

SECTION 11.17.3: LINKS SUMMARY

FPPC CPRA No. 2026-233 RELATED

The same Form 700 request was made to the Fair Political Practices Commission. The Commission answered it in two parts, from two divisions, and one of those answers raises a question larger than this case.

2026.08.28 — FPPC Response to CPRA 2026-233 (Apostol) — the in-person determination

One page, and the most consequential document in this section. The Commission's records unit produced nothing and instead advised:

“Government Code section 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 the request was made in writing, the Commission said, it falls under the Public Records Act instead.

That limitation appears in neither operative version of section 81008. Both provide that copies “shall be provided” at ten cents a page, and both bar imposing conditions on persons asking to inspect or reproduce — the earlier text says “no conditions whatsoever.” The Commission's own published guidance to filing officers says the same, and adds that “when a copy of a statement is requested, an unredacted copy must be provided,” without reference to how the request arrives.

The practical difference is not small. Section 81008 requires statements to be available by the second business day and permits no conditions. The Public Records Act allows a ten-day determination period and discretionary exemption analysis. And the FPPC is the agency that approves every conflict-of-interest code in California and instructs every filing officer in it.

Off-ramps — jump straight to the record:

- ▶ The in-person determination, in the Commission's own words. p. 1
 - ▶ The reclassification of Requests 2 through 7 as Public Records Act items. p. 1
 - ▶ The Commission's position that it owes no legal interpretation or analysis. p. 1
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2026.08.31 — FPPC ENF 2026-144 Cover Letter (Blattner)

The Enforcement Division answered separately, under its own file number, three days later. Commission Counsel Jack Blattner is named as the person responsible for the withholding determinations, which is what Government Code section 7922.540 requires.

No Form 700 was produced for any of the four named individuals. Read alongside the Commission’s public Form 700 portal — searched on 26 August, returning nothing for all six names against working control queries — that is a second, independent zero.

Off-ramps — jump straight to the record:

- ▶ The request as the Commission restates it. p. 1
 - ▶ The exemptions asserted, and the counsel responsible for them. p. 2
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2026.08.31 — FPPC ENF 2026-144 Materials Produced

Nine pages, and the Commission’s entire enforcement record involving DCC, CalCannabis or the Bureau of Cannabis Control from 2019 to the present: one closed matter.

A caution belongs on this document. It concerns a CalCannabis environmental scientist who left in July 2019 and filed a leaving-office Form 700 late. That person is **not** any of the officials named in the request, and there is no basis to connect them to the November 2021 exit email — different classification, different branch, departed more than two years earlier. It is a paperwork case, published here because it is in the production, not because it is more than that.

What it does establish is useful: **CDFA**, not DCC and not the Commission, administered Form 700 filings for CalCannabis designated employees, and the file names CDFA’s filing officer. It also shows what the non-filer pipeline produces when it runs — reminder, first notice, second notice, referral, warning letter, internal chronology.

Off-ramps — jump straight to the record:

- ▶ The complaint received by the Enforcement Division, 1 November 2019. p. 1
 - ▶ CDFA’s notices to the filer — reminder, first non-filer notification, second non-filer notification. pp. 2–5
 - ▶ The warning letter, 8 April 2020, Galena West, Chief of Enforcement — violation found, case closed, no penalty. p. 6
 - ▶ Regulation 18360.1 and what a warning letter is. p. 7
 - ▶ The Commission’s internal case chronology. pp. 8–9
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2026.09.05 — FPPC Email Thread re Section 81008 Request (Form 700s)

Nine pages, ten messages — the full exchange from 26 August. It includes the Commission’s Communications Director asking, at 11:13 that morning, “Are you a reporter?” — an inquiry section 81008 expressly bars, since the statute provides that “information or identification shall not be required from these persons.”

Off-ramps — jump straight to the record:

- ▶ The original request, with the portal searches already performed. p. 1
- ▶ “Are you a reporter?” — 26 August, 11:13 a.m. p. 5

- ▶ The records unit's acknowledgment, 12:50 p.m. — and its characterisation of the request as a CPRA matter. p. 6
 - ▶ The correction of the statutory basis, 3:13 p.m. p. 7
 - ▶ The Commission's response of 28 August. p. 8
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2026.09.05 — Cotton to FPPC, Response to CPRA 2026-233, with Exhibits A-F

Twenty-five pages. It concedes two of the Commission's four points outright — no legal analysis is owed, and Requests 4 through 7 are properly Public Records Act items — and then presses the two that are not.

The first is narrow and does not require winning anything: on the Commission's own stated rule, a Form 700 **is** a statement filed under the Political Reform Act, so Requests 2 and 3 are section 81008 items.

The second sidesteps the objection entirely. Rather than asking the Commission to interpret section 81010, it asks for the record that section requires the Commission to keep — the subdivision (e) list of all reports and statements filed with the office. That is an existing document, and its contents answer the filing-officer question without anyone interpreting anything.

Off-ramps — jump straight to the record:

- ▶ What is conceded, and why. p. 001
- ▶ Requests 2 and 3 are statements — on the Commission's own rule. p. 001
- ▶ The in-person limitation, with both statutory texts, and the Commission's own filing-officer guidance quoted against it. p. 002
- ▶ Request 1 restated as a request for the section 81010(e) list. p. 002
- ▶ Index of exhibits. p. 004
- ▶ Exhibit A — the Commission's 28 August response. p. 005
- ▶ Exhibit C — both operative versions of section 81008, reproduced verbatim. p. 017
- ▶ Exhibit D — the Commission's Form 700 Filing Officer Duties guidance. p. 019
- ▶ Exhibit E — Government Code section 81010, with subdivision (e). p. 021