



# San Francisco Ethics Commission

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March 6, 2026

To: Members of the Ethics Commission

From: Olabisi Matthews, Director of Enforcement  
Eric Willett, Senior Investigator & Legal Analyst  
Bailey Bryant, Senior Investigator & Legal Analyst

Subject: **Agenda Item 9: Discussion and Possible Action regarding Proposed Amendments to the Commission's Streamlined Administrative Resolution Program**

## Summary

This memorandum provides an overview of proposed amendments to the Ethics Commission's [Streamlined Administrative Resolution Program](#) ("SARP").

## Action Requested

The Commission may review, discuss, and approve the proposed amendments as drafted, or it may provide guidance to Staff regarding the proposed amendments.

## Proposed Amendments to the Streamlined Administrative Resolution Program

### Background

In a [July 17, 2013 memo](#) to the Commission, the Executive Director proposed that the Commission implement a set of policies to resolve violations of the Campaign Finance Reform Ordinance ("CFRO") and San Francisco Campaign and Governmental Conduct Code ("SF C&GC Code") section 1.100, et seq. through an expedited process utilizing scheduled or fixed penalties. The policies were intended to help "give more structure and cohesion" to how certain strict liability violations were handled by the Commission, while also preserving investigative resources for more complex or severe kinds of violations that typically require more resources to bring to resolution. As described in the memo, violations of the relevant sections identified within the memo "were generally discovered during a review of campaign finance statements or other disclosure statements and, in general require little, if any, additional investigation or other evidence to show that the violation occurred."

Per the memo, the proposed approach would achieve various objectives, including:

1. Commission resources would be better allocated to investigate more complex violations;
2. Filers and contributors would be further encouraged to comply with contribution limit and disclosure requirements;
3. Filers and contributors would be apprised in advance of the consequences of their violations;
4. Cases would be handled in a more timely manner;



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5. The regulated community and members of the public would have assurance that violations of laws subject to the policies would be handled in the same manner;
6. Future public harm would be minimized as filers would need to report their activities or amend previous filings as soon as possible.

Following a discussion of the matter, the Commission voted to adopt the proposed fixed penalties by a unanimous vote, allowing Enforcement Staff to gain a more structured approach to handling the identified violations of the law.

In a [June 24, 2019 memo](#) to the Commission, Staff presented information to the Commission regarding additional efforts of the Enforcement Division to develop a proposal for the Commission to expand its Fixed Penalty Policy created in 2013, in order to handle additional “reporting, disclaimer, and recordkeeping matters through streamlined procedures” and allow for “further realignment of investigative resources for broader scope investigations of greater severity, complexity, or breadth.” Per the memo, the Enforcement Division was in the process of developing a proposal that would place additional violation types, including conduct governed by the Campaign Consultant, Lobbyist and Government Ethics Ordinances, on track for streamlined administrative resolution. The goal of the Enforcement Division was to put new processes in place such that additional matters could be placed on track for streamlined administrative resolution and cases suitable for stipulated settlements through that approach could be resolved as timely and efficiently as possible.

### *The Streamlined Administrative Resolution Program*

In February 2021, the Commission adopted a significantly expanded version of the fixed penalty policy through the establishment of the Streamlined Administrative Resolution Program (“SARP”).

SARP identifies a specific set of code violations across three articles of the San Francisco Campaign & Governmental Conduct Code (“SFC&GC Code”) that are generally less complex in nature and present lower levels of public harm. The program prescribes fixed penalties for these violations at fines lower than those typically imposed in cases that go through the Commission’s mainline enforcement program. The objectives of SARP are to incentivize prompt compliance, facilitate efficient case resolution, and promote consistent enforcement outcomes. By allowing qualifying matters to be resolved through standardized penalty formulas, the program advances accountability while conserving investigative and prosecutorial resources.

Since its adoption, Commission staff experience, legislative developments, and stakeholder input have identified opportunities to expand, simplify, and clarify the program to enhance its clarity, accessibility, and operational effectiveness.



