



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

May 3, 2023

Dena Marlatt
[REDACTED]

Warning Letter Re: FPPC No. 2020-00979: Dena Marlatt

Dear Dena Marlatt:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a sworn complaint alleging that you distributed mailers without the proper advertisement disclosures.

Under the Act, “mass mailing” means over two hundred substantially similar pieces of mail.² If the sender of the mass mailing is a single candidate, the name, street address, and city of the candidate need only be shown on the outside of each piece of mail.³ Furthermore, the Act requires the disclosure above to be preceded by the words “Paid for by.”⁴

The Enforcement Division found that you failed to include the street address on the 3,126 postcards mailed in support of your candidacy for Dunsmuir Treasurer in the November 3, 2020 General Election. Additionally, the advertisement did not include the words “Paid for by.” But for the following mitigating circumstances, we are concluding your case with a warning letter: you raised and spent a low amount regarding the election, your campaign was unsuccessful, you are a first time candidate, you included your email address and website on the mailers, and you do not have a history with enforcement.

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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 82041.5.

³ Section 84305, subd. (b).

⁴ Regulation 18435, subd. (c).

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.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 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.

Please feel free to contact Alex Rose at arose@fppc.ca.gov or 916-327-6358 with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Alex J. Rose". The signature is written in a cursive, slightly stylized font.

Alex J. Rose, Commission Counsel
Enforcement Division