

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 October 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, October 17, 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.

Misuse of Campaign Funds

In the Matter of Caserta for Supervisor 2018 and Dominic Caserta; FPPC No. 19/326. Staff: Theresa Gilbertson, Senior Commission Counsel and Roone Petersen, Special Investigator. The respondents were represented by James Sutton of The Sutton Law Firm. Dominic Caserta was an unsuccessful candidate for Supervisor for Santa Clara County in the June 5, 2018 Primary Election. Caserta for Supervisor 2018 was Caserta's candidate-controlled committee. Caserta served as the Committee's treasurer. The Committee and Caserta made numerous expenditures using campaign funds that were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose and were not made with a purpose consistent with the enumerated permissible uses of surplus funds, in violation of Government Code Sections 89510, 89512, and 89519 (3 counts). Further, the Committee and Caserta failed to timely and accurately report activity on a semi-annual campaign statement, in violation of Government Code Section 84211 (1 count), and failed to maintain detailed campaign records for the Committee's contributions and expenditures for the life of the Committee, in violation of Government Code Section 84104 (1 count). **Fine: \$22,500.**

Cash and In-Kind Contributions and/or Expenditures

In the Matter of Patrick Jones, Patrick Jones 2019 for Assembly (California Secretary of State I.D. No. 1419426), and Lyndia Kent AKA Lynda Kent; FPPC No. 22/031. Staff: Neal Bucknell, Senior Commission Counsel, Ann Flaherty, Special Investigator, and Paul Rasey, Special Investigator. Patrick Jones was an unsuccessful candidate in the August 27, 2019 Primary Election for the purpose of filling a vacancy in the California State Assembly, District 1. Patrick Jones 2019 for Assembly was his candidate-controlled committee. Lyndia Kent AKA Lynda Kent served as treasurer. The Committee and Kent failed

to keep required committee records, in violation of Government Code section 84104 (1 count); and accepted at least 34 cash contributions (in amounts of at least \$100 each), totaling at least \$11,600, in violation of Government Code section 84300, subdivisions (a) and (c) (1 count). **Fine: \$10,000.**

Default Proceedings

Default Proceedings Requesting Commission Action

In the Matter of Long Pham for Assembly 2018, Long Pham, and Mary Pham; FPPC No. 18/569.

Staff: Marissa Corona, Senior Commission Counsel and Ann Flaherty, Special Investigator. Long Pham was an unsuccessful candidate for State Assembly District 72 in the June 5, 2018 Primary Election. Long Pham for Assembly 2018 was Long's candidate-controlled committee. Mary Pham served as treasurer. The Committee and Mary Pham violated the Act by failing to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, 84200.8 and 84215 (1 count), a semi-annual campaign statement, in violation of Government Code Sections 84200 (1 count), one 24-Hour Report, in violation of Government Code Sections 84203 (1 count), failed to establish a designated campaign bank account, in violation of Government Code Section 85201, subdivisions (c)(d) and (e) (2 counts), and failed to maintain adequate records, in violation of Government Code Section 84104 (3 counts). **Fine: \$38,500.**

II. 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 October 17, 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.

Advertisements

In the Matter of Menlo Park Firefighters Legislative Action Group and Walter Vidosh; FPPC No. 20/931.

Staff: Laura Columbel, Commission Counsel and Alethea Perez, Special Investigator. Menlo Park Firefighters Legislative Action Group is a general purpose committee. Walter Vidosh serves as current treasurer of the Committee. The Committee and Vidosh failed to timely file five 24-Hour Reports, in violation of Government Code Section 84203 (1 count) and 84204 (4 counts). Additionally, the Committee and Vidosh failed to include the "not authorized by" disclaimer on three mass mailings, in violation of Government Code Section 84506.5 (3 counts). **Fine: \$2,095 (Tier One).**

In the Matter of The People's Referendum to Save Our Wildlife and Way of Life and Kate Marianchild; FPPC No. 21/1021.

Staff: Marissa Corona, Senior Commission Counsel and Kaitlin Osborn, Special Investigator. The People's Referendum to Save Our Wildlife and Way of Life is a primarily formed committee that supported qualifying a measure for the ballot that never qualified. Kate Marianchild served as treasurer. The Committee and Marianchild failed to include the proper advertisement disclosure on one mass mailing, in violation of Government Code Section 84505.2 (1 count), accepted a cash contribution of \$100 or more, in violation of Government Code Section 84300 (1 count), failed to timely report contributions one semi-annual campaign statement and one quarterly statement, in violation of Government Code Section 84211 (2 counts), failed to timely amend a Statement of Organization, in violation of Government Code Section 84103 (1 count) and failed to timely file a semi-annual campaign statement and one quarterly statement, in violation of Government Code Sections 84200 and 84202.3 (2 counts). Two of these counts are eligible for a warning letter and are included in the streamline stipulation as a \$0 penalty. **Fine: \$773 (Tier One and Two).**

Lobbying Reporting

In the Matter of Sloat Higgins Jensen and Associates, LLC; FPPC No. 21/312. Staff: Chance Felkins, Commission Counsel. Sloat Higgins Jensen and Associates, LLC as a lobbying firm failed to timely file 17 Amendment to Registration Statements (Form 605), 10 Lobbying Firm Activity Authorization Forms (Form 602), and 29 Lobbying Firm Registration Statements (Form 601). Sloat Higgins Jensen and Associates, LLC also has not filed 3 Form 601ss and 3 Form 602s, in violation of Government Code Section 86116 (62 counts). Certain violations are eligible for a Warning Letter and are included in the streamline stipulation as a \$0 penalty. Chief Discretion was used in this matter to drop late-filer counts with no monetary activity. **Fine: \$3,600 (Tiers One and Two).**