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## Current Performance

Since the adoption of SARP in February 2021, the Commission has received 744 complaints<sup>1</sup> and of those, 271 cases were identified as preliminarily eligible for resolution under SARP, which represents 36 percent of total complaints that the Commission received during the period since SARP was adopted. Of these 271 SARP cases, 101 were Campaign Finance, 36 were Ethics, 17 were Lobbyist, and 117 were Form 700 non-filer cases. The Commission has resolved 710 cases of the total complaints received and of those, 237 were SARP at resolution. Cases identified to fall within SARP at the initial stage of review but become excluded at a later stage where additional evidence is obtained by investigators that cause the matter to fall within the exclusionary criteria under SARP. Of the total cases resolved under SARP, the Commission approved 19 settlement agreements for a total penalty amount of \$45,821. Of these 19 settlement agreements, 10 were Campaign Finance, 6 were Ethics, and 3 were Lobbyist. Finally, of the remaining SARP case resolutions, 92 were resolved through confidential warning letters to respondents while the remaining 126 cases were closed.

## Purpose of the Proposed Amendments

The proposed amendments to SARP aim to expand coverage by including additional strict liability violations that require minimal investigation, removing obsolete provisions to align with the changes to the code, clarifying standards for existing violations to improve consistency, and revising penalties to better reflect the level of harm and encourage corrective action. Together, these amendments will improve efficiency, promote a balanced and fair enforcement process, and strengthen transparency in the Commission's enforcement processes.

## Overview of Proposed Amendments by Category

**1. Proposed New Additions:** the proposed revisions include additional areas of the SF C&GC Code that constitute strict liability violations and meet other SARP criteria described above:

- **Campaign Finance**
  - Recipient and Independent Expenditure committees campaign statement non-filing (SF C&GC Code Sections 1.113, 1.160, 1.162, 1.163).
  - Receipt of Campaign Contribution - Disqualification of Officers (SF C&GC Code Section 1.106; Gov't Code § 84308).
  - Failure to receive consent from a contributor to make recurring contributions (SF C&GC Code Section 1.106; Gov't Code § 85701.5).
  - Improper expenditure (SF C&GC Code Section 1.148(a)).
  - Business Entity contribution disclosures (SF C&GC Code Section 1.124).

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<sup>1</sup> This number excludes informal complaints received by Enforcement Staff that do not fall within the jurisdiction of the Ethics Commission.



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- Contribution from parties to land use matters (SF C&GC Code Section 1.127).
- Prohibited use of unexpended public funds (SF C&GC Code Section 1.148(c)).
- Member communication disclosures (SF C&GC Code Section 1.163).

- **Lobbying**

- Employment of City officer or employee (SF C&GC Code Section 2.120(a)).
- Appointment of lobbyist employee to City office (SF C&GC Code Section 2.120(b)).

- **Government Ethics**

- Failure to timely complete and file required Ethics Training Certificate or Sunshine Ordinance Declaration (SF C&GC Code Sections 3.102, 3.205).
- Disqualification by members of boards and commissions from participation in, or voting on, matters on meeting agenda (SF C&GC Code Section 3.1-102.5(c)).

**Effect:** Including the above sections of the code expands the range of violations eligible for SARP.

**2. Proposed Removals:** the proposed removal reflects the legislative update that took effect on July 10, 2022, removing the behested payment reporting requirements from City law.

- San Francisco behested payment reporting requirements

**Effect:** Updates SARP to reflect the removal of provisions that are no longer part of City law.

**3. Clarified:** Several existing provisions are clarified to provide greater certainty:

- **Form 700 (Statement of Economic Interests):** clarifies distinction between late/non-filing and omission of required information.
- **Disclaimer Violations:** simplifies exclusion criteria to focus on likelihood of confusion of an advertisement rather than listing specific missing elements in an advertisement.
- **Contribution/Expenditure Thresholds:** clarifies threshold amounts for contributions and expenditures for consistency by rounding up to the nearest whole dollar.

**Effect:** improves understanding and clarity for respondents and the Commission, reducing disputes over interpretation.

