

DARRYL COTTON

6176 Federal Boulevard, San Diego, California 92114
619.954.4447 · 151darrylcotton@gmail.com

September 5, 2026

Via email — CPRA@fppc.ca.gov; aapostol@fppc.ca.gov

cc (via email): Press@fppc.ca.gov

Amanda Apostol, CPRA Coordinator
Legal Division
Fair Political Practices Commission
1102 Q Street, Suite 3050
Sacramento, California 95811

Re: Public Records Act Request No. CPRA 2026-233 — response of August 28, 2026; application of Government Code section 81008 to Requests 2 and 3, and Request 1 restated as a request for an existing record

Dear Ms. Apostol:

Thank you for your letter of August 28, 2026 (**Exhibit A**). I appreciate that the Commission responded on the second business day and set out its reasoning rather than simply acknowledging receipt. This letter answers that reasoning, concedes the parts of it I think are right, and narrows what I am asking for. The full exchange, from my request of August 26 through your response, is enclosed at **Exhibit B**.

What I am not disputing.

Two of your points are well taken and I withdraw the corresponding parts of my request.

First, you are correct that neither section 81008 nor the Public Records Act obliges the Commission to provide legal interpretation or analysis. My Request 1 was framed as two questions, and framed that way the objection is sound. I restate it below as a request for an existing record instead.

Second, you are correct that Requests 4 through 7 — conflict-of-interest codes and designated-employee lists, advice letters issued under section 83114, closed enforcement matters, and late-filing records — are not “reports or statements” filed under the Political Reform Act. I agree those items are governed by the Public Records Act and I do not contend otherwise.

Requests 2 and 3 are statements filed under the Act.

The rule your letter states is the correct one: section 81008 governs “reports or statements” filed under the Political Reform Act. Applying that rule, Requests 2 and 3 ask for Statements of Economic Interests — FPPC Form 700 — for named individuals and designated positions. A Form 700 is a statement filed under the Act. It is the document section 81008 exists to make public. (**Exhibit C**.)

I therefore do not follow the conclusion that Requests 2 through 7 are all governed by the Public Records Act. On the Commission's own stated rule, Requests 2 and 3 are section 81008 items. I would ask the Commission to reconsider that single point, which can be resolved without reaching anything else in this letter.

The in-person limitation.

Your letter states that section 81008 “applies only to individuals who appear in person at the agency to inspect and make copies,” and that because my request was submitted in writing it is governed by the Public Records Act instead. I have read both operative versions of the section and I am unable to locate that limitation in either. Both versions are enclosed at **Exhibit C**.

The current text provides that a report or statement “is a public record open for public inspection and reproduction during the filing officer's regular business hours,” that “[c]onditions shall not be imposed upon persons asking to inspect or reproduce” such records, and that “[c]opies shall be provided at a charge not to exceed ten cents (\$0.10) per page.” The predecessor text is to the same effect and somewhat stronger: “No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce” them. Neither version conditions the section on the requester's physical attendance. I note the point does not depend on which version governs, since both are identical in this respect.

Two features of the text seem to me to point the other way. “Copies shall be provided” is mandatory and unqualified; and the section separately authorizes a retrieval fee for statements five or more years old, which is a provision that makes sense for records that must be located and sent rather than read at a counter.

The Commission's own published guidance to filing officers appears to take the same view. Under the heading “Providing Public Access and Reproduction Charges,” the Form 700 Filing Officer Duties page states (**Exhibit D**):

“No conditions may be imposed on persons desiring to inspect or reproduce statements, and no information or identification may be required from such persons. A filing officer should provide copies of statements for viewing purposes rather than the originals. **When a copy of a statement is requested, an unredacted copy must be provided.** Copies must be provided at a charge not to exceed 10 cents per page.”

That guidance describes what a filing officer must do when a copy “is requested,” without reference to how or from where the request arrives, and it is the instruction the Commission gives to every filing officer in the state. If the Commission has published authority — a regulation, an opinion, or an advice letter — supporting the narrower reading in your letter, I would be grateful for the citation and will consider it seriously. I raise the point once and do not intend to belabor it.

Request 1, restated as a request for an existing record.

Rather than ask the Commission to interpret section 81010, I ask for the record that section requires the Commission to keep. Section 81010, subdivision (e), requires a filing officer to “compile and maintain a current list of all reports and statements filed with this office.” (**Exhibit E**.)

