

Digital Task Force



Issues seen from 2020 Election Cycle



Every election seems to bring something new...

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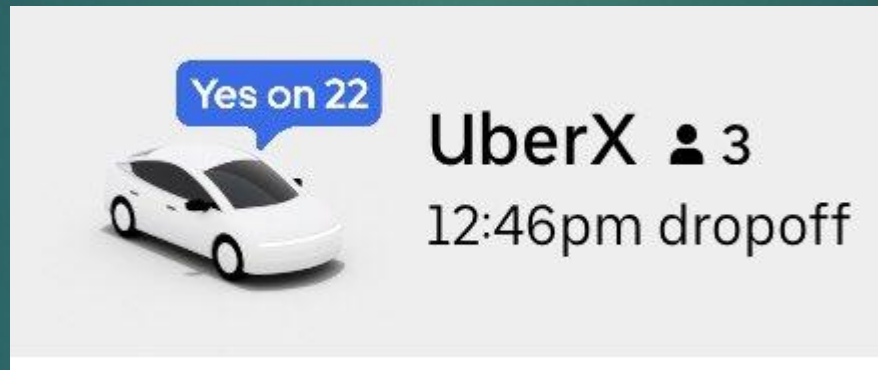


Facebook Page What's Required?



In-App Advertising

5



KPIX-TV, CBS San Francisco

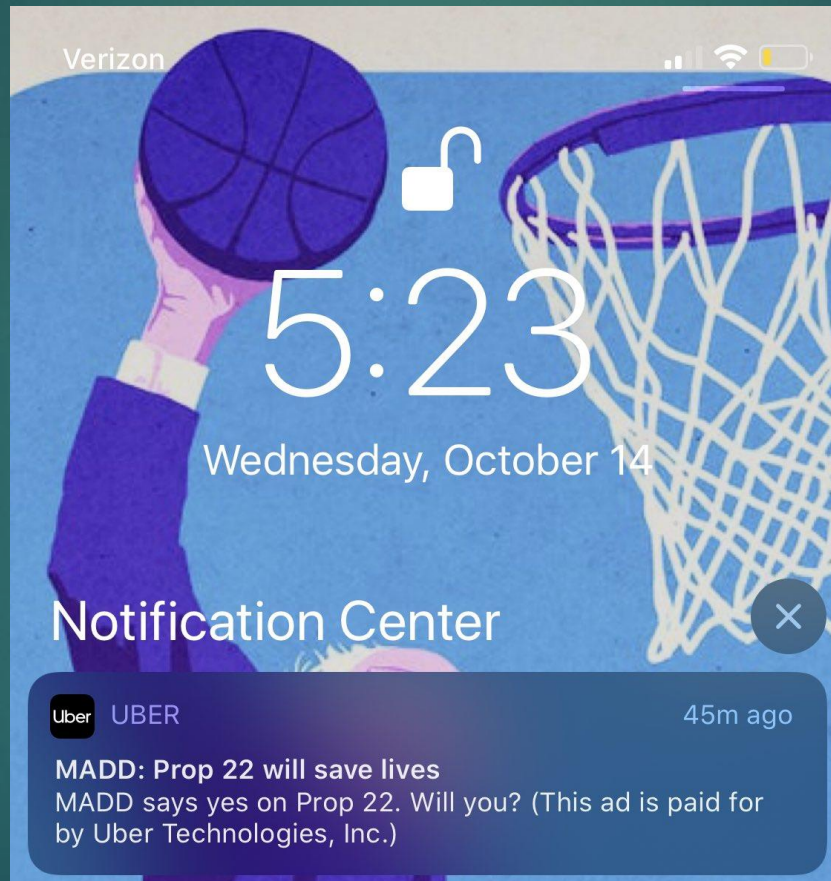
Oct. 5, 2020

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- ▶ Professor Bertrall Ross, who teaches constitutional and election law at UC Berkeley says this is a case of California election law not catching up to technology.
- ▶ “The California legislature and the California Fair Political Practices Commission probably have not anticipated this particular issue,” said Prof. Ross. “You don’t have that many scenarios in which an app-based company has a ballot proposition that will favor or disfavor a particular company.”