Campaign Late Reporter

In the Matter of Elizabeth Ontiveros-Cole and Elizabeth Ontiveros-Cole for District 4 Councilmember 2024; FPPC No. 24/224. Staff: Jenna C. Rinehart, Senior Commission Counsel. Elizabeth Ontiveros-Cole was a successful incumbent candidate for Pomona City Council in the March 5, 2024 Primary Election. Elizabeth Ontiveros-Cole for District 4 Councilmember 2024 is Ontiveros-Cole's candidate-controlled committee. The Committee and Ontiveros-Cole failed to timely disclose the name of the individual primarily responsible for approving two contributions received from LLCs, in violation of Government Code Section 84211 and Regulation 18421.10 (2 counts). Chief Discretion was used in this matter. **Fine: \$400 (Tier One).**

In the Matter of Fresno County Prosecutors Association PAC, David Devencenzi, Lisa Marie Urrizola-Cooper, Nathan Lambert, Kyle McPherson, and Alexander Guillermo Jr.; FPPC No. 23/459. Staff: Chance Felkins, Commission Counsel. Fresno County Prosecutors Association PAC is a general purpose committee. David Devencenzi serves as the principal officer and Kyle McPherson served as the former principal officer. Lisa Urrizola-Cooper serves as the current treasurer and Alexander Guillermo Jr. and Nathan Lambert served as former treasurers. The Committee, Devencenzi, and Urrizola-Cooper failed to timely file a pre-election statement, in violation of Government Code Sections 84200.5 and 84211 (1 count). The Committee, McPherson, and Guillermo Jr. failed to timely file a pre-election statement, in violation of Government Code Sections 84200.5 and 84211 (1 count), three semi-annual statements, in violation of Government Code Sections 84200 and 84211 (3 counts), and eight 24-Hour Reports, in violation of Government Code Sections 84200.5 and 84211 (8 counts). The Committee and Lambert failed to timely file one 24-Hour Report, in violation of Government Code Sections 84200.5 and 84211 (1 count) and two semi-annual statements, in violation of Government Code Sections 84200 and 84211 (2 count). Certain violations are eligible for a Warning Letter and are included in the streamline stipulation as a \$0 penalty. Chief Discretion was used in this matter to include one count in Tier One. **Fine: \$2,177 (Tier One).**

Campaign Late Filer

In the Matter of Dianne Giancarlo; FPPC No. 24/867. Staff: James M. Lindsay, Chief of Enforcement and Vanessa Greer, Political Reform Consultant. The respondent was represented by Emily Andrews of Olson Remcho LLP. Dianne Giancarlo, a state major donor committee for the calendar years 2019 through 2023, failed to timely file five semi-annual campaign

statements, and two 24-Hour Reports, in violation of Government Code Sections 84200(b) and 84203 (7 counts). **Fine: \$1,400 (Tier One).**

In the Matter of Pilipino American Los Angeles Democrats and Jaime Geaga; 24/862. Staff: James M. Lindsay, Chief of Enforcement and Vanessa Greer, Political Reform Consultant. Pilipino American Los Angeles Democrats is a local general purpose committee. Jaime Geaga serves as the Committee's treasurer. The Committee and Geaga failed to timely file a semi-annual campaign statement and a 24-Hour Report, in violation of Government Code Sections 84200 and 84203 (2 counts). **Fine: \$662 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Lisa Schaffner; FPPC No. 23/217. Staff: Marissa Corona, Senior Commission Counsel and Kristin Hamilton, Special Investigator. Lisa Schaffner, a Board Member for the Sonoma County Office of Education, failed to timely report sources of income on the 2018, 2019, 2020, and 2021 Annual and Leaving Office Statements of Economic Interest, in violation of Government Code Sections 87300 and 87302, subdivision (b) (5 counts). **Fine: \$1,000 (Tier One).**

In the Matter of Tracy Leathers; FPPC No. 24/582. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Tracy Leathers, a Principal for the Alum Rock Union Elementary School District, failed to timely file the 2022 Annual and Leaving Office Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). Certain violations are eligible for a Warning Letter and are included in the streamline stipulation as a \$0 penalty. **Fine: \$600 (Tier Two).**

In the Matter of Albert Yu-Min Lin; FPPC No. 24/863. Staff: James M. Lindsay, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Albert Yu-Min Lin, a Governing Board Member for High Tech High, failed to timely file the 2023 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200 (Tier One).**

Statement of Economic Interests Late Reporter

In the Matter of Marilyn Barke; FPPC No. 23/140. Staff: Marissa Corona, Senior Commission Counsel and Kristin Hamilton, Special Investigator. The respondent was represented by Mark Rosen of the Law Office of Mark S. Rosen. Marilyn Barke, a current Board Member for the Orange County Department of Education, failed to disclose income on the 2018, 2019, 2020, and 2021 Annual Statements of Economic Interests, in violation of Government Code Section 87206 (16 counts). **Fine: \$3,200 (Tier One).**