Please provide the portion of that list reflecting any report or statement filed with the Commission for Nicole Elliott, Richard Parrott, Tabatha Chavez, and Clint Kellum, for calendar years 2019 through 2023. If the list reflects no filing for a given individual, the portion of the list showing that, or a written statement to that effect, is a complete response as to that person and I will not press it further. This is a request for an existing record and asks for no interpretation or analysis.

What I am asking for.

1. The section 81010(e) list, or the relevant portion of it, as described above.
2. Reconsideration of the treatment of Requests 2 and 3 as Public Records Act items rather than section 81008 items, on the rule your letter states.
3. Any published authority for the in-person reading of section 81008, if the Commission has one.
4. A tracking status or expected date for Requests 4 through 7, which I accept are Public Records Act items. My understanding is that the determination period for those items ran to September 8, 2026, and I note that the Enforcement Division separately responded to Request 6 on August 31 under file number ENF 2026-144 (**Exhibit F**).

Preservation.

My preservation request from the original letter stands and is renewed. I ask that the Commission preserve and refrain from destroying, transferring, or purging any statement, list, index, log, advice letter, or related filing within the scope of my request, pending its completion and any follow-on request or proceeding, and I renew the notice that these records may be relevant to contemplated legal proceedings.

I appreciate the Commission's engagement and the promptness of it, and I have tried to write this so that the parts we agree on are off the table. I am available at the number above if any part of the scope would be easier to work through by telephone.

Respectfully,

A handwritten signature in black ink, appearing to read 'Darryl Cotton', with a stylized, sweeping flourish at the end.

Darryl Cotton

EXHIBITS

Cotton — Government Code section 81008 request to the Fair Political Practices Commission
(CPRA No. 2026-233; served August 26, 2026; Commission response August 28, 2026)

INDEX OF EXHIBITS

Exhibit A [COTTON-FPPC-81008-005–006]

Fair Political Practices Commission, Public Records Act Request No. CPRA 2026-233 — response of August 28, 2026, Amanda Apostol, CPRA Coordinator, Legal Division. The letter answered here. (Letter at pp. 1–2)

Exhibit B [COTTON-FPPC-81008-007–016]

Correspondence with the Commission — Gmail thread, August 26 to August 28, 2026, eight messages: the section 81008 request (8:52 a.m.), the Communications Director's inquiry and Petitioner's reply, Petitioner's routing follow-up and forward to the records unit, the Commission's acknowledgment (12:50 p.m.), Petitioner's correction of the statutory basis (3:13 p.m.), and the Commission's response of August 28 (4:15 p.m.). (Letter at p. 1)

Exhibit C [COTTON-FPPC-81008-017–018]

Government Code section 81008 — both operative versions reproduced verbatim from the California Legislative Information website, retrieved September 5, 2026. Neither conditions the section upon the requester's physical attendance. (Letter at pp. 1–2)

Exhibit D [COTTON-FPPC-81008-019–020]

Fair Political Practices Commission, Form 700 Filing Officer Duties — the Commission's published guidance to filing officers, section headed “Providing Public Access and Reproduction Charges,” retrieved from fppc.ca.gov on September 5, 2026. (Letter at p. 2)

Exhibit E [COTTON-FPPC-81008-021–022]

Government Code section 81010 — duties of a filing officer, reproduced verbatim, retrieved August 26, 2026. Subdivision (e) requires the filing officer to compile and maintain a current list of all reports and statements filed with the office. (Letter at pp. 2–3)

Exhibit F [COTTON-FPPC-81008-023–025]

Fair Political Practices Commission, Public Records Act Request No. ENF 2026-144 — cover letter of August 31, 2026, Jack Blattner, Commission Counsel, Enforcement Division, separately responding to Request 6. (Letter at p. 3)

Exhibits C, D and E reproduce published statutory text and agency guidance verbatim; each states its source and the date retrieved. No agency tracking number governs the section 81008 items. Bates numbering is the requester's own designation.



EXHIBIT A

Fair Political Practices Commission, Public Records Act Request No. CPRA 2026-233
— response of August 28, 2026, Amanda Apostol, CPRA Coordinator, Legal Division.
The letter answered here. (Letter at pp. 1–2)



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

August 28, 2026

Darryl Cotton
6176 Federal Blvd.
San Diego, CA 92114
151darrylcotton@gmail.com
Phone: 619-954-4447

Hello Mr. Cotton,

Thank you for your Public Records Act (PRA) request. This email responds to your inquiry, including your references to Government Code § 81008.

We are continuing to conduct a search for responsive records under the PRA, and any documents within the scope of your request will be provided once they are identified.

