



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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LEEANN PELHAM
EXECUTIVE DIRECTOR

Date: April 19, 2017

To: Members of the Ethics Commission

From: Jessica Blome, Deputy Director, Enforcement & Legal Affairs

Subject: **AGENDA ITEM 5**
Enforcement Program Report for the April 24, 2017, Meeting

Summary: This report highlights programmatic information and operational updates related to the Enforcement Program.

Action Requested: No action is required by the Commission, as this item is only for informational purposes.

Programmatic Highlights

Proposition J: Staff spent the majority of time since the March 27, 2017, Commission meeting researching and analyzing proposed revisions to Proposition J introduced by Chair Keane during the March meeting. To that end, Staff met with the proposal's co-author Oliver Luby, researched the history of original Proposition J, and reviewed case law that has developed since original Proposition J was passed by voters in 2000. In addition to analyzing proposed revisions with our new Senior Policy Analyst, Staff collaborated to identify additional potential revisions to the Campaign Finance Reform Ordinance that may be relevant to the Commission's ongoing effort to improve the workability, efficiency, and effectiveness of the City's campaign finance regulatory scheme.

Record Retention: In April, both the City Attorney's Office and the Controller's Office released model revisions and proposed updates for each City Department's Record Retention and Destruction Schedule. Staff modified its draft updated schedule to include those model revisions. Staff will obtain the City Attorney's, Controller's, and Retirement System's approval, as required by the Record Retention and Destruction Ordinance, during May and will bring the final version to the Commission during its June 2017 meeting.

Operational Updates/Investigative Caseload Data

Investigative matters under the jurisdiction of the Ethics Commission are treated as formal complaints meriting investigation if, based on the allegations and Executive Director's preliminary review, the Executive Director determines there is reason to believe a violation of law may have occurred. Once the Executive Director has determined that she has reason to believe a violation of law may have occurred, that complaint is logged as a formal

complaint. Table 1 summarizes the number of pending formal complaints within the Ethics Commission’s jurisdiction that remained pending as of April 17, 2017. More detailed information about the Commission’s enforcement caseload is provided in Attachment 1. Attachment 1 offers a snapshot of the number, age, and general nature of matters in preliminary review as well as our open formal complaints as of April 17, 2017.

Table 1 – Summary of Pending Formal Complaints, by Type, as of April 17, 2017

Type	Number
Campaign Finance	7
Governmental Ethics	12
Lobbyist Ordinance	3
Sunshine Ordinance	0
Whistleblower Ordinance (Retaliation)	2
Total	24

Referrals to Bureau of Delinquent Revenues

The following chart summarizes the status of accounts that remain active that have been referred by the Ethics Commission to the City’s Bureau of Delinquent Revenues.

Committee /Filer	ID #	Treasurer/ Responsible Officer	Referral	Original Amount Referred	Last Month’s Balance	Current Balance	Status
Chris Jackson	1347066	Chris Jackson	7/12/13	\$6,601	\$6,601	\$6,601	Writ of Execution prepared for Small claims judgment case # CSM-12-842613, related to Ethics account 1347066.
Committee to Elect Norman for Supervisor	1327771	Jacqueline Norman	5/01/15	\$9,000	\$9,000	\$9,000	Pending for response to last attempt to pay; Next step is escalated enforcement
Bob Squeri for District 7	1346150	Bob Squeri	5/01/15	\$2,000	\$2,000	\$2,000	Non-responsive to contact attempts; Researched account and found new address and employment data; Continue contact

							attempt at new address
Isabel Urbano	153993	Isabel Urbano	3/23/16	\$7,000	\$7,000	\$7,000	Obtained new employment. Called client and obtained address, contact and personal data; Client has no property. Client agreed to repayment agreement terms
Chris Jackson	1347066	Chris Jackson	9/26/16	\$6,100	-	\$6,100	Spoke with debtor 3/14/17 - Will not agree on payment plan terms; Continue with enforcement efforts
Lynette Sweet	3544713	Lynette Sweet	12/29/16	\$74,408.19	--	\$74,408.19	Non-responsive to contact attempts; Client has property; Under review for escalated enforcement
						Total: \$103,609.18	

Status of Outstanding Penalty Installment Plans

Name	FPPC No.	Total Owed	Payment Amount	Last Received	Outstanding Balance	Current: Yes/No
Kim Shree Maufas	1284567	\$2,575	\$50	3/27/17	TBD*	Yes
Kim Shree Maufas	1328923	\$2,000	\$50	3/27/17	TBD*	Yes
Stuart Schuffman	1377997	\$2,552	\$1276	3/29/17	_____	Yes

