



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

February 5, 2026

Louis Cretaro Jr.  
1850 McCourtney Road  
P.O. Box 393  
Lincoln, CA 95648

**Re: Your Request for Formal Advice  
Our File No. A-25-168**

Dear Mr. Cretaro:

This letter responds to your request for formal advice regarding Government Code Section 1090 et seq. and the post-governmental employment (“revolving door”) provisions of the Political Reform Act (the “Act”).<sup>1</sup> Please note that we are providing advice only under Section 1090 and the post-governmental employment provisions of the Act, and not under other general conflict of interest prohibitions, such as common law conflict of interest, including Public Contract Code. We also cannot advise on the application of the confidentiality agreement you entered into as a former governmental contractor.

Also note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

We are required to forward your request regarding Section 1090 and all pertinent facts relating to the request to the Attorney General’s Office, which we have done. (Section 1097.1(c)(3).) A copy was also forwarded to the Sacramento County District Attorney’s Office. We did not receive a written response from either entity. (Section 1097.1(c)(4).) We are also required to advise you that, for purposes of Section 1090, the following advice “is not admissible in a criminal proceeding against any individual other than the requestor.” (See Section 1097.1(c)(5).)

### QUESTION

Does the Act or Section 1090 prohibit you from working for Accenture on the Child Welfare Services – California Automated Response and Engagement System (“CWS-CARES”)

---

<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Version 2 project, where you previously worked on the CWS-CARES Version 2 request for proposals (“RFP”) as a contractor to the Office of Technology Solutions Integration (“OTSI”)?

## CONCLUSION

Yes. Section 1090 prohibits you from having a financial interest in the CWS-CARES Version 2 contract because you participated in the formation of the RFP. If you are employed by Accenture in any capacity, Section 1090 would prohibit Accenture and the agency from entering into the contract because you would acquire a prohibited financial interest in the contract through your employment with Accenture. Additionally, should you accept employment with Accenture, the Act’s one-year ban and permanent ban will apply as generally described below.

## FACTS AS PRESENTED BY REQUESTER

Recently, you were a contractor with the County Welfare Directors’ Association (“CWDA”), a non-profit association representing the human service directors from all 58 California counties, which “promotes a human services system that encourages self-sufficiency of families and communities, and protects vulnerable children and adults from abuse and neglect.”<sup>2</sup> Through your employment with CWDA, you were assigned to work with the OTSI on the CWS-CARES project. CWS-CARES is a child welfare information system designed to respond to users’ needs to aid child welfare professionals in providing assistance, oversight, and case management. OTSI is a part of the state Health and Human Services Agency (“CalHHS”).

You served as a CWDA Lead Consultant on the CWS-CARES project from February 1, 2016, until June 30, 2025, and were required to complete an annual Statement of Economic Interest, Form 700, in this role. You served as a subject-matter expert to provide functional and technical expertise that represented the functionality that the county users would need from the CWS-CARES. In your role, you participated in marketing research along with other CWDA consultants, which was shared with the state in advance of the CWS-CARES Version 1 selection between 2019 and 2020. This research mostly involved internet searches and phone calls with other states to confirm information on their child welfare systems. You also served as a subject-matter expert for the requirement-gathering processes and for the partial review of responses for research purposes, but not in the final selection. You provided input on requirements related to county users of CWS-CARES.

Before you left your role, you contributed to the RFP for Version 2 of the CWS-CARES. Specifically, you worked on the “CWS-CARES Version 2 PaaS SI/CDI Requirements Gathering” procurement, referred to as “the Project.” Around July 2024, CalHHS and OTSI required that you sign a confidentiality agreement for the Project. In the confidentiality agreement, you certified that you would keep confidential “all information or data, in any form, that was made available or was accessible to you as a part of your process in the Project, that you learn as a part of your duties on the Project, and has not been made available to the public.” You

---

<sup>2</sup> County Welfare Directors Association of California, *About CWDA*, <https://www.cwda.org/about-cwda> (as viewed, Jan. 12, 2026).

