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The New York City Conflicts of Interest Board's Annual Report is designed and produced in-house at 2 Lafayette Street, Suite 1010, New York, New York 10007.

TABLE OF CONTENTS

	<i>Page</i>
Introduction.....	5
1. Members and Staff of the Conflicts of Interest Board.....	6
2. Proposed Amendments to Chapter 68.....	7
3. Training and Education.....	8
4. Requests for Guidance and Advice.....	14
5. Administrative Rules.....	18
6. Enforcement.....	18
7. Financial Disclosure.....	25
8. Administration and Information Technology.....	30
Exhibits and Appendices.....	31
Exhibit 1: Conflicts of Interest Board: 1993, 2001, 2009, 2010.....	32
Exhibit 2: COIB Members, Staff, and Former Members.....	35
Exhibit 3: Training and Education Classes on Chapter 68.....	37
Exhibit 4: COIB Training Classes by Agency.....	38
Exhibit 5: Recipients of Oliensis & Pierpoint Awards.....	39
Exhibit 6: Legal Advice Workload: 1993 to 2010.....	40
Exhibit 7: Written Requests for Advice on Chapter 68.....	41

	<i>Page</i>
Exhibit 8: Written Responses to Requests for Advice on Chapter 68.....	42
Exhibit 9: Chapter 68 Enforcement Cases.....	43
Exhibit 10: Enforcement Summary: 1993 to 2010.....	44
Exhibit 11: Enforcement Fines Imposed: 1993 to 2010.....	45
Exhibit 12: Financial Disclosure Reports.....	62
Advisory Opinions and Enforcement Cases of the Board – Summaries and Indexes.....	63
Advisory Opinion Summaries (2010).....	64
Cumulative Index to Advisory Opinions by Charter Chapter 68 Section – 1990-2010.....	66
Cumulative Index to Advisory Opinions by Subject – 1990-2010.....	73
Chapter 68 Enforcement Case Summaries (2010).....	80

INTRODUCTION

For more than a half-century, the New York City Conflicts of Interest Board (“COIB” or “the Board”) and its predecessor agency, the Board of Ethics, have been administering, interpreting, and (in the case of the COIB) enforcing the ethics laws applicable to the more than 300,000 current public servants of the City of New York and all former City employees. One of the Board’s statutory mandates is to recommend, at least every five years, “changes or additions” to the Conflicts of Interest Law (Chapter 68 of the City Charter) that created the Board and that the Board interprets and enforces. Although the Board has recommended changes and additions to Chapter 68 in these Annual Reports, Chapter 68 remained substantially as it was first enacted in 1990 – until 2010.

In 2010, the Board presented to the Charter Revision Commission (“CRC”) a set of comprehensive proposed amendments to the Conflicts of Interest Law (summarized in Section 2 below). From those, the Commission recommended three changes: (1) mandating that every public servant obtain training in the Conflicts of Interest Law; (2) increasing the maximum civil fine for a violation of that law from \$10,000 to \$25,000; and (3) providing for disgorgement of gains or benefits obtained as a result of a violation of the Conflicts of Interest Law. Those changes appeared on the November 2010 ballot and have been enacted into law. In 2011, the Board will seek the enactment of many of the Board’s remaining proposals.

The COIB was created in 1990 by Chapter 68 of the revised City Charter, which contains the City’s Conflicts of Interest Law (http://www.nyc.gov/html/conflicts/downloads/pdf2/books/blu_bk.pdf). That law, together with the Lobbyist Gift Law enacted in 2006 as sections 3-224 through 3-228 of the New York City Administrative Code, vests in the Board four broad responsibilities: (1) training and educating City officials and employees about Chapter 68’s ethical requirements and the City’s Lobbyist Gift Law; (2) interpreting Chapter 68 and the Lobbyist Gift Law through issuance of formal advisory opinions, promulgation of rules, and responses to requests for advice and guidance from current and former public servants and lobbyists; (3) prosecuting violators of Chapter 68 and the Lobbyist Gift Law in administrative proceedings; and (4) administering and enforcing the City’s Financial Disclosure Law contained in section 12-110 of the New York City Administrative Code (http://www.nyc.gov/html/conflicts/downloads/pdf2/books/grn_bk.pdf).

This Report reviews the Board's accomplishments during 2010, as summarized in Exhibit 1 to this Report, under each of the following headings: (1) members and staff of the Board; (2) the Board's proposed amendments to Chapter 68; (3) training and education; (4) requests for guidance and advice; (5) administrative rules; (6) enforcement; (7) financial disclosure; and (8) budget, administration, and information technology.

1. MEMBERS AND STAFF OF THE CONFLICTS OF INTEREST BOARD

Appointed by the Mayor with the advice and consent of the City Council, the Board's five members serve staggered six-year terms and are eligible for reappointment to one additional six-year term. Under the City Charter, the members must be selected on the basis of their "independence, integrity, civic commitment and high ethical standards."

The Board's Chair is Steven B. Rosenfeld, of counsel to the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP. He was appointed to the Board in May 2002 and was named Chair in June 2002.

Angela Mariana Freyre, Senior Vice President and Deputy General Counsel of The Nielsen Company, was appointed to the Board in October 2002 and reappointed in March 2005.

Monica Blum, President of the Lincoln Square Business Improvement District, was appointed to the Board in August 2004 and reappointed in October 2006.

Andrew Irving, Senior Vice President and General Counsel of Independent Fiduciary Services, Inc., was appointed to the Board in March 2005.

Burton Lehman, of counsel to the law firm of Schulte Roth & Zabel LLP, was appointed to the Board in July 2009.

A list of the present and former members of the Board may be found in Exhibit 2 to this Report.

The Board's staff of 20 is divided into six units: Training and Education, Legal Advice, Enforcement, Financial Disclosure, Administration, and Information Technology. The staff, also listed in Exhibit 2, is headed by the Executive Director, Mark Davies.

2. PROPOSED AMENDMENTS TO CHAPTER 68

A major achievement for the Board in 2010 was enactment of the first substantive amendments to Chapter 68 since it first became law 20 years earlier.

In August 2009, pursuant to the mandate of City Charter § 2603(j), the Board issued a comprehensive report proposing extensive amendments to the Conflicts of Interest Law. That report reiterated a number of amendments to Chapter 68 that the Board has proposed over the years, such as making ethics training mandatory for all City employees, increasing to \$25,000 the maximum permissible fine for each violation, and adding the remedy of disgorgement of ill-gotten gains to the Board's enforcement powers. The Report proposed numerous other significant substantive amendments to the provisions of Chapter 68, as well as many long-overdue technical and language changes needed to make the law internally consistent and intelligible, as well as in harmony with established Board practice and interpretation. All of the proposed amendments, together with comments on each provision and a summary of the amendments, may be found on the Board's home page at <http://www.nyc.gov/html/conflicts/html/home/home.shtml>.

In 2010, the Board presented its proposed Chapter 68 amendments to the Charter Revision Commission, meeting several times with CRC staff and offering testimony at the Commission's public hearings. In the end, the CRC placed before the voters the Board's proposals to mandate that every City public servant obtain training in the Conflicts of Interest Law, to increase from \$10,000 to \$25,000 the maximum civil fine for a violation of Chapter 68, and to empower the Board to order a public servant to disgorge to the City any gain or benefit he or she received as a result of a violation of Chapter 68. On November 2, 2010, the voters approved those amendments by a five to one majority. They are now part of Chapter 68, in Sections 2603(b), 2606(b), and 2606(b-1) of the Charter.

In 2011, the Board will resubmit most of its remaining proposed changes and additions to the City Council. Included in these proposals are: (a) expanding the definition of those “associated” with a public servant to add grandchildren and grandparents of the public servant, parents, children, and siblings of the public servant’s spouse or domestic partner, and certain step-relatives; (b) adding District Attorneys to the definition of “elected officials”; (c) permitting enforcement of Chapter 68 against non-public servants who induce, cause, or aid a public servant to violate Chapter 68 and permitting non-public servants subject to Chapter 68 to seek advice from the Board; (d) prohibiting any public servant from soliciting a gift of any size; and (e) making explicit that waivers may be granted for *conduct*, as well as for interests, otherwise prohibited under Chapter 68, and that Board may impose conditions on granting a requested waiver. The package of proposed amendments also includes the technical and language changes needed to make the law internally consistent, as well as consistent with Board practice and interpretation. The Board hopes that these proposed amendments will be enacted in 2011.

In addition, the Board continues to believe that a Charter amendment should be enacted providing the Board with an independent budget. Such protection has been one of the Board’s highest legislative priorities for many years. Virtually alone among City agencies, the Board has the power to sanction violations of the law by the very public officials who set its budget, in itself an unseemly conflict that can only undermine the Board’s independence in the eyes of the public and of public servants. That situation should be rectified through a Charter amendment removing the Board’s budget from the discretion of the public officials who are subject to the Board’s jurisdiction. Finally, the Board continues to support a change that would give the Board some authority to conduct its own investigations of certain complaints of Chapter 68 violations.

3. TRAINING AND EDUCATION

Section 2603(b)(1) of the Conflicts of Interest Law directs that the Board “shall develop educational materials regarding the conflicts of interest provisions . . . and shall develop and administer an on-going program for the education of public servants regarding the provisions of this chapter.” That is the responsibility of the Board’s Training and Education Unit.

Training Sessions

In 2010 the Unit conducted 279 classes and undertook several training initiatives. The number of classes taught in 2010 is almost identical to the number of classes taught in 2009, resulting from very similar staffing challenges, as described in Exhibit 3 to this Report. For the first eight months of the year the unit functioned with a staff of one. While it had already moved to fill its Senior Trainer vacancy in November 2009, the Board was not given budgetary approval for the hire until August 2010. Even so, the Unit maintained a high standard of productivity. In comparison, in 2000, when the Unit taught 377 classes, it had a staff of three full-time trainers, one part-time trainer, and one administrative associate. Thus, in 2010, even with a staff of one for two-thirds of the year, the Unit was more than twice as productive as it was in 2000, thanks to the hard work of Director of Training and Education Alex Kipp and Trainer Phil Weitzman.

This past year, the Unit trained the entire staffs of several agencies, including the Bronx Borough President's Office, the Campaign Finance Board, the City Council, the Department of Buildings, the Department of Transportation, and the Public Advocate's Office. Training at the Department of Education continued, with a total of 9 classes. In all, as summarized in Exhibit 4 to this Report, during 2010 the Unit presented classes at 37 City agencies and offices, reaching approximately 10,571 City employees.

The Board's classes are interactive and engaging, explaining the basis and requirements of the law in plain language and letting public servants know how they can get answers regarding their specific situations. The sessions, often tailored to the specific agency or employees, include games, exercises, and ample opportunities for questions. The feedback received from class participants continues to be overwhelmingly positive and usually quite enthusiastic.

In addition to these training sessions, the Unit, together with the Board's attorneys, conducted 19 Continuing Legal Education ("CLE") classes, a requirement for attorneys in New York State. CLE courses were taught in various formats and in many agencies throughout the year, including a general two-hour course for City attorneys of various agencies; several shorter "Special Topics" classes; one class for new lawyers at the

Law Department, continuing a model begun in 2004; several classes for assistant district attorneys in Brooklyn and Manhattan; and several classes in Chapter 68 Enforcement geared to the disciplinary counsel of City agencies. The Unit also continued its cooperation with the Department of Citywide Administrative Services in offering Citywide CLE classes in Chapter 68, both general and specialized, sponsored by the Citywide Training Center. Thanks go to the Board's attorneys for sharing teaching responsibilities with the Unit.

