

News from the FPPC



California Fair Political Practices Commission
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Additional information on each of the enforcement cases listed below can be found in the March agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to between the FPPC Enforcement Division and the individuals and organizations subject to the fines, or the default decisions proposed to the Commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you need further assistance, please contact the FPPC communications office at (916) 322-7761 or press@fppc.ca.gov.

I. The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, March 21, 2024. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Behested Payments

In the Matter of Christopher Holden; FPPC No. 19/429. Staff: Neal Bucknell, Senior Commission Counsel and Lance Hachigian, Special Investigator. Christopher Holden is represented by Gary Winuk and Stephen Kaufman of the Kaufman Legal Group. Holden failed to timely file Form 803 behested payment reports regarding approximately 94 charitable payments of \$5,000 or more totaling approximately \$1,576,500, in violation of Government Code Section 82015, subdivision (b)(2)(B)(iii), as in effect prior to 2018, and Government Code Section 84224, as in effect after 2017 (16 counts). **Fine: \$24,000.**

Misuse of Campaign Funds

In the Matter of Friends of John McMahon for SB County Sheriff-Coroner 2018, John McMahon, and Marvin Reiter; FPPC No. 19/1800. Staff: Theresa Gilbertson, Senior Commission Counsel and Lance Hachigian, Special Investigator. This matter arose from an audit performed by the Audit Division of the Fair Political Practices Commission. McMahon was a successful candidate for Sheriff-Coroner in the June 5, 2018 Primary Election. Friends of John McMahon for SB County Sheriff-Coroner 2018 was McMahon's candidate-controlled committee. Marvin Reiter was the treasurer. McMahon retired from office on July 15, 2021, and the remaining committee funds became surplus on October 14, 2021. However, the Committee, McMahon, and Reiter made several expenditures that were not consistent with the permissible uses of surplus funds, in violation of Government Code Section 89519 (1 count). **Fine: \$3,500.**

Conflict of Interest

In the Matter of Shawn Farmer; FPPC No. 20/730. Staff: Jenna C. Rinehart, Senior Commission Counsel, and George Aradi, Special Investigator. Shawn Farmer, a member of the Galt City Council, made a governmental decision involving real property that had a reasonably foreseeable material financial effect on real properties located within 500 feet, including Farmer's real property financial interest, in violation of Government Code Section 87100 (1 count). **Fine: \$3,000.**

Mass Mailing at Public Expense

In the Matter of Tuolumne Utilities District; FPPC No. 19/781. Staff: Marissa Corona, Commission Counsel and George Aradi, Special Investigator. The respondents are represented by Jesse W. Barton of Gallery & Barton, APLC. Between January 1, 2019, and February 28, 2019, Tuolumne Utilities District paid for, and distributed a newsletter to 14,250 residents that featured a photograph, with the names below, of elected Board of Director members, in violation of Government Code Sections 89001 and 89002 (1 count). **Fine: \$2,000.**

The following are enforcement decisions approved through the streamline penalty process and were executed by the Chief of Enforcement per Regulation 18360.2 following the March 21, 2024 meeting. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Campaign Bank Account

In the Matter of Mike Leahy for Supervisor 2020, and Mike Leahy; FPPC No. 20/380. Staff: Alex Rose, Senior Commission Counsel and Ann Flaherty, Special Investigator. Mike Leahy was an unsuccessful candidate for Yuba County Supervisor in the March 3, 2020 Primary Election. Mike Leahy for Supervisor 2020 was Leahy's candidate-controlled committee. Leahy served as the Committee's treasurer. The Committee and Leahy failed to process \$1,095 through the campaign bank account over two campaign statements, in violation of Government Code Section 85201 (2 counts). **Fine: \$811 (Tier Two).**

In the Matter of Committee to Re-Elect Larry Spicer to Monrovia City Council 2022, Larry Spicer, and Bobby Williams; FPPC No. 23/750. Staff: Alex Rose, Senior Commission Counsel and Lance Hachigian, Special Investigator. Larry Spicer was a successful candidate for Monrovia City Council in the November 8, 2022 General Election. Committee to Re-Elect Larry Spicer to Monrovia City Council 2022 was Spicer's candidate-controlled committee. Bobby Williams served as the Committee's treasurer. The Committee, Spicer, and Williams failed to timely disclose expenditures on a semi-annual campaign statement and failed to process \$768 through the campaign bank account over three campaign statements, in violation of Government Code Sections 84211 and 85201 (4 counts). **Fine: \$553 (Tier One).**

Advertisements

In the Matter of Defeat Republicans PAC, and Sue Jackson; FPPC No. 21/817. Staff: Alex Rose, Senior Commission Counsel. Defeat Republicans PAC is represented by Lacey Keys of Keys Law Corporation and Sue Jackson is represented by Gary Winuk of Kaufman Legal Group. Defeat Republicans PAC is a local and federal general purpose committee. Sue Jackson served as the Committee's treasurer and principal officer. The Committee and Jackson failed to timely report an expenditure on a pre-election campaign statement, timely file a 24-Hour Report, and

include the required “ad paid for by” disclaimer on text message advertisements, in violation of Government Code Sections 84204, 84211, 84305, 84310, 84502, and 84504.1 (3 counts). **Fine: \$1,077 (Tiers One & Two).**

