



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

April 27, 2023

Sacramento Advocacy
Catherine Barankin
770 L Street, Suite 950
Sacramento, CA 95814



Warning Letter Re: FPPC No. 2018-01495, Sacramento Advocacy and Catherine Barankin

Dear Sacramento Advocacy and Catherine Barankin,

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to two referrals from the Secretary of State (“SOS”) alleging that you violated the Act by failing to file lobbying firm quarterly reports (“Form 625”) for the 2017- 2018 and 2018-2019 legislative sessions.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file seven lobbying firm quarterly reports (“Form 625”) for the reporting periods beginning with January 1, 2018 and ending with the period September 30, 2019, by their respective due dates.²

The Act requires all registered lobbying firms to complete the applicable lobbying firm report (“Form 625”) for each calendar quarter, regardless of the level of activity.³ The Act outlines the criteria for electronic filing and states, in part, that electronic filing is required if a lobbying firm receives two thousand five hundred dollars (\$2,500) or more in a calendar quarter.⁴ Once triggered, the obligation to electronically file quarterly reports is ongoing.

Your actions violated the Act because you failed to timely electronically file seven lobbying firm reports for the four quarters of the 2017-2018 legislative session and the first three quarters of the 2018-2019 legislative session by their respective due dates. However, in this case the reports were filed and filed close in time to their due dates; all quarterly reports for reporting periods in 2020 were timely filed; Sacramento Advocacy was registered as a lobbying firm for the 2017-2018 and 2018-2019 sessions; Sacramento Advocacy did not register for the next legislative session; and no evidence was obtained to suggest Sacramento Advocacy continued lobbying after the end of 2020.

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 "This warning letter applies to the lobbying violations that occurred within the past five years. The oldest of these violations involve failure to timely file a lobbying firm quarterly report by the due date of April 30, 2018—for which the five-year statute of limitations will expire on April 30, 2023. See Section 91000.5."

³ Section 86114.

⁴ Section 84605, subd. (a)(4)

In addition, California Collaboration for Youth, a participant in one of the transactions, timely reported the activity. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁵ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁶ This resolution may not be used as a comparable case for other enforcement matters.⁷

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 have any questions regarding this letter, please contact me at (916) 522-5772 or MNash@fppc.ca.gov

Sincerely,

Marissa Nash

Marissa Nash
Commission Counsel
Enforcement Division

cc: Gwinitth Clara at SOS; nonfilerdesk@sos.ca.gov

⁵ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁶ Regulations 18360.1 and 18360.3.

⁷ See Regulation 18361.5, subd. (e)(3).