Board attorneys and the Training and Education Unit also continued to write materials on Chapter 68 for publication, including a monthly column, "Ask the City Ethicist," in *The Chief* and the Board's own newsletter, *The Ethical Times*. Internet and e-mail have permitted virtually cost-free Citywide distribution of the newsletter to general counsels and agency heads. Several agencies have reported that they distribute the newsletter electronically to their entire staff.

With the cooperation of the Mayor's Office of Contract Services, the Training and Education Unit developed curricula and materials for a series of training sessions for not-for-profit organizations receiving discretionary grants from the City Council. The Board's portion of these day-long capacity building sessions focuses on the issues faced by these not-for-profits when they employ public servants or have public servants sitting on their boards, as well as on the Board's recent advisory opinion concerning City Council discretionary funding. Sixteen such sessions were conducted in 2010, covering all boroughs, with more sessions to come in 2011. Training and Education Director Alex Kipp also travelled upstate to conduct a similar class at a retreat hosted by the New York Council of Not-for-Profits.

"Train the Trainer"

The Board has for many years sought to leverage its ability to train large numbers of public servants by training those in City agencies whose responsibilities include ethics training of their colleagues – a program called "Train the Trainer." In support of the Board's ongoing "Train the Trainer" program, the Training and Education Unit in 2010 continued hosting its Brown Bag Lunch series, a monthly lunchtime discussion group that takes a closer look at specific aspects of the Conflicts of Interest Law. Participants included the training staffs of several agencies who are involved in teaching

ethics, as well as attorneys who work directly with Chapter 68 issues at their agencies. CLE credit was offered at several of the Brown Bag sessions.

The Impact of Mandatory Training

As noted in Section 2, on November 2, 2010, the voters of New York overwhelmingly approved a change to the City Charter making ethics training *mandatory* for all public servants of the City. That reform has the potential to dramatically increase the amount of training conducted by the Board's Training and Education Unit. While the Conflicts of Interest Law had always clearly mandated that the Board offer training, no reciprocal mandate ever existed for public servants to undergo training. Consequently, until now, Chapter 68 training was largely optional. As a result of the change enacted in 2010, all 300,000 public servants of the City now *must* receive such training every two years. While the Board hopes that much of this mandate can be met using computer-based programs that the Training Unit is currently developing, the Board nevertheless believes budgetary authorization to expand the Unit in order to fulfill this new mandate will be required.

Website, Publications, and Media Outreach

The Internet remains one of the most essential tools for Chapter 68 outreach. In 2010 the Board's website (<http://nyc.gov/ethics>) had 761,835 views. With the help of the Department of Information Technology and Telecommunication, the Training Unit completely overhauled the Board's website. Its look was updated and, more importantly, it was reorganized to make it even more navigable. The site still includes frequently asked questions (FAQs), legal publications, plain language publications, interactive exercises, and an ever-growing list of links, but also now includes new pages and repositories of information.

In anticipation of the now-enacted requirement of mandatory training, the Training Unit created a pilot "online" training program for the new site. This comprehensive program uses video clips and quizzes to give a broad overview of Chapter 68. Eventually this program will be available to agencies as an option to fulfill their obligation under Chapter 68 to train all their employees with a Board-approved program. While the program already exists in a working version, it lacks a content management system that would give the Unit and City agencies the ability to track completion of the

program. The Unit began research into this vital and expensive missing component in 2010 and looks forward to implementing a solution in 2011.

The Board continues to post new publications on its website, so that all Board publications, including the texts of Chapter 68, the Board's Rules, the Financial Disclosure Law, the Lobbyist Gift Law, and all COIB booklets and leaflets, are available to be downloaded from the website at <http://www.nyc.gov/html/conflicts/html/law/law.shtml> as well as from CityShare, the City's Intranet. Recent articles by Board attorneys and installments of "Ask the City Ethicist" have also significantly added to the number of publications available online. In 2010, the Unit completed a comprehensive overhaul of all of its extant leaflets (both in print and electronic form), updating both format and content, and posted its new training video on the web, allowing anyone with a computer to watch a 30-minute overview of the Conflicts of Interest Law.

Seminar

The Board's Sixteenth Annual Seminar on Ethics in New York City Government, held at New York Law School on May 18, 2010, was a great success. More than 250 public servants attended, representing approximately fifty City agencies. At the event's opening plenary session, Mayor Bloomberg once again gave the keynote address, and Board Chair Steven B. Rosenfeld presented a "State of the Board" report of the Board's work in 2009. The Sheldon Oliensis Ethics in Government Award was presented to Rose Tessler, Jonathan Wangel, and Daisy Lee Sprauve for their efforts in promoting a culture of integrity at the Department of Health and Mental Hygiene, particularly in the areas of training and enforcement. A list of past recipients of the award may be found in Exhibit 5 to this Report.

The Board's Seventeenth Annual Seminar on Ethics in New York City Government will again be held at New York Law School on May 17, 2011.

International Visitors and Government Ethics Associations

In 2010, Director of Financial Disclosure and Special Counsel Julia Davis and Director of Enforcement Carolyn Lisa Miller attended the annual conference of the Council on Government Ethics Laws ("COGEL"), the

premier government ethics organization in North America. Ms. Miller participated on a panel called “Ethics Enforcement: Making it Work.” Ms. Davis made a presentation on the Board’s electronic filing application at a session on “Electronic Disclosure.” COGEL conferences have provided the Board with a number of ideas for new initiatives, including the Board’s game show, an interactive ethics quiz, and electronic filing of financial disclosure reports.

In May 2010, Executive Director Mark Davies participated on a panel on “Shared Ethics Issues at Different Levels of Government” at the 17th National Government Ethics Conference, hosted by the U.S. Office of Government Ethics. He also gave a presentation on “How to Advise Municipal Clients on Ethical Matters” for Pace Law School. Mr. Davies and Ms. Miller were guests on a WVOX radio talk show focusing on government ethics

The Board receives numerous requests, both from municipalities around the State and from foreign countries, to assist them in updating and improving their ethics laws. Resources permitting, Board staff members attempt to respond to those requests, whenever possible by e-mail, although occasionally in person. Thus, Board staff met with officials from Fujian, Tianjin, Dalian, and Jiangsu, China, as well as a delegation from Slovakia, at the request either of the U.S. State Department or the delegation organizers themselves.

Time permitting, Board staff also occasionally assists other jurisdictions seeking to revise their ethics laws. For example, in 2010, the Executive Director submitted testimony to the Suffolk County Legislature on the state’s financial disclosure mandates for local government. He also chaired the Municipal Ethics Subcommittee of the New York State Bar Association Government Ethics Task Force appointed by Association President Steven Younger. That Task Force crafted a comprehensive report on government ethics reform for presentation to the Association’s House of Delegates in January and, with their approval, to the Governor and state legislature. Mr. Davies also reviewed and commented upon drafts of ethics law for a county in upstate New York.

Mr. Davies continues to serve as the Co-Chair of the Government Ethics and Professional Responsibility Committee of the New York State Bar Association’s Municipal Law Section and on the Board of Directors of

Global Integrity, an independent provider of information on governance and corruption trends around the world, and was also appointed to the American Law Institute Principles of Government Ethics Project. Director of Enforcement Carolyn Lisa Miller serves as a member of the Professional and Judicial Ethics Committee of the New York City Bar. In 2010 Board Chair Steven Rosenfeld taught a seminar in “Government Ethics” at CUNY Law School.

4. REQUESTS FOR GUIDANCE AND ADVICE

Section 2603(c)(1) of the City Charter requires the Board to “render advisory opinions with respect to the matters covered by” Chapter 68, “on the request of a public servant or a supervisory official of a public servant.” Obtaining advice from the Board can afford public servants a safe harbor against future enforcement action: section 2603(c)(2) provides that a public servant who requests and obtains such advice with respect to proposed future conduct or action “shall not be subject to penalties or sanctions by virtue of acting or failing to act due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the request for an opinion.” The Board’s Legal Advice Unit is charged with responding to the hundreds of written, and thousands of telephonic, requests for advice received by the Board each year.

Previous annual reports noted the significant increase in the quality and quantity of the advisory work of the Board and its Legal Advice Unit over the past several years, and the enormous increase in that Unit’s productivity. Exhibits 1 and 6 to this Report summarize the Unit’s work in 2010 and prior years.

In 2010, the Board responded in writing to 523 requests for its advice, an 8% increase over its 2009 output. As shown in Exhibit 8 to this Report, this output consisted of 208 staff advice letters, 234 waiver letters signed by the Chair on behalf of the Board,¹ 79 Board letters and orders reflecting Board action, and two public Advisory Opinions.

¹ Under section 2604(e) of the City Charter, the Board may grant waivers permitting public servants to hold positions or take action “otherwise prohibited” by Chapter 68, upon the written approval of the head of the agency or agencies involved and a finding by the Board that the proposed position or action “would not be in conflict with the purposes and interests of the city.” By resolution, as authorized by City Charter § 2602(g), the Board has delegated to the Chair the authority to grant such waivers in routine cases.

In 2010 Board staff also answered 3,246 telephone requests for advice. Telephone advice provides the first line of defense against violations of the Conflicts of Interest Law and thus remains one of the Board's highest priorities. Such calls, however, consume an enormous amount of staff time, sometimes hours a day, and therefore limit attorney time available for advising the Board on advice matters pending before it and drafting written advice and advisory opinions.

As detailed in Exhibit 7 to this Report, the Board in 2010 received 599 written requests for advice, an 8% increase over last year's total. The number of the Board's pending advice cases at year end rose to 162 matters, largely the result of a surge in requests in the final months of the year. Recognizing that advice delayed is very often useless advice, the Board is committed to responding promptly to all new requests for advice. Thus, as reflected in Exhibit 6, in 2010 the Board's median response time to written requests for advice remained at 24 days, its lowest level since 2001.

The two public Advisory Opinions issued by the Board in 2010 were:

- (1) AO 2010-1 – Concurrent Service on a Community Board and a Community Education Council

The Board's first 2010 Advisory Opinion was issued in response to a request from a member of a community board who also served on a community education council of the Department of Education and who advised the Board that some of the same matters that she considered at the community education council were likely to come before her community board. She asked what restrictions, if any, the Conflicts of Interest Law would place on her participation at the community board in the consideration of such matters. The Board distinguished its Advisory Opinion No. 93-2, which had determined that members of community boards who also served on the community school boards of the Board of Education (the predecessors of the community education councils) could not vote at the community board on a matter that came before the community school board on which they served, by noting that, unlike their predecessors, community education councils have no administrative or executive functions and are, like community boards, largely advisory bodies. The Board accordingly held that it will not violate Chapter 68 for a

person who concurrently serves on a community education council of the Department of Education and a community board to consider and vote on a matter at one entity that had been or might be considered at the other entity, or to chair a committee at one entity that might consider matters that had been or might be considered at the other.