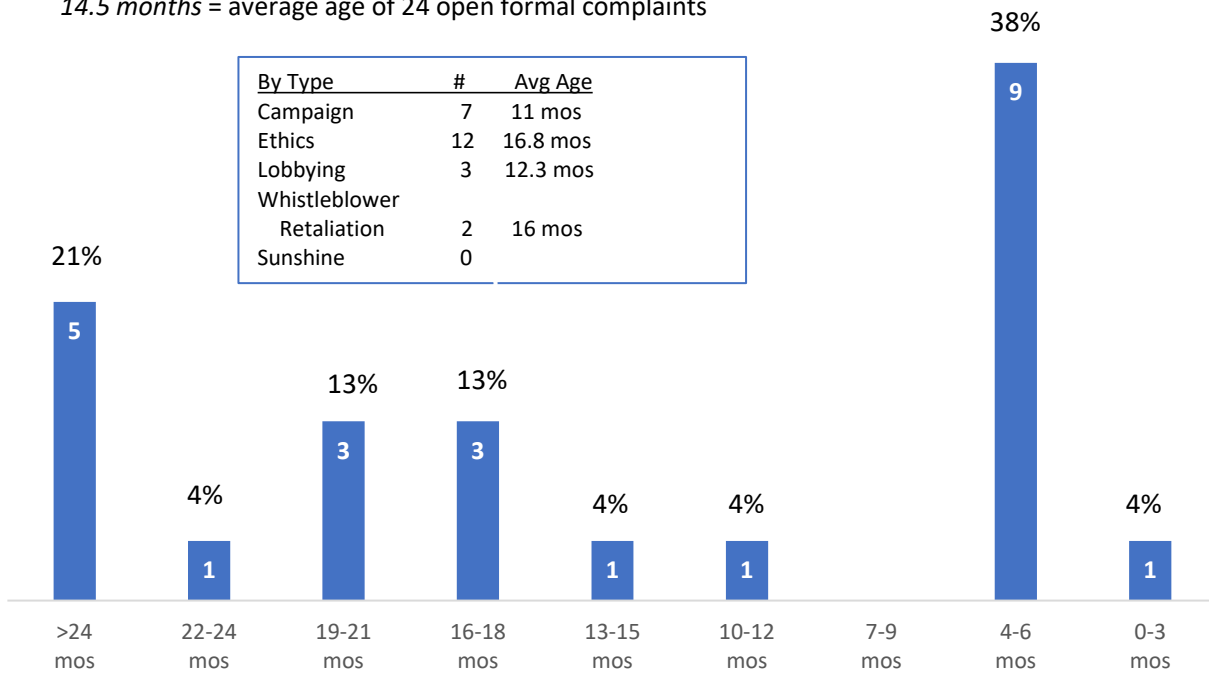
Staff's Fines Collection Officer was out when this memorandum was prepared. Staff will update this information during the presentation of the Enforcement Report at the April meeting.

I look forward to answering any questions you might have at the upcoming Commission meeting.

Agenda Item 5, Attachment 1

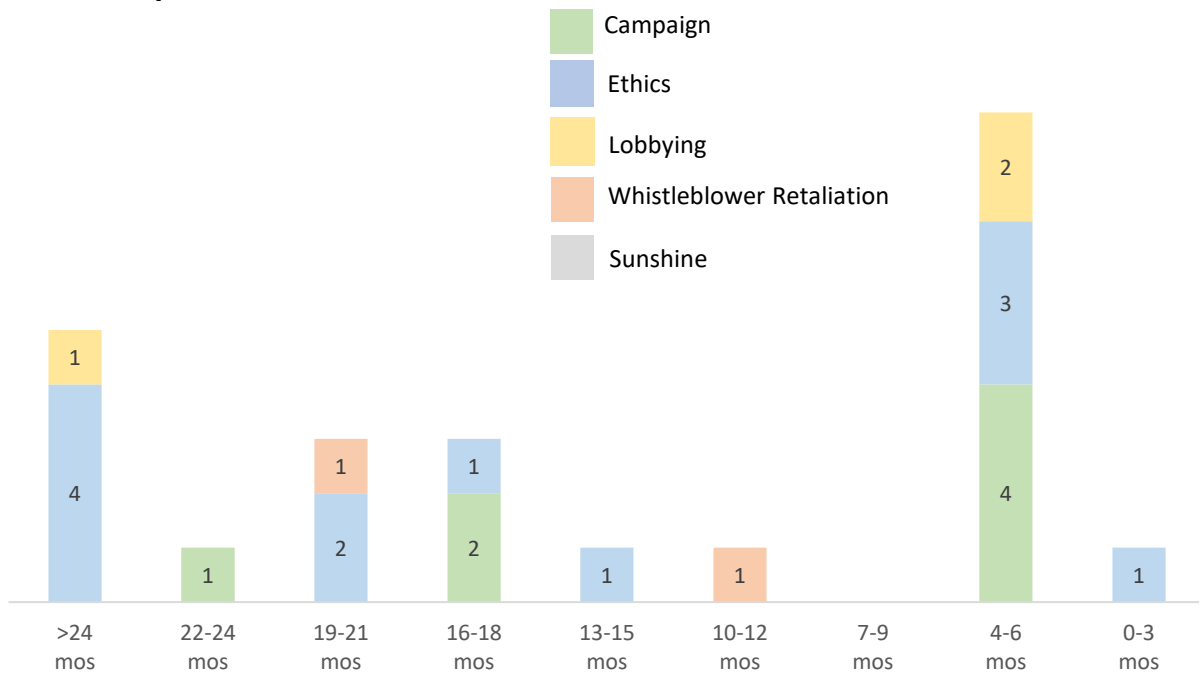
Age of Open Formal Complaints Caseload as of April 17, 2017 *(n=24)*

14.5 months = average age of 24 open formal complaints



By Type	#	Avg Age
Campaign	7	11 mos
Ethics	12	16.8 mos
Lobbying	3	12.3 mos
Whistleblower Retaliation	2	16 mos
Sunshine	0	

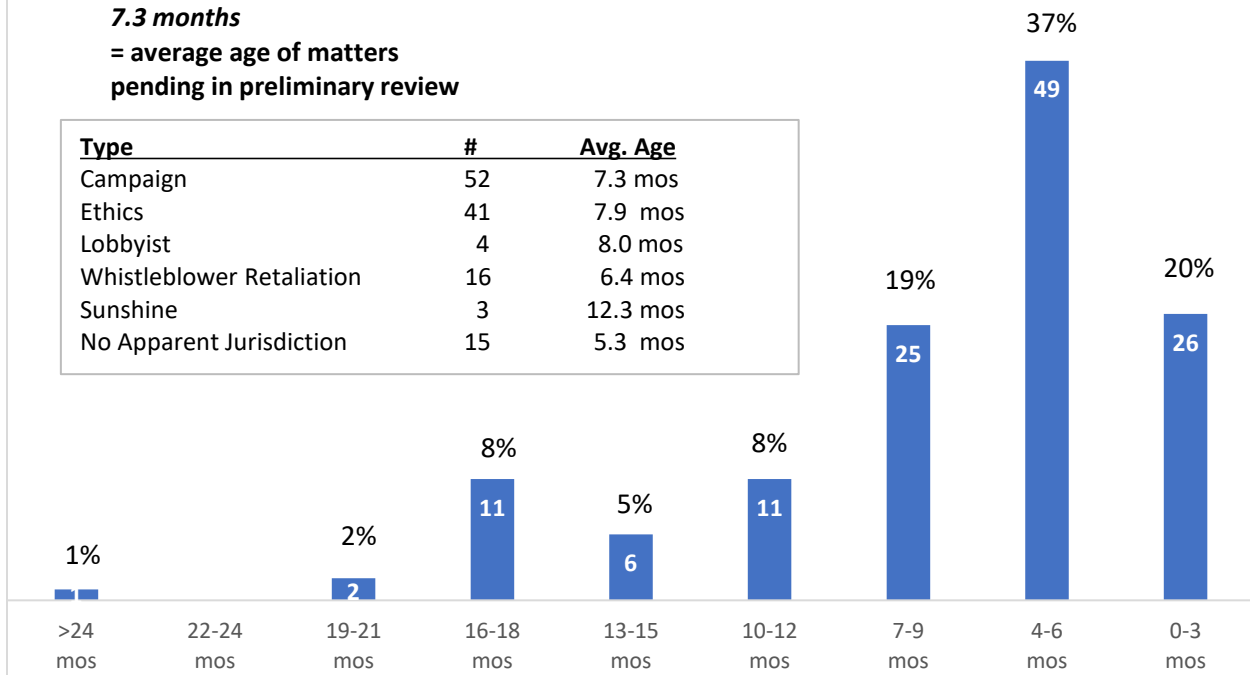
Caseload of Open Formal Complaints, by Age and Type as of April 17, 2017 *(n=24)*



Age of Matters in Preliminary Review as of April 17, 2017 (n=131)

7.3 months
= average age of matters
pending in preliminary review

Type	#	Avg. Age
Campaign	52	7.3 mos
Ethics	41	7.9 mos
Lobbyist	4	8.0 mos
Whistleblower Retaliation	16	6.4 mos
Sunshine	3	12.3 mos
No Apparent Jurisdiction	15	5.3 mos



Caseload of Matters Under Preliminary Review (PR), by Age and Type as of April 17, 2017 (n=131)

- Campaign
- Ethics
- Lobbying
- Whistleblower Retaliation
- Sunshine
- No apparent jurisdiction

