



# EXECUTIVE STAFF REPORTS

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## *February 13, 2025, Commission Hearing*

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# I. ENFORCEMENT DIVISION

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STAFF: JAMES M. LINDSAY, CHIEF OF ENFORCEMENT

## A. Overview

During the period of January 1, 2025, through January 31, 2025, the Enforcement Division received the following complaints and referrals:

	Sworn	Non-Sworn	Anonymous	Referrals
<b>Number Received</b>	22	4	23	71

The number of complaints received by the Enforcement Division slowed following the election to typical volume while the number of new referrals was slightly lower than previous months in 2024.

For the month of January, more time to respond beyond the 14-day statutory period was needed for approximately 4 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 January, the Enforcement Division opened 179 cases, rejected 123 complaints and referrals, and closed a total of 112 cases including:

- 52 warning letters – advertisement violations (1), campaign violations (6), conflict of interests (1), lobbying violations (1), behested payment violations (1), and statement of economic interests violations (42);
- 20 no action closure letters: PREP completed – statement of economic interests violations (16), campaign violations (1), and advertisement violations (3);
- 14 no action closure letters alleging – advertisement violations (1), campaign violations (7), and statement of economic interests violations (6);
- 17 approved stipulations from the January Commission meeting;
- 1 approved default from the November Commission meeting;
- 5 administrative terminations;
- 3 cases closed as a duplicates.

The Division had a total of 820 cases in various stages of resolution at the time of the January Monthly Report and currently has approximately 887 cases in various stages of resolution, including the 2 streamline cases, 1 mainline case, and 2 default cases before the Commission as listed in the February Agenda. Net case openings since the last monthly report totaled 67. This increase is due to the unusually high number of cases opened in January.

## B. Annual Statistics

The following is a chart that details the annual statistics for enforcement complaints, referrals and cases over the past six years. The statistics show a marked increase in complaints during election years while referrals were reduced in 2024.

	<b>Year</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
1	Complaints Received	744	1,390	606	1,379	653	1,452
2	Referrals Received	1,950	1,518	1,751	1,724	1,971	1,387
3	Total Complaint and Referrals Received	2,694	2,908	2,357	3,103	2,624	2,839
4	Cases opened	1,820	1,155	1,185	990	831	1,402
5	Cases closed <sup>3</sup>	1,465	1,526	1,058	1,075	1,295	1,536
6	Cases with penalties <sup>1</sup>	343	278	269	161	98	149
	a Streamline cases	263	194	234	142	79	117
	b Mainline cases	73	77	32	14	17	25
	c Default cases	7	7	3	5	2	7
7	Total fines imposed	\$797,384	\$1,940,107	\$472,248	\$617,548	\$376,531	\$802,238
8	Warning letters issued	584	777	475	681	813	847

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<sup>1</sup> Total for lines 6a, 6b, and 6c.

9	Administrative terminations	104	62	59	53	87	80
10	Cases closed with violations found <sup>2</sup>	1,031	1,117	803	895	998	1,054
11	Advisory letters issued	9	7	16	8	15	12
12	No action closure letters	423	402	237	217	296	469
a	PREP Completed	--	--	--	39	86	261

### C. 2023-2024 Quarterly Caseload Summary

The following is a chart that compares the number of cases from given years at the end of each quarter during 2024. Enforcement has successfully focused on the resolution of older cases.

	December 2023	March 2024	June 2024	September 2024	December 2024	<b>Difference in Existing Caseload Overall</b>
2017	1	0	0	0	0	<b>-1</b>
2018	21	12	8	8	5	<b>-16</b>
2019	39	23	22	21	12	<b>-27</b>
2020	153	118	103	84	40	<b>-113</b>
2021	167	148	124	105	68	<b>-99</b>
2022	248	213	191	165	131	<b>-117</b>
2023	323	276	260	236	194	<b>-129</b>

<sup>2</sup> Total for lines 6, 8, and 9.

