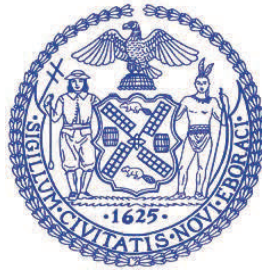


CITY OF NEW YORK

CONFLICTS OF INTEREST BOARD

ANNUAL REPORT

2015

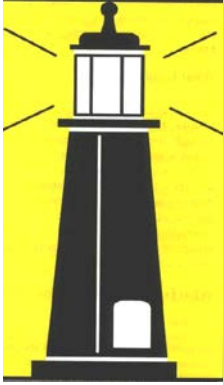


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*The New York City Conflicts of Interest Board's Annual Report is designed and produced in-house at 2 Lafayette Street, Suite 1010, New York, New York 10007.*

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## **INTRODUCTION**

This Annual Report for 2015 summarizes the work, and highlights the accomplishments, of the New York City Conflicts of Interest Board (“COIB” or “the Board”), which is charged with administering, interpreting, and enforcing the City’s Conflicts of Interest Law. Found in Chapter 68 of the City Charter (<http://on.nyc.gov/1aZtHKB>), that law is applicable to the more than 300,000 current public servants of the City of New York and all former City officers and employees.

The COIB was created in 1990 by Chapter 68 of the revised City Charter, which, 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 Annual Disclosure Law contained in Section 12-110 of the New York City Administrative Code (<http://on.nyc.gov/1bb0NVe>).

This Report reviews the Board's accomplishments during 2015, as summarized in Exhibit 1 to this Report, under each of the following headings: (1) members and staff of the Board; (2) training and education; (3) requests for guidance and advice; (4) enforcement; (5) annual disclosure; (6) the amendments to Chapter 68 proposed by the Board; and (7) administration and information technology.

### **1. MEMBERS AND STAFF OF THE CONFLICTS OF INTEREST BOARD**

The Board's full complement is five members. Appointed by the Mayor with the advice and consent of the City Council, each member serves a six-year term and is eligible for reappointment to one additional six-year term (City Charter §§ 2602(a) and (b)). Under the City Charter, the members must be selected on the basis of their "independence, integrity, civic commitment and high ethical standards" (City Charter § 2602(c)).

Richard Briffault, Joseph P. Chamberlain Professor of Legislation at Columbia Law School, was appointed to the Board in March 2014 and serves as its Chair.

Fernando A. Bohorquez, Jr., a partner at Baker & Hostetler LLP, was also appointed to the Board in March 2014.

Anthony Crowell, Dean and President of New York Law School, was appointed to the Board in April 2013.

Andrew Irving, Area Senior Vice President and Area Counsel of Gallagher Fiduciary Advisors, LLC, was appointed to the Board in March 2005 and reappointed in April 2013.

Erika Thomas-Yuille was appointed to the Board in March 2012.

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 22 is divided into six units: Training and Education, Legal Advice, Enforcement, Annual Disclosure, Administration, and Information Technology. The staff, also listed in Exhibit 2, has been headed by the Executive Director, Mark Davies, who served in that capacity from 1994 until his retirement at the end of 2015.

## **2. TRAINING AND EDUCATION**

The Board's Training and Education Unit carries out the mandate of Section 2603(b)(1) of the Conflicts of Interest Law 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 responsibility was greatly magnified by the 2010 Charter amendment, now embodied in Section 2603(b)(2)(b), that "each public servant *shall undergo training* provided by the board in the provisions of this chapter" (emphasis added). It is the four-person Training Unit that shoulders this huge responsibility.

## **Training Sessions**

In 2015, the Unit conducted 855 classes, the highest number ever and a 42% increase over 2014, as reflected in Exhibit 3 to this Report. The Unit also undertook several training initiatives.

During 2015, the Unit trained the entire staffs of several agencies, including the Administration for Children's Services, Board of Elections, Bronx District Attorney's Office, City Commission on Human Rights, City Council, Civilian Complaint Review Board, Comptroller's Office, Financial Information Services Agency, Mayor's Office of Criminal Justice, New York City Employees' Retirement System, Office of Administrative Trials & Hearings, Office of Payroll Administration, School Construction Authority, Taxi & Limousine Commission, Teachers' Retirement System, and Technology Development Corporation. Training at the Department of Education continued, with a total of 241 classes. In all, as summarized in Exhibit 4 to this Report, during 2015 the Unit presented classes at 45 City agencies and offices, reaching approximately 31,954 City employees.<sup>1</sup>

The Board's classes are interactive and engaging, explaining the basis and requirements of the law in plain language and informing public servants how they can get answers regarding their specific situations. The sessions, often tailored to the specific agency or specific 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 47 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; two classes for new assistant district attorneys in Brooklyn, four in the Bronx, and two in Manhattan. The Unit also continued to cooperate with the Department of Citywide Administrative Services ("DCAS") to offer Citywide CLE classes in Chapter 68, both general and specialized, at the Citywide Training Center.

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<sup>1</sup> While impressive, that number falls far below the 300,000 public servants that the 2010 Charter amendment mandates receive training every two years.

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,” and the Board’s newsletter, *The Ethical Times*. Internet and e-mail have permitted virtually cost-free Citywide distribution of the newsletter to general counsels and agency heads, and several agencies have reported that they electronically distribute the newsletter to their entire staff.

### **The Impact of the Mandatory Training Requirement**

As noted above, in November 2010, the voters of New York City overwhelmingly approved a change to the City Charter making ethics training *mandatory* for all public servants of the City. While the Conflicts of Interest Law had always mandated that the Board *offer* training, there was no reciprocal mandate for public servants to *undergo* training; Chapter 68 training was largely optional. Now, all 300,000 public servants of the City *must* receive such training every two years.

One way to help meet the mandate of this amendment is to leverage the Board’s own ability to train public servants by training those in City agencies whose responsibilities include ethics training of their colleagues. This longstanding Board program is called “Train the Trainer.” In support of the “Train the Trainer” program, the Training and Education Unit in 2015 hosted an “Ethics Liaison Meet-Up,” a late-afternoon informal gathering of ethics officials of various city agencies, where Board staff led a relaxed, interactive examination of the aspects of Chapter 68 that are more complex and relevant to agency Ethics staff. The Training Unit also continued its Train the Trainer program established many years ago at the Parks Department, refreshing the content and training a new group of trainers, who began to teach classes at Parks in 2014.

It is anticipated that the great majority of public servants will eventually be trained by some computer-based method, similar to the way many large organizations handle other types of mandatory training. The Department of Information Technology and Telecommunication (“DoITT”) has recommended a partnership with DCAS, which is developing a platform for Citywide e-learning. The Board eagerly awaits the time when that platform is ready for use. In the meantime, three agencies have implemented their own electronic training systems for their employees: the New York City Housing Authority, the Department of Buildings, and the Department of Environmental Protection. The Training Unit served as the Chapter 68 content consultant for these three systems.



## **Website, Publications, and Media Outreach**

The Internet remains an essential tool for Chapter 68 outreach. In 2015 the Board's website (<http://nyc.gov/ethics>) had 137,000 page views and 42,800 visits. The site includes frequently asked questions (FAQs), legal publications, plain language publications, interactive exercises, and an ever-growing list of links. In 2015 the Training Unit implemented many of the changes that resulted from its 2014 study of the website's usability and looks forward to making additional changes in 2016.

The Board continues to post new publications on its website. All Board publications, including the texts of Chapter 68, the Board's Rules, the Annual Disclosure Law, and the Lobbyist Gift Law can be found there. Copies of the statutes can be found at: <http://on.nyc.gov/1KaauBK>. COIB plain language materials can be found at: <http://on.nyc.gov/1UKxdKa>. Recent articles by Board attorneys and installments of "Ask the City Ethicist" have also added to the publications available online.

The Training Unit continued production on a series of short videos entitled "Ethics Express: Conflicts of Interest Explained in Five Minutes or Less." These short episodes use a "talking heads" format to present an aspect of Chapter 68. Four episodes were filmed in 2015.

The Board's monthly Ethics contest, the Public Service Puzzler, also continued. Each month, the Training Unit emails contest information (the Puzzler) to City employees, inviting them to compete for Board-related token prizes and a mention in *The Ethical Times*. Contests have included crosswords, competitions for best pun or best cartoon caption, and word scrambles, among others.

2015 saw a breakout into wonkish notoriety of the Training Unit's Twitter feed, "The COIB Daily Dose." A sub-brand of the Training Unit, the feed seeks to drive engagement with social media-savvy stakeholders. It has garnered much praise by City social media users and the local media for its use of humor to engage with the public on the topic of ethics and conflicts of interest.

## **Seminar**

The Board's Twenty-first Annual Seminar on Ethics in New York City Government, held at New York Law School on May 20, 2015, was a great success.

More than 250 public servants attended, representing approximately 50 City agencies. The Oliensis Award for Ethics in City Government was presented to Allen Fitzer, the dedicated Ethics Officer of the Comptroller's Office, whose service has spanned three administrations. The Pierpoint Award for Outstanding Service to the Board was presented to the Board's former Enforcement Director, Carolyn Lisa Miller. A list of past recipients of these awards may be found in Exhibit 5 to this Report.

The Board welcomes nominations for both awards, to be conferred at its Twenty-second Annual Seminar on Ethics in New York City Government, which will again be held at New York Law School, in May 2016.

For the second year in a row, the Seminar was offered at no charge for public servants. The Board thanks New York Law School for its support and generosity.

