



# ETHICS COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

DAINA CHIU  
CHAIR

Date: April 8, 2019

NOREEN AMBROSE  
VICE-CHAIR

To: Members of the Ethics Commission

YVONNE LEE  
COMMISSIONER

From: Jeff Pierce, Director of Enforcement & Legal Affairs

FERN M. SMITH  
COMMISSIONER

Subject: **AGENDA ITEM 7: Enforcement Report for the April 12, 2019 Meeting**

VACANT  
COMMISSIONER

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**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: Staff Training**

On March 22, 2019, Senior Investigator Jeffrey Zumwalt provided training to the Enforcement Division on interview techniques he learned and implemented during his eleven years of service as a police detective and police officer. Jeff's training conveyed best practices regarding interview goals, interview preparation, structuring the interview, formatting the questions, the use of documents and evidence, and behavioral analysis. His recommendations will improve the ability of our team to elicit relevant information during investigative interviews and to hold productive conversations with witnesses and respondents.

On March 28, 2019, the Ethics Commission hosted counterparts from the Fair Political Practices Commission (FPPC) for a training on prohibited financial conflicts of interest. Staff from the Enforcement, Policy, and Engagement & Compliance Divisions attended the session with the FPPC's Assistant Chief Counsel on the statutory and regulatory conflict of interest provisions set forth in Government Code sections 87100 and 1090, which the Campaign and Governmental Conduct Code incorporates. The FPPC's Supervising Special Investigator provided a second session specifically for staff of the Enforcement Division on best practices for investigating financial conflicts of interest. The occasion also provided the Enforcement Division an opportunity to exchange ideas about general enforcement procedures with our counterparts from the State.

### **Enforcement Statistics**

The Commission now has 75 matters in preliminary review and 87 matters under investigation. The Enforcement Division received four new complaints since March 11, 2019, and opened six new investigations. Also in the past month the Executive Director dismissed six complaints based on investigators' analysis, and the Commission closed three matters that

been under investigation. The following tables compare the number and average age of the Commission’s enforcement docket to the same figures as reported last month and as reported in this month last year:

*Number and Average Age of Matters in Preliminary Review*

Month	May 2018 <sup>1</sup>	Mar. 2019	Apr. 2019
Number	49	82	75
Avg. Age (mo.)	2.7	7.2	7.3

*Number and Average Age of Matters in Open Investigation*

Month	May 2018	Mar. 2019	Apr. 2019
Number	79	84	87
Avg. Age (mo.)	10.5	15.1	14.5

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

**Referrals to Bureau of Delinquent Revenues**

Under San Francisco Charter section C3.699-13(c)(i)(3), the Ethics Commission must refer to the Bureau of Delinquent Revenue penalties that the Commission has assessed but which remain unpaid after a specified period of time. The Commission’s Fines Collection Officer has prepared Final Warning Letters for approximately two dozen filers who have not yet paid fees the Commission assessed against them for late-filed campaign disclosure statements. The Commission will refer those delinquent fees should the filers not settle their accounts by the deadline the Fines Collection Officer will fix.

Of those several matters already before the Bureau of Delinquent Revenue, Staff have no updates for the Commission at this time.

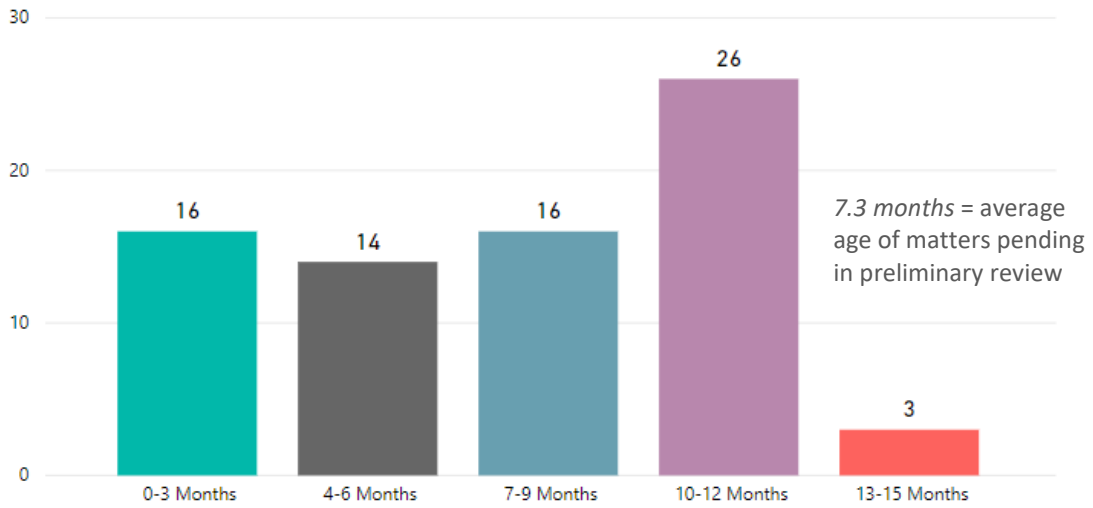
I look forward to answering any questions you might have at the upcoming Commission meeting.

