

SACRAMENTO ETHICS COMMISSION COMPLAINT WORKFLOW

Complaint Initiated - Day 0:

City Clerk receives complaint and enters date and time of receipt in complaint log.

Day 14:

City Clerk completes an initial review of the complaint, chooses one of the following steps and enters action taken in complaint log:

City Clerk refers complaint to Evaluator.
At the next regular Commission meeting: City Clerk notifies the Commission of the referral, but not the identity of the parties or the substance of the complaint.

City Clerk refers complaint to another City department, FPPC or other outside agency.
At the next regular Commission: City Clerk notifies the Commission of the action taken, but not the identity of the parties or the substance of the complaint.
City Clerk notifies complainant of the referral.

City Clerk dismisses complaint for lack of jurisdiction.
At the next regular Commission: City Clerk notifies the Commission of the action taken, but not the identity of the parties or the substance of the complaint.
City Clerk notifies Complainant of the dismissal.

END

45 Days After Referral to Evaluator:

Evaluator finds no cause, submits No-Cause Report.

City Clerk places matter on the agenda of the next regular Commission meeting.

Commission adopts the no-cause report and dismisses the complaint.

END

Commission refers complaint to another department or agency.

END

Commission finds that sufficient cause does exist and directs Evaluator to investigate.

Evaluator finds cause, submits Evaluator's Report.

Upon receipt of Evaluator's Report: City Clerk advises Chairperson and City Attorney; sets hearing date.

City Clerk posts Evaluator's Report as required by the Sunshine Ordinance and other applicable laws.
City Clerk notifies the complainant and respondent of the date and time of the Hearing.
City Clerk delivers Evaluator's Report to the Commission, each complainant and respondent, and any interested party who requests a copy.

10 Days Prior to Hearing:

Respondent(s) who wish to submit a written response to the Evaluator's Report must submit said response.

At Least 72 Hours Before Hearing:

City Clerk provides copies of any respondent response to the Commission and Evaluator.
City Clerk provides copies of briefs submitted by any non-respondent to each respondent, the Commission and the Evaluator.

Commission Hearing

Commission passes a motion directing Evaluator to further investigate.

Commission adopts a resolution finding that sufficient evidence exists and identifying remedy.

Commission adopts a resolution finding that sufficient does not exist and dismisses the complaint.

Commission passes a motion referring complaint to another department or agency.

END

At Conclusion of Hearing:

City Clerk provides a copy of any resolution adopted under section 5.5(A)(2), or 5.5(A)(3) to the complainant and each respondent and posts a copy of the resolution on the City's website.

END

Key Terms

- **Commission** = the Sacramento Ethics Commission
- **Complainant** = person who files a complaint
- **Evaluator** = neutral and independent party who reviews and investigate complaints
- **Respondent** = person alleged in a complaint