### **International Visitors and Government Ethics Associations**

In 2015, Training Director Alex Kipp, Executive Director Mark Davies, and Enforcement Director Michele Weinstat attended the annual conference of the Council on Governmental Ethics Laws ("COGEL"), the premier government ethics organization in North America. 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 annual disclosure reports. This year, Mr. Davies was the recipient of the 2015 COGEL Award for his many meaningful and positive contributions to the field of government ethics. Mr. Kipp co-moderated the "Local Agency Round Table" session, a yearly affair that seeks to give agencies that work on the municipal level a chance to exchange wisdom and resources.

Executive Director Mark 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 concluded his term as Chair of the Section in June 2015. He also serves as Co-Chair of the Board of Directors of Global Integrity, an independent provider of information on governance and corruption trends around the world, and as an advisor to the American Law Institute's Principles of Government Ethics Project. Assistant Counsel Amber Gonzalez co-chairs the Law School Committee of the Municipal Law Section of the State Bar. Deputy Director of Enforcement Bre Injeski serves as a member of the Professional Ethics Committee of the New York City Bar Association.

Assistant Counsel Jeff Tremblay became the editor of a new municipal ethics book to be published in 2016 by the New York State Bar Association.

The Board receives numerous requests, both from municipalities around the State and from foreign countries, to assist them in developing and improving their ethics laws. Resources permitting, Board staff members respond to those requests, whenever possible by e-mail, although occasionally in person. In 2015, Board staff met with officials from the counties of Georgia and Holland, the Provincial Governments of Guizhou and Fujian, and the City of Shenzhen in the People's Republic of China. Mr. Davies and Deputy Executive Director and General Counsel Wayne Hawley led a discussion of gifts at the ethics office of the United Nations.

Time permitting, Board staff also occasionally assists other jurisdictions seeking to revise their ethics laws. For example, Mr. Davies reviewed proposed revisions of Westchester County's ethics code at the request of the Westchester County Board of Legislators, as well as proposed revisions to ethics codes of the City of Johnstown and the Town of Huntington at the request of their counsel. He also continued to answer questions by phone and e-mail from municipal attorneys and reporters on matters of government ethics and served on municipal ethics panels at the annual meeting of the New York State Bar Association's Municipal Law Section and guest lectured by WebEx at an Albany Law School government ethics course.

### **3. REQUESTS FOR GUIDANCE AND ADVICE**

The Legal Advice Unit oversees the Board's responsibility under City Charter § 2603(c)(1) 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." Complying with written advice obtained from the Board affords 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." Accordingly, the Board annually receives and responds to hundreds of written, and thousands of telephonic, requests for advice.

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; 2015 was no exception. Exhibits 1 and 6 to this Report summarize the Unit's work in 2015 and prior years.

In 2015 the Board received 492 written requests for advice, as detailed in Exhibit 7 to the Report. Recognizing that delayed advice 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 2015 the Board's median response time to written requests for advice was 30 days.

As shown in Exhibit 8 to this Report, in 2015 the Board responded in writing to 437 requests for its advice, consisting of 57 Board letters and orders reflecting Board action, 157 staff advice letters, and 223 waiver letters signed by the Chair on behalf of the Board.<sup>2</sup> At year end the number of pending advice requests awaiting written response was 170.

In 2015 Board staff also answered 3,827 telephone requests for advice, the second highest annual total on record. 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 handling other matters.

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 Enforcement and Training and Education Units, the Legal Advice Unit has developed a large e-mail 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 all City agencies. Working in cooperation with New York Law School's Center for New York City Law, the Board makes its advisory opinions available on-line, free of charge, in full-text searchable form ([www.CityAdmin.org](http://www.CityAdmin.org)). Indices to all of the Board's public advisory opinions since 1990 are annexed to this Report.

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<sup>2</sup> 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 order to help meet 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, one volunteer law school graduate, two law student interns, and one college intern worked part-time for the Legal Advice Unit. These individuals, listed in Exhibit 2 to this Report, contributed meaningfully 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 Ethan Carrier, Associate Counsel Jessie Beller, and Assistant Counsel Amber Gonzalez.

#### **4. ENFORCEMENT**

A vigorous enforcement program is at the heart of the Board's efforts to preserve and promote public confidence in City government, protect the integrity of government decision-making, and enhance government efficiency. Public servants at all levels occasionally violate the Conflicts of Interest Law, either intentionally or inadvertently. Board enforcement actions send a clear message that Conflicts of Interest Law violations will be exposed and violators punished.

The Board's enforcement powers include the authority to receive complaints, direct the New York City Department of Investigation ("DOI") to investigate matters within the Board's jurisdiction, create a public record of Conflicts of Interest Law violations, and impose fines on violators. With the exception of imposing fines, which only the Board itself may do, these functions are discharged by the Board's Enforcement Unit. The Unit reviews complaints of possible violations of the Conflicts of Interest Law, initiates investigations conducted by DOI, brings civil charges in administrative proceedings for violations of the law, and negotiates settlements on the Board's behalf. In 2015, the Enforcement Unit opened a record 544 new enforcement cases, closed 484 cases, and found violations in 83 cases. Those 83 public findings of violations included 76 dispositions imposing a fine (74 settlements and two cases in which the Board issued Findings of Fact, Conclusions of Law, and Order, following a hearing before the New York City Office of Administrative Trials and Hearings ("OATH")) and seven public warning letters. Data on enforcement cases from 1996 through 2015 can be found in Exhibit 9 to this Report and more detailed information about the Board's enforcement activity from 2006 through 2015 can be found in Exhibit 10 to this Report.

An integral part of the Board's enforcement power is its ability to obtain monetary penalties and the disgorgement of ill-gotten gains, the latter a power given to the Board by the City's voters in November 2010. In 2015, the Enforcement Unit, under the leadership of former Director Carolyn Lisa Miller and current Director Michele Weinstat, collected \$121,844 in fines from violators. In addition, as discussed further below, the Enforcement Unit worked in cooperation with City agencies to jointly resolve cases involving Chapter 68 violations. In 2015, those cases resulted in agency fines, forfeiture of annual leave and suspensions valued at \$180,548, a 45% increase over 2014.

As reflected in Exhibit 11 to this Report, from 1990, when the Board gained enforcement authority, through 2015, Board fines and disgorgement penalties have totaled \$1,617,003. During that same period, fines paid to agencies, restitution, loan repayments, forfeiture of accrued leave, and suspensions without pay in Board cases have accounted for an additional \$1,709,500. But penalties alone cannot fully reflect the time and cost savings to the City when investigations by DOI and enforcement actions 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.

A vital component of the Board's enforcement program is carried out by DOI. The City Charter provides for investigations of possible violations of the Conflicts of Interest Law by DOI and also requires DOI to report the results of all its investigations involving violations of the Conflicts of Interest Law to the Board so that the Board may determine whether a violation has occurred. Consistent with these dual mandates, in 2015, the Board referred 71 cases to DOI for investigation and DOI provided the Board with 175 investigative reports, as reflected in Exhibit 10. To more expeditiously address possible Chapter 68 violations involving NYPD employees, the Board, in December 2015, also entered into a Memorandum of Understanding ("MOU") with the New York City Police Department ("NYPD") to allow its Internal Affairs Bureau ("IAB") to conduct confidential Chapter 68 investigations on behalf of the Board. The Board also relies on the public, City employees and officials, and the media to bring possible violations to the Board's attention and encourages anyone with information about a possible violation of Chapter 68 to use the "File a Complaint" function on the homepage of the Board's website ([http://www.nyc.gov/html/conflicts/html/contact/file\\_complaint.shtml](http://www.nyc.gov/html/conflicts/html/contact/file_complaint.shtml)).

## **Enforcement Actions**

In 2015, the Board concluded enforcement actions involving a wide range of conduct, from the Speaker of the New York City Council accepting a valuable gift from a lobbyist to the dozens of employees at different City agencies who misused City resources – including City computers, e-mail accounts, telephones, and vehicles – not for a City purpose but to advance their own private interests. A description of every enforcement disposition issued in 2015 can be found in the Appendix to this Report (Chapter 68 Enforcement Case Summaries (2015)), but the following brief survey highlights the extent and success of the Board’s efforts:

## **Adjudicated Cases**

The vast majority of enforcement actions are resolved by negotiated settlements. However, if a settlement is not possible, the Enforcement Unit will proceed expeditiously to a hearing; in 2015, the Board issued Findings of Facts, Conclusions of Law, and Orders in two cases following full trials at OATH.

In the first action, the Board imposed a \$6,000 fine on a New York City Housing Authority (“NYCHA”) employee who, while working as a supervisor of caretakers, intermittently supervised his wife’s work as a NYCHA caretaker for fourteen years. The Board found that the NYCHA employee, by supervising the work performed for the City by a member of his household, violated the Conflicts of Interest Law provision that bars public servants from using their City positions to benefit an associate. The Board held that “where a public servant supervises an associated person, no explicit showing of a benefit to that associated party need be made, because superiors will inevitably take actions to benefit their subordinates, if only in refraining from taking negative personnel actions.” The Board also found that the NYCHA employee, by residing with a subordinate, violated the Charter provision that bars public servants from having a financial relationship with a superior or a subordinate employee.<sup>3</sup>

In the second adjudicated case, the Board fined the former Executive Director of Gouverneur Healthcare Services, a New York City Health and Hospital Corporation (“HHC”) facility, \$3,000 for authorizing a 10% increase in his annual compensation in August 2008. The Board also fined the Executive Director \$3,000

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<sup>3</sup> *COIB v. Edwin Martinez*, COIB Case No. 2013-673 (2015), *adopting* OATH Index No. 656/15 (2014).



for soliciting employment from two NYU Medical School executives while he was responsible for managing the contract between his HHC facility and NYU Medical School and for using his HHC email account to do so.<sup>4</sup>

