



San Francisco Ethics Commission

25 Van Ness Avenue, STE 220
San Francisco, CA 94102-6053
ethics.commission@sfgov.org
415-252-3100 | sfethics.org

Date: March 14, 2025
To: Members of the Ethics Commission
From: Eric Willett, Senior Investigator & Legal Analyst
Subject: Attachment to **Agenda Item 7 – Review and Revision of Streamlined Administrative Resolution Program**

Summary

This memorandum provides notice of an effort to review and revise the Ethics Commission’s [Streamlined Administrative Resolution Program](#) (“SARP”). This memo provides an overview of the areas within SARP which have been identified for improvement and the process we plan to follow to address those areas. Staff do not recommend any action at this time.

Background

The Commission adopted a Fixed Penalty Policy in July 2013 to resolve violations of certain provisions of the Campaign Finance Reform Ordinance (“CFRO”) through an accelerated process and according to scheduled or “fixed,” penalties. At its meeting on February 12, 2021, the Commission adopted [SARP](#), which is a significantly expanded version of the Fixed Penalty Policy that includes forty-one provisions of law across three articles of the San Francisco Campaign & Governmental Conduct Code (“SF C&GCC”).

Since the implementation of SARP, Commission staff have taken note of aspects of the program, such as specific eligibility criteria, penalty formulas, and minor typographical errors that impacted staff’s ability to apply the program as intended in resolution of enforcement matters through a streamlined procedure. Furthermore, staff have identified additional provisions of law to include within the program.

Issues Identified

Commission staff have identified issues with the current program that impact the Commission’s operations.

First, SARP establishes general eligibility guidelines that determine whether a respondent may participate in the program and what type of resolution they may receive. The eligibility criteria are then further defined under each provision of law to apply guidelines specific to that provision. Staff plan to review the specific eligibility criteria for exclusion from the program to ensure that the appropriate types of matters are resolved through SARP.

Additionally, Staff will review the specific eligibility criteria for resolution of matters with a SARP warning letter to ensure fairness and efficiency in our case resolution process.

Second, SARP contains penalty calculations for each provision of law included within the program. Staff intend to assess whether revisions to these penalty calculations and their associated penalty modifiers are needed to accurately reflect the significance of the violation type, increases to the cost of living that occurred in the past four years, and the activity levels found among respondents within the Commission's jurisdiction.

Finally, Staff have identified additional provisions of law to include within the program. For example, the failure to file an Ethics Training Certificate and Sunshine Ordinance Declaration as required is a violation type that generally requires little, if any, additional investigation or other evidence to show that the violation occurred and warrants inclusion within SARP.

To ensure a clearer, more consistent, fair and transparent enforcement and administrative process, it is imperative that the Commission conduct this review and update SARP. Doing so will serve the interest of both the Commission and the regulated community to address these areas of improvement.

Review and Revision

Staff have begun the process of reviewing these issues and conducting research into the best ways to address them. Staff have started meeting with other jurisdictions to learn how they address these issues.

This agenda item serves as the public announcement of the formal review and amendment process. After this meeting, staff will solicit ideas and feedback on the project through a round of Interested Person ("IP") Meetings. Commissioners are also encouraged to share ideas and feedback. Staff will continue to conduct additional research on other jurisdictions, best practices, and local and state law that may be applicable. Staff will then incorporate research and ideas into draft amendments, which we will bring to the Commission at a monthly meeting. After receiving Commission reaction and working with the City Attorney to ensure we meet any meet-and-confer requirements, if any, we will incorporate feedback. We hope to be ready with the final proposed revisions by the end of this fiscal year or early in Fiscal Year 2026.