We also wish to clarify several points regarding your interpretation of Government Code § 81008:

Government Code § 81008 applies only to individuals who appear in person at the agency to inspect and make copies of reports or statements filed under the Political Reform Act.

Because your inquiry was submitted as a written request for records, it is governed by the California Public Records Act (CPRA) rather than § 81008.

Section 81008 applies solely to “reports or statements” filed under the Political Reform Act.

Many of the items you requested do not fall within that category and are therefore not governed by § 81008. Making Requests 2–7 governed by CPRA.

Furthermore, neither § 81008 nor the CPRA requires the agency to provide legal interpretation or analysis. Some portions of your request ask the Commission to interpret statutory provisions. The CPRA requires the disclosure of existing, identifiable records; it does not obligate agencies to create legal opinions or offer statutory interpretation.

We will continue to process your PRA request and will provide responsive records as they are located, consistent with the requirements of the Act.

Please be advised that both your request and this response constitute public records and may be subject to disclosure upon receipt of an appropriate request. If you have any further questions, please do not hesitate to contact us at cpra@fppc.ca.gov.

Please feel free to reach out if you have any additional questions.

Sincerely,

Amanda Apostol

CPRA Coordinator
FPPC, Legal Division

B

EXHIBIT B

Correspondence with the Commission — Gmail thread, August 26 to August 28, 2026, eight messages: the section 81008 request (8:52 a.m.), the Communications Director's inquiry and Petitioner's reply, Petitioner's routing follow-up and forward to the records unit, the Commission's acknowledgment (12:50 p.m.), Petitioner's correction of the statutory basis (3:13 p.m.), and the Commission's response of August 28 (4:15 p.m.).

(Letter at p. 1)



Darryl Cotton <151darrylcotton@gmail.com>

§ 81008 request — Statements of Economic Interests and related filings, Department of Cannabis Control / CalCannabis officials, 2019–2023

8 messages

Darryl Cotton <151darrylcotton@gmail.com>

Wed, Aug 26, 2026 at 8:52 AM

To: CPRA@fppc.ca.gov

Cc: Press@fppc.ca.gov

To whom this may concern:

This is a request under Government Code § 81008. That section provides that a report or statement filed under the Political Reform Act “is a public record open for public inspection and reproduction during the filing officer’s regular business hours, commencing as soon as practicable, and no later than **the second business day** after the day it was received,” and that “[c]onditions shall not be **imposed** upon persons asking to inspect or reproduce reports and statements filed under this title, and information or identification shall not be required from these persons.”

Copies are to be provided at a charge not to exceed ten cents (\$0.10) per page, plus a retrieval fee not to exceed five dollars (\$5.00) per request for statements five or more years old. A request for more than one statement at the same time is a single request.

Accordingly, no showing of purpose, identity, or need is required, and the ten-day determination period of Government Code § 7922.535 does not govern. Items expressly designated below as CPRA requests are submitted in the alternative to the extent they are not Political Reform Act filings.

Context

A parallel request has been directed to the Department of Cannabis Control for statements as to which the Department is the filing officer. This request is directed to the Commission for statements, filings, and related records the Commission holds — including any statement of an official for whom the Commission rather than the Department is the filing officer under Government Code § 87500, and any statement forwarded to or retained by the Commission.

I make no allegation of wrongdoing by any person named below. These are public disclosure documents that the Political Reform Act makes available to any member of the public.

Searches already performed — I am not asking the Commission to duplicate work

Before submitting this request I searched the Commission’s public **Search Filed Form 700s** portal (form700search.fppc.ca.gov, DisclosureDocs eRetrieval v.3.26.0309) on **August 26, 2026**.

Screenshots of each query and result are retained. The results were:

Query	Result
Filer: Nicole Elliott	No records
Filer: Richard Parrott	No records
Filer: Tabatha Chavez	No records
Filer: Clint Kellum	No records

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Filer: David Hafner	No records
Filer: Justin Elliott	No records
Agency: "cannabis"	No records
Agency: "governor" (<i>control</i>)	295 records
Filer: Gavin Newsom (<i>control</i>)	19 records

The two control queries confirm the portal was functioning and that the search method was correct. The agency query for "cannabis" returned nothing even though the agency field matches on a contained string — the "governor" query returned entries for both "Governor" and "Lieutenant Governor" — so the Department of Cannabis Control does not appear in the portal under any agency name.

I therefore anticipate that the Commission is **not** the filing officer for the individuals and positions identified below, and that their statements are filed with and retained by the Department of Cannabis Control under Government Code § 81010. **Request 1 is accordingly the most important item in this letter.** If that is correct, please simply confirm it in writing; I am not asking the Commission to conduct a burdensome search for records it does not hold. Requests 4 through 7 are directed to records the Commission holds in its own right and are not affected.

