

CITY OF OAKLAND

Public Ethics Commission



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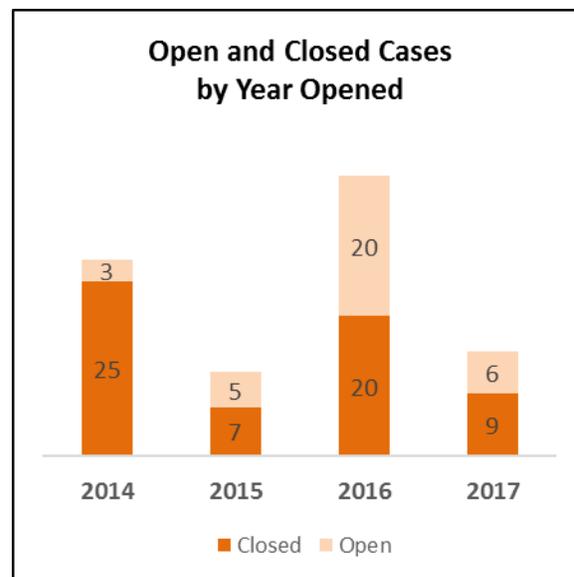
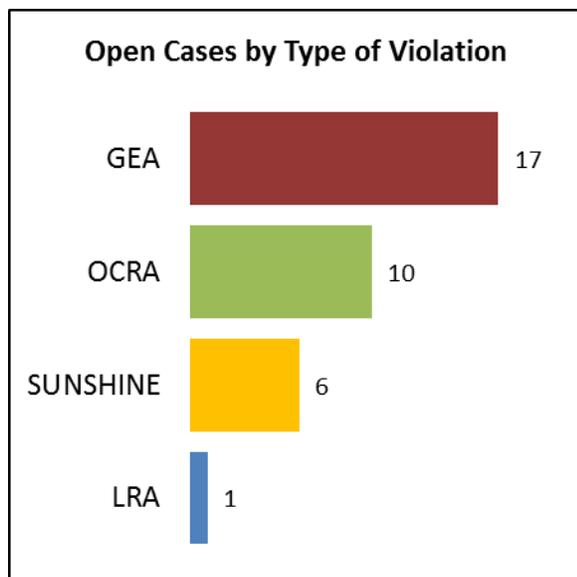
Whitney Barazoto, Executive Director

TO: Public Ethics Commission
FROM: Milad Dalju, Deputy Director
DATE: December 22, 2017
RE: Enforcement Program Update

Summary of Cases

As of December 22, 2017, the Commission has 34 open enforcement cases, each in various stages: 28 are being investigated, five are being mediated, and one is pending an administrative hearing. Additionally, three complaints are pending a decision regarding alleged Sunshine Ordinance violations involving the Commission.

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



Since the last Enforcement Program Update on November 15, 2017, the following status changes occurred:

1. Complaint No. 17-14: staff completed preliminary review of the complaint and is conducting mediation between the City and respondent regarding the allegation that the City failed to provide public documents.
2. Complaint No. 17-21; we received this formal complaint on November 17 and are conducting a preliminary review.
3. Complaint No. 17-22; we received this formal complaint on December 14 and are conducting a preliminary review.

Summary of Enforcement Activities in 2017

In 2017 the Commission received 14 formal complaints, which led to three new cases being opened. Additionally, the Commission opened six cases proactively.

The Commission resolved 21 complaints, including 8 complaints received in 2016, four complaints received in 2014, and all three of the remaining complaints received in 2013.

The Commission issued two penalties for violations of the Oakland Campaign Reform Act (OCRA), and its first ever penalty for a violation of the Oakland Government Ethics Act (GEA). The Commission also issued four warning letters for violations of OCRA and GEA.

The Commission found, for two different cases, that there was sufficient probable cause that a violation had occurred and, as a result, authorized Staff to hold an administrative hearing pursuant to the Commission's Complaint Procedures.

The Commission drafted and proposed amendments to the Oakland Lobbyist Registration Act (LRA) that are being considered by City Council. The amendments, if adopted by City Council, will go into effect immediately and will, among other things, update the LRA's enforcement language to align with the Commission's Complaint Procedures and the enforcement language of GEA and OCRA.