EBFOIL-2015
4 Page Form

FOR OFFICE USE ONLY:

FOIL REQUEST NUMBER: _____ DATE RECEIVED: _____

SUFFOLK COUNTY BOARD OF ETHICS

Mailing: 335 Yaphank Avenue, Yaphank, New York 11980 · Office 631.854.0022 · Fax 631.854.0028

Application for Access to Board of Ethics Public Records

ATTENTION: This application is a request for* BOARD OF ETHICS RECORDS ONLY *under the New York State Freedom of Information Law.

Instructions to Applicant: Please complete all questions in Section 1 of this application. Mail, email, or fax the completed application.

FOR OFFICE USE ONLY

(STAMP RECEIVED)

Provide request to: Freedom of Information Officer
Suffolk County Board of Ethics
335 Yaphank Avenue
Yaphank, New York 11980

Email: EthicsFoilOfficer@SuffolkCountyNY.Gov

Fax: 631-854-0028

Section 1: To be completed by Applicant.

Question 1: What is your Contact Information?

Your Name:	
Your Address:	
Your Department/ Agency/ Committee/ Company (If Applicable):	
Phone:	Fax:
Email Address:	

Section 1: Continued…

Question 2: Are you applying for copies, or in-person inspection, of Board of Ethics records? Check the applicable box below, corresponding with 1 or 2, and follow the instructions.

1. **I am applying for copies of the following Board of Ethics record(s)** ☐ (Instructions: Please describe the record sought. If possible, supply a date, filer's name, department name, and any other information that will help locate the record desired):

_____

_____

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2. **I am applying for in-person inspection of the following Board of Ethics record(s)** ☐ (Instructions: Please describe the record sought. If possible, supply a date, filer's name, department name, and any other information that will help locate the record desired):

_____

_____

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_____

Question 3: If you requested a list of names and/or addresses, will the list be used for solicitation or fund-raising purposes? ☐ Yes ☐ No

Date of Application: _____

Signature of Applicant: _____

Printed Name: _____

Section 2: For use by Board of Ethics Freedom of Information Officer Only.

☐ Approved
☐ Records not maintained or possessed by this agency.
☐ Records cannot be found after diligent search.
☐ Denied. Reason for denial _____. (Insert number corresponding to applicable reason for denial as listed in section 4 of this application. Further detail may also be provided on the last page of this form.)
☐ Receipt of this request is acknowledged. The approximate date by which a determination will be made is _____. (If more than 20 business days, state reason for delay and a date certain for response.)

_____

_____

_____

Date Certain for Response: _____

Date: _____

Freedom of Information Officer's Signature: _____

Section 3: NOTICES TO APPLICANT.

- YOU HAVE A RIGHT TO APPEAL A DENIAL OF THIS APPLICATION IN WRITING TO THE FOIL APPEALS OFFICER WITHIN 30 DAYS OF THE DENIAL. INFORMATION AS TO THE PERSON TO CONTACT IS SHOWN BELOW. THE CONTACTED PERSON MUST RESPOND TO YOU IN WRITING WITHIN TEN BUSINESS DAYS OF RECEIPT OF YOUR APPEAL.

ADDRESS FOR APPEALS ONLY:

FOIL Appeals Officer
Suffolk County Board of Ethics
335 Yaphank Avenue
Yaphank, New York 11980

- IN ACCORDANCE WITH THE NEW YORK STATE PUBLIC OFFICERS LAW, ARTICLE 6, §89-4(A), A COPY OF SUCH APPEAL WHEN RECEIVED BY THE AGENCY AND THE ENSUING DETERMINATION THEREON WILL BE FORWARDED TO THE COMMITTEE ON OPEN GOVERNMENT AT THE ADDRESS BELOW (OR ANY SUBSEQUENTLY UPDATED ADDRESS ON THE COMMITTEE'S WEBSITE):

Committee on Open Government
Department of State
One Commerce Plaza
99 Washington Ave. Suite 650
Albany, New York 12231

- UNLAWFUL PREVENTION OF PUBLIC ACCESS TO RECORDS IS A VIOLATION. NEW YORK STATE PENAL LAW §240.65.