Request 1 — Filing-officer determination (*primary request*)

Please identify, for each individual and position listed in Requests 2 and 3, whether the **Commission** or the **Department of Cannabis Control** (or another agency) is the filing officer under Government Code § 81010, and where the Commission is not the filing officer, **identify the correct filing officer by name, title, and contact information.**

Please also confirm whether the Commission's public Form 700 search portal is limited to filers described in Government Code § 87200 and to candidate filings, and whether statements of **designated employees** filed under an agency conflict-of-interest code are excluded from that portal. A written answer to this question will let me direct the balance of my requests correctly and will avoid further correspondence.

Request 2 — Statements of Economic Interests, named individuals

For **calendar years 2019 through 2023 inclusive**, please provide all **assuming office, annual, and leaving office** Statements of Economic Interests (FPPC Form 700), including all schedules, attachments, and amendments, held by the Commission for the individuals below.

If the Commission holds no responsive statements for a given individual, **please state that in writing** rather than treating the item as denied. A written confirmation of no records is a sufficient and complete response to this item.

- **Nicole Elliott**, Director, Department of Cannabis Control, and any prior State position for which the Commission holds a statement
- **Richard Parrott**, in his capacity with CalCannabis Cultivation Licensing and/or the Department of Cannabis Control
- **Tabatha Chavez**, in her capacity with the Department of Cannabis Control compliance program
- **Clint Kellum**, Director, Department of Cannabis Control

Request 3 — Statements of Economic Interests, by position

For the same period, all assuming office, annual, and leaving office statements held by the Commission for any person who held the following positions, in an acting, interim, permanent, or exempt capacity:

1. Director and Chief Deputy Director, Department of Cannabis Control.
2. Deputy Director, Assistant Deputy Director, and Chief over the Department's **Compliance** and **Enforcement** divisions or branches, however titled.
3. Deputy Director, Assistant Deputy Director, and Chief over the Department's **Licensing** division or branch, however titled.
4. Chief Counsel and Assistant Chief Counsel, Department of Cannabis Control.
5. The equivalent positions within **CalCannabis Cultivation Licensing** (California Department of Food and Agriculture) and the **Bureau of Cannabis Control** for the portion of the period preceding consolidation into DCC.

Request 4 — Conflict-of-interest codes on file (*high priority*)

Please provide the **conflict-of-interest codes**, **designated-employee lists**, and **disclosure categories** on file with or approved by the Commission for the Department of Cannabis Control, CalCannabis Cultivation Licensing, and the Bureau of Cannabis Control, for each version in effect from 2019 through the present, together with any Commission correspondence approving or requiring amendment of those codes.

Request 5 — Advice letters (*high priority*)

Please provide any **formal written advice letter** or **informal assistance letter** issued by the Commission under Government Code § 83114 to, or concerning, the Department of Cannabis Control, CalCannabis Cultivation Licensing, the Bureau of Cannabis Control, or any individual named in Request 2, from January 1, 2019 through the present. Advice letters are public records and are indexed by the Commission; a citation list identifying responsive letters is sufficient in the first instance, and I will request full copies from that list.

This request specifically includes any advice concerning:

- disqualification or recusal in cannabis licensing or enforcement matters;
- the post-government employment restrictions of Government Code § 87406 (Milton Marks Postgovernment Employment Restrictions Act of 1990) or § 87407;
- gifts, travel payments, or honoraria in connection with the cannabis industry.

Request 6 — Enforcement records (submitted under the CPRA)

To the extent not exempt, please provide records identifying any **closed** Commission enforcement matter, stipulation, decision, or warning letter involving the Department of Cannabis Control, CalCannabis Cultivation Licensing, the Bureau of Cannabis Control, or any individual named in Request 2, from January 1, 2019 through the present.

I understand that records of open or pending investigations may be withheld. This item is directed to **closed** matters and to the Commission's public enforcement dispositions. If any portion is withheld, please state the express provision relied upon as required by Government Code § 7922.540, and release any reasonably segregable portion under § 7922.525.

Request 7 — Form 806 and late-filing records (submitted under the CPRA where applicable)

1. Any **Form 806** (Agency Report of Public Official Appointments) filed by or maintained for the Department of Cannabis Control, 2019 through the present.
2. Any record of **late filing, non-filing, or amendment** of a Statement of Economic Interests by an individual named in Request 2 or holding a position listed in Request 3, including any notice, penalty assessment, or referral.

