



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

August 9, 2019

Mark Thiel
Laura Thiel, Treasurer
Mark Thiel for San Joaquin County Superior Court Judge Office 11 2018
3439 Brookside Rd. Ste. 205
Stockton, CA 95219

Warning Letter Re: FPPC No. 2019-00064; Mark Thiel for San Joaquin County Superior Court Judge Office 11 2018, Mark Thiel, Laura Thiel

Dear Committee, Ms. Thiel, and Mr. Thiel:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from your filing officer, the Secretary of State’s Office, that alleged you and Mark Thiel for San Joaquin County Superior Court Judge Office 11 2018 (the “Committee”) failed to timely file campaign statements.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file both pre-election campaign statements for the reporting periods of January 1, 2018 through April 21, 2018 and April 22, 2018 through May 19, 2018 in paper and electronic format by their respective due dates.

The Act requires candidate-controlled committees to file two pre-election campaign statements prior to the applicable election.² In addition, semi-annual campaign statements must be filed each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.³ The obligation to file campaign statements continues until the candidate or treasurer terminates the committee. Additionally, the Act requires state candidate controlled committee that receive contributions or make expenditures totaling \$25,000 or more to file both electronic and paper copies of campaign statements.⁴

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84200.5 and Section 84200.8.

³ Section 84200.

⁴ Section 84605.

Your actions violated the Act because you and the Committee failed to timely file both pre-election campaign statements for the June 5, 2018 Primary Election in paper and electronic format by their respective due dates of April 26, 2018 and May 24, 2018. However, mitigating factors exist such that the Enforcement Division has decided to close your case with this warning letter rather than a fine. First, you and the Committee filed the missing campaign statements in both paper and electronic format prior to being contacted by the Enforcement Division. Although the pre-election campaign statements filed in paper format were filed late, they were filed prior to the June 5, 2018 Primary Election. Additionally, the Committee has since terminated. Lastly, neither you nor the Committee have a prior history of violating the Act.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Chloe Hackert at (916) 322-8190 or chackert@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,



Galena West, Chief
Enforcement Division

GW/ ch

cc: Secretary of State's Office