84200.

Count 4: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2020 to December 31, 2020, by the February 1, 2021 due date, in violation of Government Code Section 84200.

Count 5: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2021 to June 30, 2021, by the August 2, 2021 due date, in violation of Government Code Section 84200.

Count 6: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2021 to December 31, 2021, by the January 31, 2022 due date, in violation of Government Code Section 84200.

Count 7: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2022 to June 30, 2022, by the August 1, 2022 due date, in violation of Government Code Section 84200.

Count 8: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2022 to December 31, 2022, by the January 31, 2023 due date, in violation of Government Code Section 84200.

Count 9: The Committee, Garcia, and Leal failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2023 to June 30, 2023, by the July 31, 2023 due date, in violation of Government Code Section 84200.

Count 10: On August 8, 2019, the Committee, Garcia, and Leal made a prohibited cash expenditure of \$4,500, in violation of Government Code Section 84300.

In the Matter of Caserta for Supervisor 2018 and Dominica Caserta, Case No. 2019-00326. On April 18, 2024, probable cause was found, on the papers, to believe that Respondents committed the following violations of the Act:

Count 1: The Committee made payments totaling approximately \$13,771 utilizing campaign funds to various vendors through the payment intermediary Paypal, to World of Sports Memorabilia, and to Mill Creek Sports. The payments, made from March 18, 2019 through March 27, 2019, were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose and they provided a personal benefit and at times, a substantial personal benefit, to Caserta. In this way, the Committee and Caserta violated Government Code Sections 89510 and 89512.

Count 2: The Committee made payments totaling approximately \$13,771 after the campaign funds had become surplus funds to various vendors through the payment intermediary Paypal, to World of Sports Memorabilia, and to Mill Creek Sports. The payments, made from March 18, 2019 through March 27, 2019, were not made with a purpose consistent with the enumerated permissible uses of surplus funds. In this way, the Committee and Caserta violated Government Code Section 89519.

Count 3: The Committee made payments totaling approximately \$10,855 utilizing campaign funds to the vendor, Guaranteed Removals. The payments, made from January 16, 2019 through March 27, 2019, were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose and they provided a substantial personal benefit, to Caserta. In this way, the Committee and Caserta violated Government Code Sections 89510 and 89512.

Count 4: The Committee made payments totaling approximately \$10,855 utilizing campaign funds to the vendor, Guaranteed Removals. The payments, made from January 16, 2019 through March 27, 2019, were not made with a purpose consistent with the enumerated permissible uses of surplus funds. In this way, the Committee and Caserta violated Government Code Section 89519.

- Count 5: The Committee made payments totaling approximately \$19,990 utilizing campaign funds to the payee, Juan Moran. The payments, made on January 28, 2019; February 19, 2019; and March 8, 2019 were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose. In this way, the Committee and Caserta violated Government Code Sections 89510 and 89512.
- Count 6: The Committee made payments totaling approximately \$19,990 utilizing campaign funds to the payee, Juan Moran. The payments, made on January 28, 2019; February 19, 2019; and March 8, 2019 were not made with a purpose consistent with the enumerated permissible uses of surplus funds. In this way, the Committee and Caserta violated Government Code Section 89519.
- Count 7: The Committee made a payment utilizing campaign funds, totaling approximately \$1,650, to the payee, Oscar Castillo. The payment was made on June 21, 2019 and was not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose. In this way, the Committee and Caserta violated Government Code Sections 89510 and 89512.
- Count 8: The Committee made a payment utilizing campaign funds, totaling approximately \$1,650, to the payee, Oscar Castillo. The payment was made on June 21, 2019 was not made with a purpose consistent with the enumerated permissible uses of surplus funds. In this way, the Committee and Caserta violated Government Code Section 89519.
- Count 9: The Committee made payments to the payee, Mafalda Soares, utilizing campaign funds, totaling approximately \$18,450. The payments that were made on March 6, 2019; March 7, 2019; and March 8, 2019 were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose. In this way, the Committee and Caserta violated Government Code Sections 89510 and 89512.
- Count 10: The Committee made payments to the payee, Mafalda Soares, utilizing campaign funds, totaling approximately \$18,450. The payments that were made on March 6, 2019; March 7, 2019; and March 8, 2019 were not made with a purpose consistent with the enumerated permissible uses of surplus funds. In this way, the Committee and Caserta violated Government Code Section 89519.
- Count 11: The Committee made payments to the payee, Mafalda Soares, utilizing campaign funds, totaling approximately \$18,450. The payments were made on March 6, 2019; March 7, 2019; and March 8, 2019 and were prohibited because Mafalda Soares was the spouse of the candidate. In this way, the Committee and Caserta violated Government Code Section 84307.5.
- Count 12: The Committee and Caserta failed to timely and accurately report approximately \$54,640 in expenditures on a campaign statement for the reporting period of January 1, 2019 through June 30, 2019, in violation of Government Code Section 84211.

Count 13: The Committee and Caserta failed to maintain detailed campaign records for the Committee's contribution and expenditures for the life of the Committee, in violation of Government Code Section 84104.

IV. ADMINISTRATION & TECHNOLOGY DIVISION

STAFF: JUE WANG, ACTING CHIEF OF ADMINISTRATION

A. New Employee Report

None

B. Hiring Process

Enforcement Division

Associate Governmental Program Analyst
Attorney, FPPC Enforcement
Special Investigator

Administration Division

CEA, Chief of Admin

C. Statement of Economic Interest (SEI, Form 700)

March 1 Filing Status

As of May 2, 2024, 99.96% of the March 1 group filed Form 700 with the FPPC. One non-filer remains.

March 1 Group	Total	Filed on time	Filed late	Not Filed
Constitutional Officers	53	44	8	1
Courts	2265	2222	43	0
Legislature	120	120	0	0
State Agencies	18	18	0	0
Total	2456	2404	51	1
		97.88%	2.08%	0.04%

April 2 Filing Status

As of May 2, 2024, 14,580 2023 annual statements, representing approximately 91.34% of the total, have been received and processed. Due to the abundance of paper filings, SEI unit staff has diligently uploaded the statements into the system. All the statements are expected to be processed by the end of June, and the first non-filer letters are scheduled to be sent out in early July. The processing of paper filings has been adding approximately three months to our annual statements' process time.

SEI Unit March Summary

- Referred 7 cases to the Enforcement
- Issued 52 fine letters
- Issued 207 Non-filer letters and 50 Amendment letters
- Processed 12 Form 462
- Responded 2440 emails from form700@fppc.ca.gov
- Re-certified 17 existing local e-filing systems

D. Collection/Revenue

April Report of Collection				
Category	Check	Credit Card	FTB Offset	Total
SEI Fine	\$ 700	\$ 1,900	\$ 300	\$ 2,900
PREP	\$ 50	\$ 500	-	\$ 550
Enforcement Collections	-	-	\$ 1,867	\$ 1,867
Enforcement Stipulations	\$ 26,356	\$ 2,475	-	\$ 28,831
CalPERS Reimb	\$5,882.50	-	-	\$5,882.50
Total	\$ 32,988.50	\$ 4,875	\$ 2,167	\$ 40,030.50