Preservation demand

Government Code § 81009 requires filing officers to retain original reports and statements not otherwise specified for **not less than seven years**, and copies for not less than four years. Statements covering calendar year 2019, filed in 2020, therefore approach the end of the mandatory retention period during 2027.

I request that the Commission **preserve and refrain from destroying, transferring, or purging** all statements, indexes, logs, advice letters, and related filings within the scope of this request pending its completion and any follow-on request or proceeding. This request is made with the expectation that these records may be relevant to contemplated legal proceedings.

Format and delivery

Electronic delivery is preferred. Where a filing is available through the Commission's online Form 700 search or its electronic filing system, a link or export is acceptable in lieu of copies. If a retrieval fee under § 81008 applies, please advise of the amount before it is incurred.

Requester information

Provided voluntarily for delivery purposes only; § 81008 provides that identification shall not be required.

- **Name:** Darryl Cotton
- **Email:** 151darrylcotton@gmail.com
- **Phone:** 619-954-4447
- **Address:** 6176 Federal Blvd., San Diego, CA 92114

Darryl Cotton
619.954.4447

Shery Yang <syang@fppc.ca.gov>
To: Darryl Cotton <151darrylcotton@gmail.com>

Wed, Aug 26, 2026 at 11:13 AM

Hi Darryl,

Thank you for your email.

Are you a reporter?

Thanks,



Shery Yang (she/her/hers)

Communications Director

Fair Political Practices Commission

1102 Q Street, Suite 3050, Sacramento, CA 95811

syang@fppc.ca.gov • (866) 275-3772

From: Darryl Cotton <151darrylcotton@gmail.com>

Sent: Wednesday, August 26, 2026 8:52 AM

To: CPRA <CPRA@fppc.ca.gov>

Cc: Press <Press@fppc.ca.gov>

Subject: § 81008 request — Statements of Economic Interests and related filings, Department of Cannabis Control / CalCannabis officials, 2019–2023

Some people who received this message don't often get email from 151darrylcotton@gmail.com. [Learn why this is important](#)

EXTERNAL EMAIL

[Quoted text hidden]

Darryl Cotton <151darrylcotton@gmail.com>

Wed, Aug 26, 2026 at 11:44 AM

To: Shery Yang <syang@fppc.ca.gov>

No, I am not.

[Quoted text hidden]

--

Darryl Cotton

619.954.4447

Darryl Cotton <151darrylcotton@gmail.com>

Wed, Aug 26, 2026 at 12:10 PM

To: Shery Yang <syang@fppc.ca.gov>

Ms. Yang,

Thank you for the quick response. To supplement my earlier one-line answer: I am not a reporter. I am a member of the public and a California cannabis license applicant.

I want to be clear that I take your question as routine and intend no accusation by the following. But because this request is made under the Political Reform Act rather than the Public Records Act, and because I expect to rely on this correspondence later, I should note the governing language rather than let it pass without comment.

Government Code § 81008 provides that a report or statement filed under Title 9 "is a public record open for public inspection and reproduction during the filing officer's regular business hours, commencing as soon as practicable, and no later than the second business day after the day it was received," and that "[c]onditions shall not be imposed upon persons asking to inspect or reproduce reports and statements filed under this title, and **information or identification shall not be required from these persons.**"

Government Code § 7921.300 states the parallel rule for the Public Records Act: access may not be limited "based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure."

Whether I am a reporter, and what I intend to do with these filings, is therefore not a permissible basis for granting, denying, delaying, or conditioning access. I answered voluntarily and I am glad to keep the exchange informal, but I would ask that my answer not be treated as a prerequisite to a response, and that no further identification be requested.

I would also note that the reply came from the Commission's communications office rather than from the records unit, and that CPRA@fppc.ca.gov was dropped from the thread. I have restored it on this message. My request was

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addressed to CPRA@fppc.ca.gov, with the press office copied only as a courtesy. I have not yet received an acknowledgment from the records unit.

The § 81008 availability date remains Friday, August 28, 2026 — the second business day after the Commission's August 26 receipt. Nothing in this exchange extends it, and I am not treating it as extended.

Please let me restate what would resolve most of this request in a single sentence.

Request 1 is the item that matters. I asked the Commission to confirm in writing (a) whether the Commission or the Department of Cannabis Control is the filing officer under Government Code § 81010 for the individuals and positions identified in my letter, and (b) whether the Commission's public Form 700 search portal is limited to filers described in Government Code § 87200 and to candidate filings, such that statements of designated employees filed under an agency conflict-of-interest code are excluded from it.

