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Vincent Steele
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Suzanne Doran, Acting Executive Director

TO: Public Ethics Commission
FROM: Simon Russell, Enf. Unit Chief
DATE: February 24, 2023
RE: Enforcement Program Monthly Report for the March 8, 2023, PEC Meeting

Current Enforcement Activities

Due to the ransomware attack and associated security measures, Enforcement staff is unable to access its electronic files containing aggregate caseload data. As such, we are unable to provide our regular monthly caseload statistics. Once access to our electronic files is restored, we will provide an update covering caseload trends since December 21, 2022 (the date of the most recent Enforcement Unit Program report prior to the ransomware attack).

Case and Complaint Resolutions or Submissions

Since the last Enforcement Unit Program report on December 21, 2022, the following Enforcement matters have been resolved or submitted to the Commission for its decision:

1. **In the Matter of Carroll Fife (PEC No. 22-19).** On November 4, 2022, the PEC received a formal complaint alleging that District 3 City Councilmember Carroll Fife had (1) failed to report a financial interest in a nonprofit of which she was alleged to be an officer, (2) served as an officer of a nonprofit that allegedly engaged in Paycheck Protection Program (PPP) fraud, and (3) had a financial conflict of interest when she voted on a legal settlement between the City of Oakland and a nonprofit organization of which she was alleged to be an officer. Enforcement staff conducted a preliminary review of the allegations and found (1) that there is insufficient evidence that Councilmember Fife was an officer of, or received annual income over \$500 from, the nonprofit in question; therefore she had no reporting requirement on her Form 700s; (2) the PEC lacks jurisdiction over the PPP allegation (complainant has been referred to other authorities with appropriate jurisdiction); and (3) there is insufficient evidence that Councilmember Fife was an officer of, or received any income over \$500 from, the nonprofit entity involved in the legal settlement; therefore she had no financial conflict of interest. Accordingly, Enforcement staff

has dismissed the complaint, and its current status is now “Closed.” (See Attachment)

Legal Actions/Litigation

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:

1. **In the Matter of City of Oakland Public Ethics Commission v. Mark Hung Tran (Alameda County Case No. RG20075540).** On December 22, 2022, this matter was dismissed by request of the PEC.
2. **In the Matter of City of Oakland Public Ethics Commission v. Margaret Tran (Alameda County Case No. RG20075526).** On December 22, 2022, this matter was dismissed by request of the PEC.
3. **In the Matter of City of Oakland Public Ethics Commission v. Charlie Ngo (Alameda County Case No. RG20070117).** On January 25, 2023, the parties filed a “Stipulation to Continue Hearing on Contempt of Court.” A hearing in this matter is scheduled for March 29, 2023, at 1:30 PM in Department 511.
4. **In the Matter of City of Oakland Public Ethics Commission v. Harriet Hutchinson (Alameda County Case No. 22CV019951).** A Hearing on Petition To Enforce Investigative Subpoena is scheduled for February 28, 2023, at 10:00 AM in Department 14.

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.