(2) AO 2010-2 – Cash Prizes in Recognition of City Service

The Board's second Advisory Opinion responded to several requests for advice as to whether public servants could accept certain cash awards in recognition of their public service, each request accompanied by a written statement from the public servant's agency head or from the Mayor, asserting the opinion that accepting the award in question would not conflict with the purposes and interests of the City. The Board first determined that accepting a cash prize in recognition of one's City service from any source other than the City would, absent a waiver from the Board, violate the prohibition in Charter § 2604(b)(13) against receiving compensation except from the City for performing one's City duties. The Board determined, however, that it would entertain applications for waivers of § 2604(b)(13) with respect to such awards and would evaluate those applications in light of criteria set forth in the Opinion. The enunciated criteria included (a) the identity and nature of the person(s) or entit(ies) presenting and/or funding the award, in particular whether the presenter(s) or funder(s) have business dealings with or matters before the City, especially if such dealings are with the award recipient's own agency; (b) the identities of the recipients of the award, such as whether the award is targeted to a particular small group of City employees rather than to a broad range of City workers; (c) the involvement of the City in the administration of the award and/or selection of the award recipients; (d) the amount of the prize, including whether the amount varies depending on the identity of the recipient; and (e) the history of the prize, that is, whether there is a track record of apparent disinterested promotion of excellence in public service. Based these criteria, the Board granted the requested waivers – and announced that individual waiver applications would not thereafter be necessary – to enable public servants to accept the Frederick O'Reilly Hayes Prize, the Alfred P. Sloan Public Service Award, the Isaac Liberman Public Service Award, and the E. Virgil Conway College Scholarship, provided that the facts surrounding the

funding and awarding of these awards remained substantially as described in the Opinion. The Board concluded by noting that it would consider waiver requests with respect to other cash prizes and awards on a case-by-case basis, on written application of the proposed recipient's agency head, and that it might in the future exempt other such awards from the requirement of individualized waiver applications.

The Board continues to distribute its formal advisory opinions to public servants and the public and to make them available on Lexis and Westlaw. Working with the Training and Education Unit, the Legal Advice Unit has also developed a large e-distribution list, so that new advisory opinions and other important Board documents are e-mailed to a large network of people, including the legal staffs of most City agencies. However, in an important cost-saving measure, the Board has discontinued the distribution of these materials by mail. Working in cooperation with New York Law School's Center for New York City Law, the Board has made its advisory opinions available on-line in full-text searchable form, free of charge to all (http://www.nyls.edu/centers/harlan_scholar_centers/center_for_new_york_city_law/cityadmin_library). Indices to all of the Board's public advisory opinions since 1990 are annexed to this Report.

In order to help address its mandate to advise public servants in a timely manner about the requirements of the Conflicts of Interest Law, the Legal Advice Unit has relied on the services of part-time volunteers and student interns. Over the past year, eight law student interns worked part-time for the Legal Advice Unit. These individuals contributed substantially to the Board's output.

The Board's appreciation for the Legal Advice Unit's substantial output, an excellent result achieved under considerable pressure, goes to Deputy Executive Director and General Counsel Wayne Hawley and the superb Legal Advice staff, including Deputy General Counsel Sung Mo Kim, Associate Counsel Karrie Ann Sheridan, and Assistant Counsel Jessie Beller.

5. ADMINISTRATIVE RULES

In April 2010 the Board published the Notice of Adoption of an amendment to its Rule 1-11 setting the minimum dollar amount for the definition of “ownership interest” contained in Charter § 2601(16). The Charter requires the Board to amend this rule every four years to account for inflation. The 2010 amendment increased the dollar amount from \$40,000 to \$44,000. The full text of the Board’s rules may be found on the Board’s website at

http://www.nyc.gov/html/conflicts/downloads/pdf2/books/red_book.pdf.

6. ENFORCEMENT

Despite the Board’s best efforts, through its Training and Education and Legal Advice Units, to prevent Conflicts of Interest Law violations before they occur, public servants at all levels still occasionally violate Chapter 68, either intentionally or inadvertently. In order to address those violations, and in so doing inform the public that violations of the Conflicts of Interest Law are taken seriously by City government, sections 2603(e)-(h) and 2606 of Chapter 68 invest the Board with enforcement power. This power includes the authority to receive complaints regarding alleged violations of the Conflicts of Interest Law, refer those complaints to the Department of Investigation (“DOI”) for investigation, and thereafter, if warranted, pursue administrative proceedings against alleged violators. The Board’s Enforcement Unit is responsible for discharging these functions.

In 2010, the Enforcement Unit continued to meet its previous year’s high standard of productivity, resolving and publishing 76 dispositions involving payment of a fine and 36 dispositions involving public warning letters, the latter reflecting a 71% increase over 2009. Overall, the Board published 22% fewer dispositions in 2010 than in 2009, but the aggregate of fines imposed was relatively steady: \$145,850 in 2010 compared with \$161,050 in 2009. The Unit expects the aggregate fines to increase in the coming year by virtue of the Chapter 68 amendment approved by the voters, raising the maximum fine for a violation of Chapter 68 from \$10,000 to \$25,000. City voters also empowered the Board to order repayment to the City of any gain or benefit a public servant obtained as a result of a proven or admitted violation of Chapter 68.

Summaries of the 112 dispositions of 2010, each of which is a matter of public record, are annexed to this Report. Summaries of all the Board's enforcement dispositions from 1990 to the present are available on the Board's website at http://www.nyc.gov/html/conflicts/downloads/pdf2/enf%20docs/Enforcement_Case_Summaries.pdf for use by any interested party – City employees, members of the public or press, and individuals and attorneys appearing before the Board. The dispositions themselves, like the Board's advisory opinions, are available on the CityLaw website free of charge to all in full-text searchable form at http://www.nyls.edu/centers/harlan_scholar_centers/center_for_new_york_city_law/cityadmin_library.

Of the 112 dispositions published in 2010, the following cases were particularly noteworthy:

(1) The settlement in *COIB v. Fischetti*, COIB Case No. 2010-035 (2010), involved a fine of \$20,000 – matching the Board's highest-ever fine imposed in a settlement. The settling respondent was a former Senior Deputy Director for Information Technology at the New York City Housing Authority ("NYCHA") who admitted that, in October 2005, he had sought an opinion from the Board as to whether, in light of his position at NYCHA, he could acquire a 50% ownership interest in the restaurant 17 Murray and had been advised, in writing, that he could own the restaurant, *provided that*, among other things, he did not devote any City time or resources to the restaurant, did not use his City position to benefit the restaurant, and did not appear before any City agency on behalf of the restaurant. The Senior Deputy Director then proceeded to ignore almost all of the Board's advice, appearing before multiple City agencies on behalf of the restaurant, using City time and resources – including his NYCHA computer, Blackberry, e-mail account, and van – to perform work for the restaurant, and obtaining the unpaid assistance of his NYCHA subordinate to work at the restaurant. The former Senior Deputy Director admitted that in so doing he violated the Conflicts of Interest Law, which prohibits the use of City resources, including City funds and City personnel, for any non-City purpose, prohibits public servants from using or attempting to use their positions as public servants to obtain any financial gain, contract, license, privilege, or other private or personal advantage, direct or indirect, for themselves or any person or firm associated with them, and prohibits public servants from appearing

before the City on behalf of a private interest. In imposing a \$20,000 fine, the Board emphasized that heavier penalties will attend a violation committed by a public servant or former public servant after having received direct contrary advice from the Board about the subject of the violation.

(2) A public warning letter issued to a former Commanding Officer at the New York City Police Department (“NYPD”) Office of Labor Relations (“OLR”) emphasized that public servants have a duty of reasonable inquiry to determine whether they have ever personally and substantially participated in a particular matter on which they are considering working after leaving City service. In *COIB v. McCabe*, COIB Case No. 2008-129 (2010), the former Commanding Officer, after retiring from the NYPD, was retained as an expert witness in a lawsuit against the City, in which he had personally and substantially participated while at the NYPD. The Board found that, although the former Commanding Officer had attended only one meeting concerning the lawsuit while at the NYPD Office of Labor Relations, his participation in the lawsuit was personal and substantial because, at the time, he was the highest uniformed officer at NYPD OLR and was not merely an attendee at the meeting but was consulted with and asked to gather documents for the City’s defense. While the former Commanding Officer represented that he did not recall participating in the meeting while at the NYPD, the Board made clear in its warning letter that he should have asked the NYPD *and* the New York City Law Department Labor and Employment Division, which participated in the City’s defense, whether he had participated in the lawsuit in any way before agreeing to serve as an expert witness against the City.

(3) Invoking a provision of the Conflicts of Interest Law that has only been the subject of one previous public disposition, the Board in *COIB v. Keaney*, COIB Case No. 2009-600 (2010), fined a former Deputy Chief of Staff to the City Council Speaker \$2,500 for soliciting contributions to the Speaker’s re-election campaign. The respondent was an individual with “substantial policy discretion” within the meaning of §2604(b)(12) of the City Charter and was thus prohibited by that section from asking anyone to make a political contribution for any candidate for City elective office (such as City Council) or for any elected official of the City (such as a City Council Member) who is a candidate for any elective office -- a prohibition

that does not apply to solicitations made by elected officials themselves. The Speaker's former Deputy Chief of Staff made between six and twelve calls to union representatives to ask that they serve on the Host Committee for an event planned for labor unions as part of the Council Speaker's re-election campaign, service that would have required a contribution to the campaign.

(4) In *COIB v. Ricciardi*, COIB Case No. 2008-648 (2010), the Board made clear that even unpaid public servants are subject to the Conflicts of Interest Law, fining a former (unpaid) Member of the Board of Directors of the New York City Health and Hospital Corporation ("HHC") \$13,500 for his multiple violations of the City's Conflicts of Interest Law. The former Board Member acknowledged that, during the time that he served on the HHC Board of Directors, he also held a series of paid positions with a foreign medical school (the "School") that had contracted, since 1977, with multiple HHC facilities to provide placements for the School's students in clinical clerkship programs at HHC hospitals and then, in 2007, entered into a comprehensive, agency-wide contract for the placement of the School's students. In light of his positions at the School and on the Board, the former Board Member was aware of the School's business dealings with HHC. The former Board Member admitted that by simultaneously having a position with both HHC and the School he violated Charter § 2604(a)(1)(a), which prohibits a public servant from having a position with a firm that the public servant knows or should know is engaged in business dealings with the public servant's agency. The former Board Member further acknowledged that, in having these dual roles at the School and on the HHC Board of Directors, he created at least the appearance that the actions he took as a Board Member were done in part to benefit the School, in violation of Charter § 2604(b)(2), which prohibits a public servant from having any private business, interest, or employment that is in conflict with the proper discharge of the public servant's official duties. The former Board Member further acknowledged that, while he was a Board Member, he contacted HHC personnel at different HHC facilities on behalf of the School about increasing the number of placements available at those facilities for the School's students, in violation of Charter § 2604(b)(6), which prohibits a public servant from appearing for compensation before any City agency on behalf of a private interest.

The Enforcement Unit continued its use of the “three-way settlement” procedure to resolve Board cases that overlap with disciplinary proceedings brought by other City agencies, as a way to conserve resources of both the Board and other City agencies, and achieve finality for affected public servants. The importance of three-way settlements to the Board’s enforcement practice is evidenced in the fact that 35 of its 76 dispositions imposing fines in 2010 were concluded in conjunction with agencies, including the Administration for Children’s Services, the Department of Education, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Housing Preservation and Development, the Department of Parks and Recreation, the Department of Sanitation, the Fire Department, the Housing Authority, the Human Resources Administration, and the Office of the Chief Medical Examiner.