My own searches of the portal on August 26 returned no records for any of the six named individuals and no records for the agency term "cannabis," while control searches returned 295 records for "governor" and 19 for Gavin Newsom. I therefore expect the answer to Request 1 is that the Commission is not the filing officer and that the portal is so limited. **If that is correct, please simply say so in writing.** I am not asking the Commission to search for records it does not hold, and a written confirmation of no records is a complete and sufficient response to Requests 2 and 3.

Requests 4 through 7 are directed to records the Commission holds in its own right and are unaffected by the filing-officer question:

- Request 4 — the conflict-of-interest code and designated-employee lists for the Department of Cannabis Control, and for CalCannabis Cultivation Licensing and the Bureau of Cannabis Control for the pre-consolidation period, together with any amendments and the Commission's approvals of them.
- Request 5 — any advice letter issued under Government Code § 83114 to or concerning the Department or any official identified in my letter, including any advice under § 87406.
- Requests 6 and 7 — the related indexes, Form 806 filings, and late-filing or non-filing records described in my letter.

The preservation request in my letter also stands. Statements covering calendar year 2019, filed in 2020, approach the end of the seven-year retention period under Government Code § 81009 during 2027, and I have asked that responsive records be preserved pending completion of this request and any follow-on request or proceeding.

If the records unit needs anything from me to process this, please have them contact me directly.

Thank you for your time.

[Quoted text hidden]

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Darryl Cotton
619.954.4447

Darryl Cotton <151darrylcotton@gmail.com>
To: Shery Yang <syang@fppc.ca.gov>
Cc: CPRA@fppc.ca.gov, Press@fppc.ca.gov

Wed, Aug 26, 2026 at 12:24 PM

I am forwarding this response as I had inadvertently omitted the cc parties.

[Quoted text hidden]

--

Darryl Cotton
619.954.4447

CPRA <CPRA@fppc.ca.gov>
To: Darryl Cotton <151darrylcotton@gmail.com>
Cc: Press <Press@fppc.ca.gov>

Wed, Aug 26, 2026 at 12:50 PM

COTTON-FPPC-81008-013

This is in response to your request for public records under the California Public Records Act ("CPRA") (Gov. Code, § 7920.000 et seq.) that was received by the Fair Political Practices Commission (the "Commission") on August 26, 2026.

We will begin processing your request now and will notify you once we find the documents responsive to your request. Your request and our response are public records, which may be disclosed to the public upon receipt of a proper request for disclosure.

Thank you,

Amanda Apostol

Fair Political Practices Commission

1102 Q Street, Suite 3050 | Sacramento, CA 95811

www.fppc.ca.gov | Phone: 916.322.5660 | Email: aapostol@fppc.ca.gov

From: Darryl Cotton <151darrylcotton@gmail.com>

Sent: Wednesday, August 26, 2026 8:53 AM

To: CPRA <CPRA@fppc.ca.gov>

Cc: Press <Press@fppc.ca.gov>

Subject: § 81008 request — Statements of Economic Interests and related filings, Department of Cannabis Control / CalCannabis officials, 2019–2023

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[Quoted text hidden]

Darryl Cotton <151darrylcotton@gmail.com>

To: CPRA <CPRA@fppc.ca.gov>, aapostol@fppc.ca.gov

Cc: Press <Press@fppc.ca.gov>

Wed, Aug 26, 2026 at 3:13 PM

Ms. Apostol,

Thank you for the quick acknowledgment.

One clarification so nothing runs on the wrong timeline. Your message describes this as a CPRA request under § 7920.000 et seq. Requests 1 through 5 are made under **Government Code § 81008**, a Political Reform Act provision — only Requests 6 and 7 were submitted in the alternative under the CPRA.

That matters because § 81008 has no determination period: it requires that responsive statements be open for inspection no later than the **second business day after receipt**, which from your August 26 receipt is **Friday, August 28**. The ten-day CPRA determination period applies only to Requests 6 and 7, running to September 8.

Most of this can be resolved in a sentence. **Request 1** asks whether the Commission or the Department of Cannabis Control is the filing officer under § 81010 for the individuals in my letter, and whether the Commission's Form 700 portal is limited to § 87200 filers and candidate filings. I searched the portal on August 26 — all six names nil, agency "cannabis" nil, while controls returned 295 for "governor" and 19 for Newsom. If the Commission simply isn't the filing officer, saying so in writing fully answers Requests 2 and 3 and I won't press them.