### **Settlements: Significant Cases**

In a case of first impression involving gifts from lobbyists, the Board concluded settlements with the Speaker of the New York City Council for accepting a valuable gift from a registered lobbyist and with the lobbyist for giving the gift. The lobbyist and employees at his firm provided free consulting services and expended resources valued at \$3,796.44 to aid the Councilmember in her efforts to become Speaker. Since the process by which the Council chooses a Speaker is not an “election” under the Election Law, volunteer efforts in furtherance of the Councilmember’s campaign for Speaker, as well as her use of lobbyist resources, were gifts subject to the City’s Conflicts of Interest Law and Lobbyist Gift Law. Under the Conflicts of Interest Law, a public servant may not accept a gift of \$50 or more from anyone doing or seeking to do business with the City, which includes lobbyists. The Lobbyist Gift Law prohibits NYC-registered lobbyists from offering or giving a gift of any value to a public servant. Pursuant to their respective settlement agreements, the Speaker acknowledged that her acceptance of the lobbyist’s services and expenditures violated the Conflicts of Interest Law’s valuable gift rule and agreed to pay a \$7,000 fine to the Board and to pay the lobbyist \$3,796.44 for the services rendered. The lobbyist acknowledged violating the lobbyist gift rule and agreed to pay a \$4,000 fine.<sup>5</sup>

In another significant case, the Queens Republican Commissioner of the New York City Board of Elections (“BOE”) paid a \$10,000 fine for using his position to twice promote his daughter’s domestic partner to higher positions in the BOE Queens borough office, thereby indirectly benefitting the Commissioner’s daughter financially with each promotion.<sup>6</sup>

The Board also fined two former NYPD Captains for violating the valuable gift rule while working in the NYPD Office of Information Technology, Communications Division. The Captains—one a Commanding Officer, the other an Executive Officer—had each accepted \$784.97 worth of meals and

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<sup>4</sup> *COIB v. Hagler*, COIB Case No. 2013-866 (2015), *adopting* OATH Index. No. 581/15 (2015).

<sup>5</sup> *COIB v. Mark-Viverito*, COIB Case No. 2014-903 (2015); *COIB v. Levenson*, COIB Case No. 2014-903a (2015).

<sup>6</sup> *COIB v. Michel*, COIB Case No.2014-317 (2015).



entertainment from Black Box Network Systems, which had a multi-million-dollar contract to update the NYPD telecommunications system. The Commanding Officer also misused his position by soliciting a charitable contribution to his designated charity from Black Box, which donated \$500. The Board fined the Executive Officer \$5,000 and the Commanding Officer \$7,500 for their respective violations.<sup>7</sup>

The former Senior Director for Human Resources at the Central Office of the New York City Health and Hospitals Corporation agreed to pay a \$12,000 fine to the Board for using her HHC position in numerous ways to benefit her daughter. First, the Senior Director created a volunteer internship position in Human Resources at the HHC Central Office for her daughter and directed her subordinates to supervise the work of her daughter during the internship. Second, the Senior Director contacted Human Resources staffers at HHC hospitals to see if they knew of any positions for her daughter. Third, she supervised, promoted, and authorized raises for her daughter's domestic partner, thus providing a benefit to her daughter. The City's Conflicts of Interest Law prohibits City employees from using their City positions to obtain a personal benefit for themselves or for their close family members, such as a parent, child, sibling, spouse, or domestic partner.<sup>8</sup>

### **Settlements: Three-Way Settlements**

The Board's Enforcement Unit continued to enhance its effectiveness in 2015 by strengthening its coordination with disciplinary counsel at City agencies in cases where Board action would overlap with agency disciplinary charges. Through the so-called "referral back" process, by which the Board refers an alleged violation of the Conflicts of Interest Law to an agency if related disciplinary charges are pending at the agency (City Charter § 2603(e)(2)(d)), the Board resolved Chapter 68 violations simultaneously with related disciplinary charges brought by the respondent's agency. In 2015, the Board referred 68 such cases to agencies, including the Administration for Children's Services, the Comptroller's Office, the Department of Correction, the Department of Design and Construction, the Department of Education, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Homeless Services, the Department of Housing Preservation and Development, the

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<sup>7</sup> *COIB v. Duval*, COIB Case No. 2014-908b (2015); *COIB v. Roy*, COIB Case No. 2014-908c (2015).

<sup>8</sup> *COIB v. Velez*, COIB Case No. 2014-663 (2015).

Department of Parks and Recreation, the Department of Records and Information Services, the Department of Sanitation, the Fire Department, the New York City Housing Authority, the Human Resources Administration, and the Law Department.

Settlements reached in conjunction with City agencies frequently result in penalties of loss of annual leave days, suspension without pay, fines paid to the agency and/or the Board, and resignation. In one such case, the Board reached a three-way settlement with the New York City Human Resources Administration (“HRA”) and a Supervising Special Officer, resulting in his serving an unpaid suspension of forty-five calendar days, valued at approximately \$5,434, for soliciting and receiving loans from three of his subordinates and one of his HRA clients. The City’s Conflicts of Interest Law prohibits public servants from using their City positions to obtain a personal benefit, which would include soliciting loans from their subordinates and clients, and from entering into a financial relationship (such as a loan) with their superior or subordinate.<sup>9</sup>

### **Settlements: Former City Employees**

The Board’s authority to prosecute public servants for violations that occurred while they were public servants continues even after they leave City service. For example, a former Councilmember paid a \$9,000 fine for two violations of the City’s Conflicts of Interest Law. Starting in 2003, the Councilmember rented an apartment from a developer and property manager of multiple affordable housing developments sponsored by the New York City Department of Housing Preservation and Development (“HPD”); for some of the HPD-sponsored developments, Council approval was sought for designation as a Urban Development Action Area Project (“UDAAP”), which designation, among other things, would exempt the property from real estate taxes on the assessed value of the buildings for up to twenty years. The former Councilmember, without disclosing his financial relationship with the developer, voted in favor of the UDAAP resolutions for three of the developer’s projects in 2003 and 2006. In addition, in 2008, the Council Member asked the developer for a larger apartment and then selected an apartment designed for a tenant earning less than what his family earned. The City’s Conflicts of Interest Law prohibits public servants from using their positions to obtain a personal benefit, which would include

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<sup>9</sup> *COIB v. Cruz*, COIB Case No. 2014-903 (2015).

soliciting an apartment from a firm or individual with a matter pending, or expected to be pending, before the public servant's agency.<sup>10</sup>

The Board also prosecutes cases against former public servants for violations that occur after they leave City service. In 2015, the Board brought multiple enforcement actions against former public servants for violating the Charter's "post-employment provisions," which prohibit former public servants from communicating for compensation with 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. In one such case, the Board fined a former First Deputy Press Secretary for the New York City Mayor's Office \$2,000 for communicating within her first year of leaving City service with her former City agency on two occasions on behalf of her new private sector employer – once by attending a meeting hosted by a Deputy Mayor at City Hall and once by giving a Deputy Mayor a tour of her private employer's offices.<sup>11</sup>

Summaries of all of the Board's public enforcement actions from 1990 to the present are available on the Enforcement page of the Board's website. Each settlement and order is available in full-text searchable form on the website for the Center for New York City Law at New York Law School ([www.CityAdmin.org](http://www.CityAdmin.org)).

In addition to public sanctions, the Board may, where appropriate, choose to educate public servants privately about the implications of Chapter 68 on their past conduct. These confidential warnings – of which the Board sent 71 such letters in 2015 – carry no findings of fact or violation by the Board, but instead serve as a formal reminder of the importance of strict compliance with the Conflicts of Interest Law.

For all their hard work, the Board thanks Michele Weinstat, Director of Enforcement; Bre Injeski, Deputy Director of Enforcement; Jeff Tremblay, Assistant Counsel for Enforcement; Ethan Berkow, Assistant Counsel for Enforcement; and Maritza Fernandez, Litigation Coordinator. The Board also thanks Carolyn Lisa Miller for her service as Director of Enforcement until April 2015. Finally, the Board extends its sincere thanks to the DOI Commissioner, the

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<sup>10</sup> *COIB v. Dilan*, COIB Case No. 2011-201 (2015).

<sup>11</sup> *COIB v. Wood*, COIB Case No. 2014-495 (2015).

Special Commissioner of Investigation for the New York City School District (“SCI”), the Deputy Commissioner of NYPD’s Internal Affairs Bureau, and their entire staffs for their investigating and reporting on complaints of violations of the Conflicts of Interest Law.

## **5. ANNUAL 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 the Annual Disclosure Law, set forth in Section 12-110 of the New York City Administrative Code (<http://on.nyc.gov/1bb0NVe>), over 9,000 City public servants were required to file an annual disclosure report for calendar year 2014 with the Board.<sup>12</sup>

### **Filing and Review of Annual Disclosure Reports**

City employees continue to show an excellent compliance rate in filing their mandated annual disclosure reports. As detailed in Exhibit 12 to this Report, the overall rate of compliance with the Annual Disclosure Law has exceeded 98% over the past six years. This superb record must be attributed in large part to the excellent work of the Annual Disclosure Unit: Julia Davis, Director of Annual Disclosure and Special Counsel; Joanne Giura-Else, Deputy Director of Annual Disclosure; Holli Hellman, Associate Electronic Financial Disclosure Project Manager and Supervising Annual Disclosure Analyst; Oni John, Annual Disclosure Analyst; and Veronica Martinez Garcia, Assistant to the Unit..

During this year’s annual four-week filing period, the Annual Disclosure Unit responded to 1,700 callers requesting assistance with filing, representing a 10.7% increase over the 2014 filing period.

Upon the conclusion of the filing period, the Unit reviewed filed reports for completeness and possible conflicts of interest. During 2015 the Unit conducted 8,592 reviews of the 2014 reports filed by non-terminating public servants. The Unit reviewed these annual disclosure reports to ensure that requisite waivers had been obtained for second jobs requiring them. It also reviewed Board waiver letters, issued pursuant to City Charter § 2604(e), granting permission for second

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<sup>12</sup> Reports are filed in the year following the year to which they pertain. Thus, 2014 reports, covering calendar year 2014, were filed in 2015.

jobs, to insure that these jobs were properly reported on the filer's annual disclosure report.

