

# CITY OF OAKLAND

## Public Ethics Commission

Marc Pilotin, Chair  
Krisida Nishioka, Vice-Chair  
Lisa Crowfoot  
Dana King  
Gail Kong  
Jonathan Stein  
Heather Zona



Whitney Barazoto, Executive Director

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TO: Public Ethics Commission  
FROM: Milad Dalju, Deputy Director  
DATE: February 24, 2017  
RE: Enforcement Program Update

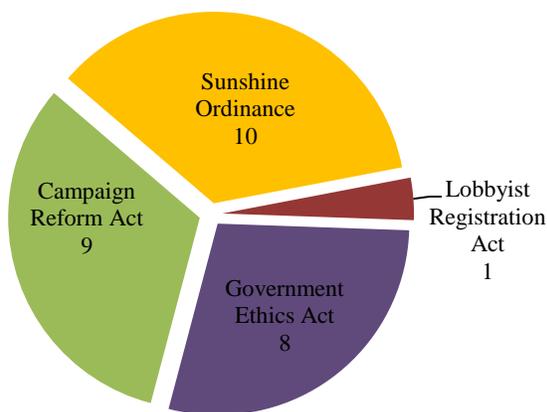
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### Summary of Cases

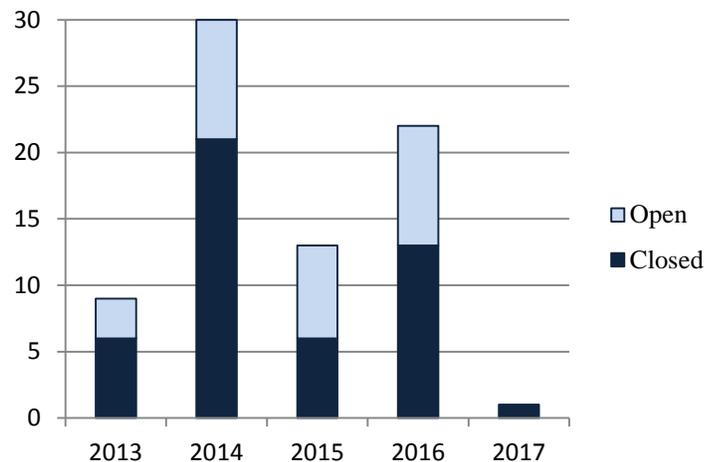
As of February 24, 2017, the Commission has 28 open enforcement cases, each in various stages: 20 are in active investigation, four are pending resolution, one is pending Commission approval at the March meeting (Case No. 16-30), one is pending an administrative hearing, and two are pending legal review regarding the process for alleged Sunshine Ordinance violations by the Commission (Case Nos. 15-11 and 14-11).

The following graphs illustrate: 1) open enforcement cases by type of violation being investigated, and 2) open and closed enforcement cases by year opened.

#### Open Cases by Type of Violation



#### Open and Closed Cases by Year Opened



Since the last Enforcement Program Update on January 27, 2017, the following status changes occurred:

1. Complaint No. 16-30, received on December 28, 2016: we have reached a proposed settlement agreement, which is pending Commission approval at the March meeting.
2. Complaint Nos. 17-05, received on January 31, 2017, is in preliminary review.

### **Current Enforcement Priorities**

Staff continues to prioritize cases based on the following priority factors: 1) the extent of Commission authority to issue penalties, 2) the impact of a Commission decision, 3) public interest, timing, and relevancy, and 4) Commission resources. As a result, investigations into allegations of violations of the Government Ethics Act and the Campaign Reform Act, for which the Commission has its greatest penalty authority, are prioritized ahead of all others. Sunshine-related complaints, for which the Commission has no penalty authority, take last priority behind complaints related to the Oakland Campaign Reform Act, the Government Ethics Act, and the Lobbyist Registration Act.