



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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LEEANN PELHAM
EXECUTIVE DIRECTOR

Date: March 11, 2019

To: Members of the Ethics Commission

From: Jeff Pierce, Director of Enforcement & Legal Affairs

Subject: **AGENDA ITEM 6: Enforcement Report for the March 15, 2019 Meeting**

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

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

Enforcement Statistics

The Commission now has 82 matters in preliminary review and 84 matters under investigation. The Enforcement Division received seven new complaints since February 11, 2019. Also in the past month the Executive Director dismissed 15 complaints based on investigators' analysis, and one complainant withdrew a complaint. Also since February 11, 2019, the Commission closed four investigations, settled one (at the Commission's regular meeting on February 15, 2019), and merged two investigations based on overlapping facts. The following tables compare the number and average age of the Commission's enforcement docket to the same figures that existed in the prior month and in this month of the prior year:

Number and Average Age of Matters in Preliminary Review

Month	Mar. 2018	Feb. 2019	Mar. 2019
Number	45	91	82
Avg. Age (mo.)	4.5	6.9	7.2

Number and Average Age of Matters in Open Investigation

Month	Mar. 2018	Feb. 2019	Mar. 2019
Number	73	90	84
Avg. Age (mo.)	10.3	15.2	15.1

Attachment 1 contains additional detail regarding the type and age of matters under preliminary review. Attachment 2 contains additional similar detail regarding open investigations.

Programmatic Highlights: Whistleblower Protection Training

On the afternoon of March 7, 2019, the Enforcement & Legal Affairs Division hosted a training on legal issues and investigative methods in the context of whistleblower protection. More than 40 employees of the City and County attended the training at Koret Auditorium in the Main Branch of the Public Library, including staff from the Controller’s Office Whistleblower Program, the City Attorney’s Office Public Integrity Unit, and human resources professionals from departments across the City and County.

Enforcement Staff provided an overview of the San Francisco Whistleblower Protection Ordinance and a description of the amendments to that Ordinance that took effect on January 20, 2019. The majority of the training featured counterparts from the State Labor Commissioner’s Office, the subdivision of the California Department of Industrial Relations that investigates retaliation complaints affecting both state and local employees. Staff from the Labor Commissioner’s Office described the statutory framework that governs the State’s jurisdiction over whistleblower protection, discussed the legal issues common to both the Ethics Commission and the Labor Commissioner’s Office’s statutory schemes, addressed what kinds of scenarios may be considered retaliation, and reviewed best practices for investigating a claim of retaliation.

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.

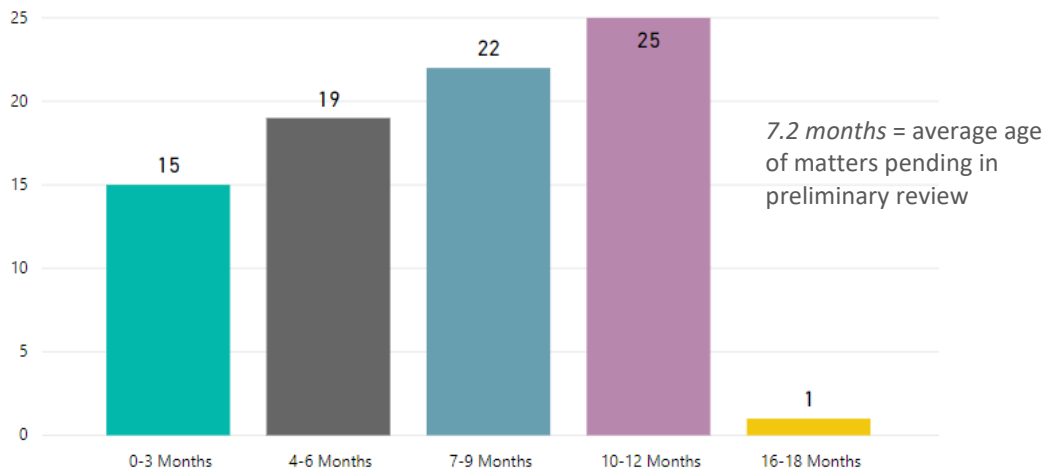
Committee/ Filer & ID #	Treasurer/ Responsible Officer	Referral Date	Last Action Date	Original Amount Referred	Current Balance	General Status	Status
Chris Jackson 1347066	Chris Jackson	7/12/13	2/7/19	\$6,601.00	\$5,100.99	Judgment	Mr. Jackson has vacated his place of residence. Skip Tracing to locate Mr. Jackson's place of residence, employment and additional assets. According to all available information he is unemployed. An Order of Examination Hearing has been rescheduled for 4/18/19 (to allow more time to serve the debtor), where the debtor is ordered to appear to disclose assets.

