

Item 8 - Enforcement Report



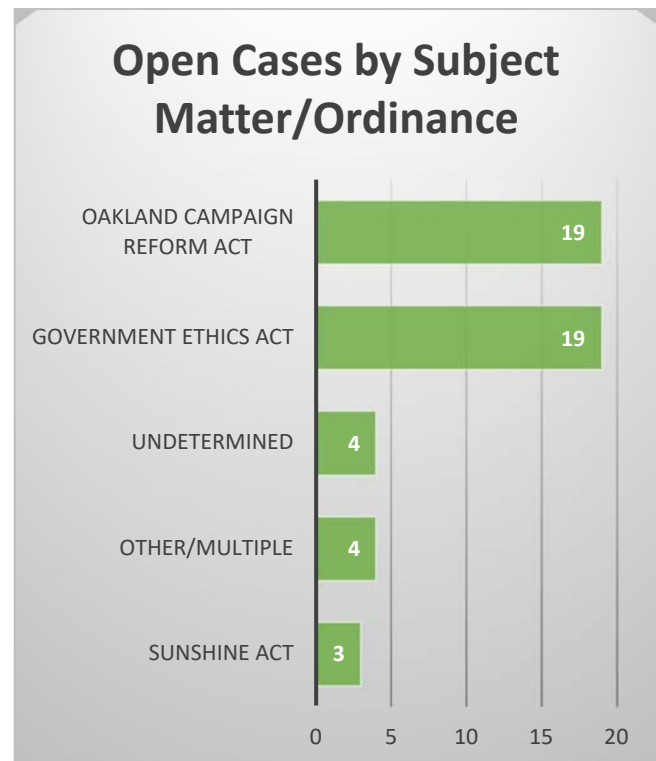
Arvon Perteet, Chair
Ryan Micik, Vice Chair
Charlotte Hill
Joseph Tuman
Francis Upton IV

Kellie Johnson, Executive Director

TO: Public Ethics Commission
FROM: Simon Russell, Acting Enforcement Chief
DATE: September 27, 2022
RE: Enforcement Program Update for the October 12, 2022, PEC Meeting

Current Enforcement Activities:

Since the last Enforcement Program Update on August 31, 2022, Commission staff received 2 new complaint(s). This brings the total Enforcement caseload to 49 open cases: 6 matters in the intake or preliminary review stage, 20 matters under active investigation, 10 matters under post-investigation analysis, and 13 matters in settlement negotiations or awaiting an administrative hearing.



Update on Progress & Priorities 2022:

As part of its “Detect/Deter” program, the Enforcement Unit has made the following progress on its 2022 priorities:

1. *Investigations*. So far this year, we have dismissed 7 complaints received from the public, referred 0 complaints for full investigation, and have received 3 complaints that are still under preliminary review. Staff has opened 8 investigations this year on its own initiative (“pro-active”), and completed 2 open investigations.

As part of its “Prosecute” program, the Enforcement Unit has made the following progress on its 2022 priorities:

1. *Conduct legal analyses, assess penalty options, negotiate settlements, make recommendations to PEC*. So far this year, staff has resolved 2 cases with a negotiated settlement.

2. *Resolve all 2016 and 2017 cases*. So far this year, 1 case from 2017 has been resolved with a dismissal, 2 cases from 2016-2017 remain under investigation, and 9 cases from 2016-2017 remain in the post-investigation analysis/negotiated resolution phase.

3. *Enforcement Subcommittee – discussion of process improvements*. The Enforcement subcommittee has been preparing a hearing officer training for current and future commissioners, which will give us a larger pool of hearing officers with which to prosecute future cases. This should allow the Enforcement Unit to move more cases to hearing if settlement negotiations do not prove fruitful.