In the Matter of Citizens for a Better Sutter County – Yes on Measure A, Jerry Handy; FPPC No. 23/820. Staff: Alex Rose, Senior Commission Counsel and Ann Flaherty, Special Investigator. Citizens for a Better Sutter County – Yes on Measure A is a local primarily formed committee in support of Measure A in Sutter County. Jerry Handy serves as the Committee’s treasurer. The Committee and Handy failed to include the proper advertising disclosures on a robocall, website, and Facebook page, prior to the November 8, 2022 General Election, in violation of Government Code Sections 84504 and 84504.6 (3 counts). **Fine: \$610 (Tiers One & Two).**

In the Matter of Yes on H, Support San Clemente and Capo Beach Schools 2020, and Steven Litchfield; FPPC No. 20/208. Staff: Chance Felkins, Commission Counsel. Yes on H, Support San Clemente and Capo Beach Schools 2020 is a local general purpose committee. Steven Litchfield serves as the Committee’s principal officer. The Committee and Litchfield failed to include the proper advertising disclosures on the Committee website and social media page, in violation of Government Code Section 84502 (2 counts). **Fine: \$200 (Tier One).**

Campaign Late Reporter

In the Matter of Village Laguna, Inc., and Mary Ives; FPPC No. 18/1434. Staff: Theresa Gilbertson, Senior Commission Counsel and Roone Petersen, Special Investigator. The respondents are represented by Beverly Grossman Palmer of Strumwasser & Woocher LLP. Village Laguna, Inc., is a city general purpose committee. Mary Ives serves as the Committee’s treasurer. Village Laguna, Inc. and Ives failed to report independent expenditures on campaign statements, in violation of Government Code Section 84211, subdivision (k)(5) (5 counts). In addition, Village Laguna, Inc. and Ives failed to timely file an independent expenditure report, in violation of Government Code Section 84204 (1 count). **Fine: \$1,817 (Tier One).**

Campaign Late Filer

In the Matter of The Red Brennan Group, and Thomas Murphy; FPPC No. 20/523. Staff: Alex Rose, Senior Commission Counsel and Kaitlin Osborn, Special Investigator. The respondent is represented by Ashlee Titus of Bell, McAndrews & Hiltachk LLP. The Red Brennan Group was a local general purpose committee. Thomas Murphy served as the Committee’s treasurer. The Committee and Murphy failed to timely file nine 24-Hour Reports and failed to properly describe reportable activity for two campaign statements, in violation of Government Code Sections 84203 and 84211 (11 counts). **Fine: \$11,219 (Tier Two).**

In the Matter of Louis J. Giraud, and Louis J. Giraud and Affiliated Entities; FPPC 22/315. Staff: Jonathan Rivera, Commission Counsel and Roone Petersen, Special Investigator. The respondents were represented by Rachael Rutkowski of Olson Remcho LLP. Louis J. Giraud, a major donor committee for the calendar years 2018, 2020, and 2022, failed to timely file two major donor committee campaign statements, eleven 24-Hour Reports, and a Statement of Members, in violation of Government Code Sections 84109, 84200(b), and 84203 (14 counts). **Fine: \$5,800 (Tiers One & Two).**

In the Matter of Making Housing Affordable – YES on Prop 10 Committee; FPPC No. 18/820. Staff: Angela J. Brereton, Assistant Chief of Enforcement and Lance Hachigian, Special Investigator. The respondents are represented by Gary Winuk of Kaufman Legal Group. Making Housing Affordable – YES on Prop 10 Committee was a ballot measure committee. The Committee failed to timely file eighteen 24-Hour Reports, in violation of Government Code Section 84203 (18 counts). **Fine: \$4,775 (Tier One).**

In the Matter of Committee to Save Our Neighborhoods; FPPC No. 18/820. Staff: Angela J. Brereton, Assistant Chief of Enforcement and Lance Hachigian, Special Investigator. The respondents are represented by Gary Winuk of Kaufman Legal Group. Committee to Save Our Neighborhoods was a ballot measure committee. The Committee failed to timely file nineteen 24-Hour Reports, in violation of Government Code Section 84203 (19 counts). **Fine: \$ 4,619 (Tier One).**