Reviews conducted during the year resulted in 71 letters sent to filers.<sup>13</sup> Fifty-two of those letters advised the filers that it was necessary to obtain agency head permission and then a Board order or waiver pursuant to City Charter § 2604(a) or (e) in order to retain their second, non-City business or position.<sup>14</sup> Of the remaining 19 letters, ten asked that the filer confirm that his or her City position did not involve dealing with the employer of the filer's spouse; six asked filers to confirm that they were not in a superior-subordinate position with a City colleague at both their City agency and second job; two directed filers to obtain requisite permission from their City agency for the filer's volunteer position (City Charter § 2604(c)(6)); and one advised the filer to seek advice from the Board. At year's end, 21 filers had requested waivers, 14 of which had been issued; 20 filers provided explanations or additional information concerning the Board's inquiry; two confirmed their City position did not involve their spouse's employer; six confirmed that they were not in a supervisor-subordinate relationship with a City colleague at both their City agency and second job; two resigned their second job; and one filer sought advice from the Board.

The reviews also resulted in one matter being referred to the Board's Enforcement Unit for the filer's failure to obtain a Board waiver for a second job reported again after having previously been advised to obtain the waiver.

Reviews also resulted in the Annual Disclosure Unit contacting 145 filers concerning the need to amend their reports, the majority of whom needed to disclose either second positions for which they had obtained permission or relatives in City service. As a result of the outreach, 115 filers amended their reports and 16 provided explanations as to why no amendment was required.

As a result of the recently added question requiring disclosure of relatives in City service, the Unit's review of filed reports has expanded to determine whether a conflict of interest existed where a filer and his or her relative work in the same City agency. The Unit reviewed 218 reports and contacted 26 agency ethics liaisons to inquire whether any of 735 pairs of relatives were in superior-

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<sup>13</sup> The number of letters is nearly identical to the 74 letters sent in 2014 concerning 2013 reports.

<sup>14</sup> Therefore, 52 of the requests received by the Advice Unit this year directly resulted from the Annual Disclosure Unit's review of disclosure reports.

subordinate positions. By year's end, 24 liaisons had reported that there was no supervisory relationship for 185 pairs of relatives.

The Annual Disclosure Unit receives requests for the certification of compliance that departing City employees have complied with their obligations under the annual disclosure law. Pursuant to Section 12-110 (b)(3)(b) of the Administrative Code, departing employees must obtain such a certification before they can receive their final paychecks and/or any lump sum payments. In 2015, 596 certifications were issued. Finally, the Unit continued its annual disclosure liaison trainings with eleven trainings in 2015, an increase of more than 50% over the number of trainings conducted in 2014.

### **Policymaking Boards and Commissions**

As amended by Local Law 58 of 2012 and to conform to state law, for the second year uncompensated members of City policymaking boards and commissions were required to file a short paper annual disclosure form. Eighteen policymaking boards and commissions participated in the 2015 filing period, representing 170 required filers, 15 of whom sat on multiple boards or commissions. By year's end the Unit obtained 100% compliance.

### **Public Authorities Accountability Act**

The Public Authorities Accountability Act ("PAAA") requires directors, officers, and employees of certain City-affiliated entities to file annual disclosure reports with the Board. Thirty-one PAAA entities -- including one entity filing for the first time -- participated in the 2015 filing period.<sup>15</sup> These entities represented 386 filers. Of those 386 filers, 192 individuals had previously submitted annual disclosure reports pursuant to their City positions and thus were not required to file a PAAA annual disclosure report; 25 of those 192 filers were required to file by virtue of service with more than one PAAA entity. The remaining 194 individuals were required to file a short 2014 paper PAAA report; of those 194 filers, three were required to file by virtue of service with more than one PAAA entity. At year's end there were seven non-filers.

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<sup>15</sup> The number of PAAA entities filing in 2015 was lower than the number filing in 2014 because of mergers of several PAAA entities.

## **Annual Disclosure Appeals**

Pursuant to Section 12-110 (c) of the Administrative Code, an employee may appeal his or her agency's determination that the employee is required to file a report. During 2015, the Board issued the following appeal order:

On March 24, 2015, the Board found that two DCAS employees with the civil service and office titles of Assistant Architect/Director of Roofs and Scaffolds and Landscape Architect II/Project Manager, respectively, were required to file annual disclosure reports because they have contracting responsibilities during the reporting year. The order and decision may be found on the Board's website at:

[http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/coib\\_fd\\_order\\_2015-01.pdf](http://www.nyc.gov/html/conflicts/downloads/pdf2/fd%20docs/coib_fd_order_2015-01.pdf).

## **Annual Disclosure Enforcement**

Section 12-110(g) of the City's Annual Disclosure Law empowers the Board to impose fines of up to \$10,000 for the non-filing or late filing of an annual disclosure report. During 2015, the Board collected \$28,530 in late filing fines, reflecting \$24,030 from 2014 late filers and \$4,500 from 2013 late filers. Since the Board assumed responsibility for annual disclosure in 1990, the Board has collected \$649,978 in annual disclosure fines.

In February, the Attorney General's Office unsealed a criminal indictment charging Councilmember Ruben Wills with making false statements in his annual disclosure reports: <http://www.ag.ny.gov/press-release/ag-schneiderman-comptroller-dinapoli-announce-indictment-nyc-council-member-ruben>. The indictment generated a large number of news articles, including the following representative sampling:

NYTimes: [http://www.nytimes.com/2015/02/04/nyregion/new-york-city-councilman-arrested-on-corruption-charges.html?\\_r=0](http://www.nytimes.com/2015/02/04/nyregion/new-york-city-councilman-arrested-on-corruption-charges.html?_r=0)

Daily News: <http://www.nydailynews.com/new-york/nyc-crime/city-councilman-ruben-wills-arrested-article-1.2101682>

New York Post: <http://nypost.com/2015/02/03/city-councilman-ruben-wills-arrested-again/>

Wall Street Journal: <http://blogs.wsj.com/metropolis/2015/02/03/nyc-council-member-ruben-wills-arrested-on-false-disclosure-charges/>

Crains NY:

<http://www.crainsnewyork.com/article/20150204/BLOGS04/150209939/councilmans-felony-was-ok-for-other-pols>

NY1: <http://www.ny1.com/nyc/all-boroughs/news/2015/02/3/queens-councilman-faces-new-round-of-criminal-charges.html>

### **Public Inspection of Annual Disclosure Reports**

Section 12-110(e) of the City's Annual Disclosure Law provides that certain information contained in annual disclosure reports shall be made available for public inspection. In 2015, there were 1,778 requests to inspect filed reports. 1,193 of these requests were from the media,<sup>16</sup> which resulted in numerous news articles and reports, of which a representative sampling organized by subject matter follows.

Mayor de Blasio's net worth, especially compared to that of Mayor Bloomberg:

A June 4, 2015, Capital New York article discussed the Mayor's net worth: <http://www.capitalnewyork.com/article/city-hall/2015/06/8569457/de-blasio-disclosures-show-rental-income-three-mortgages?news-image>.

A June 5, 2015, Daily News article noted the Mayor's lack of wealth in comparison to former Mayor Bloomberg: <http://www.nydailynews.com/new-york/mayor-de-blasio-assets-meager-retirement-fund-report-article-1.1819224>

A June 4, 2015, AP article that discussed the Mayor's wealth and also compared him to former Mayor Bloomberg ran in various news outlets, such as WFUV: <http://www.wfuv.org/content/de-blasio-other-electeds-release-public-disclosure-forms>; and Yahoo Finance:

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<sup>16</sup> Of the 1,193 responses to requests from the media, 1,051 were emailed directly to reporters pursuant to an Annual Disclosure Unit initiative permitting reporters to register with the Board. Reporters from established publications may receive reports by email to their work email address after they have registered with the Board.



<http://finance.yahoo.com/news/nyc-mayor-other-officials-release-172612171.html>.

Release of the Annual Disclosure Reports of the members of the City Council, the borough presidents, and the district attorneys on July 1, 2015, resulted in the following representative articles:

A July 1, 2015, Capital New York article compared the disclosures of the five borough presidents:

<http://www.capitalnewyork.com/article/city-hall/2015/07/8571356/disclosures-show-borough-presidents-finances>.

A July 2, 2015, Daily News article focused on the debt of numerous Councilmembers: [http://www.nydailynews.com/city-pols-buried-10g-credit-card-debt-article-](http://www.nydailynews.com/city-pols-buried-10g-credit-card-debt-article-1.2278879?utm_content=bufferaaf8c&utm_medium=social&utm_source=twitter.com&utm_campaign=NYDNPOLitics+Twitter)

[1.2278879?utm\\_content=bufferaaf8c&utm\\_medium=social&utm\\_source=twitter.com&utm\\_campaign=NYDNPOLitics+Twitter](http://www.nydailynews.com/city-pols-buried-10g-credit-card-debt-article-1.2278879?utm_content=bufferaaf8c&utm_medium=social&utm_source=twitter.com&utm_campaign=NYDNPOLitics+Twitter)

Release of Reports of Appointed Public Servants on August 20, 2015, resulted in a number of articles on August 26, 2015, focusing on the salary of a former City Hall staffer who sought to secure New York City as the host city for the 2016 Democratic National Convention; a representative sampling includes the following:

Politico NY: <http://www.capitalnewyork.com/article/city-hall/2015/08/8575132/de-blasio-aide-paid-six-figures-nyc-company-convention-bid-work> (also picked up by smaller publications, e.g., <http://jpupdates.com/2015/08/27/mayor-de-blasios-aide-earned-big-bucks-on-failed-brooklyn-dnc-bid/>)

Daily News: <http://www.nydailynews.com/news/politics/de-blasio-aide-six-figures-heading-nyc-dnc-attempt-article-1.2337233>

New York Post: <http://nypost.com/2015/08/26/taxpayers-paid-for-de-blasio-aides-bid-to-land-dnc/>

Articles about the filing, or lack thereof, by candidates for City office included:

A July 28, 2015, *The Wall Street Journal* article noted that the two candidates for Staten Island District Attorney filed their annual disclosure reports late and that candidates for public office have often filed late. SI Live also reported on this story:  
[http://www.silive.com/news/index.ssf/2015/07/mcmahon\\_illuzzi\\_file\\_disclosur.html](http://www.silive.com/news/index.ssf/2015/07/mcmahon_illuzzi_file_disclosur.html)

An October 31, 2015, editorial in the *New York Daily News* commented on the Bronx District Attorney candidate's failure to have filed an annual disclosure report:  
<http://www.nydailynews.com/opinion/editorial-law-article-1.2418422>.

Miscellaneous:

The December report of the Quadrennial Commission, which studied possible raises for elected City officials, mentioned, and criticized, the fact that annual disclosure reports are not on line:  
[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwitz6y4xJrKAhVI\\_WMKHfcwBekQFggiMAE&url=http%3A%2F%2Fwww1.nyc.gov%2Fassets%2Fquadrennial%2Fdownloads%2Fpdf%2F2015-Quadrennial-Commission-Report.pdf&usg=AFQjCNHK\\_x3yKcmWJU67KgLSpkhUwSaELg](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwitz6y4xJrKAhVI_WMKHfcwBekQFggiMAE&url=http%3A%2F%2Fwww1.nyc.gov%2Fassets%2Fquadrennial%2Fdownloads%2Fpdf%2F2015-Quadrennial-Commission-Report.pdf&usg=AFQjCNHK_x3yKcmWJU67KgLSpkhUwSaELg)  
(at page 67 of the report).

A December 21, 2015, article in *Newsday* discussing the report noted that Citizens Union urged that the reports be available on line:  
<http://www.newsday.com/news/new-york/panel-boost-pay-for-nyc-officials-by-12-and-more-1.11250822>,

## **6. PROPOSED AMENDMENTS TO CHAPTER 68**

The Board had a busy and successful year providing advice to City employees, enforcing violations of the City's ethics law, administering annual disclosure, and training City employees. However, Chapter 68 of the New York City Charter has gone largely unchanged since it was first enacted 25 years ago,

and some changes are needed. Indeed, City Charter § 2603(j) requires that, at least once every five years, the Board “shall review the provisions of this chapter and shall recommend to the council . . . such changes or additions as it may consider appropriate or desirable.” The Board did so in August 2009, when it issued a comprehensive report proposing extensive amendments to the Conflicts of Interest Law. A handful of those proposals were enacted in 2010 upon recommendation of the Charter Revision Commission.<sup>17</sup> But the Board’s other proposals have not been considered.

In particular, one of the Board’s highest legislative priorities for many years has been a Charter amendment providing the Board with an independent budget. 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. The Board believes that is 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.

## **7. ADMINISTRATION AND INFORMATION TECHNOLOGY**

The Board thanks its Director of Administration, Varuni Bhagwant, and Administrative Coordinator, Iris Wright, 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. He has provided the Board with the technical expertise necessary to implement changes to the Board’s electronic financial disclosure application and develop the Board’s case management software and has supervised the implementation of upgrades to the Board’s IT infrastructure, including the imminent replacement of the agency’s phone system with Voice Over Internet Protocol, an innovation that will save the Board tens of thousands of dollars annually.

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<sup>17</sup> In 2010, the Charter Revision Commission recommended, and the voters approved, three of the Board’s proposals: mandating that every City public servant obtain training in the Conflicts of Interest Law, increasing from \$10,000 to \$25,000 the maximum civil fine for a violation of Chapter 68, and empowering 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. Those provisions are now part of Chapter 68, in Sections 2603(b), 2606(b), and 2606(b-1) of the Charter.

EXHIBITS  
AND  
APPENDICES

**EXHIBIT 1**  
**CONFLICTS OF INTEREST BOARD: 1993, 2001, 2014, 2015**

<b><i>Agencywide</i></b>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Adopted Budget (Fiscal Year)	\$1,132,000 (FY94)	\$1,698,669 (FY02)	\$2,117,472 (FY15)	\$2,237,114 (FY16)
Staff (budgeted)	26	23 <sup>3/5</sup>	22	22
<b><i>Legal Advice</i></b>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Staff	6½ (4½ attorneys)	4 (3 attorneys)	3 attorneys <sup>1</sup>	4 attorneys
Telephone requests for advice	N/A	1,650	4,353	3,827
Written requests for advice	321	539	597	492
Issued opinions, letters, waivers, orders	266	501	480	437
Opinions, etc. per attorney	53	167	160	146
Pending requests at year end	151	40	174	170
Median time to respond to requests	N/A	N/A	28 days	30 days
<b><i>Enforcement</i></b>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Staff	½	5 (4 attorneys)	5 (4 attorneys)	5 (4 attorneys)
New complaints received	29	124	488	544
Cases closed	38	152	524	484
Dispositions imposing fines	1	9	78	76
Public warning letters	0	2	17	7
Fines imposed	\$500	\$20,450	\$184,405	\$121,844
Referrals to DOI	19	49	55	71
Reports from DOI	N/A	43	181	175

<sup>1</sup> The Deputy General Counsel line was vacant for eight months in 2014, and the new Deputy General Counsel had to spend much of his time disposing of enforcement cases.

<i>Training and Education</i>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Staff	1	4 <sup>3/5</sup>	4	4
Training sessions	10	190 24 agencies; CLE	599 43 agencies; Brown Bag Lunches; Ethics Liaison Meet-up; multiple CLE offerings; training for all employees of 11 agencies; new presentation for Citywide seminar	855 45 agencies; Ethics Liaison Meetup; multiple CLE offerings; training for all employees at 17 agencies; new sessions for Citywide seminar, with added integration between Training & other units
Dept. of Education training	None	116 training sessions; BOE leaflet, booklet, videotape	320 classes taught; new handbook for Therapists	241 classes taught
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>	Over 50
Ethics newsletter	None	<i>Ethical Times</i> (Quarterly)	<i>Ethical Times</i> (Monthly), <i>Public Service Puzzler</i> (Monthly)	<i>Ethical Times</i> (Monthly), <i>Public Service Puzzler</i> (Monthly)

<b><i>Training and Education (cont'd)</i></b>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Videotapes	None	3 half-hour training films; 2 PSA's	"Ethics Express: Conflicts of Interest in Five Minutes or Less" five clips posted.	"Ethics Express": 4 clips shot, one posted, 3 for posting in 2016
Electronic training	None	Computer game show; Crosswalks appearances	Development with DCAS on hold until they find the appropriate vendor; Training Twitter feed begun.	Development with DCAS slated for 2016. Twitter feed ("The COIB Daily Dose") innovations. Computer game show format given a refresher
<b><i>Annual Disclosure</i></b>	<b>1993</b>	<b>2001</b>	<b>2014</b>	<b>2015</b>
Staff	12	5	5	5
6-year compliance rate	99%	98.6%	98.5%	98.5%
Fines collected	\$36,051	\$31,700	\$28,530	\$28,530
Reports reviewed for completeness (mandated by Charter & NYS law)	All (12,000)	400	8,592	8,592
Reports reviewed for conflicts (mandated by law)	350	38	8,592	8,592
Filing by City-affiliated entities (e.g., not-for-profits and public authorities) under PAAA	0	0	31 PAAA entities filed	31 PAAA entities filed
Electronic filing	None	In development	With limited exceptions (PAAA filers, uncompensated members of policymaking boards and commissions, candidates, and assessors), all filers file electronically	With limited exceptions (PAAA filers, uncompensated members of policymaking boards and commissions, candidates, and assessors), all filers file electronically

## **EXHIBIT 2**

### **COIB MEMBERS, STAFF, AND FORMER MEMBERS 2015**

#### *Members*

Richard Briffault, Chair  
Fernando Bohorquez  
Anthony Crowell  
Andrew Irving  
Erika Thomas-Yuille

#### *Staff*

##### *Executive*

Mark Davies, Executive Director

##### *Legal Advice*

Wayne G. Hawley, Deputy Executive Director & General Counsel  
Ethan Carrier, Deputy General Counsel  
Jessie Beller, Associate Counsel  
Amber Gonzalez, Assistant Counsel

##### *Enforcement*

Carolyn Lisa Miller, Director of Enforcement (*until April 2015*)  
Michele L. Weinstat, Director of Enforcement (*commencing May 2015*)  
Bre Injeski, Deputy Director of Enforcement  
Jeffrey Tremblay, Assistant Counsel  
Evan Berkow, Assistant Counsel  
Maritza Fernandez, Litigation Coordinator

##### *Annual Disclosure*

Julia Davis, Director of Annual Disclosure & Special Counsel  
Joanne Giura-Else, Deputy Director of Annual Disclosure  
Holli R. Hellman, Associate Electronic Financial Disclosure Project Manager and  
Supervising Annual Disclosure Analyst  
Veronica Martinez Garcia, Administrative Assistant  
Oni, John, Annual Disclosure Analyst

##### *Training and Education*

Alex Kipp, Director of Training and Education  
Philip Weitzman, Senior Trainer  
Rob Casimir, Trainer  
Samantha Quinn Haisley, Trainer (*until June 2015*)  
Claire Wiseman, Trainer (*commencing June 2015*)

##### *Administrative*

Varuni Bhagwant, Director of Administration  
Iris Wright, Administrative Coordinator

##### *Information Technology*

Derick Yu, Director of Information Technology



***Interns and Volunteers***

*Volunteer Law Graduate*  
Pamela Rockmore

*Law School Interns*  
Niyata Sangani  
Laura Rion

*College Interns*  
Christine Nelson

***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
Angela Mariana Freyre	2002-2011
Steven B. Rosenfeld, Chair	2002-2012
Kevin J. Frawley	2006-2009
Monica Blum	2004-2013
Burton Lehman	2009-2014
Nicholas Scoppetta, Chair	2012-2014

**EXHIBIT 3**  
**TRAINING AND EDUCATION CLASSES ON CHAPTER 68**

<u>Year</u>	<u>DOE Classes</u>	<u>Other Agency Classes</u>	<u>Total Classes</u> <sup>1</sup>
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 <sup>2</sup>	43	139	182
2004	119	169	288
2005	80	162	242
2006 <sup>3</sup>	43	151	194
2007	75	341	416
2008	51	484	535
2009 <sup>4</sup>	33	253	286
2010 <sup>5</sup>	9	270	279
2011	21	297	318
2012 <sup>6</sup>	34	307	341
2013	18	524	542
2014	320	279	599
2015 <sup>7</sup>	614	241	855

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> For five months during 2009 the Unit had a staff of only one.