<sup>3</sup> 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.

## D. Presentations

None.

## 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.

### Campaign Late Filer

#### **In the Matter of Mony Nop for Mayor 2020, Mony Nop, and Steve Kau; FPPC No. 20/798.**

Staff: Jonathan Rivera, Commission Counsel. Mony Nop was an unsuccessful candidate for Livermore Mayor in the November 2020 General Election. Mony Nop for Mayor 2020 was the candidate's candidate-controlled committee. Steve Kau served as the Committee's treasurer. The Committee, Nop, and Kau failed to timely file a 24-Hour Report in violation of Government Code Section 84203. Chief Discretion was used in this matter to include the count in Tier 2.

**Total Penalty: \$1,100 (Tier Two).**

### Statement of Economic Interests Late Filer

**In the Matter of Cary Lambeth; FPPC No. 25/092.** Staff: James M. Lindsay, Chief of Enforcement, and Taylor Culberson, Staff Services Analyst. Cary Lambeth, Member of the Irvine Sports Committee with the City of Irvine, failed to timely file an Assuming Office and the 2023 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Penalty: \$400 (Tier One).**

## II. AUDITS & ASSISTANCE DIVISION

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STAFF: SHRDHA SHAH, CHIEF OF AUDITS & ASSISTANCE

*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 January 1, 2025, to January 31, 2025, no audit reports were adopted by the Audits and Assistance Division. Currently, the team has 31 audits in progress at various stages, including fieldwork, post-fieldwork, and quality review.

## III. LEGAL DIVISION

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STAFF: DAVE BAINBRIDGE, GENERAL COUNSEL

### A. Pending Litigation

None.

### B. Outreach and Training

#### *Webinars & Workshops*

- January 9, the FPPC presented a Statement of Economic Interests Filing Officer webinar. Political Reform Consultants, Alex Castillo and Stephen Hernandez, and Associate Governmental Program Analyst, Andrea Carey, presented. 66 people attended.
- January 14, the FPPC presented a Statement of Economic Interests Filers webinar. Political Reform Consultants, Stephen Hernandez and Alex Castillo, presented. 48 people attended.
- January 16, the FPPC presented a Statement of Economic Interests Filing Officer webinar requested by Fresno Unified School District. Political Reform Consultants, Adam Ramirez and Stephen Hernandez, presented. 74 people attended.
- January 17, the FPPC presented a Statement of Economic Interests Filing Officer webinar requested by Fresno Unified School District. Political Reform Consultants, Stephen Hernandez and Adam Ramirez, presented. 88 people attended.
- January 22, the FPPC presented a Candidate/Treasurer – After the Election webinar. Political Reform Consultants, Adam Ramirez and Alex Castillo, presented. 23 people attended.
- January 23, the FPPC presented a Statement of Economic Interests Filers webinar requested by CalSTRS. Political Reform Consultants, Alex Castillo and Adam Ramirez, presented. 58 people attended.
- January 24, the FPPC presented a Candidate/Treasurer – Getting Started workshop requested by Hispanas Organized for Political Equality (HOPE). Political Reform Consultant Adam Ramirez presented. 35 people attended.

#### *Scheduled Webinars*

- February 20, the FPPC is presenting a Statement of Economic Interests Filers webinar.

- February 25, the FPPC is presenting a Statement of Economic Interests Filing Officer webinar.

*Video Tutorials:* Commission video tutorials were accessed a total of 728 times in January. Form 700 videos were accessed 507 times, the Candidate/Treasurer video was accessed 86 times, and the filing officer videos were accessed 135 times.