further agreed that “if your service ends prior to the end of the Project, that you must keep all Project information confidential.” You contributed to the requirements in preparation for the release of the vendor solicitation. According to the Child Welfare Digital Services website, CWS-CARES Version 2 will be the second major release of CWS-CARES, building upon the core functionality of Version 1 and providing additional capabilities, including advanced analytics, external system interfaces, and compliance with the federal Comprehensive Child Welfare Information System.<sup>3</sup>

You were recently contacted by Accenture, a company seeking subject-matter experts like yourself. Accenture has a large presence in the development of state child welfare systems and currently has a role in CWS-CARES. It is your understanding that Accenture may wish to bid to perform work on the CWS-CARES Version 2, and may seek to utilize your expertise in that work.

## ANALYSIS

### *Section 1090*

Generally, Section 1090 prohibits public officers, while acting in their official capacities, from making contracts in which they are financially interested.

First, we examine whether Section 1090 applies to you due to your consultant work with the OTSI on the CWS-CARES project. While Section 1090 refers to “officers or employees” of government entities, the California Supreme Court confirmed that “the Legislature did not intend to categorically exclude independent contractors from the scope of section 1090.” (*People v. Superior Court (Sahlolbei)* (2017) 3 Cal.5th 230, 239, 238.) Independent contractors fall within the scope of Section 1090 where the independent contractor has duties to engage in or advise on public contracting that they are expected to carry out on the government’s behalf. (*Id.* at 240.)

In your role as a Lead Consultant for OTSI, you advised and assisted OTSI on the development of the CWS-CARES Version 2 RFP by contributing to the requirements that would best serve county users of the CWS-CARES. OTSI considered your work and the information you received to be confidential, to the point that you were asked to sign a confidentiality agreement to maintain that confidentiality until such time as the information is released to the public. Because of your duty and actions to advise the agency, you are an “officer” subject to Section 1090 in regard to the CWS-CARES Version 2 contract.

Next, we examine whether you would have a prohibited financial interest in the CWS-CARES Version 2 RFP contract. Section 1090 is concerned with financial interests, other than remote or minimal interests, that prevent public officials from exercising absolute loyalty and undivided allegiance in furthering the best interests of their agencies. (*Stigall v. City of Taft*

---

<sup>3</sup> California Child Welfare Digital Services, *CWDS Glossary*, <https://cwds.ca.gov/glossary?utf8=%E2%9C%93&query=CWS-CARES+version+2&button=> (as viewed, Jan. 12, 2026.).

(1962) 58 Cal.2d 565, 569.) It is intended “not only to strike at actual impropriety, but also to strike at the appearance of impropriety.” (*City of Imperial Beach v. Bailey* (1980) 103 Cal.App.3d 191, 197.) Under Section 1090, “the prohibited act is the making of a contract in which the official has a financial interest.” (*People v. Honig* (1996) 48 Cal.App.4th 289, 333.) Notably, an officer is prohibited from subsequently acquiring a financial interest in a contract that the officer previously participated in making. (See 81 Ops.Cal.Atty.Gen. 317 (1998).)

We have previously advised that an officer has a financial interest in a contract for which the officer helped prepare the RFP and was subsequently employed or hired as an independent contractor by an entity prior to the execution of the contract. (See *Nelson* Advice Letter No. A-25-133 [A project manager who advised an agency on an RFP and was subsequently employed as an independent contractor by a vendor that bid on the RFP had a financial interest in the contract, and Section 1090 prohibited the agency from entering into the contract with that vendor.].)

Similarly, you participated in preparing the RFP for Version 2 of the CWS-CARES as a Lead Consultant and will have a financial interest in contracts entered by Accenture if you are employed by the company. As Section 1090 prohibits you from having or acquiring a financial interest in any contract in which you had a duty to engage in and advise on as a governmental contractor, Section 1090 will prohibit Accenture from entering into any CWS-CARES Version 2 contract if you are employed by Accenture in any capacity.

### *The Act*

Public officials who leave state service are subject to two types of post-governmental employment provisions under the Act, the “one-year ban” and the “permanent ban.” These restrictions are commonly referred to as the “revolving door” provisions.

