



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

February 9, 2024

Kate Sanchez

Via email: kate.sanchez@asm.ca.gov; jennifer.beall@asm.ca.gov

Re: No Action Closure Letter FPPC No. 2024-00031; Kate Sanchez

Dear Kate Sanchez:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you know, the Enforcement Division opened a case in response to a sworn complaint alleging that you violated the public mailer provisions of the Act. After conducting our review of the case, we are closing this matter because the allegations have been disproven.

The Act prohibits newsletters or other mass mailings from being sent at public expense.² A mailing is prohibited under the Act if all of the following criteria are met: (1) the item sent is a tangible item and is delivered to the recipient at their residence, place of employment, or post office box; (2) the item sent features an elected officer³ affiliated with the agency that produces or sends the mailing; (3) the agency pays any costs for distribution of the item, or pays more than \$50 toward the design, production, or printing costs for the item; and (4) more than 200 substantially similar items are sent in a single calendar month.⁴ A mailing is not prohibited under the Act if the elected officer’s name appears only in the letterhead or logotype of the stationery, forms, and envelopes of the agency sending the mailing, unless it is sent out within 60 days of an election involving the officer as a candidate.⁵ Further, the mailing may include the officer’s office or district number and the officer’s name or district number in their website or email address.

Here, although our review of this matter found that the mailers were paid for using agency funds, the subject mailers were not prohibited since they only included Sanchez’s name in the letterhead/logotype of the mailing, and were not sent within 60 days of an election involving Sanchez as a candidate. Further, the mailers permissibly referenced Sanchez’s website and email addresses. As a result, we are closing this matter with no further action.

¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 89001.

³ “Features an elected officer” means that the item mailed includes the elected officer’s photograph or signature or singles out the elected officer by the manner of display of his or her name or office in the layout of the document. (Section 89002, subd. (c)(2).)

⁴ Section 89002, subd. (a).

⁵ Section 89001, subd. (b)(1).

If you have questions, please contact me at (279) 237-3769 or cburton@fppc.ca.gov.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

cc: Chris McLaughlin (sworn complainant)