



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

December 18, 2024

Lobbyists

John J. Bauters
1700 Broadway, Suite 700
Oakland CA, 94612
Email: John@safeandjust.org

Anthony J. Di Martino
1624 Franklin Street, 11th Floor
Oakland CA, 94612
Email: adimartino@safeandjust.org

Tides Center Representative

Lacey Keys
Keys Law Corporation
428 J Street, Suite 412
Sacramento, CA 95814
Email: Lacey@keyslawcorp.com

Warning Letter Re: FPPC No. 2021-00308; Tides Center, John J. Bauters and Anthony J. Di Martino.

Dear Lacey Keys, John Bauters and Anthony Di Martino:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to an audit conducted by the Audit Division of the FPPC for the period of January 1, 2019 through December 31, 2020 on lobbyist employer Tides Center and lobbyists John J. Bauters and Anthony J. Di Martino.

The Act requires each individual lobbyist to submit a lobbyist certification for filing with the Secretary of State as part of registration of the lobbying firm which the lobbyist is a partner, owner, officer, or employee or as part of the registration of the lobbyist employer that employs the

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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

lobbyist.² In the case of a lobbyist who filed a completed lobbyist certification in connection with the previous regular session of the Legislature, a statement that the lobbyist has completed, within the previous 12 months or will complete no later than June 30 of the following year, an ethics course.³

The Act also requires each lobbyist employer that employs lobbyists to file a registration statement with the lobbyists' full name, address, email address, telephone number, and the nature and interest of the lobbyists.⁴ Furthermore, if any change occurs in any of the information contained in a registration statement, an appropriate amendment shall be filed both by online or electronic means and physically, submitting the original and one copy of the amendment, in paper format, with the Secretary of State within 20 days after the change.⁵

The Enforcement Division found that Anthony Di Martino failed to timely electronically file a lobbyist registration and ethics amendment (Form 604) by the March 19, 2020, due date. Furthermore, John Bauters failed to timely electronically file a notice of termination (Form 606), by the January 21, 2020 due date. Additionally, Tides Center failed to electronically file four amendments to registration statements (Form 605) for: the termination of John Bauters as a lobbyist, due January 21, 2020; the addition of Andrea Perry as a lobbyist, due March 12, 2020; the addition of Anthony Di Martino as a lobbyist, due March 23, 2020; and the completion of Anthony Di Martino's ethics orientation course, due August 25, 2020. Lastly, Tides Center failed to paper file an amendment to registration statement (Form 605) for the completion of Anthony Di Martino's ethics orientation course, due August 25, 2020.

However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: the organization and lobbyists had a low level of experience and sophistication regarding lobbying, the lobbying firm and lobbyists have terminated, none of the late filed reports involved monetary activity, and none of the parties have any prior history with the Enforcement Division.

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.

² Section 86100, subd. (a).

³ Section 86103, Subd. (d)(1).

⁴ Sections 86100, subd. (c), and 86105.

⁵ Section 86107.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulations 18360.1 and 18360.2 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 (279) 237-3766 or cfelkins@fppc.ca.gov

Sincerely,

Michael Chance Felkins

Michael Chance Felkins
Commission Counsel
Enforcement Division