In the Matter of Irma Lopez for Hartnell College 2015 (ID # 1379428); Irma Lopez for Hartnell Trustee 4 2018/2020 (ID # 1408060); Irma Lopez; Gloria Lockwood; D. Michelle Rios; and Laura Rodriguez; FPPC No. 18/587. Staff: Alex Rose, Senior Commission Counsel. Irma Lopez was an unsuccessful candidate for the Hartnell Community College District Board of Trustees in the November 3, 2015 General Election, but was a successful candidate for the same position in the November 6, 2018 and November 3, 2020 General Elections. Irma Lopez for Hartnell College 2015 and Irma Lopez for Hartnell Trustee 4 2018/2020 were Lopez's candidate-controlled committees. Gloria Lockwood, D. Michelle Rios, and Laura Rodriguez served as the Committees' treasurers. The Committees, Lopez, Lockwood, Rios, and Rodriguez failed to timely file six semi-annual campaign statements, two pre-election campaign statements, and five 24-Hour Reports, in violation of Government Code Sections 84200, 84200.5, and 84203 (13 counts). **Fine: \$3,690 (Tier One).**

In the Matter of Santa Barbara Rental Property PAC, and Robert Kooyman; FPPC No 19/066. Staff: Theresa Gilbertson, Senior Commission Counsel and Alethea Perez, Special Investigator. The Santa Barbara Rental Property PAC is an active general-purpose committee. Robert Kooyman serves as the Committee's treasurer. The Committee and Kooyman failed to timely file two pre-election campaign statements and one semi-annual campaign statement, in violation of Government Code Sections 84200.5 and 84200 (3 counts). In addition, the Committee and Kooyman failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (3 counts). **Fine: \$2,102 (Tiers One & Two).**

In the Matter of Dan Feder; FPPC No. 23/793. Staff: Alex Rose, Senior Commission Counsel and George Aradi, Special Investigator. The respondent is represented by Ashlee Titus of Bell, McAndrews & Hiltachk LLP. Dan Feder, a major donor committee for the calendar years 2020 through 2023, failed to timely file four semi-annual campaign statements, in violation of Government Code Section 84200(b) (4 counts). **Fine: \$2,000 (Tiers One & Two).**

In the Matter of Gutierrez for City Council 2020, and Jose Gutierrez; FPPC No. 22/462. Staff: Jaleena Evans, Commission Counsel. Jose Gutierrez was an unsuccessful candidate for Fresno City Council in the November 3, 2020 General Election. Gutierrez for City Council 2020 was Gutierrez's candidate-controlled committee. Jose Gutierrez served as the Committee's treasurer. The Committee and Gutierrez failed to timely report the employer and occupation information for contributions received on the first pre-election campaign statement, in violation

of Government Code Section 84211 (1 count). Additionally, the Committee and Gutierrez failed to timely file a second pre-election campaign statement and two 24-Hour Reports, in violation of Government Code Sections 84200.5 (1 count) and 84203 (2 counts). **Fine: \$978 (Tiers One & Two).**

In the Matter of Michael Vasilas; FPPC No. 20/910. Staff: Marissa Corona, Commission Counsel and Jay Gehres, Special Investigator. Michael Vasilas qualified as an independent expenditure committee opposing a City of Richmond measure, Measure U, in the November 3, 2020 General Election. Vasilas failed to timely file an independent expenditure campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count) and failed to timely file an independent expenditure 24-Hour Report, in violation of Government Code Section 84204 (1 count). **Fine: \$662 (Tiers One & Two).**

In the Matter of Kenny Session for City Council District 6 2022, Kenny Session, and Kandis Session; FPPC No. 23/349. Staff: Chance Felkins, Commission Counsel. Kenny Session was an unsuccessful candidate for Oakland City Council in the November 8, 2022 General Election. Kenny Session for City Council District 6 2022 was their candidate-controlled committee. Kandis Session served as the Committee's treasurer. The Committee, Kenny Session, and Kandis Session failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count). **Fine: \$278 (Tier One).**

In the Matter of Ramona Landeros; FPPC No. 20/779. Staff: Marissa Corona, Commission Counsel. Ramona Landeros, a Board of Trustees Member of the Twin Rivers Unified School District, failed to timely file an Officeholder Campaign Statement Short Form (Form 470) for 2020, in violation of Government Code Section 84206 (1 count). **Fine: \$200 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Robert Levin, FPPC No. 20/768. Staff: Bridgette Castillo, Senior Commission Counsel. The respondent is represented by Leroy Smith of Schneiders & Associates LLP. Levin is a Commissioner of Ventura County First 5. Levin failed to timely report 20 investments on their 2018 Annual Statement of Economic Interests and 25 investments on their 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87302 (45 Counts). **Fine: \$4,500 (Tier One).**

In the Matter of Kevin Riley; FPPC No. 24/028. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Kevin Riley, a Planning Commissioner for the City of Antioch, failed to timely file a 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$400 (Tier One).**

In the Matter of Dawn Donaldson; FPPC No. 23/494. Staff: James M. Lindsay, Chief of Enforcement and Shaina Elkin, Associate Governmental Program Analyst. Dawn Donaldson, as an alternate member for the Central Valley Schools JPA, failed to timely file the 2020 and 2021 Annual Statements of Economic Interest, in violation of Government Code Section 87203 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Jacob Mojarro; FPPC No. 24/006. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Jacob Mojarro, a Planning Commissioner for the City of Alhambra, failed to timely file a 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200 (Tier One).**