Requests 4 and 5 — the conflict-of-interest codes and designated-employee lists, and any § 83114 advice letters including § 87406 advice — are records the Commission holds regardless.

A tracking number would be helpful if one's been assigned. My preservation request stands.

Thank you,

Darryl Cotton
619.954.4447

[Quoted text hidden]

--

Darryl Cotton
619.954.4447

CPRA <CPRA@fppc.ca.gov>
To: Darryl Cotton <151darrylcotton@gmail.com>

Fri, Aug 28, 2026 at 4:15 PM

Hello Mr. Cotton,

Please see the attachment in response to your request received on August 26, 2026.

Thank you,

Amanda Apostol

Fair Political Practices Commission

1102 Q Street, Suite 3050 | Sacramento, CA 95811

www.fppc.ca.gov | Phone: 916.322.5660 | Email: aapostol@fppc.ca.gov

From: Darryl Cotton <151darrylcotton@gmail.com>

Sent: Wednesday, August 26, 2026 3:14 PM

To: CPRA <CPRA@fppc.ca.gov>; Amanda Apostol <aapostol@fppc.ca.gov>

Cc: Press <Press@fppc.ca.gov>

Subject: Re: § 81008 request — Statements of Economic Interests and related filings, Department of Cannabis Control / CalCannabis officials, 2019–2023

You don't often get email from 151darrylcotton@gmail.com. [Learn why this is important](#)

EXTERNAL EMAIL

[Quoted text hidden]



CPRA Response 2026-233 (Cotton).pdf

83K

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EXHIBIT C

Government Code section 81008 — both operative versions reproduced verbatim from the California Legislative Information website, retrieved September 5, 2026. Neither conditions the section upon the requester's physical attendance. (Letter at pp. 1–2)

Government Code section 81008 — both operative versions

Retrieved from the California Legislative Information website, leginfo.ca.gov, on September 5, 2026. Reproduced verbatim.

**Current version — as amended by Stats. 2018, Ch. 662, Sec. 4 (SB 1239), effective January 1, 2019.
Conditionally operative on a date prescribed by Stats. 2018, Ch. 662, Sec. 44.**

“A report or statement filed pursuant to this title is a public record open for public inspection and reproduction during the filing officer’s regular business hours, commencing as soon as practicable, and no later than the second business day after the day it was received. A filing officer shall make electronically filed data publicly available on the Internet as soon as possible after it is received in compliance with Sections 84602 and 84615. **Conditions shall not be imposed upon persons asking to inspect or reproduce reports and statements filed under this title, and information or identification shall not be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page.** In addition, the filing officer may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.”

Predecessor version — as amended by Stats. 2013, Ch. 654, Sec. 1 (AB 1418), effective January 1, 2014. Superseded on the operative date of the 2018 amendment.

“Every report and statement filed pursuant to this title is a public record open for public inspection and reproduction during regular business hours, commencing as soon as practicable, but in any event not later than the second business day following the day on which it was received. **No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page.** In addition, the filing officer may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.”

Neither version conditions the section upon the requester’s physical attendance at the agency. The emphasis above is added.

D

EXHIBIT D

Fair Political Practices Commission, Form 700 Filing Officer Duties — the Commission's published guidance to filing officers, section headed “Providing Public Access and Reproduction Charges,” retrieved from fppc.ca.gov on September 5, 2026.
(Letter at p. 2)

Fair Political Practices Commission — Form 700 Filing Officer Duties

Published guidance of the Commission to filing officers. Retrieved from www.fppc.ca.gov/filing-officers/form-700-filing-officer-duties on September 5, 2026. The section reproduced below appears under the heading “Providing Public Access and Reproduction Charges.” Reproduced verbatim.

Providing Public Access and Reproduction Charges

“All statements required to be filed by the Act are public documents and must be available for public inspection and reproduction during regular business hours no later than the second business day after they are received.”

“No conditions may be imposed on persons desiring to inspect or reproduce statements, and no information or identification may be required from such persons. A filing officer should provide copies of statements for viewing purposes rather than the originals. **When a copy of a statement is requested, an unredacted copy must be provided.**”

“Copies must be provided at a charge not to exceed 10 cents per page. In addition, filing officers may charge a retrieval fee of up to \$5 per request for copies of statements that are five years or older. A single request for more than one report or statement is subject to one retrieval fee. Copies may be provided free of charge.”

The guidance describes the filing officer’s obligation when a copy “is requested,” without reference to the manner in which the request is made or to the requester’s physical presence. The emphasis above is added.