### *The One-Year Ban*

The one-year ban applies to any employee, officer, or consultant of a state administrative agency who holds a position designated or should be designated in the agency’s conflict-of-interest code. (Section 87406(d)(1); Regulation 18746.1(a)(2).) The ban applies for twelve months after the employee permanently leaves employment. The one-year ban applies only when a former employee, official, or consultant is being compensated for their appearances or communications before their former agency on behalf of any person as an agent, attorney, or representative of that person. (Regulation 18746.1(b)(3) and (4).)

The “one-year ban” prohibits a former state employee or consultant from making, for compensation, any formal or informal appearance or any oral or written communication before the former official’s agency for the purpose of influencing any administrative or legislative actions or any discretionary act involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. (Section 87406; Regulation 18746.1.) An appearance or communication is for the “purpose of influencing” if it is made for the “principal purpose of supporting, promoting, influencing, modifying, opposing,

delaying, or advancing the action or proceeding.” (Regulation 18746.2.) An appearance or communication includes, but is not limited to, conversing by telephone or in person, corresponding in writing or by electronic transmission, attending a meeting, and delivering or sending any communication. (Regulation 18746.2.)

Appearances and communications are prohibited only if they are: (1) before a state agency that the public official worked for or represented; (2) before a state agency “whose budget, personnel, and other operations are subject to the direction and control” of the state agency the public official worked for or represented; or (3) before any state agency subject to the direction and control of the Governor if the official was a designated employee of the Governor’s office during the twelve months before leaving state office or employment. (Regulation 18746.1(b)(6).)

In your position with OTSI, you filed annual Statements of Economic Interests. You were a contractor and served as a lead consultant from February 1, 2016, until June 30, 2025, on the CWS-CARES project, and completed a conflict of interest and confidentiality agreement<sup>4</sup> with OTSI. You are subject to the one-year ban and cannot, for compensation, appear before or communicate for the purpose of influencing any administrative or legislative actions or any discretionary act involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property with OTSI, your former agency, until June 30, 2026, twelve months after you permanently left your position. Moreover, the one-year ban prohibits you from appearing before or communicating with any other state agency whose budget, personnel, or other operations are under the control of OTSI.

### *The Permanent Ban*

The “permanent ban” prohibits a former state employee from “switching sides” and participating or assisting, for compensation, in certain proceedings involving the State of California and other specific parties if the proceeding is one in which the former state employee participated while employed by the state. (Sections 87401 and 87402; Regulation 18741.1.) The permanent ban applies when an official has permanently left or taken a leave of absence from any particular office or employment. (Regulation 18741.1(a)(1).)

The permanent ban applies to every “state administrative official,” which is defined as “every member, officer, employee, or consultant of a state administrative agency who as part of that person’s official responsibilities engages in any judicial, quasi-judicial, or other proceeding in other than a purely clerical, secretarial, or ministerial capacity.” (Section 87400(b).) “Judicial, quasi-judicial, or other proceeding” means any proceeding, application, request for a ruling or other determination, contract, or other particular matter involving a specific party or parties in any court or state administrative agency.” (Section 87400(c).)

---

<sup>4</sup> We do not have the authority to issue an opinion or advice as to confidentiality agreements. Therefore, we provide no opinion or advice as to whether the confidentiality agreement you signed for OTSI prohibits you from using your expertise to advise or assist a future employer.

We provide general guidance above, regarding the one-year ban and the permanent ban, should you accept employment with Accenture. However, if you need assistance regarding the one-year ban's application to any specific appearance or communication before OTSI or the application of the permanent ban to any specific proceeding you previously participated in as a governmental contractor, you should seek additional advice. Moreover, the application of the Act does not alter the conclusion that Section 1090 prohibits Accenture from entering into any CWS-CARES Version 2 contract if you are employed by Accenture.

If you have other questions on this matter, please contact me at [mroeckl-navazio@fppc.ca.gov](mailto:mroeckl-navazio@fppc.ca.gov).

Sincerely,

Dave Bainbridge  
General Counsel

*Margaret L. Roeckl-Navazio*

By: Margaret L. Roeckl-Navazio  
Counsel, Legal Division

MRN:aja