- ANY UNAUTHORIZED DISCLOSURE OF CONFIDENTIAL INFORMATION BY A MEMBER OF THE BOARD OR THE EXECUTIVE DIRECTOR OR STAFF OF THE BOARD WOULD SUBJECT SUCH PERSON TO CRIMINAL LIABILITY. SUFFOLK COUNTY ADMINISTRATIVE CODE §A30-8(B).

- THE SUFFOLK COUNTY BOARD OF ETHICS FOIL OFFICER DOES NOT HOLD AUTHORITY TO COMMENT ON THE DISCLOSED INFORMATION CONTAINED WITHIN THE PRODUCED RECORDS.

- IN ACCORDANCE WITH SUFFOLK COUNTY CODE §77-14 (C), IF YOU ARE REQUESTING ACCESS TO FINANCIAL DISCLOSURE STATEMENT(S) THE BOARD IS REQUIRED TO NOTIFY THE PERSON WHO FILED THE STATEMENT(S) OF THE PRODUCTION AND OF THE IDENTITY OF THE PERSON(S) TO WHOM IT WAS PRODUCED.

- THE FOLLOWING PERSONAL INFORMATION WILL BE REDACTED FROM ANY RECORD PRIOR TO RELEASE: HOME ADDRESS, HOME TELEPHONE NUMBER, NAME(S) OF UNEMANCIPATED CHILD(REN) AND SPOUSE'S NAME.

- AS EXEMPTED UNDER THE SUFFOLK COUNTY CODE §77-14(D), ALL CATEGORIES OF VALUE WILL BE REDACTED FROM ANY FINANCIAL DISCLOSURE STATEMENT PRIOR TO RELEASE.

GENERAL COUNSEL TO THE SUFFOLK COUNTY BOARD OF ETHICS:

Ingerman Smith, LLP
150 Motor Parkway, Suite 400
Hauppauge, New York 11788

Section 4: Reason for denial of access to records.

1. Records are specifically exempted from disclosure by State or Federal Statute.

2. Disclosure would constitute an unwarranted invasion of personal privacy as follows:

    a. Disclosure of certain employment histories, medical or credit histories or personal references of applicants for employment;

    b. Disclosure of items involving the medical or personal records of a client or patient in a medical facility;

    c. Sale or release of lists of names and addresses if such lists would be used for solicitation or fund-raising purposes;

    d. Disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such information is not relevant to the work of the agency requesting or maintaining it;

    e. Disclosure of information of a personal nature reported in confidence to an agency and not relevant to the work of the agency requesting or maintaining it;

    f. Information of a personal nature contained in a workers' compensation record, except as otherwise provided by the Workers' Compensation Law; or

    g. Other (specify):

    _____

    _____

    _____

    _____

    _____

3. Disclosure would impair present or imminent contract awards or collective bargaining negotiations.

4. Records are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise which if disclosed would cause substantial injury to the competitive position of the subject enterprise.

Section 4: Continued…

5. Records are compiled for law enforcement purposes and, if disclosed, would:

    a. Interfere with law enforcement investigations or judicial proceedings;

    b. Deprive a person of a right to a fair trade trial or impartial adjudication;

    c. Identify a confidential source or disclose confidential information relating to a criminal investigation; or

    d. Reveal criminal investigative techniques or procedures, except routine techniques and procedures.

6. Disclosure would endanger the life or safety of a person or persons.

7. Records are inter-agency or intra-agency materials which are not:

    a. Factual or statistical tabulations or data;

    b. Instructions to staff that affect the public;

    c. Final agency policy or determinations; or

    d. External audits, including but not limited to audits performed by the comptroller and the federal government.

8. Records are examination questions or answers requested prior to the final administration of such questions.

9. Records, if disclosed, would jeopardize an agency's capacity to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.

Explanation of reasons for denial, if necessary (annex additional pages if necessary):

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