



Item 12 - Enforcement Report

Ryan Micik, Chair
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Alea Gage
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Suzanne Doran, Acting Executive Director

TO: Public Ethics Commission
FROM: Simon Russell, Enforcement Chief
DATE: March 29, 2023
RE: Enforcement Unit Program Update for the April 12, 2023, PEC Meeting

Current Enforcement Activities:

Since the Enforcement Unit Program Update submitted to the Commission on December 21, 2022 (the most recent Enforcement Update for which aggregate caseload data was available), Commission staff received 5 formal complaints, of which 1 has been opened for investigation and 4 are under preliminary review. Enforcement staff also processed 21 informal complaints, of which 15 were rejected and 6 are under preliminary review. Finally, Enforcement staff initiated 3 pro-active complaints on its own, and all are under preliminary review.

This brings Enforcement's caseload to 66 matters at all stages, from preliminary review through to investigation, settlement negotiations or administrative hearing. Enforcement staff currently consists of 1 full-time Enforcement Chief and 1 part-time law clerk; additional staffing is urgently needed in order to ensure timely and thorough processing of all matters.

Due to restoration efforts related to the February ransomware attack, the staff was unable to access the Enforcement database from the City server to provide our regular monthly caseload charts by the agenda posting deadline for this month.

Personnel

Enforcement is pleased to announce the hiring of Chris Nardi as our part-time law clerk. Chris will be assisting with legal and policy research, as well as preliminary review of complaints and post-investigation legal analysis of evidence gathered, under the supervision of the Enforcement Chief. He will also be assisting with the PEC's public records mediation program. Chris is a student at UC Berkeley's School of Law and has a B.A. (*cum laude*) in Politics with a minor in Economics from Pomona College. He has previously worked at the Consumer Product Safety Commission and the Federal Deposit Insurance Corporation in Washington, D.C.

Legal Actions

Since the last Enforcement Unit Program report on December 21, 2022, the following public court actions have been submitted or scheduled by or on behalf of the Enforcement Unit:

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1. *City of Oakland Public Ethics Commission v. Harriet Hutchinson* (Alameda County Superior Court case no. 22CV019951). A case management conference is scheduled for May 30, 2023, at 10:30 AM in Department 14.
2. *City of Oakland Public Ethics Commission v. Charlie Ngo* (Alameda County Superior Court case no. RG20070117). A hearing in this matter was continued until April 26, 2023, at 1:30 PM in Department 511.

Except where otherwise noted, no allegations have yet been proved or admitted in any of the above matters, and the existence of these cases and associated litigation should not be taken as an indication that the potential respondent(s) necessarily violated any laws. This information is being provided for the PEC's informational purposes only.