The Enforcement Unit also continued to prosecute cases and impose fines against former public servants for conduct that occurred while they were public servants. Of the many such enforcement actions brought by the Board in 2010, one notable case, *COIB v. D. Mitchell*, COIB Case No. 2008-397 (2010), involved a former Supervisor of Caretakers at the Sheepshead/Nostrand Houses of the New York City Housing Authority (“NYCHA”) who was fined \$6,000 for lending money at an approximately 30% interest rate to at least two caretakers he supervised. Although the former Supervisor of Caretakers had already resigned from NYCHA and pled guilty to one count of Criminal Usury in the Second Degree, a Class E Felony, resulting in a sentence of five years probation, the Board still brought an enforcement action against him. The prosecution of cases like this serves as an important reminder to public servants that they cannot insulate themselves from enforcement of the Conflicts of Interest Law simply by leaving City service, either voluntarily or in the face of an investigation or charges, and that, under section 2603(h)(6) of the City Charter, the Board retains ultimate authority to pursue violations committed by current or former public servants, regardless of what action is taken by the public servant’s agency – or a District Attorney’s Office – concerning that violation.

The Board also prosecutes cases against former public servants for conduct that occurs *after* they leave City service. Thus, in four cases in 2010 (*Gill*, *King*, *Macaluso*, and *McCabe*), the Board fined former public servants for violating the Charter’s “post-employment provisions,” which prohibit former public servants from appearing before their former City

agencies within one year after leaving City service, from working on the same particular matters that they worked on personally and substantially while public servants, and from disclosing or using confidential information gained from public service that is not otherwise available to the public. Former public servants who do not comply with the post-employment provisions of the Conflicts of Interest Law after they leave public service face Board enforcement action.

In addition to working on complaints arising out of Chapter 68, in 2010 the Enforcement Unit continued to assist the Legal Advice Unit in rendering telephonic advice to public servants and members of the public who contact the Board daily. The Enforcement Unit also participated in the work of the Training and Education Unit by conducting classes and seminars for public servants, including Enforcement Training Workshops to increase awareness of the Board's enforcement process among agency disciplinary counsel and investigators and to promote the use of three-way settlements in parallel disciplinary proceedings. With that goal in mind, the Enforcement Unit conducted a special in-house workshop for representatives of eleven different City agencies, including the Administration for Children's Services, the Department of Citywide Administrative Services, the Department of Consumer Affairs, the Department of Correction, the Department of Education, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Homeless Services, the Fire Department, the Human Resources Administration, and the New York City Housing Authority.

From these workshops and other outreach efforts, the Unit has developed a large e-distribution list for Board dispositions, so that disciplinary counsel and other interested staff at agencies are regularly informed about recent Board fines and other dispositions, better enabling those agency staff to identify Conflicts of Interest Law violations in their own agencies for possible referral to the Board. Anyone, whether a public servant or a member of the public, can be included in the Board's e-distribution list for Board dispositions by contacting Director of Enforcement Carolyn Lisa Miller at miller@coib.nyc.gov.

The awareness of Chapter 68's enforcement procedures fostered by these workshops, and the Board's many other training, education, and outreach efforts, as well as reviews of financial disclosure reports for possible conflicts of interest, continue to feed the workload of the

Enforcement Unit. Exhibits 9 and 10 to this Report show that in 2010 the Board received 523 new complaints, closed 522 cases, and referred 70 matters to DOI for investigation.

The Board relies on the public, public servants, and the media to bring to its attention possible violations of Chapter 68, including violations of advice given by Board. Written complaints may be submitted to the Board by mail to the attention of the Director of Enforcement or through the Board's website by clicking the button "File a Complaint" on the home page at http://www.nyc.gov/html/conflicts/html/about/file_complaint.shtml.

As Exhibit 11 to this Report shows, the Chapter 68 fines imposed in Board proceedings in 2010 amounted to \$145,850, reflecting a slight (\$15,200) decrease from 2009. Total civil fines imposed in Board and criminal proceedings for substantive violations of Chapter 68 from 1990, when the Board gained enforcement authority, through 2010 have amounted to \$1,667,067.75.

In addition to its public dispositions with the imposition of fines, the Board is also able to educate public servants about violations of the Conflicts of Interest Law through public and private warning letters carrying no fine. In 2010, the Board issued 36 public warning letters, as noted above, and 76 private warning letters, the latter reflecting a 49% increase from 2009. Furthermore, fines alone cannot fully reflect the time and cost savings to the City when investigations by DOI and enforcement by the Board put a stop to the waste of City resources by City employees who abuse City time and resources for their own gain. Nor do fines show the related savings when DOI's findings and Board enforcement actions lead to agency disciplinary proceedings that result in termination, demotion, suspension, and forfeiture of salary and/or leave time.

The Board thanks the Enforcement Unit staff for its continued professionalism and productivity, including Carolyn Lisa Miller, Director of Enforcement; Dinorah S. Nuñez, Deputy Director of Enforcement; Vanessa Legagneur, Associate Counsel for Enforcement; Bre Injeski, Assistant Counsel for Enforcement; and Maritza Fernandez, Litigation Coordinator. The Board also extends sincere thanks to DOI Commissioner Rose Gill Hearn, Special Commissioner of Investigation for the New York City School District ("SCI") Richard J. Condon, and their entire staffs for the invaluable

work of DOI and SCI in investigating and reporting on complaints of violations of the Conflicts of Interest Law.

7. FINANCIAL DISCLOSURE

Under section 2603(d) of Chapter 68, the Board receives “[a]ll financial disclosure statements required to be filed by [City] public servants, pursuant to state or local law...” Under current law, nearly 8,000 City public servants are required to file financial disclosure reports with the Board. Thanks to the Electronic Financial Disclosure (“EFD”) initiative begun by the Board in 2005, all such reports are now filed with the Board electronically.

City employees continue to show an excellent compliance rate in filing their mandated annual financial disclosure reports. As detailed in Exhibit 12 to this Report, the overall rate of compliance with the Financial Disclosure Law, set forth in section 12-110 of the New York City Administrative Code (http://www.nyc.gov/html/conflicts/downloads/pdf2/books/grn_bk.pdf), for the past six years has been 97.5%. This superb record must be attributed in large part to the excellent work of the Financial Disclosure Unit: Julia Davis, Director of Financial Disclosure and Special Counsel; Joanne Giura-Else, Deputy Director of Financial Disclosure; Sung Mo Kim, EFD Project Manager²; Holli Hellman, Associate EFD Project Manager and Supervising Financial Disclosure Analyst; Veronica Martinez Garcia, Assistant to the Unit; and Daisy Rodriguez, Assistant Financial Disclosure Analyst and Agency Receptionist.

Filing and Review of Financial Disclosure Reports

The electronic application continued to make the filing of financial disclosure easier for filers, especially since the reports appear “pre-populated” for all filers who had electronically filed the previous year’s report. Those filers merely review and update their prior year’s report, an effort that for most filers requires only a few minutes. Filers also continued to file remotely, that is, from home or other non-work locations.

² Mr. Kim serves part-time in this position in addition to his duties as Deputy General Counsel and a member of the Legal Advice Unit.

During the 2010 filing period, the Financial Disclosure Unit responded to 1,489 calls requesting assistance with filing. To insure a smooth filing period for 2011, the Board conducted training for agency financial disclosure liaisons. Thirty-one liaisons attended trainings held in November and December 2010.

Finally, the Financial Disclosure Unit, in conjunction with the Department of Information Technology and Telecommunications, continued to build an application to facilitate the Board's review of filed reports. That application, which is scheduled to be implemented in 2011, will enable authorized Board staff to conduct searches of the information provided in financial disclosure reports, thus making reviews for possible conflicts of interest easier, quicker, and more efficient.

Upon the conclusion of the filing period, the Unit reviewed filed reports for completeness and possible conflicts of interest. During 2010, the Unit conducted 9,468 reviews of reports filed for reporting years 2008 and 2009. For the first time in the Board's history, all reports filed for one year (2009) were reviewed for conflicts of interest, a review that, while mandated by Charter § 2603(d)(2), proved impossible until electronic filing was implemented. The Unit also reviewed Board waiver letters issued pursuant to Charter § 2604(e) that granted permission for second jobs, to insure that these jobs were properly reported on the filer's financial disclosure report. It also reviewed financial disclosure reports to ensure that requisite waivers had been obtained for second jobs requiring them. These reviews resulted in 116 letters, nine of which were requests to filers to amend their financial disclosure reports, 103 of which were requests to obtain permission for second, non-City positions, and four of which were requests to address potential violations of the Conflicts of Interest Law.³ As of year's end, four filers amended their reports, 34 waivers had been issued, 12 requests for waivers and one request for advice were pending, and one filer resigned the non-City position. In addition, 19 filers responded by providing explanations to the Board addressing the matter of inquiry.

Financial Disclosure Appeals

Public servants who dispute determinations that they are required to file financial disclosure reports are permitted to appeal those determinations.

³ Twenty-five of these letters addressed 2008 financial disclosure reports.

On July 1, 2010, a justice of the Supreme Court, New York County, upheld the Board's decision and order denying an appeal by employees of the Comptroller's Office who contested their designation as required filers. The Comptroller's Office had designated employees in the title of Claims Specialists Level II as filers pursuant to New York City Administrative Code section 12-110(b)(3)(a)(4), which requires filing by employees whose work involves "the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, variances and special permits." In upholding the Board's determination, the court found that it was the Board's "duty to protect the integrity of government decision-making by having [the Comptroller's Office employees] file financial disclosure reports, and, as previously stated, COIB's interpretation of its own regulations is entitled to deference and will only be overturned if it is unreasonable or irrational." The Court's decision and order can be found on the Board's website at http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/decision_art_78_fd_appeal_comptroller_off.pdf. The decision was noted as a decision of interest in the New York Law Journal on July 23, 2010, and was published there in its entirety on July 27, 2010.

On January 25, 2010, the Board issued an order concerning an appeal by an employee of the Department of Juvenile Justice who contested her designation as a policymaker and, therefore, as a required filer. The Board's decision and order can be found on the Board's website at http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/board_order_mcinnis_djj.pdf.

In 2010, pursuant to Administrative Code section 12-110 (c)(2), the Board proposed a new rule concerning financial disclosure appeals to institute a uniform process for these appeals. The rule provides for input by the filer at every stage of the proceeding, including after a draft recommendation is prepared, and, in certain cases, for an evidentiary hearing. The rule, which will become effective in early 2011, in advance of the 2011 filing period, can be found on the Board's website at http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/final_financial_disclosure_appeals_rule.pdf.

Financial Disclosure Enforcement

Section 12-110(g) of the City's Financial Disclosure Law empowers the Board to impose fines of up to \$10,000 for non-filing or late filing of a

financial disclosure report. During 2010 the Board collected \$21,600 in late filing fines for reporting years 2007, 2008, and 2009, including three fines of \$1,000, two of which addressed the failure to file for multiple years. Since the Board assumed responsibility for financial disclosure in 1990, the Board has collected \$546,948 in financial disclosure fines.

The Board also commenced three proceedings at the City's Office of Administrative Trials and Hearings concerning filers who had failed to submit financial disclosure reports for multiple years. Of the three filers, one, who had failed to file for calendar years 2007, 2008, and 2009, filed those reports and agreed to pay a fine of \$1,750. The other two cases did not settle and proceeded to trial.

Public Inspection of Financial Disclosure Reports

Section 12-110(e) of the City's Financial Disclosure Law provides that certain information contained in financial disclosure reports shall be made available for public inspection. In 2010 there were 1,071 requests for reports, 974 of which were from the media, which resulted in the following newspaper articles addressing financial disclosure filings:

- The May 25, 2010, issue of the *New York Daily News* and the August 4, 2010, issue of the *Wall Street Journal* each contained an article discussing the Police Commissioner's trips on the Mayor's private jet.
- The July 20, 2010, *New York Times* City Room blog discussed travel of City officials that was paid for by others.
- The July 21, 2010, issue of the *New York Daily News* contained an article discussing the credit card debt of New York City Council members.⁴
- The July 21, 2010, issue of the *New York Post* contained an article discussing the Brooklyn Borough President's acceptance of a trip to Turkey.

