



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

June 20, 2013



Denisha DeLane  
DeLane for City Council 2012

# REDACTED

REVISED Warning Letter: Case No. 13/193; DeLane for City Council 2012; Denisha DeLane

Dear Ms. DeLane:

As you know, the Enforcement Division of the Fair Political Practices Commission (FPPC) issued a warning letter against you, your committee, DeLane for City Council 2012, and your committee's treasurer, Frances Haselsteiner. The warning letter, dated June 6, 2013, described our finding that the committee failed to properly file a semiannual campaign statement for the October 21, 2012 through December 31, 2012 period, in violation of Section 84200 of the Political Reform Act (Act).<sup>1</sup>

Under the Act and the Regulations of the FPPC, treasurers may be held jointly and severally liable for failing to maintain the records necessary to prepare and properly file campaign statements.<sup>2</sup> However, on June 13, 2013, we were contacted by Ms. Haselsteiner and, after considering her response and supporting documentation, we have decided to clear Ms. Haselsteiner of her liability in connection with your committee's failure to file the abovementioned statement.

Please note: *the violation stands against you individually and on behalf of DeLane for City Council 2012, and we are now issuing the enclosed "revised" warning letter.*

Should you have any questions regarding this letter, please contact Tracey Frazier at (916) 327-2019.

Sincerely,

**REDACTED**

Gary S. Winuk  
Chief, Enforcement Division

cc: The City of Berkeley

<sup>1</sup> The Act is contained in Government Code sections 81000 through 91014. The regulations of the FPPC are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations.

<sup>2</sup> Cal. Gov't Code §§ 84100, 84104; Cal. Code Regs. tit. 2, §§ 18316.6, 18427.



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

June 20, 2013

Denisha DeLane  
DeLane for City Council 2012  
2417 Sixth Street, #10  
Berkeley, CA 94710

### REVISED Warning Letter: Case No. 13/193; DeLane for City Council 2012; Denisha DeLane

Dear Ms. DeLane:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (Act)<sup>1</sup>. This letter is in response to a non-filer enforcement referral from the City of Berkeley. The FPPC has completed its investigation and found that you failed to file a campaign statement (Form 460) for the October 21–December 31, 2012 period, due January 31, 2013, in violation of Section 84200 of the Act.

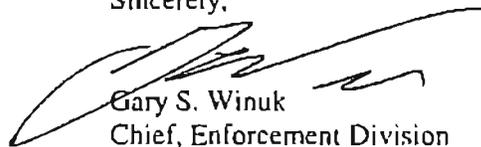
Section 84200 provides that candidates and committees must file semiannual campaign statements. Your actions violated the Act because you failed to file the abovementioned statement by the specified deadline. However, since your committee does not have an enforcement history and you were unsuccessful in the election, we are closing your case with this warning letter. This information will be retained and may be considered should a future enforcement action become necessary.

Although the FPPC is closing its case at this time, you are still required to file all outstanding statements with the City of Berkeley and continue filing until you officially terminate your committee. You will be responsible for any late filing fees assessed by your filing officer. (§ 91013.) If your committee is no longer active, you may want to terminate as well. Please note: any future failure to timely file your required statements will automatically be brought to our attention and will result in monetary penalties.

A warning letter is an FPPC case resolution without administrative prosecution; however, this resolution does not provide you with the opportunity for a probable cause or administrative hearing. 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 days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of your case. If we do not receive such notification, this warning letter will be posted on the FPPC's website.

Should you have any questions regarding this letter, contact Tracey Frazier at (916) 327-2019.

Sincerely,



Gary S. Winuk  
Chief, Enforcement Division

cc: The City of Berkeley

<sup>1</sup> The Act is contained in Government Code sections 81000 through 91014. The regulations of the FPPC are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations.