



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

DAINA CHIU
CHAIR

Date: December 17, 2018

QUENTIN L. KOPP
VICE-CHAIR

To: Members of the Ethics Commission

PAUL A. RENNE
COMMISSIONER

From: Jeff Pierce, Director of Enforcement & Legal Affairs

YVONNE LEE
COMMISSIONER

Subject: **AGENDA ITEM 8: Enforcement Report for the December 21, 2018 Meeting**

NOREEN AMBROSE
COMMISSIONER

Summary: This report highlights programmatic information and operational updates related to the Enforcement & Legal Affairs division.

LEEANN PELHAM
EXECUTIVE DIRECTOR

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

Programmatic Highlights

The Commission received four new complaints between November 9, 2018 and December 14, 2018. The Division now has 101 matters in preliminary review and 85 matters under investigation.

The average age of matters in preliminary review has climbed to just over five months, owing in part to an increase in complaint activity related to the elections that took place in June and November. Some 60 percent of all complaints the Division received in 2018 – and, as detailed in the attachments below, some 50 percent of the complaints remaining in preliminary review – alleged violations of the Campaign Finance Reform Ordinance.

The average age of matters under open investigation is now 15 months. As detailed in the attachments below, on average the oldest matters are those arising from complaints alleging violations of the Lobbyist Ordinance.

Not reflected in these figures are the two dozen preliminary review reports that investigators have authored still awaiting supervisory review, and an additional one dozen preliminary review reports awaiting the Executive Director's review. Enforcement Staff are likewise working with the Executive Director to move nine settlement negotiations toward a stipulated agreement.

Attachment 1 contains additional detail regarding matters under preliminary review.
Attachment 2 contains additional detail regarding open investigations.

Operational Updates/Investigative Caseload Data

Investigative matters under the jurisdiction of the Ethics Commission merit investigation after the Enforcement Director’s preliminary review finds there is reason to believe a violation of law may have occurred. Once the Enforcement Director has made that determination, the Enforcement division forwards the complaint to the City Attorney and District Attorney under San Francisco Charter section C3.699-13(a) and the complaint is converted into an open investigation. Table 1 summarizes the number of pending open investigations within the Ethics Commission’s jurisdiction that remained pending as of December 14, 2018 and as compared to the prior reporting period. As noted above, more detailed information about the Commission’s enforcement caseload is provided in Attachments 1 and 2.

Table 1 – Summary of Open Investigations by Type as of December 14, 2018:

Type	November 2018	December 2018
Campaign Finance	36	36
Governmental Ethics	32	33
Lobbyist Ordinance	6	5
Whistleblower Retaliation	10	10
Sunshine Ordinance	1	1
Total	85	85

Referrals to Bureau of Delinquent Revenues

Table 2 – Summary of the status of accounts that remain after referral by the Ethics Commission to the City’s Bureau of Delinquent Revenues.

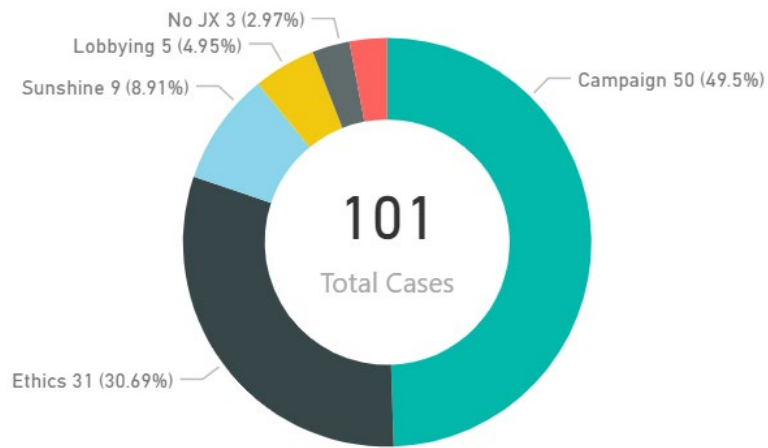
Committee/ Filer	ID #	Treasurer/ Responsible Officer	Referral Date	Original Amount Referred	Current Balance	General Status	Status
Chris Jackson	1347066	Chris Jackson	7/12/13	\$ 6,601.00	\$ 5,100.99	Judgment	An Order of Examination Hearing has been re-scheduled for 1/3/19 (to allow more time to serve the debtor), where the debtor is ordered to appear to disclose assets.
Chris Jackson	22- 12119	Chris Jackson	9/26/16	\$ 6,100.00	\$ 6,100.00	Judgment	An Order of Examination Hearing has been rescheduled for 1/3/19 (to allow more time to

Committee/ Filer	ID #	Treasurer/ Responsible Officer	Referral Date	Original Amount Referred	Current Balance	General Status	Status
							serve the debtor), where the debtor is ordered to appear to disclose assets.
Committee to Elect Norman for Supervisor	14-131112	Jacqueline Norman	5/1/15	\$ 9,000.00	\$ 9,000.00	Judgment	An Order of Examination Hearing has been rescheduled for 1/7/19 (to allow more time to serve the debtor), where the debtor is ordered to appear to disclose assets.
Isabel Urbano	SFO-153993	Isabel Urbano	3/23/16	\$ 7,000.00	\$ 6,850.00	Legal Review	The Legal Department mailed their Intent to File Lawsuit letter via registered mail to all known addresses, since BDR has not been able to confirm where the debtor lives.
Lynette Sweet	1324331	Lynette Sweet	12/29/16	\$ 74,408.19	\$ 74,408.19	Bankruptcy	The debtor refiled under BK case 18-31033. The Bankruptcy unit filed a claim for the new BK case. Proof of claim filed 11/14/2018.
Total:					\$101,459.18		

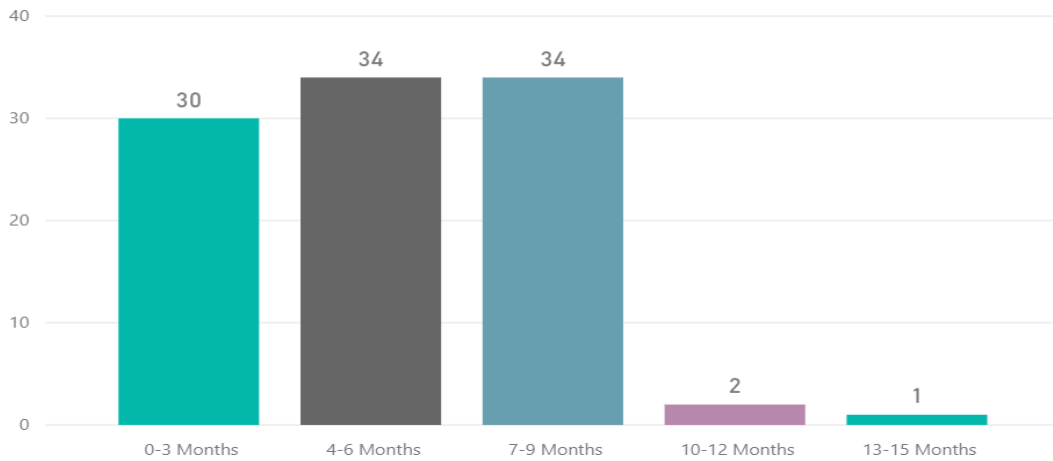
I look forward to answering any questions you might have at the upcoming Commission meeting.