### C. New and Updated Educational Resources

- Updated [Contribution Limits: City and County Candidates \(AB 571\) Fact Sheet](#)
- [Updated Pay to Play Limits and Prohibitions \(Section 84308\) webpage](#) with information about changes in the law resulting from recent legislation

### D. Political Reform Education Program (PREP):

Course	Referrals Received	Completions	Failures to Complete	Current Enrollments	Withdrawals
Statement of Economic Interests Course	19	18	3	43	1
Campaign Course for Local Candidates and Candidate-Controlled Committees	2	2	0	9	0
Campaign Course for State Candidates and Candidate-Controlled Committees	0	0	0	0	0
Advertisement Course for Candidates and Candidate-Controlled Committees	3	3	0	5	0



## E. Advice

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

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

- **Telephone:** The Education unit responded to 698 requests for technical assistance via telephone.
- **Email Advice:** Political Reform Consultants and Legal Division attorneys collectively responded to 782 email requests for advice, 262 of which were not responded to within 24 hours and 200 of those were not responded to within 48 hours.
- **PRA Advice Letters:** The Legal Division received 9 advice letter requests under the Political Reform Act and completed 7.
- **Section 1090 Letters:** The Legal Division received 4 advice letter requests concerning Section 1090 and completed 6.

## F. Miscellaneous Decisions

None.

## G. Upcoming Regulation Projects

### March

**Levine Act Regulations Update** – Update regulations interpreting and applying Government Code Section 84308 in response to changes made to the statute by SB 1181 and SB 1243. (Adoption)

**Extension of SEI Annual Filing Deadline Due to Emergency** – The Commission will consider adopting a regulation authorizing the Commission to extend an annual SEI filing deadline in cases of emergency or, alternatively, a regulation extending the 2024 Annual SEI filing deadline for those officials impacted by the fires in Los Angeles. (Adoption)

### April

**Mandatory Electronic Filing of SEIs with the FPPC** – Amend various regulations concerning filing of statements of economic interests to implement AB 1170, which requires those who file

original SEIs with the FPPC to do so electronically using the FPPC electronic filing system.  
(Adoption)

## H. Conflict of Interest Codes

### Adoptions and Amendments

#### *State Agencies*

- None

#### *Multi-County Agencies*

- Fire Risk Management Services
- BETA Healthcare Group Risk Management Authority
- Sierra Joint Community College District
- Excel Academy Charter Schools
- Donner Summit Public Utility 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 Michael Minnix: Committee to Re-Elect Michael Minnix El Centro Elementary School Board, Case Nos. 2020-00817 & 2020-00998.*** On January 23, 2025, probable cause was found, on the papers, that Respondents committed the following violations of the Act:

### **Minnix, only:**

Count 1: Minnix failed to timely file a statement of intention with the County prior to the solicitation or receipt of contributions, in violation of Government Code Section 85200.

**The Committee and Minnix:**

Count 2: The Committee and Minnix failed to timely file a statement of organization with the Secretary of State, due within 10 days of qualifying as a recipient committee, in violation of Government Code Section 84101.

Count 3: The Committee and Minnix failed to timely file a pre-election campaign statement for the reporting period of July 1, 2020 through September 19, 2020 by the September 24, 2020 due date, in violation of Government Code Sections 84200.5 and 84200.8.

Count 4: The Committee and Minnix failed to timely file a semi-annual campaign statement for the reporting period of October 18, 2020 through December 31, 2020 by the February 1, 2021 due date, in violation of Government Code Section 84200.

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

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

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

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

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

Count 10: The Committee and Minnix failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2023 through December 31, 2023 by the January 31, 2024 due date, in violation of Government Code Section 84200.

Count 11: The Committee and Minnix failed to timely file a 24-hour contribution report for a \$1,000 contribution received on August 30, 2020, due August 31 2020, in violation of Government Code Section 84203.

Count 12: The Committee and Minnix failed to timely file a 24-hour contribution report for three separate contributions totaling a \$5,061 received on September 1, 2020, due September 2, 2020, in violation of Government Code Section 84203.

Count 13: The Committee and Minnix failed to timely file a 24-hour contribution report for a \$1,000 contribution received on September 12, 2020, due September 13, 2020, in violation of Government Code Section 84203.

