

# COUNTY OF SUFFOLK



## BOARD OF ETHICS

### SUFFOLK COUNTY BOARD OF ETHICS, ETHICS VIOLATION COMPLAINT PROCEDURE

1. A Complainant does not have to request confidentiality, all complaints are confidential under Article §30-8 of the Suffolk County Board of Ethics.
2. The Suffolk County Board of Ethics, upon receiving a written complaint will:
  - a. Make an initial determination that there is reasonable cause to believe that a public servant has violated a provision of Chapter 77 or other applicable provision of law,
  - b. Determine if there is no reasonable cause to believe that a public servant has committed a violation, then the Board will dismiss the Complaint.
3. All Complaints must provide the following to the extent the information is available:
  - a. The name of the individual(s) who is (are) the subject of the Complaint.
  - b. The time, date, and location of the alleged violation.
  - c. A detailed description of facts as to the alleged violation.
  - d. The complainant's association and/or affiliation to the person (s) who is (are) the subject of the Complaint.
  - e. The name and contact information (phone number, address, email, fax) of the individual Complainant or referring agency/department.
  - f. Any supporting documents, including but not limited to: emails, contracts, photographs, invoices, statements of witnesses, and audio visual recordings will be reviewed for probative value and included in the Board's reasonable cause determination of conducting a further investigation, hearing, or dismissal.
4. All Complaints will be assigned a Complaint number and the Complainant will receive a confirmation that the Complaint was received.
5. The Suffolk County Board of Ethics and its staff will catalog all Complaints by the assigned Complaint number.
6. The Suffolk County Board of Ethics Board Members, Executive Director, and Staff may not provide assistance or advice to the Complainant in preparing the Complaint for submission to the Board of Ethics. Upon review of the Complaint, additional information may be requested from the Complainant by the Suffolk County Board of Ethics and its staff.
7. Upon review of the complaint and evidence, the Executive Director and staff shall gather further facts in order to present a finding of facts and recommendation of reasonable cause based upon credible evidence to the Board.

8. The Suffolk County Board of Ethics will notify the Complainant of its determination dismissing the complaint or to conduct a further investigation with 45 days of receipt.
9. The Board can refer an alleged violation to the head of the agency served by the public servant if related disciplinary charges are pending against the public servant.
10. The Board will respond to a public servant or supervisory official of such public servant request to the Board to review and make a determination regarding past or ongoing action of such public servant.
11. The Board, on its own motion, may review a past or ongoing action of a public servant, in the same manner as a complaint received by the Board from a member of the public.
12. Dismissal of a Complaint does not preclude the Complainant from renewing a Complaint with additional documentation for the Suffolk County Board of Ethics to review. Upon the Suffolk County Board of Ethics' determination that three unfounded complaints were filed in the same 6 month period from the same matter, the Board has the right to refuse any additional identical complaints from said Complainant during the remainder of that 6 month time period.
13. The Suffolk County Board of Ethics may amend the Complaint Procedure. Amendments are not retroactive and are effective on the date they are adopted by the Board.
14. The Suffolk County Board of Ethics does not accept emailed complaints.
15. Complaints can be made by fax at : (631) 852-4041
16. Complaints can be hand delivered or mailed to the Suffolk County Board of Ethics at:

Suffolk County Board Of Ethics  
335 Yaphank Avenue  
Yaphank, New York 11980

**Passed by Resolution 003/2013**  
On January 30, 2013