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ETHICS OFFICE
Jabu M. Sengova, Interim Ethics Officer
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MEMORANDUM

TO: Board of Ethics
FROM: Jabu M. Sengova
RE: 2012 Financial Disclosure Report
DATE: March 15, 2012

Filing Records

The 2012 rate of timely filers is consistent with 2008 and 2011.

This year's excellent filing record is consistent with 2008 and 2011, which were exceptional years. The number of persons required to file in 2012 is consistent with 2011; 2008 had the highest number of required filers. Of the 1538 required filers, 95 percent filed by the deadline, 3.5 percent have filed late, and 1 percent have not yet filed. .03 percent had reasonable cause for filing late.

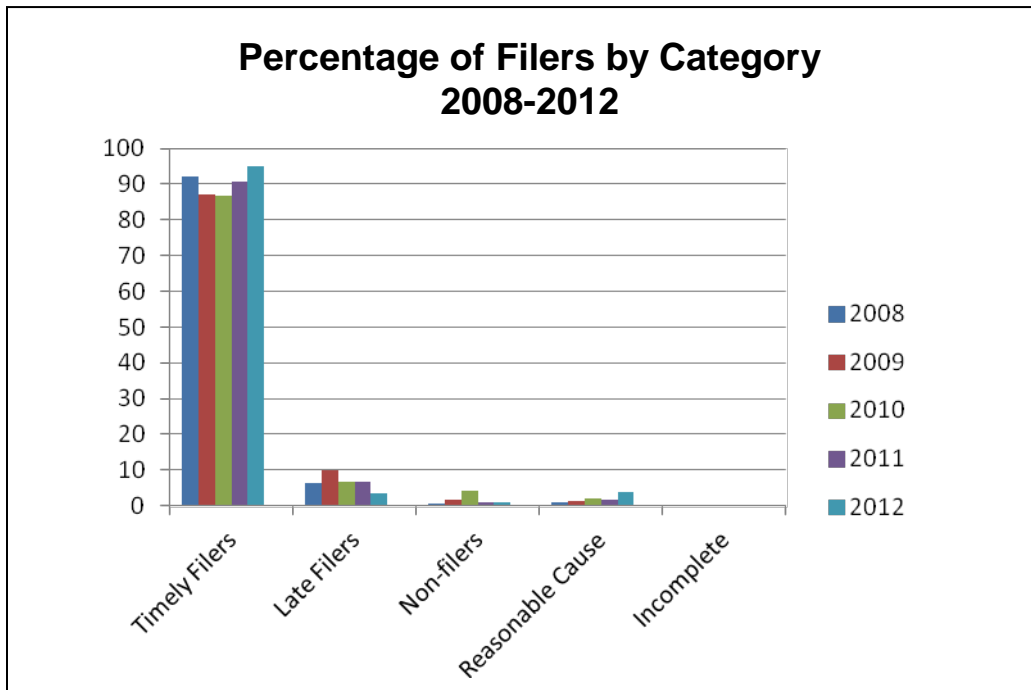
Comparison of Filing Rates, 2008, 2011 and 2012

Category	2012 Numbers	2012 Percentage	2011 Numbers	2011 Percentage	2008 Numbers	2008 Percentage
Timely filers	1464	95	1367	90.7	1514	92
Late filers	54	3.5	99	6.6	104	6.3
Non-filers	16	1	16	1.1	10	.6
Reasonable cause	4	.03	25	1.6	18	1.1
Incomplete	0	0	0	0	0	0
TOTAL	1538	100	1507	100	1646	100

A review of the percentage of filers by category for the past five years, as illustrated in the next chart, shows that our filing rates are getting better. The percentage of timely filers is going up; the percentage of late filers ranges from a high of 9.8 percent in 2009 to the lowest of the past five years, 3.5 percent in 2012. The percentage of non-filers this year is 1 percent which is very low compared to 2010's percentage of non-filers. And finally, all active employees have filed their statements for 2012.

Percentage of Filers by Category, 2008 – 2012

Year	Timely Filers	Late Filers	Non-filers	Reasonable Cause	Incomplete
2008	92	6.3	0.6	1.1	
2009	87	9.8	1.8	1.2	0.1
2010	86.8	6.7	4.2	2.2	
2011	90.7	6.6	1.1	1.6	0
2012	95	3.5	1	4	



Delinquent filer numbers are consistent with 2011.

The number of delinquent filers is consistent with last year; slightly higher, but still low compared to prior years. These are persons who fail to file by the end of the grace period without reasonable cause. This year there are 22 delinquent filers. By comparison, there were 16 delinquent filers in 2011, 67 in 2010, and 44 in 2009. A review of the non-filers shows former employees and persons without email addresses, and a number of city board members who are delinquent.

The low number of delinquent filers can be attributed to several factors. The electronic disclosure system worked smoothly enabling staff to focus on notifying and encouraging required filers to file before the deadline. Secondly, staff worked extremely hard to notify persons about the filing deadline through emails and phone calls. Third, every department and board contact worked very hard to ensure that every active and former person filed by the deadline, which helped increase the filing rates. Department liaisons devoted more time to notifying employees about the importance of the filing deadline which made a huge difference this year.

Electronic Disclosure System

One of the biggest challenges we encountered is that the e-filing system moving to the city server and the Department of Information Technology hadn't set up a database advanced enough for our system. We should be prepared to deal with this next year if the city does not update its integration services.

Because of the move to the city server, we experienced problems with the database being transferred from the developer's host site, and issues with the data entered into the system. As a result, we were unable to electronically run our standard reports (timely, late and nonfiler reports) and had to configure these numbers manually. Last year we ran those reports directly from the efilings system. The manual process was lengthy and tedious because we had to go into the system each day and check for persons who had already filed, and compile excel spreadsheets for the reports.

As part of his contract with our office, the developer plans to take the system down sometime this month for repair and maintenance. The developer will review all the data, clean up the data that has created problems, fix the reports we need, and test everything on his development site. This is the first year that the efilings system is on the city server, so we expected to experience some problems. However, next year should be different in that respect.

Enforcement

The Ethics Office has notified persons about the filing deadline several times:

- Jan. 13 – First class mailing of notice to 1570 persons required to file
- Jan. 13 - Email "2012 Financial Disclosure Statement Now Available" sent to 1447 filers
- Feb. 8 – Email "One Week Left to File" sent to 253 nonfilers
- Feb.8 – Postcard mailing sent to 299 nonfilers
- Feb. 13 – Email "Two Days Left to File" sent to 231 nonfilers
- Feb. 15 – Email "Your Statement is Due Today" sent to 100 nonfilers
- Feb. 21 – Warning letter on failure to comply sent to 58 nonfilers
- Feb. 29 – Email "One Day Left to File" (for grace period ending March 1st) sent to 22 nonfilers

The Ethics Office also sent two reports to departments and boards about the persons who had not yet filed.