Count 14: The Committee and Minnix failed to timely file a 24-hour contribution report for a \$6,120 contribution received on October 1, 2020, due October 2, 2020, in violation of Government Code Section 84203.

Count 15: The Committee and Minnix failed to accurately report contributions and expenditures on the pre-election campaign statement for the period ending September 19, 2020, in violation of Government Code Section 84211.

Count 16: The Committee and Minnix failed to accurately report contributions and expenditures on the pre-election campaign statement for the period ending October 17, 2020, in violation of Government Code Section 84211.

Count 17: The Committee and Minnix failed to timely disclose contributor information on the pre-election campaign statement for the period ending September 19, 2020, in violation of Government Code Section 84211.

Count 18: On or about September 24, 2020, the Committee and Minnix failed to include the proper disclosures on a mass mailing, in violation of Government Code Section 84305 and Regulation 18435.

Count 19: On or about October 19, 2020, the Committee and Minnix failed to include the proper disclosures on a mass mailing, in violation of Government Code Section 84305 and Regulation 18435.

## IV. ADMINISTRATION & TECHNOLOGY DIVISION

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STAFF: JUE WANG, PhD, CHIEF OF ADMINISTRATION

### A. New Employee Report

#### Legal Division

Vanessa Manriquez, Staff Services Manager

#### Enforcement Division

Kristin Goulet, Attorney

### B. Hiring Process

#### Audit Division

Senior Management Auditor

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

#### 2024 Filing Summary

The Administration Division processes and acts as filing officers for Statements of Economic Interests from all levels of government across the state. In 2024, 25,458 annual, assuming office, leaving office, and candidate statements were processed, including 13,633 filed using the FPPC's electronic filing system and 6,457 filed through local electronic filing systems.

#### 2024 Annual Statement Filing Status

Notifications were sent on January 2, 2025, reminding FPPC filers that the 2024 Annual Statement of Economic Interests (Form 700) is due by **April 1, 2025**, for most filers and by **March 3, 2025**, for elected State Officers, Judges, Court Commissioners, and members of State Boards and Commissions specified in Government Code Section 87200. Reminder emails were sent to the March 3rd group on February 3, 2025.

#### AB 1170 Implementation

Effective January 1, 2025, public officials whose filing officer is the Commission are required to submit their Statement of Economic Interests (Form 700) through the FPPC's Electronic Filing System.

The FPPC is pleased to announce a new feature in our electronic filing system. Filers can now expand their Form 700, Statement of Economic Interests, to include other entities for which the Fair Political Practices Commission is not the filing officer.

**SEI Unit January 2025 Summary**

- Referred 12 cases to the Enforcement
- Issued 17 fine letters
- Issued 114 non-filer letters and 8 amendment letters
- Processed 8 Form 462s (Verification of Independent Expenditures)
- Responded 8,492 emails from [form700@fppc.ca.gov](mailto:form700@fppc.ca.gov) and 246 phones calls
- Re-certified 21 existing local e-filing systems and approved 3 new local e-filing systems

**D. Collection/Revenue**

**July 2024 – January 2025 Report of Collection**

Category	Check	Credit Card	FTB Offset	Total
SEI Filing Fee	\$35,000	-	-	\$ 35,000
SEI Fine	\$ 5,375	\$ 15,466	\$ 1,051	\$ 21,892
PREP	\$ 452	\$ 9,250	-	\$ 9,702
Enforcement Collection	\$ 9,703	\$ -1,197	\$ 4,324	\$ 12,830
Enforcement Stipulations	\$ 226,980	\$ 113,375	-	\$ 340,355
Reimbursement	\$ 56,316	-	-	\$ 56,316
<b>Total</b>	<b>\$ 333,826</b>	<b>\$ 136,894</b>	<b>\$5,375</b>	<b>\$ 476,095</b>