Committee/ Filer & ID #	Treasurer/ Responsible Officer	Referral Date	Last Action Date	Original Amount Referred	Current Balance	General Status	Status
Chris Jackson 22-12119	Chris Jackson	9/26/16	2/7/19	\$6,100.00	\$6,100.00	Judgment	<i>See above.</i>
Committee to Elect Norman for Supervisor 14-131112	Jacqueline Norman	5/1/15	2/14/19	\$9,000.00	\$9,000.00	Judgment	Ms. Norman has vacated her family place of residence. According to all available information she is unemployed. Skip Tracing to locate place of residence, place of employment, and additional assets. An Order of Examination Hearing has been rescheduled for 4/18/19 (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	2/7/19	\$7,000.00	\$6,850.00	Legal Review	Collaborating with the Legal Department on the viability to file the Summons to Complaint, and the Proof of Service in NY, NY.
Lynette Sweet 1324331	Lynette Sweet	12/29/16	3/11/19	\$74,408.19	\$74,408.19	Bankruptcy	The debtor refiled under BK case 18-31033. BDR's Bankruptcy unit filed a claim for the new BK case. Proof of claim filed 11/14/2018. Debtor has a 3/20/2019 hearing, she is to file an amended plan and file objections to claims for IRS and FTB.
Total:							\$101,459.18

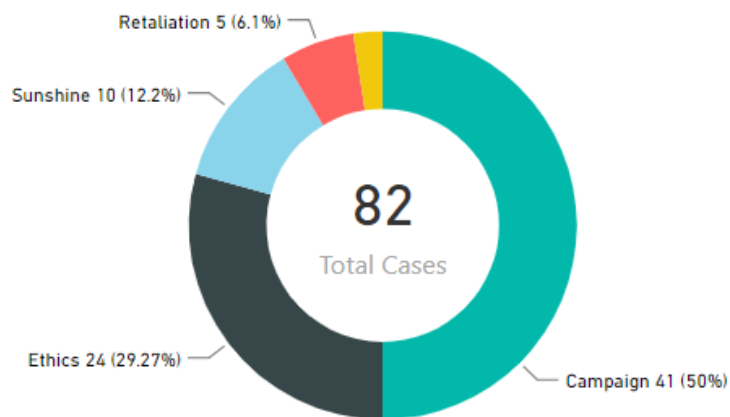
I look forward to answering any questions you might have at the upcoming Commission meeting.

Agenda Item 6, Attachment 1

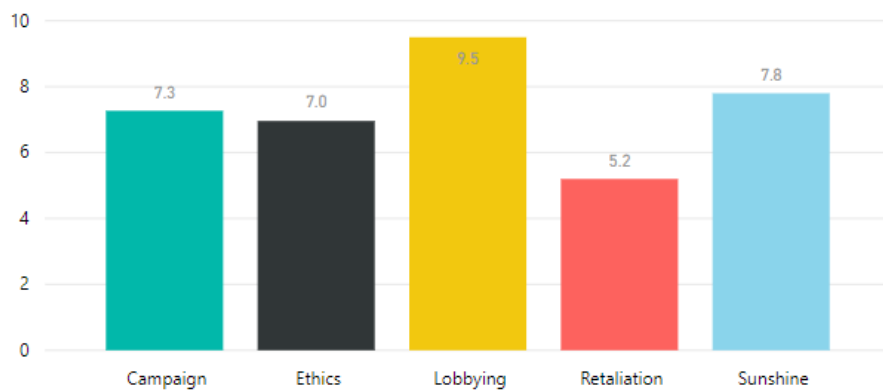
Age of Matters in Preliminary Review



Matters in Preliminary Review by Type

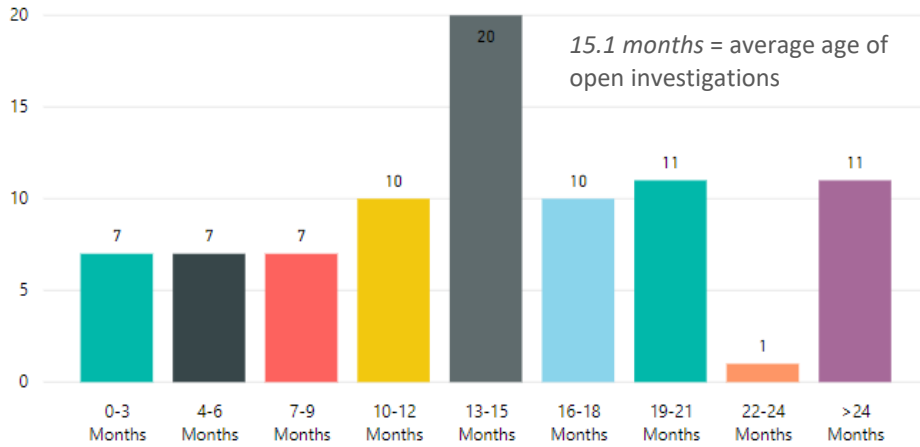


Average Age of Matters in Preliminary Review by Type

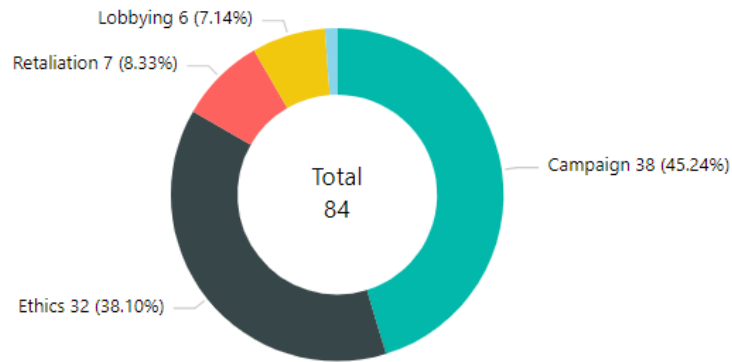


Agenda Item 6, Attachment 2

Age of Matters under Open Investigation



Open Investigations by Type



Average Age of Matters under Open Investigation by Type