<sup>5</sup> For eight months during 2010 the Unit had a staff of only one.

<sup>6</sup> The Unit's compliment was expanded from two to four in July 2012.

<sup>7</sup> One training position was effectively vacant from June to August and for the month of December in 2015.

# 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.

2008	2009 <sup>1</sup>	2010 <sup>2</sup>	2011	2012 <sup>3</sup>	2013	2014	2015 <sup>4</sup>
<b>Buildings</b> DCAS DDC Education OATH/ECB Health Sanitation TLC ACS Aging City Council Community Boards Correction DoITT EDC Finance Fire Dept. Law MOCS NYCERS NYCHA	<b>Buildings</b> City Council DCAS DoITT Education FISA NYCHA TLC CCHR CCRB Community Boards DCA DDC DOHMH DOF DOT DPR DSNY DYCD EDC FDNY HRA NYCERS OATH SBS	<b>Buildings</b> City Council DCAS DOF DOT HRA Not-for-profits Receiving Discretionary Grants Bronx Borough President Community Boards DDC DOHMH DoITT DPR FDNY HHC HPD	<b>Buildings</b> City Council DCAS DDC DOE DOF OATH SCA Community Boards DOHMH DoITT DYCD EDC FDNY HRA Manhattan BP MOCS NYCERS Not-for-profits Receiving Discretionary Grants OEM SBS	ACS City Council Comptroller DCAS DOE DOHMH DOT HRA NYCERS TLC Borough President (M) Community Boards DDC DEP DOB DOF DoITT DSNY EDC FDNY FISA OLR Police Pension Richmond Cty. DA's Office	ACS City Council BOE BoERS DA (M) DCAS DDC DFTA DHS DOB DOE DOF DoITT DOT HRA Parks COIB DA - M DCAS DEP DOB DOC DSNY EDC FDNY Mayor's Office Mayor's Office Vs. Domestic Violence NYCHA OEM Public Advocate SBS OPA	City Council Community Boards Comptroller DDC DOE DOF DOHMH DoITT DOT HRA Parks COIB DA - M DCAS DEP DOB DOC DSNY EDC FDNY Mayor's Office Mayor's Office Vs. Domestic Violence NYCHA OEM Public Advocate SBS	ACS Bd. Of Elections City Council Comptroller DDC DOE DOB DOE DOF DoITT DOT DOHMH DOT FISA HRA OATH SCA TLC TRS 311 BxDA CCHR Community Boards DANY DOI DoITT DSNY DYCD FDNY NYCERS NYPD OEM OPA Parks Agencies Holding One or Two Classes: 13
Agencies Holding One or Two Classes: 23	Agencies Holding One or Two Classes: 24	Agencies Holding One or Two Classes: 20	Agencies Holding One or Two Classes: 16	Agencies Holding One or Two Classes: 17	Agencies Holding One or Two Classes: 13	Agencies Holding One or Two Classes: 17	Agencies Holding One or Two Classes: 13
<b>Total Classes:</b> <b>535</b>	<b>Total Classes:</b> <b>286</b>	<b>Total Classes:</b> <b>279</b>	<b>Total Classes:</b> <b>318</b>	<b>Total Classes:</b> <b>341</b>	<b>Total Classes:</b> <b>542</b>	<b>Total Classes:</b> <b>599</b>	<b>Total Classes:</b> <b>855</b>

<sup>1</sup> For five months during 2009 the Unit had a staff of one.

<sup>2</sup> For eight months during 2010 the Unit had a staff of one.

<sup>3</sup> The Training Unit's compliment was expanded from two to four in July 2012.

<sup>4</sup> One Training Unit position was effectively vacant from June to August 2015 and for the month of December 2015.

**EXHIBIT 5**  
**RECIPIENTS OF OLIENSIS & PIERPOINT AWARDS**

**Sheldon Oliensis Ethics in City Government Award**

2015	Allen Fitzer (Comptroller's Office)
2014	Rose Gill Hearn (Department of Investigation)
2013	Samantha Biletsky (Department of Education)
2012	Marla Simpson (Mayor's Office of Contract Services)
2010	Daisy Lee Sprauve, Rose Tessler, Jonathan Wangel (Department of Health and Mental Hygiene)
2009	Ricardo Morales (New York City Housing Authority)
2007	Department of Buildings
2005	The Center for New York City Law at New York Law School
2004	Saphora Lefrak (City Council)
2003	Department of Investigation
2002	Department of Environmental Protection
2001	Department of Transportation
1999	Sheldon Oliensis (Conflicts of Interest Board)

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

2015	Carolyn Lisa Miller
2014	Burton Lehman
2013	Steven Rosenfeld and Monica Blum
2012	Wayne Hawley
2011	Angela Mariana Freyre
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 2015**

	<b>1993</b>	<b>2009 (Increase v. 2008)</b>	<b>2010 (Increase v. 2009)</b>	<b>2011 (Increase v. 2010)</b>	<b>2012 (Increase v. 2011)</b>	<b>2013 (Increase v. 2012)</b>	<b>2014 (Increase v. 2013)</b>	<b>2015 (Increase v. 2014)</b>
Staff	5 attorneys	4 attorneys	4 attorneys	4 attorneys	4 attorneys	4 attorneys	3 attorneys	4 attorneys
Telephone requests for advice	N/A	3277 (-14%)	3246 (-1%)	3310 (+2%)	3213	3536 (+10%)	4,353 (+23%)	3,827 (-12%)
Written requests for advice	321	557 (-11%)	599 (+8%)	582 (-3%)	581	552 (-5%)	597 (+8%)	492 (-18%)
Issued opinions, letters, waivers, orders	266	484 (-16%)	523 (+8%)	523	471 (-10%)	559 (+19%)	480 (-14%)	437 (-9%)
Opinions, etc. per attorney	53	121 (-16%)	131 (+8%)	131	118 (-10%)	140 (+19%)	160 (+14%)	146 (-8%)
Pending written requests at year end	151	138 (-14%)	162 (+17%)	166 (+2%)	221 (+33%)	107 (-52%)	174 (+63%)	170 (-2%)
Median time to respond to requests	N/A	24 days	24 days	29 days	28 days	22 days	28 days	30 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
2011	582
2012	581
2013	552
2014	597
2015	492

**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
2011	188	250	85	523
2012	155	246	70	471
2013	210	282	67	559
2014	221	210	49	480
2015	157	223	57	437

**EXHIBIT 9**  
**CHAPTER 68 ENFORCEMENT CASES**

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
New Complaints	50	64	63	81	148	124	221	346	307	370
Cases Closed	32	54	76	83	117	152	179	243	266	234
Dispositions Imposing Fines	1	2	9	4	10	9	6	3	6	11
Public Warning Letters	1	0	0	0	2	2	0	0	0	1

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
New Complaints	330	466	510	445	526	441	437	506	488	544
Cases Closed	557	426	508	476	523	507	446	508	524	484
Dispositions Imposing Fines	21	62	136	98	74	66	89	67	78	76
Public Warning Letters	6	26	16	23	37	19	14	29	17	7



**EXHIBIT 10**  
**ENFORCEMENT SUMMARY: 2006 to 2015**

	<b>2006 (Increase v. 2005)</b>	<b>2007 (Increase v. 2006)</b>	<b>2008 (Increase v. 2007)</b>	<b>2009 (Increase v. 2008)</b>	<b>2010 (Increase v. 2009)</b>	<b>2011 (Increase v. 2010)</b>	<b>2012 (Increase v. 2011)</b>	<b>2013 (Increase v. 2012)</b>	<b>2014 (Increase v. 2013)</b>	<b>2015 (Increase v. 2014)</b>
Staff	4 (2 attorneys <sup>1</sup> )	5 (4 attorneys)	5 (4 attorneys <sup>2</sup> )	5 (4 attorneys <sup>3</sup> )	5 (4 attorneys)	5 (4 attorneys <sup>4</sup> )	5 (4 attorneys <sup>5</sup> )	5 (4 attorneys <sup>6</sup> )	5 (4 attorneys <sup>7</sup> )	5 (4 attorneys <sup>8</sup> )
New complaints received	330	466 (+41%)	510 (+9%)	445 (-13%)	526 (+18%)	441 (-16%)	437 (-0.1%)	506 (+14%)	488 (- 4%)	544 (+11%)
Cases closed	557	426 (-24%)	508 (+19%)	476 (-6%)	523 (+10%)	507 (-3%)	446 (-12%)	508 (+16%)	524 (+3%)	484 (-8%)
Dispositions imposing fines	21	62 (+195%)	136 (+119%)	98 (-28%)	74 (-24%)	66 (-11%)	89 (+35%)	67 (-25%)	78 (+16%)	76 (-3%)
Public warning letters	6	26 (+333%)	16 (-38%)	23 (+44%)	37 (+61%)	19 (-49%)	14 (-26%)	29 (+101%)	17 (-41%)	7 (-59%)
Fines imposed	\$30,460	\$87,300	\$155,600	\$161,076	\$145,850	\$145,769	\$198,876	\$131,750	\$184,405	\$121,844
Referrals to DOI	171	115 (-33%)	112 (-3%)	74 (-34%)	77 (+4%)	64 (-17%)	67 (+5%)	75 (+12%)	56 (-25%)	71 (+27%)
Reports from DOI	225	282 (+25%)	310 (+10%)	187 (-40%)	259 (+39%)	169 (-35%)	204 (+21%)	193 (-5%)	182 (-6%)	175 (-4%)