⁴ This article was noted in the July 26, 2010, column, "This Week in Credit Card News," published on the blog of *Forbes* magazine.

- The July 21, 2010, issue of the *Wall Street Journal* and a July 21, 2010, entry in the *Gothamist* each contained an article discussing the travel and debt of elected officials.⁵
- The July 21, 2010, issue of the *Gotham Gazette* contained an article discussing the moonlighting positions of City Council members.
- An August 3, 2010, release of the Associated Press and the August 3, 2010, issue of the *New York Post* each contained an article discussing a Deputy Mayor's ownership of stock in Forest City Enterprises.
- The August 4, 2010, issue of the *New York Post* contained an article discussing the supplemental pay three mayoral aides received from a private company created by the Mayor.
- The August 24, 2010, issue of the *New York Times* and the August 25, 2010, issue of the *New York Daily News* each contained an article discussing the former New York County District Attorney's ownership of stock in a company that sought assistance from Congressman Charles B. Rangel.
- The October 26, 2010, issue of the *New York Times*, the October 26, 2010, issue of the *New York Daily News*, the October 26, 2010, issue of the *New York Post*, and the October 27, 2010, issue of the *New York Daily News* contained articles on the New York City Police Foundation's payment of the Police Commissioner's dues and expenses at the Harvard Club. The Associated Press also published an item on this subject.

The Financial Disclosure Unit also receives requests for certifications of compliance for departing City employees who need such documents to receive their final paycheck and/or any lump sum payment, pursuant to section 12-110 (b)(3)(b) of the Administrative Code. In 2010, 456 such certifications were issued, representing a 30% increase from 2009.

⁵ The *Wall Street Journal* article was also published in *Vos Iz Neias?*, a newspaper which calls itself "The Voice of the Orthodox Jewish Community."

Financial Disclosure on COIB's Website

The Board's website now includes all the public questions contained in the electronic filing application. These questions can be found on the Board's website at http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/electronic_financial_disclosure_application_questions.pdf.

8. ADMINISTRATION AND INFORMATION TECHNOLOGY

The Board thanks its Director of Administration, Ute O'Malley, and Deputy Director of Administration, Varuni Bhagwant, for their continued perseverance in the face of increasing administrative burdens. The Board also thanks its Director of Information Technology, Derick Yu, who single-handedly keeps the Board's computer and other technology resources running, has provided the Board with the technical expertise necessary to implement electronic financial disclosure filing, and has supervised the implementation of upgrades to the Board's IT infrastructure.

EXHIBITS
AND
APPENDICES

EXHIBIT 1
CONFLICTS OF INTEREST BOARD: 1993, 2001, 2009, 2010

<i>Agencywide</i>	1993	2001	2009	2010
Adopted Budget (Fiscal Year)	\$1,132,000 (FY94)	\$1,698,669 (FY02)	\$1,882,779 (FY10)	\$2,022,327 (FY11)
Staff (budgeted)	26	23 ³ / ₅ ¹	20 ²	20
Highlights		Virtually all ethics publications on website; opinions & enforcement decisions on Westlaw & Lexis	Highest amount of enforcement fines ever imposed by Board	All financial disclosure reports filed during year reviewed for conflicts of interest
<i>Legal Advice</i>	1993	2001	2009	2010
Staff	6½ (4½ attorneys)	4 (3 attorneys)	4 attorneys	4 attorneys
Telephone requests for advice	N/A	1,650	3,277	3,246
Written requests for advice	321	539	557	599
Issued opinions, letters, waivers, orders	266	501	484	523
Opinions, etc. per attorney	53	167	121	131
Pending requests at year end	151	40	138	162
Median time to respond to requests	N/A	23 days	24 days	24 days
<i>Enforcement</i>	1993	2001	2009	2010
Staff	½	5 (4 attorneys)	5 (4 attorneys)	5 (4 attorneys)
New complaints received	29	124	443	523
Cases closed	38	152	472	522
Dispositions imposing fines	1	9	98	76
Public warning letters	0	2	21	36
Fines imposed	\$500	\$20,450	\$161,050	\$145,850
Referrals to DOI	19	49	77	70
Reports from DOI	N/A	43	132	132

Training and Education	1993	2001	2009	2010
Staff	1	4 ^{3/5} ¹	2 ³	2 ⁴
Training sessions	10	190 24 agencies; CLE	286 50 agencies; Brown Bag Lunches; new outreach to City Council; new CLE offering; new interactive presentation for Citywide seminar	279 37 agencies; Brown Bag Lunches; training for all employees of City Council; new presentation for Citywide seminar; new curriculum targeted at not-for-profits
Board of Education training	None	116 training sessions; BOE leaflet, booklet, videotape	33 training sessions	9 training sessions
Publications	6 Poster, Chapter 68, Plain Language Guide, Annual Reports	Over 50 Ethics & Financial Disclosure Laws & Rules; leaflets; <i>Myth of the Month</i> (CHIEF LEADER); Plain Language Guide; Board of Ed pamphlet; outlines for attorneys; <i>CityLaw</i> , <i>NY Law Journal</i> , <i>NYS Bar Ass'n</i> articles; chapters for ABA, NYSBA, & international ethics books; Annual Reports; poster; newsletter	Over 50 Continued monthly column in <i>The Chief</i> ; new leaflet for NYCHA employees; new follow-up flyer created; revision of all leaflets begun	Over 50 Continued monthly column in <i>The Chief</i> ; complete overhaul of all leaflets
Ethics newsletter	None	<i>Ethical Times</i> (Quarterly)	<i>Ethical Times</i> continued	<i>Ethical Times</i> continued
Videotapes	None	3 half-hour training films; 2 PSA's	Video finished and incorporated into training	Training video posted online

<i>Training and Education (cont'd)</i>	1993	2001	2009	2010
Electronic training	None	Computer game show; Crosswalks appearances	Regular website maintenance and updates; development of online interactive training, website overhaul, and creation of search engine of Board AOs and enforcement dispositions begun with DoITT	Total overhaul of website completed, pilot electronic training program created; research conducted into e-learning content management systems
<i>Financial Disclosure</i>	1993	2001	2009	2010
Staff	12	5	5 ⁵	5
6-year compliance rate	99%	98.6%	97.2%	97.5%
Fines collected	\$36,051	\$31,700	\$31,575	\$21,600
Reports reviewed for completeness (mandated by Charter & NYS law)	All (12,000)	400	All	All
Reports reviewed for conflicts (mandated by law)	350	38	8,428	All
Filing by City-affiliated entities (e.g., n-f-ps)	0	0	In process	In process
Electronic filing	None	In development	All filers file electronically	All filers file electronically

¹ The part-time (½) position, a senior trainer, was not part of the Board's budgeted headcount of 23.

² One member (5%) of the staff was required to be laid off on June 30, 2009, to meet budget reduction targets.

³ For five months during 2009 the Unit had a staff of only one.

⁴ For eight months during 2010 the Unit had a staff of only one.

⁵ As of June 30, 2009, when one of the six Financial Disclosure staff was required to be laid off to meet budget reduction targets.

EXHIBIT 2

COIB MEMBERS, STAFF, AND FORMER MEMBERS

Members

Steven B. Rosenfeld, Chair
Monica Blum
Angela Mariana Freyre
Andrew Irving
Burton Lehman

Staff

Executive

Mark Davies, Executive Director

Legal Advice

Wayne G. Hawley, Deputy Executive Director & General Counsel
Sung Mo Kim, Deputy General Counsel
Karrie Ann Sheridan, Associate Counsel
Jessie Beller, Assistant Counsel

Enforcement

Carolyn Lisa Miller, Director of Enforcement
Dinorah S. Núñez, Deputy Director of Enforcement
Vanessa Legagneur, Associate Counsel
Bre Injeski, Assistant Counsel
Maritza Fernandez, Litigation Coordinator

Training and Education

Alex Kipp, Director of Training and Education
Philip Weitzman, Trainer (*beginning August 2010*)

Financial Disclosure

Julia Davis, Director of Financial Disclosure & Special Counsel
Joanne Giura-Else, Deputy Director of Financial Disclosure
Sung Mo Kim, EFD Project Manager*
Holli R. Hellman, Associate EFD Project Manager and Supervising Financial
Disclosure Analyst
Veronica Martinez Garcia, Administrative Assistant
Daisy Rodriguez, Assistant Financial Disclosure Analyst and Agency

Receptionist

Administrative

Ute O'Malley, Director of Administration
Varuni Bhagwant, Deputy Director of Administration

Information Technology

Derick Yu, Director of Information Technology

Former Members of the Board

Merrill E. Clarke, Jr., Chair	1989
Beryl Jones	1989-1995
Robert J. McGuire	1989-1994
Sheldon Oliensis, Chair	1990-1998
Shirley Adelson Siegel	1990-1998
Benjamin Gim	1990-1994
Benito Romano, Acting Chair (1998-2002)	1994-2004
Jane W. Parver	1994-2006
Bruce A. Green	1995-2005
Kevin J. Frawley	2006-2009

* Mr. Kim serves part-time in this position in addition to his duties as Deputy General Counsel and a member of the Legal Advice Unit.

EXHIBIT 3
TRAINING AND EDUCATION CLASSES ON CHAPTER 68

<u>Year</u>	<u>Department of Ed Classes</u>	<u>Other Agency Classes</u>	<u>Total Classes¹</u>
1995	0	24	24
1996	0	30	30
1997	0	90	90
1998	10	53	63
1999	23	69	92
2000	221	156	377
2001	116	74	190
2002	119	167	286
2003 ²	43	139	182
2004	119	169	288
2005	80	162	242
2006 ³	43	151	194
2007	75	341	416
2008	51	484	535
2009 ⁴	33	253	286
2010 ⁵	9	270	279

¹ These totals do not include classes conducted by agency training/legal staff under COIB's "Train the Trainer" program nor briefings set up and conducted exclusively by DOI.

² As a result of mandated layoffs, the Board had no Training and Education Unit and therefore no training and education classes from May 15 to October 15, 2003.

³ From December 2005 to September 2006, the Training and Education Unit had an effective staff of one, as the Senior Trainer position was vacant from December 2005 to mid-July 2006, and the new trainer then needed to be trained before he could begin teaching classes.

⁴ For five months during 2009 the Unit had a staff of only one.

⁵ For eight months during 2010 the Unit had a staff of only one.

EXHIBIT 4

COIB TRAINING CLASSES BY AGENCY

Agencies that held ten or more classes are in bold.

Agencies that held three to nine classes are in italics.

Agencies that held one or two classes are not separately listed.

2003 ¹	2004	2005	2006 ²	2007	2008	2009 ⁴	2010 ⁵
Correction Education DOHMH HRA NYCERS <i>Buildings</i> <i>DCAS</i> <i>DHS</i> <i>DYCD</i> <i>Finance</i> <i>Law</i>	Buildings DCAS Education DHS HRA <i>DCLA</i> <i>DFTA</i> <i>Finance</i> <i>DOHMH</i> <i>DOITT</i> <i>NYCERS</i>	Parks Finance DCA DYCD DOB DOB Education Finance Sanitation <i>HRA</i> <i>TLC</i> <i>DOITT</i> <i>DCAS</i> <i>Community</i> <i>Boards</i> <i>HHC</i> <i>HPD</i> <i>DOC</i> <i>DOHMH</i> <i>Comptroller</i>	Comptroller DCAS DDC DOB Education Finance Sanitation <i>Community</i> <i>Boards</i> <i>DOC</i> <i>DOHMH</i> <i>DoITT</i> <i>DYCD</i> <i>HHC</i> <i>Manhattan</i> <i>Borough Pres</i> <i>TLC</i>	Buildings DCAS DDC DOHMH Education FDNY Finance FISA HHC NYCHA TLC CCRB <i>Community</i> <i>Boards</i> <i>DCP</i> <i>DoITT</i> <i>DYCD</i> <i>EDC</i> <i>HPD</i> <i>HRA</i> <i>NYCERS</i> <i>NYPD</i> <i>Parks</i>	Buildings DCAS DDC Education OATH/ECB Health Sanitation TLC <i>ACS</i> <i>Aging</i> <i>City Council</i> <i>Community</i> <i>Boards</i> <i>Correction</i> <i>DoITT</i> <i>EDC</i> <i>Finance</i> <i>Fire Dept.</i> <i>Law</i> <i>MOCS</i> <i>NYCERS</i> <i>NYCHA</i>	Buildings City Council DCAS DoITT Education FISA NYCHA TLC <i>CCHR</i> <i>CCRB</i> <i>Community</i> <i>Boards</i> <i>DCA</i> <i>DDC</i> <i>DOHMH</i> <i>DOF</i> <i>DOT</i> <i>DPR</i> <i>DSNY</i> <i>DYCD</i> <i>EDC</i> <i>FDNY</i> <i>HRA</i> <i>NYCERS</i> <i>OATH</i> <i>SBS</i>	Buildings City Council DCAS DOF DOT HRA Not-for-profits Receiving Discretionary Grants <i>Bronx Borough</i> <i>President</i> <i>Community</i> <i>Boards</i> <i>DDC</i> <i>DOHMH</i> <i>DoITT</i> <i>DPR</i> <i>FDNY</i> <i>HHC</i> <i>HPD</i>
Agencies Holding One or Two Classes: 12	Agencies Holding One or Two Classes: 27	Agencies Holding One or Two Classes: 17	Agencies Holding One or Two Classes: 21	Agencies Holding One or Two Classes: 39	Agencies Holding One or Two Classes: 23	Agencies Holding One or Two Classes: 24	Agencies Holding One or Two Classes: 20
Total Classes: 182³	Total Classes: 288³	Total Classes: 242³	Total Classes: 194³	Total Classes: 416³	Total Classes: 535³	Total Classes: 286³	Total Classes: 279³

¹ As a result of mandated layoffs, the Board had no Training and Education Unit from May 15 to October 15, 2003.

² From December 2005 to September 2006, the Training and Education Unit had a staff of one.

³ These totals do not include classes conducted by agency training/legal staff under COIB's "Train the Trainer" program nor briefings set up and conducted exclusively by DOI.

⁴ For five months during 2009 the Unit had a staff of one.

⁵ For eight months during 2010 the Unit had a staff of one.

EXHIBIT 5
RECIPIENTS OF OLIENSIS & PIERPOINT AWARDS

Sheldon Oliensis Ethics in City Government Award

2010	Daisy Lee Sprauve, Rose Tessler, Jonathan Wangel (Department of Health and Mental Hygiene)
2009	Ricardo Morales
2007	Department of Buildings
2005	The Center for New York City Law at New York Law School
2004	Saphora Lefrak
2003	Department of Investigation
2002	Department of Environmental Protection
2001	Department of Transportation
1999	Sheldon Oliensis (Ethics in City Government Award)

Powell Pierpoint Award for Outstanding Service to the Conflicts of Interest Board

2009	Mark Davies
2008	Robert Weinstein
2007	Jane Parver
2006	Bruce Green
2005	Benito Romano
2003	Andrea Berger
1999	Shirley Adelson Siegel

EXHIBIT 6
LEGAL ADVICE SUMMARY: 1993 TO 2010

	1993	2005 (Increase v. 2004)	2006 (Increase v. 2005)	2007 (Increase v. 2006)	2008 (Increase v. 2007)	2009 (Increase v. 2008)	2010 (Increase v. 2009)
Staff	5 attorneys	3 attorneys	4 attorneys	4 attorneys	4 attorneys	4 attorneys	4 attorneys
Telephone requests for advice	N/A	2,926 (+11%)	2,895 (-1%)	3,326 (+15%)	3797 (+14%)	3277 (-14%)	3246 (-1%)
Written requests for advice	321	515 (-4%)	568 (+10%)	613 (+8%)	624 (+2%)	557 (-11%)	599 (+8%)
Issued opinions, letters, waivers, orders	266	543 (+16%)	415 (-24%)	605 (+46%)	574 (-5%)	484 (-16%)	523 (+8%)
Opinions, etc. per attorney	53	181 (+15%)	172 (-5%)	151 (-12%)	144 (-5%)	121 (-16%)	131 (+8%)
Pending written requests at year end	151	127 (-34%)	225 (+77%)	178 (-21%)	161 (-10%)	138 (-14%)	162 (+17%)
Median time to respond to requests	N/A	28 days	31 days	30 days	26 days	24 days	24 days

EXHIBIT 7
WRITTEN REQUESTS FOR ADVICE ON CHAPTER 68

<u>Year</u>	<u>Requests Received</u>
1996	359
1997	364
1998	496
1999	461
2000	535
2001	539
2002	691
2003	559
2004	535
2005	515
2006	568
2007	613
2008	624
2009	557
2010	599

EXHIBIT 8
WRITTEN RESPONSES TO REQUESTS FOR ADVICE ON CHAPTER 68

<u>Year</u>	<u>Staff Letters</u>	<u>Waivers/ (b)(2) Letters</u>	<u>Board Letters, Orders, Opinions</u>	<u>Total</u>
1996	212	49	25	286
1997	189	116	24	329
1998	264	111	45	420
1999	283	152	28	463
2000	241	179	52	472
2001	307	148	46	501
2002	332	147	26	505
2003	287	165	83	535
2004	252	157	61	470
2005	241	223	79	543
2006	178	158	79	415
2007	269	246	90	605
2008	253	226	95	574
2009	170	231	83	484
2010	208	234	81	523

EXHIBIT 9 CHAPTER 68 ENFORCEMENT CASES

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
New Complaints	22	29	31	29	50	64	63	81	148	124	221	346	307	370	328	465	509	443	523
Cases Closed	25	38	4	33	32	54	76	83	117	152	179	243	266	234	530	429	509	472	522
Dispositions Imposing Fines	1	1	2	1	1	2	9	4	10	9	6	3	6	11	19	61	135	98	76
Public Warning Letters	0	0	0	0	1	0	0	0	2	2	0	0	0	1	7	26	11	21	36

EXHIBIT 10
ENFORCEMENT SUMMARY: 1993 to 2010

	2002 (Increase v. 2001)	2003 (Increase v. 2002)	2004 (Increase v. 2003)	2005 (Increase v. 2004)	2006 (Increase v. 2005)	2007 (Increase v. 2006)	2008 (Increase v. 2007)	2009 (Increase v. 2008)	2010 (Increases v. 2009)
Staff	5 (4 attorneys)	5 (4 attorneys)	5 (4 attorneys)	4 (3 attorneys ¹)	4 (2 attorneys ²)	5 (4 attorneys)	5 (4 attorneys ³)	5 (4 attorneys ⁴)	5 (4 attorneys)
New complaints received	221 (+78%)	346 (+57%)	307 (-11%)	370 (+21%)	328 (-11%)	465 (+42%)	509 (+9%)	443 (-13%)	523 (+18%)
Cases closed	179 (+16%)	243 (+36%)	266 (+9%)	234 (-12%)	530 (+126%)	429 (-19%)	509 (+19%)	472 (-7%)	522 (+11%)
Dispositions imposing fines	6	3	6	11 (+83%)	19 (+73%)	61 (+221%)	135 (+121%)	98 (-27%)	76 (-22%)
Public warning letters	0	0	0	1	7	26 (+271%)	11 (-58%)	21 (+90%)	36 (+71%)
Fines imposed	\$15,300	\$6,500	\$8,450	\$37,050	\$30,460	\$87,100	\$155,350	\$161,050	\$145,850
Referrals to DOI	84 (+71%)	136 (+62%)	156 (+15%)	110 (-29%)	154 (+40%)	137 (-11%)	108 (-21%)	77 (-29%)	70 (-9%)
Reports from DOI	74 (+72%)	62 (-16%)	93 (+50%)	117 (+26%)	120 (+3%)	143 (+19%)	179 (+25%)	132 (-26%)	132 (0%)

¹ The Enforcement Unit lacked one attorney for almost 11 months in 2005.

² The Enforcement Unit had only two attorneys for several months in 2006.

³ The Enforcement Unit had one attorney on leave for several months in 2008.

⁴ The Enforcement Unit had one attorney on leave for several months in 2009.

EXHIBIT 11
ENFORCEMENT FINES IMPOSED: 1993 to 2010

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(s)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
2010								
DECEMBER								
12/27/10	2010-610	Rizzo	14,000					
12/22/10	2010-126	Acevedo			Resign	X		
12/22/10	2010-242	Karim				X	15	3,082
12/21/10	2010-014	Crispiano	1,500					
12/20/10	2010-234a	Angelidakis	2,250			X		
12/20/10	2010-234b	Halpern	1,500			X		
12/20/10	2010-234c	Nussbaum	1,500			X		
12/20/10	2010-768	Vazquez			Resign & never return to DOHMH employment	X		
NOVEMBER								
11/18/10	2010-296	Woods				X	20	2,490
11/18/10	2010-661	Orah				X	60	8,464.44
11/08/10	2009-307	McNeil	2,000					
11/08/10	2008-397	Mitchell	6,000					
11/08/10	2010-035	Fischetti	20,000					
11/01/10	2010-338	Mendez			Resign & never return to City employment	X		
11/01/10	2010-558	Bradley				X	3	571
11/01/10	2010-446	Bollera			Terminated			
OCTOBER								
10/20/10	2008-602	Jones	2,000					
10/19/10	2009-465	Yung				X	6	2,060
10/14/10	2009-514	Agbaje	1,500					
10/04/10	2010-491	Kayola	2,250					
10/04/10	2010-051	Currie	2,000					
SEPTEMBER								
09/30/10	2010-345	Griffen-Cruz				X	10	1,161
09/23/10	2010-433	Coward			Retire & never return to DSNY employment or City for 5 years	X		
09/01/10	2008-756	John			Resign &	X	22 suspension	11,313.68

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(S)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
					never return to City employment		& 136 hours of annual leave forfeited	
AUGUST								
08/26/10	2010-067	Chabot ¹	900					
08/26/10	2009-466	Holder	2,400			X		
08/26/10	2010-245	Speranza				X	8	1,495
08/23/10	2010-299	King	1,000					
08/23/10	2010-424	Simpkins		2,500		X		
08/23/10	2010-423	Oates			Resign	X	19	2,371
08/09/10	2009-686	Romano	1,750			X		
JULY								
07/19/10	2010-315	Clare			2,938.88 Criminal restitution, resign & never return to DEP employment or City for 5 years	X		
07/13/10	2010-097	Simmons				X	7	1,083
07/12/10	2009-815	Beers				X	30	4,884
07/12/10	2010-005	Duncan	1,750					
07/06/10	2008-547	Reid	2,000					
JUNE								
06/29/10	2009-598b	Williams					75	7,515
06/29/10	2008-759	Macaluso	2,500					
06/29/10	2009-398	Rubin	2,500					
06/29/10	2009-265	Ingram					10	1,357
06/03/10	2007-773a	Gill	950					
06/02/10	2006-772	Kolowski	1,500			X		
06/02/10	2006-772a	Fisher	1,500			X		
06/02/10	2010-103	McKinney	800		801.95 restitution	X		
MAY								
05/19/10	2009-687	Siyanbola			Resign	X		
05/19/10	2009-814	Jamal	250			X	3	903
05/11/10	2009-486	Aponte				X	5	612
05/11/10	2009-099	Tieku ²	7,500					
05/11/10	2009-403	Roberts	7,500					
05/04/10	2010-212	Eliopoulos				X	6	1,567.02
05/03/10	2010-077a	Cid	1,250					
05/03/10	2010-077	Piazza	3,000					
05/03/10	2008-648a	Dunn	1,000					
05/03/10	2008-346b	Stewart	1,250					