**4. Timeline Revision:** Updates to Table 2 within SARP changes the timeline for engagement with investigators and coming into compliance:

- **Tier One:** Respondent engages with the Ethics Commission, comes into full compliance, and signs the settlement agreement within 30 days



- **Tier Two:** Respondent engages with the Ethics Commission, comes into full compliance, and signs the settlement agreement within 45 days (instead of 60 days)
- **Tier Three:** Respondent engages with the Ethics Commission, comes into full compliance, and signs the settlement agreement within 60 days (instead of 90 days)

**Effect:** improves efficiency of the case resolution process under SARP.

**5. Penalty Revisions:** Updates to Tables 1 and 2 within SARP propose reduced penalties for violation of certain provisions:

- Proposed reduced penalty thresholds for certain ethics violations to better align the severity of the violation with level of public harm.
  - \$200 per violation for tier one (instead of \$500)
  - \$350 per violation for tier two (instead of \$700)
  - \$500 per violation for tier three (instead of \$900)
- Cap penalty amount for all SARP violations at \$1000 per violation for matters that do not resolve with a settlement agreement within the SARP timeframe but still remain within SARP's eligibility criteria and resolve through the Commission's administrative hearing process instead.
- Require corrective action before resolution of disclaimer violations.
- Expand use of warning letters for additional violations.

**Effect:** the proposed changes more accurately reflect the severity of violations while maintaining proportionality and fairness.

#### **Other Non-Substantive Changes:**

Additionally, all shortform references to the San Francisco Campaign and Governmental Conduct Code have been revised from SF C&GCC to SF C&CG Code for consistency with our internal protocols. Other changes include correction of misspellings, removal of unnecessary capitalizations and pluralization of words that require such.

#### **Stakeholder Outreach**

The Enforcement Division held Interested Persons meetings on April 15 and April 17, 2025. At both meetings, representatives from the Municipal Executives Association, provided feedback that has been incorporated where appropriate. No other participants attended these Interested Persons meetings.



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## Rationale Table

The attached table (Table 1) provides an overview of the proposed amendments and explains the rationale for the amendments presented in **Attachment 1**. For ease of review, the proposed amendments to SARP are marked up in this Attachment.

## Placement of SARP Matters on the Consent Calendar

Following approval of the proposed amendments to "SARP", Staff recommends that SARP matters be placed on the Commission's Consent Calendar, unless a Commissioner requests removal of a specific item for discussion.

As described above, SARP was adopted to provide a structured, rule-based process for resolving strict liability violations that present minimal public harm and require little, if any, additional investigation. Eligibility is defined by specific code sections, objective thresholds, exclusion criteria, and standardized penalty formulas. Matters that fall outside these criteria proceed through the Commission's regular enforcement process.

The proposed amendments further clarify eligibility, align penalties with public harm, update timelines to promote efficiency, and remove obsolete provisions. These revisions strengthen SARP's guardrails and reinforce that SARP matters are administrative and standardized in nature.

Because SARP resolutions are governed by objective criteria and fixed penalty structures, Commission review typically confirms that the matter meets established standards and that the penalty is consistent with the adopted schedule. Individualized deliberation is generally not required.

Historically, stipulated settlements — including SARP matters — were placed on the Consent Calendar. This practice later changed following a request at the March 22, 2024, Commission meeting by the former Chair, who expressed a preference that all matters be placed on the discussion calendar to streamline the call of the calendar in the event a Commissioner wished to remove an item from the Consent Calendar.

Returning SARP matters to the consent calendar would align with the provisions of Enforcement Regulation 12(E)<sup>2</sup>, not diminish oversight, and not heighten the risk of disruption to the call of the calendar. All matters would remain publicly agendized and Commissioners will receive notice of the proposed stipulation and a reminder that the matter would be placed on the "Consent Calendar" unless a member requests review in public session by the full Commission. Additionally, Commissioners would retain full discretion to pull any item at any time before a decision is made. This approach would promote

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<sup>2</sup> Under Enforcement Regulation 12(E), stipulations are agendized on the consent calendar unless any member of the Commission requests that the full panel of the Commission review the stipulation, in which case the stipulation is agendized on the regular calendar. The Executive Director must receive requests to have a stipulation agendized as a regular agenda item by 12:00 p.m. on the fifth calendar day prior to the Commission meeting in order for the item to appear as such on the agenda when it is published.



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a more judicious use of Commission meeting time by streamlining standardized, low-harm matters and allowing greater focus on complex, high-impact enforcement actions and policy considerations.

For these reasons, Staff recommends that, upon approval of the proposed amendments, SARP matters be placed on the consent calendar as a default practice, subject to removal at the request of any Commissioner.