



San Francisco Ethics Commission

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March 22, 2024

To: Members of the Ethics Commission

From: Jeffrey Zumwalt, Acting Director of Enforcement
Zach D'Amico, Senior Investigator

Subject: Agenda Item 6: Discussion and Possible Action regarding Hearing on the Merits In the Matter of Paul Allen Taylor, Case No. 20-243 (1920-031)

Summary

This memorandum provides information regarding the Hearing on the Merits *In the Matter of Paul Allen Taylor*, Case No. 20-243 (1920-031).

Background

On December 26, 2022, the Executive Director issued a Probable Cause Determination against Paul Allen Taylor ("Respondent") on eight counts, as laid out in the probable cause determination. On December 31, 2022, the Commission ratified the Executive Director's Probable Cause Determination against Respondent on eight counts.

On May 5, 2023, the Commission appointed Commissioner Theis Finlev to hear preliminary matters. On August 2, 2023, Commissioner Finlev delivered an order ruling on preliminary matters to all parties. On October 6, 2023, the Acting Executive Director formally noticed a hearing for December 8, 2023. On November 8, 2023, the Enforcement Division submitted a hearing brief and accompanying materials to all Commissioners. Respondent did not submit a Response Brief or any list of evidence or witnesses. On December 8, 2023, the Ethics Commission continued this agenda item until its meeting on February 9, 2024.

On February 9, 2024, a Hearing on the Merits was held before the Commission. Materials submitted ahead of the February Hearing on the Merits can be found [here](#). Commissioners deliberated without voting on whether to find any violations. The Commission next voted to have Vice Chair Florez Feng draft proposed Findings of Fact and Conclusions of Law before the next meeting. The Enforcement Division and Mr. Taylor were also invited to submit their own proposed Findings of Fact and Conclusions of Law as well.

On March 12, 2024, the Enforcement Division submitted their proposed Findings of Fact and Conclusions of Law.

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Action

This continued hearing is being held under the rules set forth in the Charter of the City and County of San Francisco, the Campaign and Governmental Conduct Code, the Ethics Commission Enforcement Regulations, and the California Administrative Procedure Act. These rules are summarized in the Commission's Enforcement Hearing Guidebook, [found here](#).

The Commission must determine whether Mr. Taylor committed the violations of law as alleged in this matter within 45 calendar days of the hearing, or Monday, March 25, 2024. Enf. Reg. 9(B). The votes of at least three Commissioners are required to find a violation of law. *Id.* 9(B)(2). A finding of a violation must be supported by findings of fact and conclusions of law and must be based exclusively on the record of the Hearing on the Merits before the Commission. Each Commissioner who participates in the decision must certify on the record that he or she personally heard the testimony and reviewed the evidence of the proceeding. *Id.* 9(B)(2).

If the Commission does find that Mr. Taylor committed a violation or violations of law, the votes of at least three Commissioners are required to impose orders and penalties. Enf. Reg 9(C). If Commission determines there is insufficient evidence to establish that Mr. Taylor committed a violation or violations of law, the Commission must publicly announce this fact. *Id.* 9(E).

Discussions and action related to this Hearing on the Merits, including imposition of an order or penalty or a finding of no violation, must take place in public session. Enf. Reg 9(A)(2).