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(S)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
05/03/10	2010-035a	Eng	1,500					
APRIL								
04/15/10	2009-646	Wright	1,000			X	5 suspension & 5 annual leave forfeited	2,095.10
04/15/10	2009-852	Williams				X	20	2,714
04/15/10	2009-261	Hines	400			X	10	2,124.60
04/15/10	2007-695	Colbert ³	1,500					
04/13/10	2009-542	Velez Rivera	1,250			X		
04/13/10	2009-445	Maliaros	900					
04/08/10	2009-204	Paulk					6	1,144
MARCH								
03/05/10	2008-562	Roberts	1,000					
03/02/10	2009-600	Robinson	1,250					
03/02/10	2008-648	Ricciardi	13,500					
03/02/10	2008-246	Reid	2,500					
03/01/10	2009-723	Baker	1,750					
FEBRUARY								
02/02/10	2007-635	Holchender	6,000					
02/02/10	2009-053a	Cohen-Brown		3,500		X		
02/01/10	2007-155	Dzieskanowski ⁴	5,000					
02/01/10	2009-600	Keaney	2,500					
JANUARY								
01/28/10	2009-312	Avinger ⁵	500					
01/11/10	2009-062	Rosa	2,500			X		
01/06/10	2009-226a	Wierson	5,000					
2009								
DECEMBER								
12/22/09	2009-351	Wright ⁶	1,000					
12/22/09	2008-948	Gray ⁷	750					
12/22/09	2008-805	Mateo ⁸	2,000					
12/16/09	2009-391	Paige			1,500 Loan repayment	X	5	1,136
12/15/09	2009-923a	Jack				X	9	2,412
12/15/09	2008-923	Coward				X	9	2,412
12/14/09	2009-048	Racicot		3,000		X		
12/14/09	2009-085	Hicks		750		X		
12/08/09	2008-861	Smart*	10,000					
12/02/09	2008-792	Bryant	1,250					
12/02/09	2009-381	Watts				X	5	870
12/02/09	2009-082	Winfrey ⁹				X	10	1,586
12/01/09	2008-911	Pettinato	6,000	1,500		X		
NOVEMBER								
11/24/09	2008-271	Cuffy	1,500					
11/23/09	2006-045	Williams ¹⁰	1,500					

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(s)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
11/23/09	2008-390	Brewster	3,000					
OCTOBER								
10/26/09	2007-588	Fox	1,000					
10/21/09	2004-220	Perez	12,500					
10/21/09	2009-416	Mason-Bell	1,250					
10/20/09	2009-140	Brown	1,500	1,300		X		
10/20/09	2009-024	Beza ¹¹	7,500					
10/19/09	2009-479	Anthony		1,400		X		
10/15/09	2008-531	Maslin	1,000					
10/15/09	2009-576	King				X	60	6,100.33
SEPTEMBER								
09/29/09	2007-626	Eisenberg	1,000					
09/29/09	2009-482	Pittman				X	5 suspension & 5 annual leave forfeited	1,523
09/29/09	2009-224	McNeil				X	10	1,420.08
09/29/09	2008-274	Proctor	1,000					
09/09/09	2009-481	Patrick				X	2 suspension & 3 annual leave forfeited	549.85
09/29/09	2009-144	DeSanctis				X	15	4,695
09/29/09	2008-303	Kundu	1,000					
09/29/09	2008-802	Baksh				X	15	1,644
09/29/09	2009-480	Ayinde				X	7	1,412.46
09/29/09	2007-847	Sirefman	1,500					
09/08/09	2009-122	Campbell				X	15 suspension & 10 annual leave forfeited	\$4,993
AUGUST								
08/27/09	2008-872	Cora ¹²	500					
08/27/09	2009-029	Finkenberg ¹³	900					
08/27/09	2008-729	Calvin				X	16	2,491.55
08/27/09	2008-582	Knowles	1,250					
08/27/09	2009-498	Purvis				X	10	1,433
08/10/09	2007-218 2008-530	Dorsinville	3,500					
JULY								
07/28/09	2008-881	Green	15,000					
07/28/09	2008-825	Byrne	1,000					
07/28/09	2008-910	Samuels ¹⁴	1,000					
07/23/09	2009-399	Spann				X	10	1,325
07/20/09	2008-348	Hall	2,000	1,500		X		
07/13/09	2007-565	Keeney	1,450					
07/13/09	2009-241	Vazquez				X	44	10,164
07/09/09	2009-227	Miller				X	6	1,597
07/09/09	2008-131	Edwards	2,500		Demoted &	X		

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(s)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
					reassigned			
07/08/09	2009-177	Sheiner				X	5	1,274
07/07/09	2009-279	Belenky	2,000					
07/06/09	2008-260	Keene				X	30	2,300
07/06/09	2009-262	Fenves				X	12 annual leave forfeited	6,290
JUNE								
06/09/09	2008-962a	Lucks	1,500					
06/08/09	2008-355	Constantino	1,000					
06/01/09	2008-929	Hahn	600					
06/01/09	2009-192	Gabrielsen				X	7	1,492
MAY								
05/06/09	2008-237a	Core, Sr.				X	30	7,904
05/05/09	2008-922	Guerrero				X	15	3,822
05/04/09	2008-960	O'Brien	20,000					
05/04/09	2008-527	Richardson	1,500					
05/04/09	2008-687	Purdie	400			X	11	1,671
05/04/09	2008-236	Tharasavat	6,000					
05/04/09	2008-744	Medal			41,035 Criminal restitution			
05/04/09	2008-635	Davey	2,750					
05/04/09	2005-612	Abiodun				X	13	1,466
APRIL								
04/16/09	2008-823	Winfield	2,000					
04/13/09	2007-565a	Horowitz	750					
04/08/09	2009-063	Pottinger				X	5	817
04/08/09	2008-688	Chen	500					
04/07/09	2008-478	Ribowsky	3,250					
04/06/09	2008-192	Forsythe	4,000					
04/06/09	2008-301	Smith	1,200					
04/06/09	2008-387	Candelario				X	21	3,074
04/06/09	2008-555	Borowiec	1,150					
04/06/09	2009-045	Bastawros				X	25	5,000
MARCH								
03/10/09	2007-745	Piscitelli	12,000					
03/05/09	2007-297	Benson	2,000					
03/04/09	2006-462	James ¹⁵	2,000					
03/03/09	2008-941	McFadzean				X	11	1,472
03/03/09	2008-943	Hayes				X	3	699
03/02/09	2008-006	Henry ¹⁶	6,626.04					
03/02/09	2008-760	Qureshi	1,000					
03/02/09	2008-504	Kwok	500					
FEBRUARY								
02/26/09	2008-326	Burgos				X	60	8,232

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(S)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
02/19/09	2008-681	King				X	3	562
02/18/09	2008-581	Alejandro	2,000					
02/10/09	2008-434	Tangredi				X	5	839
02/09/09	2008-368a	Geraghty				X	30	4,826
02/09/09	2008-481	Murrell ¹⁷	1,000					
02/04/09	2008-719	Teriba				X	5 suspension & 10 annual leave forfeited	3,104.55
02/04/09	2008-921	Conton				X	3 suspension & 3 annual leave forfeited	676.62
02/04/09	2004-750	Buccigrossi	2,000					
02/03/09	2006-640	Leigh	500					
JANUARY								
01/29/09	2008-716	Brenner		11,000				
01/29/09	2007-330	Dodson	2,500					
01/12/09	2008-374	Santana	1,000					
2008								
DECEMBER								
12/30/08	2008-267a	Hubert				X	20	2,882
12/22/08	2005-748	Bryan*	7,500					
12/22/08	2008-604	Wiltshire				X	30 & restitution to ACS	3,495 290.80
12/18/08	2008-478b	Shaler	2,500					
12/17/08	2008-423b	Bradley	600					
12/17/08	2005-588	LaBush	750					
12/15/08	2007-813	Miraglia	2,000					
12/15/08	2007-686	Alfred	1,000			X		
12/10/08	2007-479	Valvo	800					
NOVEMBER								
11/24/08	2008-376	Rosado	3,000			X		
11/24/08	2007-431	Ballard	3,000					
11/24/08	2008-706	Bryk	1,800			X		
11/17/08	2008-077	Pittari	1,000					
11/05/08	2005-132	Okanome*	7,000					
11/05/08	2007-627	Ramsami	750					
OCTOBER								
10/30/08	2008-331	Elliott		1,000		X		
10/30/08	2007-442	Bourbeau	3,000		Resign	X		
10/29/08	2008-296	Salgado				X	44	11,020
10/29/08	2008-122	Geddes	250			X	3	561
10/28/08	2008-217	Ng-A-Qui				X	6	1,563
10/27/08	2007-261	Soto ¹⁸	1,500					
10/27/08	2007-680	DeFabbia	1,500					

DATE	CASE NUMBER	CASE NAME	AMOUNT PAID TO COIB	AMOUNT PAID TO AGENCY	ADDITIONAL FINE(S)	3/WAY SETTLEMENT	SUSPENSION	
							# OF DAYS	DOLLAR EQUIVALENT
10/22/08	2008-543	Adkins				X	8	1,003.76
10/21/08	2008-256	Proctor				X	10 suspension & 7 annual leave forfeited	1,499.50 770
10/20/08	2008-609	Grandt	500					
10/20/08	2008-624	Tsarsis	750					
SEPTEMBER								
09/29/08	2005-243	Byrne ¹⁹	5,000					
09/24/08	2008-472	Nash-Daniel				X	8	1,496
09/24/08	2008-536	Miller				X	5	550
09/24/08	2008-585	Wordsworth				X	5	623
09/23/08	2008-423	Greco	2,000					
09/22/08	2007-777	Gray	2,500					
09/22/08	2008-421	Mir	11,500					
09/17/08	2007-672	Siegel	1,500					
09/16/08	2008-396	Solo	1,250					
09/16/08	2008-396a	Militano	1,250					
09/11/08	2007-436h	Carmenaty	1,500					
AUGUST								
08/25/08	2007-827	Heaney	1,500			X		
08/14/08	2008-436ss	Stephenson	1,500					
JULY								
07/28/08	2008-207	Berger	1,750					
07/28/08	2008-217	Passaretti				X	30	7,306
07/23/08	2008-295	Lowry				X	30	7,307.10
07/15/08	2007-436	Arzuza				X	5	1,172.09
07/15/08	2007-436a	Baerga				X	5	1,206.09
07/15/08	2007-436b	Baldi				X	20	4,940.40
07/15/08	2007-436c	Barone				X	5	862.50
07/15/08	2007-436d	Bellucci				X	5	1,172.09
07/15/08	2007-436e	Bostic				X	5	1,172.09
07/15/08	2007-436f	Bracone				X	5	1,223.81
07/15/08	2007-436g	Branaccio				X	15	2,587.50
07/15/08	2007-436i	Castro				X	15	3,705.30
07/15/08	2007-436j	Cato				X	5	1,189.33
07/15/08	2007-436k	Colorundo				X	5	1,206.57
07/15/08	2007-436l	Congimi				X	5	1,235.10
07/15/08	2007-436m	Cutrone				X	5	1,252.30
07/15/08	2007-436n	Damers				X	5	1,235.10
07/15/08	2007-436o	Desanctis				X	5	1,189.33
07/15/08	2007-436p	Dixon				X	5	1,252.30
07/15/08	2007-436q	Drogsler				X	5	829.31
07/15/08	2007-436r	Gallo				X	15	3,808.65
07/15/08	2007-436s	Garcia				X	5	1,217.85
07/15/08	2007-436t	Georgios				X	5	821.40
07/15/08	2007-436u	Grey				X	30	7,410.60

