

THE CITY OF NEW YORK  
CONFLICTS OF INTEREST BOARD and  
THE CITY OF NEW YORK  
DEPARTMENT OF HOMELESS SERVICES

*In the Matter of*

DAVID EDDIE,

*Respondent.*

**STIPULATION &  
DISPOSITION**

DHS Case No. 064-14  
COIB Case No. 2014-839

**WHEREAS**, pursuant to Section 75 of the Civil Service Law, the New York City Department of Homeless Services (herein, the “Department” or “DHS”) served David Eddie (“Respondent”) with disciplinary charges alleging Respondent engaged in conduct in violation of the Department’s Code of Conduct and Chapter 68 of the New York City Charter (Conflicts of Interest); and

**WHEREAS**, pursuant to Section 2603(e)(2)(d) of Chapter 68 of the New York City Charter (“City Charter”), the New York City Conflicts of Interest Board (the “Board”) referred the alleged violations to the Department; and

**WHEREAS**, the Board, the Department, and Respondent wish to resolve these matters on the following terms,

**IT IS HEREBY AGREED** by and between the parties as follows:

1. Respondent admits to the following:
  - a. I have been employed by DHS since June 26, 2000. As such, I am a “public servant” within the meaning of and subject to Chapter 68.
  - b. I am employed by DHS as a Supervising Special Officer in the Department’s Security Division. At all relevant time stated herein, my in-office title is “Captain” and I am referred to as such by my superiors and the rank-and-file staff. My duties entail supervising Senior Officers and their staff.
  - c. On or about December 26, 2012, a Department Investigator assigned to investigate allegations against two Special Officers sent me an email asking me to serve the Special Officers with Subject Notices informing them they were the subject of a Department investigation. I did not disclose to the Department Investigator that one of the Special Officers was my daughter, and I failed to recuse myself from having any involvement in the matter. Instead, I

communicated via email with the Investigator and other Security Division staff regarding serving my daughter.

- d. On or about January 8, 2013, my daughter was arrested at the 30<sup>th</sup> Street Men's Shelter. I went to the shelter and engaged in conversation with the witness and complainant, a Security Division Sergeant.
- e. I acknowledge that my above-described involvement in Department matters concerning my daughter violated the following provisions:
  - i. Department Code of Conduct, Chapter I, Section 1.15, which requires that employees shall not misuse their official capacity for personal benefit or for the benefit of another;
  - ii. Department Code of Conduct, Chapter IV, Section 4.2, which provides that employees shall not conduct themselves in a manner that is prejudicial to good order and discipline or which tends to discredit the City or the Department; and
  - iii. New York City Charter, Chapter 68, Section 2604(b)(3), which provides that "No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant."

2. Respondent agrees to the following:

- a. In satisfaction of the above-captioned matters, I agree to a fifty (50) day annual leave deduction from my leave balance.
- b. I agree that this Stipulation and Disposition is a public and final resolution of the above-captioned matter only.
- c. I hereby waive any and all rights, including any right to a disciplinary hearing pursuant to Sections 75 and 76 of the Civil Service Law and any applicable collective bargaining agreement.
- d. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board or the Department in imposing the penalty which is embodied in this Stipulation and Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board

or the Department, or any members or employees thereof relating to or arising out of this Stipulation and Disposition or the matters recited therein.

- e. I confirm that I have entered into this Stipulation and Disposition freely, knowingly, and intentionally, without coercion or duress, and after declining the opportunity to be represented and advised by a representative of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board or the Department; and that I fully understand all the terms of this Stipulation and Disposition.
  - f. I agree that any material misstatement of the facts of this matter, including of the Stipulation and Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.
3. The Board and the Department accept this Stipulation and Disposition and the terms contained herein as a final disposition of the above-captioned matters only, and affirmatively state that other than as recited herein, no further action will be taken by the Board or the Department against Respondent based upon the facts and circumstances set forth herein, except that the Board and the Department shall be entitled to take any and all actions necessary to enforce the terms of this Stipulation and Disposition.
4. This Stipulation and Disposition shall not be effective until all parties have affixed their signatures below.

Dated: Jan 29<sup>th</sup> 2015

  
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David Eddie  
Respondent

Dated: Jan 29, 2015

  
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Charlie Cotto (Local 237)  
Representative for Respondent

Dated: January 31, 2015

  
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Mark Neal  
General Counsel  
NYC Department of Homeless Services

Dated: 2/26/15

  
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Richard Briffault  
Chair

NYC Conflicts of Interest Board