E

EXHIBIT E

Government Code section 81010 — duties of a filing officer, reproduced verbatim, retrieved August 26, 2026. Subdivision (e) requires the filing officer to compile and maintain a current list of all reports and statements filed with the office. (Letter at pp. 2–3)

Government Code section 81010 — duties of a filing officer

Retrieved from the California Legislative Information website, leginfo.ca.gov, on August 26, 2026. Current version as amended by Stats. 2025, Ch. 278, Sec. 4 (AB 808), effective January 1, 2026; conditionally operative pursuant to Section 78 of that chapter. Reproduced verbatim.

“For reports and statements filed with a filing officer pursuant to this title, the filing officer shall do all of the following:”

“(a) Supply the necessary reports and manuals prescribed by the Commission.”

“(b) Determine whether required information has been filed and, if so, whether it conforms on its face with the requirements of this title.”

“(c) Notify promptly all persons and known committees who have failed to file a report or statement in the manner and at the time required by this title.”

“(d) Report apparent violations of this title to the appropriate agencies.”

“(e) Compile and maintain a current list of all reports and statements filed with this office.”

The list required by subdivision (e) is an existing record maintained by the filing officer. The emphasis above is added.

F

EXHIBIT F

Fair Political Practices Commission, Public Records Act Request No. ENF 2026-144 —
cover letter of August 31, 2026, Jack Blattner, Commission Counsel, Enforcement
Division, separately responding to Request 6. (Letter at p. 3)



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811 • (916) 322-5660

August 31, 2026

Darryl Cotton

Sent via email only: 151darrylcotton@gmail.com

Re: Public Records Act - Request No. ENF 2026-144

Dear Darryl Cotton :

This letter is in response to your request for public records under the California Public Records Act (Gov. Code, §7920.000 *et seq.*) that was sent to and received by the Fair Political Practices Commission (the “Commission”) on August 26, 2026.

You made the following request:

"Request 2 — Statements of Economic Interests, named individuals

For calendar years 2019 through 2023 inclusive, please provide all assuming office, annual, and leaving office Statements of Economic Interests (FPPC Form 700), including all schedules, attachments, and amendments, held by the Commission for the individuals below.

If the Commission holds no responsive statements for a given individual, please state that in writing rather than treating the item as denied. A written confirmation of no records is a sufficient and complete response to this item.

- *Nicole Elliott, Director, Department of Cannabis Control, and any prior State position for which the Commission holds a statement*
- *Richard Parrott, in his capacity with CalCannabis Cultivation Licensing and/or the Department of Cannabis Control*
- *Tabatha Chavez, in her capacity with the Department of Cannabis Control compliance program*
- *Clint Kellum, Director, Department of Cannabis Control*

Request 6 — Enforcement records (submitted under the CPRA)

To the extent not exempt, please provide records identifying any closed Commission enforcement matter, stipulation, decision, or warning letter involving the Department of Cannabis Control, CalCannabis Cultivation Licensing, the Bureau of Cannabis Control, or any individual named in Request 2, from January 1, 2019 through the present.

I understand that records of open or pending investigations may be withheld. This item is directed to closed matters and to the Commission's public enforcement dispositions. If any

portion is withheld, please state the express provision relied upon as required by Government Code § 7922.540, and release any reasonably segregable portion under § 7922.525."

The California Public Records Act exempts from disclosure "(r)ecords, the disclosure of which is exempted or prohibited pursuant to federal or state law..." under Government Code Section 7927.705. Accordingly, we are required to redact or mask personal and confidential information such as email addresses and residential addresses. (The Information Practices Act under Civil Code §§1798.3, 1798.24, and 1798.42; and the Right of Privacy under the California Constitution, Article I, Section 1.). Pursuant to California Code of Civil Procedure Section 2018.030 and Government Code Section 7927.705, we have removed protected work product.

Additionally, Government Code Section 7922.000 permits agencies to withhold records when the public interest served by withholding the records clearly outweighs the public interest served by disclosure. Therefore, we have removed documents that are reflective of the agency's deliberative process. (See *Times Mirror v. Superior Court* (1991) 53 Cal.3d 1325.) The person responsible for these determinations was Jack Blattner, Commission Counsel, as required pursuant to Section 7922.540.

We conducted a thorough search and attached materials responsive to your request. Your request and our response are public records, which may be disclosed to the public upon receipt of a proper request for disclosure. If you have any questions regarding this matter, please contact me at jblattner@fppc.ca.gov.

Sincerely,

Jack Blattner

Jack Blattner
Commission Counsel
Enforcement Division