Agenda Item 8, Attachment 1

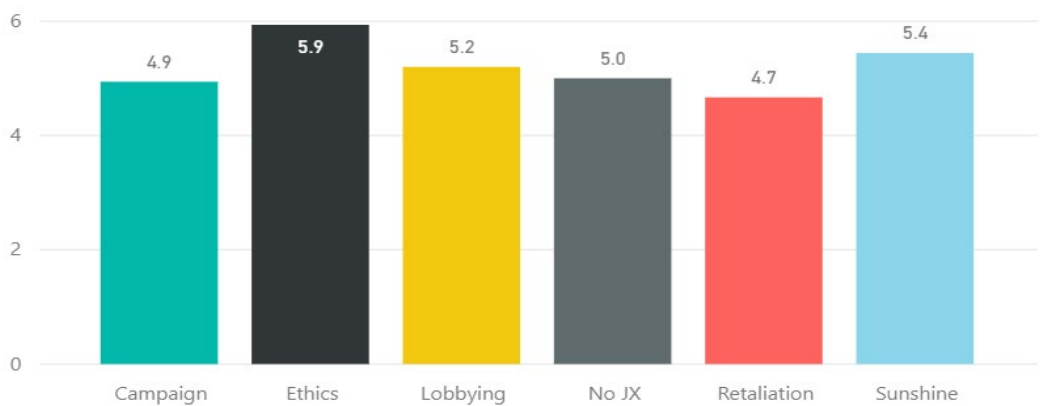
Matters in Preliminary Review by Type



Age of Matters in Preliminary Review

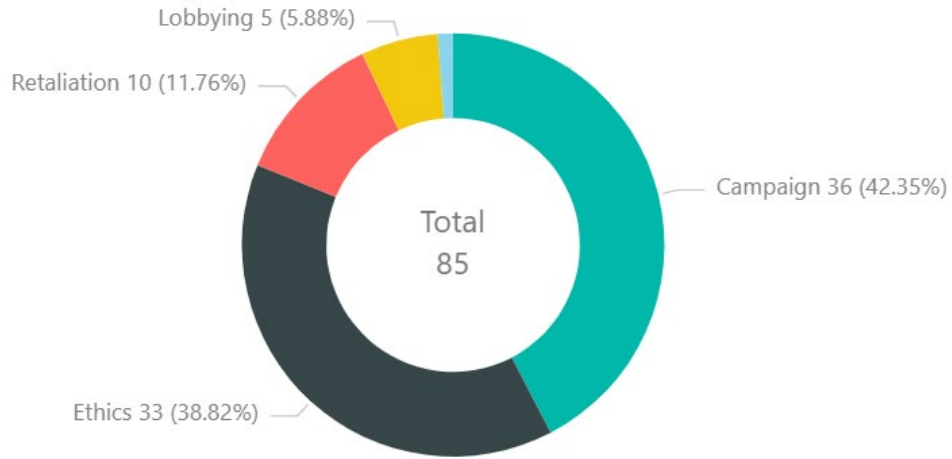


Average Age of Cases in Preliminary Review

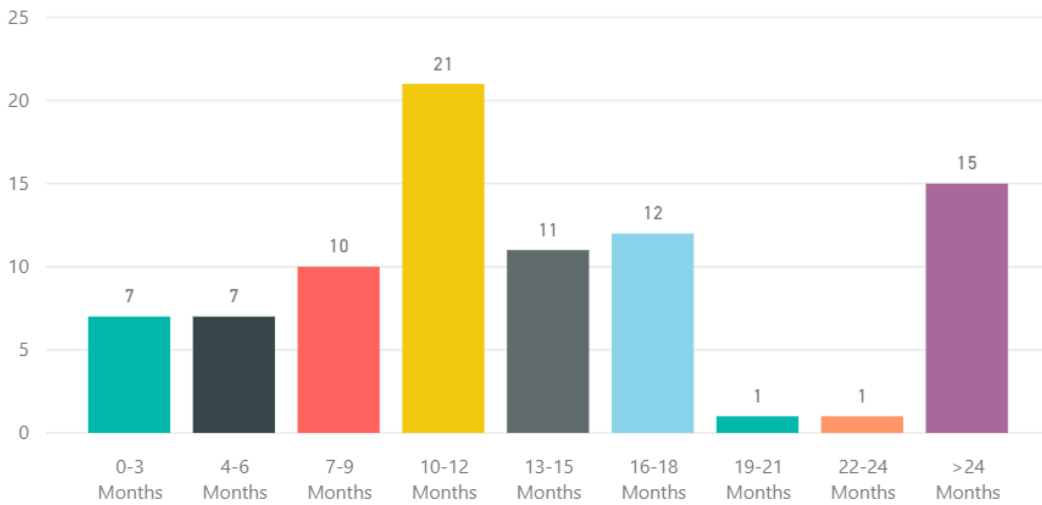


Agenda Item 8, Attachment 2

Open Investigations by Type



Age of Matters under Investigations



Case Type by Average Age in Months