- <sup>1</sup> The Enforcement Unit had only two attorneys for several months in 2006.  
<sup>2</sup> The Enforcement Unit had one attorney on leave for several months in 2008.  
<sup>3</sup> The Enforcement Unit had one attorney on leave for several months in 2009.  
<sup>4</sup> The Enforcement Unit lacked one attorney for 3½ months in 2011.  
<sup>5</sup> The Enforcement Unit lacked one attorney for 7½ months in 2012.  
<sup>6</sup> The Enforcement Unit lacked one attorney for two months in 2013.  
<sup>7</sup> The Enforcement Unit lacked one attorney for five months in 2014.  
<sup>8</sup> The Enforcement Unit lacked a Director for one month in 2015.

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
<b>2015</b>											
<b>DECEMBER</b>											
12/22/2015	2013-903a	Levenson	Council		\$4,000						
12/22/2015	2013-903	Mark-Viverito	Council		\$7,000			Pay lobbyist for value of gift	\$3,796		
12/22/2015	2015-061a	Brosi	FDNY	X	\$1,000						
12/22/2015	2015-061b	Cartafalsa	FDNY	X	\$1,000						
12/22/2015	2015-061c	Chilson	FDNY	X	\$500						
12/22/2015	2015-061d	Curatolo	FDNY	X	\$4,000						
12/22/2015	2015-061e	Duffy	FDNY	X	\$1,000						
12/22/2015	2015-061h	McLaughlin	FDNY	X	\$3,000						
12/22/2015	2015-061i	Meyers	FDNY	X	\$500						
12/22/2015	2015-542	Haimoff	DOF	X	\$750						
12/22/2015	2015-269	Davis Moten	DHS		\$3,500						
12/22/2015	2015-228	Hsu	DOHMH	X						2	\$588.00
12/22/2015	2015-625	Scott	NYCHA	X				12 month General Probationary		15	\$3,143.00
12/22/2015	2015-311	Evans	ACS	X						3	\$598.00
<b>NOVEMBER</b>											
11/30/2015	2013-866	Hagler	HHC		\$6,000						
11/30/2015	2015-621	Sazonov	CCRB	X				Reassigned from Investigator Level II to Investigator Level I plus one year probation		30	\$4,275.00
11/23/2015	2015-300	M. Joseph	ACS	X				Refrain from soliciting any private business on ACS premises; complete a COIB training session within one year		7	\$1,600.00
11/23/2015	2015-248	Rosario	HRA							45	\$5,538.00
11/23/2015	2015-182	M. Lee	SCA	X						90	\$31,547.00
11/23/2015	2015-190e	Orozco	BOE		\$250						
<b>OCTOBER</b>											
10/21/2015	2015-312	An. Reid	DEP	X						2	\$417.92
10/21/2015	2015-587	Etienne	DHS	X						7	\$1,715.00
10/21/2015	2015-587a	Valles	DHS	X						3	\$329.64
10/21/2015	2015-190a	Scutt	BOE		\$500						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
10/21/2015	2015-434	Amnawah	OLR		\$150						
<b>SEPTEMBER</b>											
9/25/2015	2014-935	Crawley	ACS	X	\$2,000		\$1,500	Complete an individual COIB training session			
9/25/2015	2014-453	Hardy-Howard	DOHMH	X	\$500		\$1,500				
9/25/2015	2015-190d	Hunte	BOE		\$500						
9/25/2015	2015-190b	George	BOE		\$500						
9/25/2015	2015-190	Annarummo	BOE		\$500						
9/25/2015	2015-405	Colon Rivera	HRA	X				Resign and never return to HRA employment			
9/25/2015	2015-432	Pagan	HRA	X						10	\$1,177.75
9/9/2015	2015-113	Gaskin	ACS	X						8	\$2,335.00
<b>AUGUST</b>											
8/19/2015	2013-480	Mapp	DOP		\$1,900						
8/19/2015	2014-317	Michel	BOE		\$10,000						
8/19/2015	2015-182a	Wong	SCA	X						10	\$3,575.00
<b>JULY</b>											
7/14/2015	2014-904	Drew	HPD	X	\$500		\$1,250				
7/10/2015	2015-099	Bourne	DDC	X	\$1,000			Indefinite probation			
7/10/2015	2015-188	J. Brewster	DCAS	X			\$500				
<b>JUNE</b>											
6/25/2015	2015-102	Judd	HRA	X				Resign and never return to City employment		30	\$4,692.00
6/25/2015	2014-891	Bukhgalter	HPD	X	\$2,000		\$2,000				
6/25/2015	2013-594	A. Greene	Bronx BP		\$3,500						
<b>MAY</b>											
5/21/2015	2015-066	Dunbar	DCAS	X						3	\$388.40
5/21/2015	2013-648	Gray	EDC		\$1,250						
5/21/2015	2015-150	Jung	DEP	X						30	\$5,515.73
5/21/2015	2013-784a	Salvati	DSNY	X						30	\$8,349.00
5/21/2015	2015-358	Dixon	DEP	X						2	\$749.63
5/21/2015	2015-001	Rene	DOHMH	X	\$1,500		\$1,500				
5/21/2015	2014-184	Jones	NYCHA		\$2,200						
5/21/2015	2015-159	King	ACS	X						5	\$1,351.00
<b>APRIL</b>											
4/21/2015	2014-908b	Duval	NYPD		\$7,500						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
4/21/2015	2014-908c	Roy	NYPD		\$5,000						
4/21/2015	2014-164	Lanzot	NYCHA		\$1,750						
4/21/2015	2014-134	Das	HRA		\$3,000	Due to showing of financial hardship, fine was forgiven					
4/21/2015	2015-070	Badillo	Parks		\$1,000						
4/21/2015	2014-615	Chase	HRA	X				Retire from HRA and never return to City employment			
4/21/2015	2013-374	Sweeney	M CB 2		\$3,192	\$2,000 penalty + \$1,192 value of membership received					
4/21/2015	2013-673	Martinez	NYCHA		\$6,000						
<b>MARCH</b>											
3/24/2015	2015-011	Ellis	ACS	X						5	\$1,009.00
3/24/2015	2015-051	Colon	NYCHA	X				12 month probation		20	\$4,385.00
3/24/2015	2014-431	Middleton	DSNY	X	\$750						
3/24/2015	2014-663	Velez	HHC		\$12,000						
3/24/2015	2014-241	Annette	FDNY		\$1,000						
3/24/2015	2014-903	Cruz	HRA	X						45	\$5,434.00
3/24/2015	2014-565	Murray	DOE		\$500						
<b>FEBRUARY</b>											
2/26/2015	2014-495	Wood	Mayor's Office		\$2,000						
2/26/2015	2013-632	Roman	HRA	X				One year probation		50	\$5,068.00
2/26/2015	2010-621a	Martin	HHC		\$500						
2/26/2015	2010-621	Wanek	HHC					Demoted, resulting in \$66,594 annual salary reduction	\$66,594		
2/26/2015	2014-894	Butz	DOE		\$1,250						
2/26/2015	2014-518	Fonseca	NYCHA	X				18 month probation		25	\$8,128.00
2/26/2015	2014-6	Bougiamas	BOE					Resigned from BOE			
2/26/2015	2014-517	Restagno	DOT	X	\$2,000						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
2/26/2015	2014-839	Eddie	DHS	X				50 days annual leave forfeited			
2/26/2015	2014-312	Giles	DOE	X	\$1,500			Placed by DOE in Absent Teacher Reserve			
<b>JANUARY</b>											
1/22/2015	2014-488	Akuesson	DORIS	X	\$4,650						
1/22/2015	2011-201	Dilan	Council		\$9,000						
1/22/2015	2014-201	Neering	DOE	X	\$4,500						
1/22/2015	2014-361	Perdomo	DOE	X	\$1,000						
<b>2014</b>											
<b>DECEMBER</b>											
12/17/2014	2014-414	Harish	NYCERS		\$800						
12/17/2014	2014-307	Kwon	DOE		\$2,250						
12/9/2014	2014-751a	Reid	DHS	X			\$750				
<b>NOVEMBER</b>											
11/21/2014	2013-605	Parker	HRA		\$10,000	Due to showing of financial hardship, fine was forgiven					
11/21/2014	2013-853	Ellis	KCHC		\$4,500						
11/21/2014	2009-376	Amato	HHC		\$1,000						
11/21/2014	2014-479	Buenaventura	DOHMH	X				Resign from DOHMH			
11/21/2014	2014-061	Dent	BOE		\$5,500						
11/21/2014	2013-374a	Hamilton	M CB 2		\$10,660	2,500 fine + 8,160 value of benefit received					
11/21/2014	2014-768a	Williams	DPR	X				90 days probation		15	\$4,952.00
11/6/2014	2013-609	Oberman	TLC		\$7,500						
<b>OCTOBER</b>											
10/29/2014	2014-059	Ribustello	BOE		\$1,500						
10/24/2014	2013-426	Araujo	BOE		\$10,000						
10/24/2014	2014-201a	Shin	DOE		\$2,000						
10/24/2014	2014-561	Thomas	HPD	X	\$500		\$250				
10/24/2014	2013-913	Ross	DOHMH	X	\$250		\$1,100				
10/24/2014	2013-817	Rogers	ACS		\$2,500						
<b>SEPTEMBER</b>											
9/22/2014	2014-280	Morris	HRA	X						30	\$3,164.00