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							# OF DAYS	DOLLAR EQUIVALENT
07/15/08	2007-436v	Harley				X	5	1,172.09
07/15/08	2007-436w	Hayden				X	5	1,189.33
07/15/08	2007-436x	Jaouen				X	5	1,252.30
07/15/08	2007-436y	Kane				X	5	1,217.85
07/15/08	2007-436z	Keane				X	5	1,206.57
07/15/08	2007-436aa	Kopczynski				X	4	1,223.81
07/15/08	2007-436bb	Lagalante				X	5	1,206.57
07/15/08	2007-436cc	Lampasona				X	5	959.70
07/15/08	2007-436dd	La Rocca				X	15	3,705.30
07/15/08	2007-436ee	La Salle	1,500					
07/15/08	2007-436ff	MacDonald				X	15	3,705.30
07/15/08	2007-436gg	Mann, A.				X	15	3,757.05
07/15/08	2007-436hh	Mann, C.				X	5	1,189.33
07/15/08	2007-436ii	Mastrocco				X	15	3,808.68
07/15/08	2007-436jj	McDermott				X	5	829.31
07/15/08	2007-436kk	McMahon				X	5	1,172.09
07/15/08	2007-436ll	Morales, A.				X	5	1,252.30
07/15/08	2007-436mm	Morales, J.				X	15	3,705.30
07/15/08	2007-436nn	Moscarelli				X	5	1,217.85
07/15/08	2007-436oo	Prendergrast				X	15	2,587.50
07/15/08	2007-436pp	Puhi				X	5	1,206.57
07/15/08	2007-436qq	Ruocco				X	5	1,269.55
07/15/08	2007-436rr	Smith, M.				X	5	1,217.85
07/15/08	2007-436tt	Sterbenz				X	5	2,217.85
07/15/08	2007-436uu	Taylor				X	4	1,189.33
07/15/08	2007-436vv	Torres				X	5	1,206.57
07/15/08	2007-436ww	Valerio				X	5	1,172.09
07/15/08	2007-436xx	Wallace				X	5	1,217.85
07/15/08	2007-436yy	Williams				X	15	3,705.30
07/15/08	2007-436zz	Zaborsky	1,500					
07/15/08	2007-	Guifre				X	5	821.40

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							# OF DAYS	DOLLAR EQUIVALENT
	436ab							
07/15/08	2007-436ac	Sullivan				X	5	821.40
07/15/08	2007-436ae	Pretakiewicz				X	5	1,252.30
07/08/08	2008-132	Hwang	1,250					
07/08/08	2007-015c	Klein	1,500					
07/08/08	2007-015	Montemarano	2,500					
07/07/08	2008-025	Harmon	7,500					
07/07/08	2007-237	Philemy	2,250			X		
07/07/08	2007-774	Harrington	1,000					
07/07/08	2004-746	Lemkin	500					
07/07/08	2004-746a	Renna	500					
07/07/08	2004746b	Schneider	500					
JUNE								
06/17/08	2002-325	Anderson ²⁰	7,100					
MAY								
05/22/08	2006-559a	Cross	500			X		
05/22/08	2006-559	Richards	500			X		
05/22/08	2007-433	Jafferalli				X	30	4,151
05/22/08	2007-433a	Edwards				X	21	3,872
05/22/08	2007-570	Mouzon		1,279.48		X	10	1,046
05/20/08	2007-636	Blundo	1,000			X		
05/09/08	2006-617	Johnson	300			X		
05/08/08	2008-037	Zigelman	1,500	1,500		X		
05/01/08	2006-775	Childs	500			X	5	1,795
APRIL								
04/30/08	2003-373k	Rider	1,000					
04/29/08	2007-873	Shaler	2,000					
04/29/08	2005-236	Mizrahi	2,000					
04/29/08	2007-744	Deschamps	1,500			X	5	892
MARCH								
03/20/08	2003-373a	Lee	3,000					
03/20/08	2003-373k	Gwiazdzinski	3,000					
03/06/08	2004-530	Murano	1,250					
03/05/08	2007-058	Saigbovo	750					
03/05/08	2007-157	Aldorasi	3,000	1,500		X		
03/04/08	2003-550	Amar	4,500					
03/03/08	2007-723	Namnum	1,250			X		
03/03/08	2005-665	Osindero	500			X	15	2,205.97
03/03/08	2007-825	Namyotova	1,000			X	15	1,952
FEBRUARY								
02/07/08	2001-566d	Moran	1,500			X		
02/07/08	2001-566c	Guarino	1,500			X		
02/07/08	2001-566b	Sender	5,000			X		
02/07/08	2001-566a	Diaz	1,500			X		
02/07/08	2001-566	Ferro	2,500			X		
JANUARY								

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							# OF DAYS	DOLLAR EQUIVALENT
01/28/08	2004-610	Riccardi	1,500					
01/23/08	2006-350	Schlein	15,000					
2007								
DECEMBER								
12/17/07	2006-632	Blenman	2,000					
12/17/07	2006-233	Osagie	5,000			X		
12/04/07	2004-188	Pratt ²¹	500		3,961 Restitution			
NOVEMBER								
11/29/07	2007-519	Tamayo	100		900 Loan repayment	X	Resign as Principal & reinstated as teacher w/pay reduction; must resign from DOE by 8/31/08	52,649
11/29/07	2006-562b	McLeod				X	5	1,105.62
11/27/07	2006-618	Hall	1,500					
11/27/07	2004-517	Williams	4,000					
11/05/07	2005-365	Norwood*	4,000					
OCTOBER								
10/29/07	2006-423	S. Fraser	2,000					
10/29/07	2003-785a	Speiller	1,000					
10/29/07	2007-138	Basile	2,000					
10/26/07	2007-039	Tulce				X	30	4,550
10/09/07	2003-200	Lastique	2,000			X	21 plus reassignment & probation	1,971.69
10/02/07	2007-441	Larson	1,000					
10/02/07	2006-423a	Russell	1,000					
SEPTEMBER								
09/26/07	2006-411	Allen*	5,000					
09/18/07	2004-246	Margolin	3,250					
09/12/07	2006-551	Davis	700					
09/04/07	2007-016	Graham					5	896
AUGUST								
08/30/07	2007-362	Lucido	500					
JULY								
07/31/07	2003-785	Gennaro	2,000					
07/23/07	2003-152a	Bergman	1,000					
07/18/07	1999-026	Pentangelo	1,500					
07/16/07	2006-706	Carlson	500	4,820.92		X		
07/12/07	2006-461	Greenidge	500					
07/11/07	2006-098	Barreto	2,500			X		
07/11/07	2005-244	Clair	6,500					

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07/10/07	2007-056	Glover				X	30	7,742
JUNE								
06/29/07	2005-200	Cetera	2,000			X		
06/05/07	2005-442	Sanders	1,000					
06/04/07	2005-240	Mazer	2,000					
MAY								
05/31/07	2006-383	Ianniello	1,000			X		
05/31/07	2006-684	Cooper	2,500	2,500		X		
05/31/07	2006-684a	Reilly	750	750		X		
05/31/07	2006-460	Amofo-Danquah	3,000			X	5	1,273.25
05/30/07	2007-053	Cammarata	1,500					
05/30/07	2002-678	Murphy	750					
05/30/07	2004-556	Cagadoc	500					
05/02/07	2005-690	Cantwell	1,500					
APRIL								
04/30/07	2006-068	Henry	1,000					
04/30/07	2005-739a	Oquendo	500					
04/25/07	2004-570	Matos	1,000			X		
04/17/07	2006-562a	Wade	500					
MARCH								
03/28/07	2006-554	Bassy	500					
03/27/07	2006-349	Vale	2,250					
03/27/07	2005-240	Sahm	1,250					
FEBRUARY								
02/28/07	2005-505	Martino-Fisher	1,000					
02/28/07	2003-752	Kessock	500					
02/28/07	2006-519	Lepkowski	500					
02/28/07	2002-503	Maith	500					
02/05/07	2002-458	Aquino	500					
02/05/07	2006-064	Tarazona	2,000					
02/05/07	2001-494	Russo	2,000			X		
JANUARY								
01/29/07	2005-031	Marchuk	750					
01/29/07	2006-635	Bayer	1,000		Retire from DDC	X	18	1,000
01/24/07	2005-178	Davis	1,000			X		
01/24/07	2005-098	Rosenfeld	500					
01/05/07	2004-697	Della Monica	1,500					
01/03/07	2004-712	McHugh	2,000					
2006								
DECEMBER								
12/19/06	2005-685	Diaz	500					
12/15/06	2002-140	Fenster	500					
12/11/06	2006-562b	Jefferson				X	25	3,085
12/11/06	2006-562	Nelson				X	25	4,262

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NOVEMBER								
11/10/06	2003-655	Sorkin	500					
11/10/06	2005-271a	Parlante	460			X		
11/10/06	2005-271	Marchesi	750			X		
AUGUST								
08/24/06	2004-324a	Neira	4,500					
08/24/06	2006-048	Tyner				X	45	6,224
JULY								
07/28/06	2004-700a	L. Golubchick	4,000					
07/28/06	2004-700	J. Golubchick	1,000					
JUNE								
06/30/06	2003-097	Kerik	10,000		5,000 FD & 206,000 Criminal			
06/20/06	2004-159	Goyol	2,500					
06/06/06	2005-155	Okowitz	1,250			X		
MAY								
05/10/06	2003-423a	Coppola	500					
MARCH								
03/28/06	2005-590	Whitlow		1,818		X		
FEBRUARY								
02/23/06	2005-238	Valsamedis				X	50 w/o pay plus 10 days annual leave	11,267.50
02/15/06	2005-146	Vance	1,500				Annual leave	1,122
02/03/06	2002-716	Green	2,500	1,500		X		
2005								
NOVEMBER								
11/16/05	2004-214	Guttman	2,800					
11/16/05	2004-418	Trica	4,000					
JULY								
07/23/05	2002-677y	Serra ²²	10,000					
JUNE								
06/22/05	2005-151	Carroll	3,000			X	Suspension w/out pay	3,000
06/07/05	2004-082a	Romano	4,000					
MAY								
05/25/05	2004-082	Hoffman	4,000					
MARCH								
03/29/05	2003-788	Asemota	500			X	Annual leave	1,000
03/29/05	2004-466	Powery	1,000					
FEBRUARY								
02/28/05	2004-515	Genao	1,000					
02/28/05	2004-321a	Vasquez	1,750			X	Annual leave	1,600
JANUARY								
01/31/05	2003-127	Thomas	2,000				Annual leave	3,915

