

## CITY OF SAN DIEGO

### Proposition B

(This proposition will appear on the ballot in the following form.)

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**PROP B** AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY ADDING SUBSECTION (d) TO SECTION 41 GRANTING SUBPOENA POWER TO THE SAN DIEGO ETHICS COMMISSION. Shall the City Charter be amended to grant subpoena power to the San Diego Ethics Commission?

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Full text of this proposition follows the arguments.

### ARGUMENT IN FAVOR OF PROPOSITION B

***“We need to make sure that our public officials are making the right decisions for the right reasons.”*** Mayor Dick Murphy

We expect each of our San Diego public officials to conduct themselves in an ethical manner as dictated by state and city law. We expect them to avoid conflicts of interest, to obey campaign finance laws, and to follow all other ethics laws. In short, we expect our public officials to make the right decisions for the right reasons.

To help make sure this happens, Mayor Murphy in partnership with City Attorney Casey Gwinn drafted an ordinance to create the Ethics Commission. The ordinance was adopted by the City Council in June of 2001. The Ethics Commission has the following responsibilities:

1. To develop and enforce a new City Ethics Code,
2. To investigate violations of the City’s Ethics Laws,
3. To impose penalties and sanctions for violations of the City’s Ethics Laws,
4. To provide training to all city employees on ethics issues, and
5. To give advice to city employees on ethics questions.

The Ethics Commission now needs the power to do the work it was created to do. It needs the power to require witnesses to testify under oath and to produce documents that are needed to investigate alleged violations. The power to do this is called the power to subpoena.

**A Yes Vote for Proposition B will amend the City Charter to give the City Ethics Commission the power of subpoena.**

Join Mayor Dick Murphy, the San Diego City Council, and City Attorney Casey Gwinn in making the City Ethics Commission “as strong and impartial as possible.”

**VOTE YES on PROPOSITION B.**

[www.sandiego.gov](http://www.sandiego.gov).

DICK MURPHY  
Mayor

CASEY GWINN  
City Attorney

DOROTHY LEONARD  
Chair  
Ethics Commission

### ARGUMENT AGAINST PROPOSITION B

No argument against the proposition was filed in the office of the City Clerk.

## PROPOSED CHARTER AMENDMENT

The portions of the charter to be added are underlined  
and the portions to be deleted are printed in ~~strike-out~~ type.

### **SEC. 41(d) ETHICS COMMISSION**

For so long as an Ethics Commission remains established by ordinance of the Council, the Executive Director of the Commission shall be appointed by the Commission, subject to confirmation by the Council, and shall thereafter serve at the direction and pleasure of the Commission. The Commission may, in accordance with complaint and investigation procedures approved by ordinance of the Council, subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books papers, records, or other items material to the performance of the Commission's duties or exercise of its powers.