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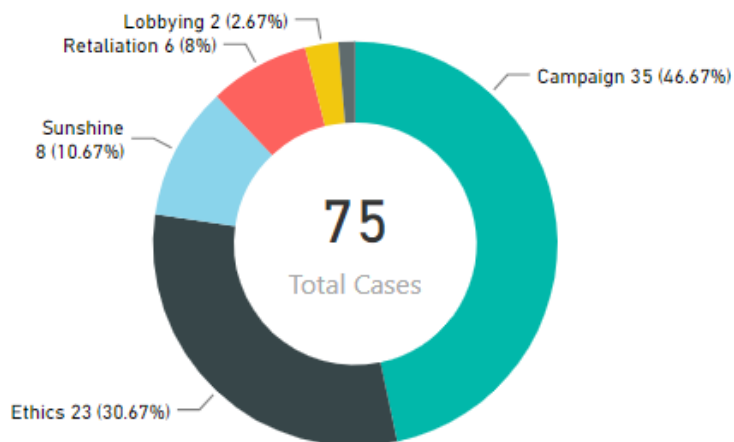
<sup>1</sup> The Commission held no regular meeting in April 2018.

## Agenda Item 7, Attachment 1

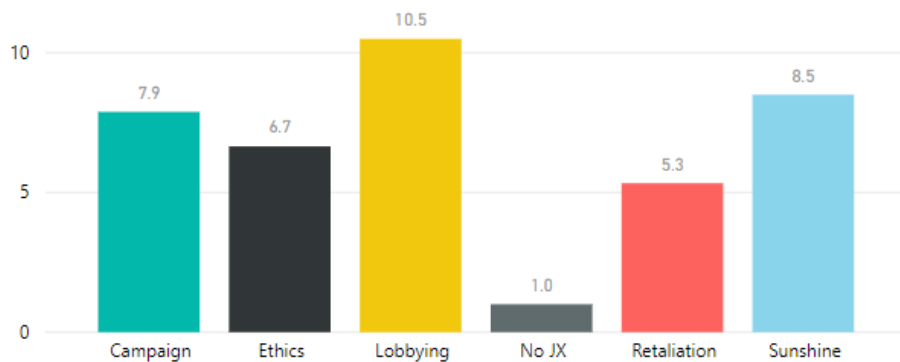
Age of Matters in Preliminary Review



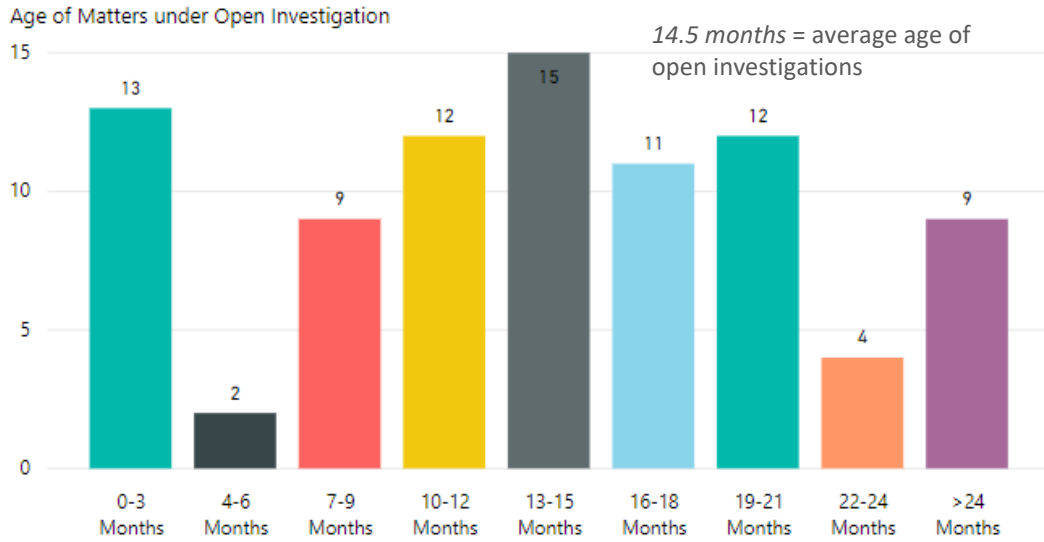
Matters in Preliminary Review by Type



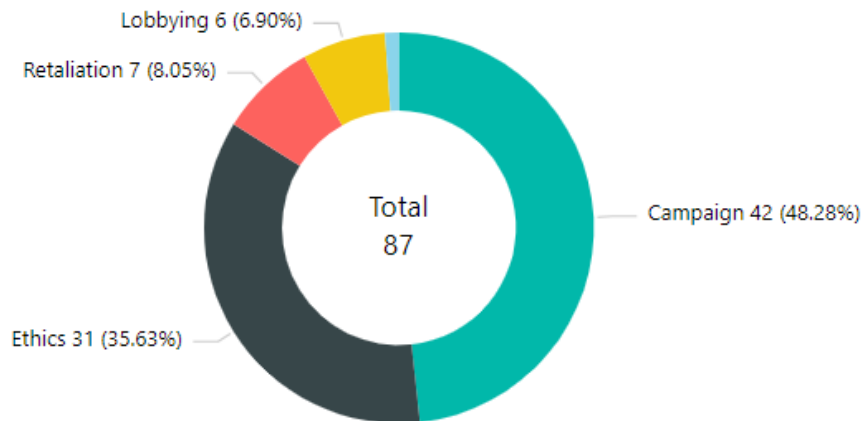
Average Age of Matters in Preliminary Review by Type



## Agenda Item 7, Attachment 2



Open Investigations by Type



Average Age of Matters under Open Investigation by Type

