



San Francisco Ethics Commission

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April 14, 2023

To: Members of the Ethics Commission

From: Zach D'Amico, Senior Investigator
Bisi Matthews, Senior Investigator
Patrick Ford, Director of Enforcement

Subject: **Agenda Item 13: Enforcement Hearing Guidebook Draft**

Summary and Action Requested

This agenda item contains a draft of the Commission's Enforcement Hearing Guidebook. Staff invites Commissioners and the public to provide feedback. Staff will deliver a final version of the guidebook at the Commission's May meeting. This item is for informational and discussion purposes.

No formal action is required by the Commission.

Background

As reported in the March Quarterly Enforcement Report, the Enforcement Division, in consultation with the City Attorney's office, developed a written resource that summarizes the laws governing the Commission's probable cause process and hearings on the merits. The purpose of the guidebook is to assist the Commission and the public in understanding the legal processes in place for the Commission to consider the evidence in a case and determine whether a violation has occurred. These processes are core features of the Commission's role as an administrative enforcement body, a role that was established in the City Charter when the Commission was first formed. The guidebook seeks to provide clear and useful information so that the Commission's enforcement hearing process can be carried out in an efficient, fair, and transparent manner.

The guidebook does not establish or create any rules or processes. Instead, for each stage of the process, the guidebook does the following: (1) summarizes relevant rules by excerpting the law and providing a plain language overview; (2) identifies areas where the law is silent and the Commission must determine how to proceed; and (3) describes potential options for use by the Commission to achieve a timely and effective resolution in a proceeding.

April Meeting Discussion

The draft of the guidebook that is attached under this agenda item is provided for discussion at the Commission's April meeting. Staff invites feedback on how the information in the guidebook is presented to ensure this supplement is as helpful to the Commission as possible. Staff welcomes any questions the Commissioners may have. Staff will deliver a final version of the guidebook at the Commission's May meeting incorporating this feedback wherever possible.

Staff will provide a brief presentation about the guidebook at the meeting.