Disclosure itself not the issue

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Prop 22 is progress

Prop 22 will provide guaranteed earnings and a healthcare stipend.

Paid for by Uber Technologies, Inc.

YES ON PROP 22

OK

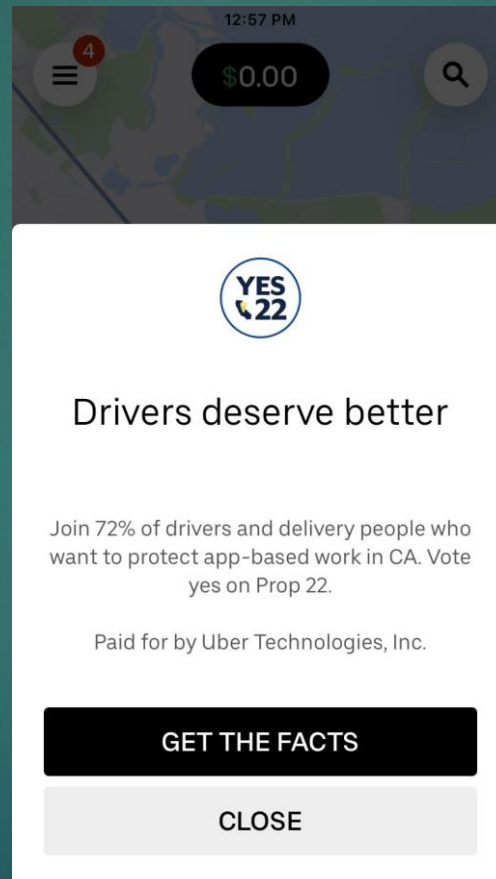
KPIX-TV, CBS San Francisco

Oct. 5, 2020

- ▶ It is not just the customers getting ads. In-app, drivers are getting them, too. The driver's ad says drivers would get guaranteed earnings and a healthcare stipend if Prop. 22 passes. But, there are only two options clicking "yes" or clicking "okay". There is not an option for drivers to click "no".
- ▶ Hector Castellanos drives for both Uber and Lyft and says the ads first appeared a few weeks ago. "In order to keep working, you have to click 'yes'," Castellanos said.

Opt Out option added

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Who are the influencers? What should they disclose?

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The screenshot shows a web browser window displaying a Business Insider article. At the top, there is a navigation bar with the Business Insider logo and a search icon. Below the navigation bar is a yellow banner advertisement for Southern California Edison (SCE) titled "GRID OF THE FUTURE to make way for more electric vehicles." with a "Learn More" button. The main article headline reads "Billionaire Mike Bloomberg is looking to pay micro-influencers to make sponsored content for his presidential campaign". The author is identified as Hanna Lustig, dated Feb 7, 2020, 2:45 PM. A large photograph of Mike Bloomberg is shown below the headline, with his hand near his chin in a thoughtful pose. Below the photo is a caption: "Mike Bloomberg. Peter Morrison/AP". At the bottom of the article, a small blue box contains a quote: "Billionaire Democrat Mike Bloomberg is doubling his campaign's advertising budget amid the fallout from this week's disastrous". The browser's address bar shows the URL "businessinsider.com/bloomberg-presidential-campaign-looking-to-pay-influencers-for-support-2020-2?r=US&IR=T". The Windows taskbar is visible at the bottom of the screen, showing the time as 2:33 PM on 3/2/2020.

Issues:

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- ▶ Links or lack thereof between Committee pages and required disclosure and social media posts
- ▶ Certain social media sites didn't allow for 'hyperlinks' (Instagram) and rely on other measures

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