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
9/22/2014	2012-518a	Maldonado	HHC	X	\$4,000						
9/22/2014	2012-518	LaRosa	HHC	X	\$6,000						
9/22/2014	2013-815	Osei-Boateng	DOE		\$500						
<b>AUGUST</b>											
8/28/2014	2014-498	Avellino	Compt.	X						2	\$388.00
8/28/2014	2013-358	Paul	DOE	X	\$2,400						
8/28/2014	2013-439	Judin	DOE	X	\$1,600						
8/28/2014	2014-458	Chien	Compt.	X						45	\$13,891.00
8/27/2014	2014-188a	Mas	HPD	X	\$1,000		\$1,000				
8/27/2014	2014-188	Ruiz	HPD	X	\$1,250		\$1,250				
8/27/2014	2013-633	Ali	DOE	X	\$7,000						
8/26/2014	2013-714	Luong	Mayor's Office		\$2,000						
8/26/2014	2014-310	Mischel	Mayor's Office		\$1,000						
8/20/2014	2013-535	King	NYCHA	X						20	\$4,194.00
8/20/2014	2014-060	Conacchio	BOE		\$1,500						
8/20/2014	2013-305	Brown, F.	DDC	X	\$2,170			7 days annual leave forfeited	\$2,170	7	\$2,170.00
8/20/2014	2011-659	Romano	QBPO		\$2,000						
8/20/2014	2014-449	Meloy	DEP	X						30	\$5,228.00
8/20/2014	2014-174	Bediako	DOHMH	X	\$1,500		\$1,500				
8/19/2014	2013-258	Collins	DA		\$10,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
8/6/2014	2014-321	DiBerardino	DSNY	X	\$4,000			Resign from DSNY			
8/6/2014	2013-607	Jenkins	OEM		\$25,000	Due to showing of financial hardship, fine was forgiven		Pleaded guilty in NYS Criminal Ct. to Welfare Fraud, judgment	\$23,900	30	\$2,700.00
<b>JULY</b>											
7/22/2014	2013-279	Rabinowitz	DOF		\$5,000						
7/1/2014	2013-829	Nealy	DOHMH	X				Demoted, resulting in 4,781 annual salary reduction	\$4,781		
7/1/2014	2013-474	Rosal	DOHMH	X						13	\$4,202.00
<b>JUNE</b>											
6/26/2014	2014-038a	Malloy	DSNY		\$1,500						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
6/26/2014	2014-038	Nichilo	DSNY		\$1,500						
6/26/2014	2013-299	Oni	HRA		\$6,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
6/25/2014	2014-067	Schlansky	DOE	X			\$6,000				
6/25/2014	2014-165	Darwin	Law Dept.	X						4	\$755.00
6/23/2014	2014-200	Sainbert	DCAS	X						10	\$2,001.00
6/23/2014	2013-460	Moore	ACS	X	\$500		\$500				
6/23/2014	2013-001	Washington	NYCHA		\$1,300						
6/18/2014	2014-240	Martinez	Compt.				\$4,852	Forfeit half of remaining annual leave and retire from Comptroller's Office			
6/18/2014	2014-261	Joseph	DHS	X	\$500			Reimburse Agency for repair to damages on City vehicle	\$2,503		
6/18/2014	2014-286	Shapiro	NYCHA		\$1,250						
6/5/2014	2013-222a	Cassidy	FDNY	X	\$750		\$750	6 days annual leave forfeited	\$1,898		
6/2/2014	2013-222	Del Re	FDNY	X	\$5,500		\$1,500				
<b>MAY</b>											
5/12/2014	2013-870	Vazquez	ACS	X						6	\$1,821.00
5/12/2014	2012-836b	Fraraccio	NYCHA		\$1,200						
5/12/2014	2013-863	Akinboye	DOHMH	X	\$500		\$3,500				
5/12/2014	2012-687	Ortiz-Melendez	HRA	X						7	\$950.00
5/12/2014	2013-424	Phifer	DOE	X	\$2,500						
<b>APRIL</b>											
4/28/2014	2011-700	Hederman	DOE		\$1,000	Fine would have been substantially higher but for showing of financial hardship					
4/28/2014	2013-669	Cotto	ACS	X	\$625		\$625				
4/28/2014	2013-644	Rao	DEP	X			\$775	Restitution and 10 days annual leave forfeited	\$4,423		

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
4/24/2014	2012-870	Massuridis	NYCHA		\$3,000						
4/24/2014	2012-321 & 2012-827	Hinds	DOE		\$2,500	Due to showing of financial hardship, fine was reduced from \$12,500 to \$2,500					
4/24/2014	2013-307	Casal	DOE		\$1,000						
4/15/2014	2011-387	Salce	ACS		\$5,000						
<b>MARCH</b>											
3/31/2014	2013-622	Saint-Louis	DEP	X			\$3,090	Restitution and 5 days annual leave forfeited	\$1,565		
3/27/2014	2013-623	Simpson	HPD		\$2,400						
3/27/2014	2013-072	Green	DOE		\$2,000						
3/27/2014	2014-017	Lebron	ACS	X						5	\$1,472.00
3/20/2014	2013-534	Ivey	HRA	X						12	\$4,466.00
3/4/2014	2013-711	Brown	ACS	X						5	\$995.00
<b>FEBRUARY</b>											
2/3/2014	2013-816	Yndigoyen	Compt.	X						10	\$2,300.00
2/3/2014	2013-782a	Dixon	DSNY	X	\$1,500			Retire from DSNY			
<b>JANUARY</b>											
1/30/2014	2013-627	Zima	DHS		\$1,000			Restitution	\$575		
1/30/2014	2013-557	Kwait	DOE	X	\$4,500						
<b>2013</b>											
<b>DECEMBER</b>											
12/30/2013	2013-656	Bansi	DOHMH	X				Resign from DOHMH & never return to DOHMH employment			
12/30/2013	2013-661	Diaz	DOHMH	X	\$1,000		\$1,000				
12/26/2013	2013-462	Antonetty	ACS	X				Reassigned, resulting in 34,275 annual salary reduction	\$34,275		
12/26/2013	2013-296	Hasberry	DOE	X	\$1,250						
12/23/2013	2013-198	Bazile	NYCHA		\$3,000						
12/23/2013	2013-468	Tapia	Compt.	X						20	\$4,480.00
12/23/2013	2013-097	Castro	DOE	X	\$6,000						
12/3/2013	2013-414	Dalton	DOHMH	X	\$1,000						



Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
12/2/2013	2013-277	James	NYCHA	X				18 months probation		15	\$3,180.00
<b>NOVEMBER</b>											
11/26/2013	2013-196	Namnum	DOE		\$3,000						
<b>OCTOBER</b>											
10/29/2013	2013-044a	Greene	DOE		\$1,500						
10/29/2013	2012-836	Mignogna	NYCHA					Demoted, resulting in 5,475 annual salary reduction	\$5,475		
10/29/2013	2012-836a	Cavero	NYCHA		\$1,600						
10/29/2013	2012-836c	Augustyn	NYCHA		\$1,000						
10/29/2013	2012-836d	Santaniello	NYCHA		\$900						
10/24/2013	2013-384	Torres	DOE					Terminated			
10/2/2013	2013-177	Devgan	DDC	X	\$8,000			Resign from DDC			
10/2/2013	2013-177a	Shah	DDC	X	\$2,500			Indefinite probation			
10/1/2013	2013-444	Veras	Bx B.P.	X						30	\$5,066.00
10/1/2013	2012-831	Reissig	NYCHA	X	\$2,300						
10/1/2013	2013-004	Mosley	Compt.		\$2,500						
<b>SEPTEMBER</b>											
9/3/2013	2012-469	Enright	HPD		\$5,000						
<b>AUGUST</b>											
8/29/2013	2013-306	Giwa	SCA	X						30	\$10,400.00
8/26/2013	2013-380	Compton	HPD		\$1,000						
8/13/2013	2012-493	Hila	DSNY	X						39	\$10,718.84
8/12/2013	2011-145	Gonzalez	Bx CB 9		\$7,500						
8/1/2013	2013-253	Trambitskaya	ACS		\$1,000						
8/1/2013	2013-158	Mohamed	Compt.	X						5	\$942.00
<b>JUNE</b>											
6/27/2013	2012-880b	Woods	DOHMH	X	\$1,250						
6/26/2013	2013-111	Madu	DEP	X	\$5,000						
6/24/2013	2013-044	Rodriguez	DOE		\$2,500						
6/24/2013	2012-238	Bracone	DSNY		\$2,000						
6/24/2013	2012-238a	Torres	DSNY		\$2,000						
<b>MAY</b>											
5/20/2013	2013-124	Choden	DOHMH	X	\$750		\$750				
5/16/2013	2012-338	Marrero	DEP	X	\$2,000						
<b>APRIL</b>											

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
4/29/2013	2012-458	Jones	NYCHA	X	\$1,250			One year probation		5	\$1,393.61
4/29/2013	2012-365	Reyes	DOC		\$4,500						
4/29/2013	2012-365a	Davis	DOC		\$6,000						
4/29/2013	2012-233	Bessem	HRA	X						20	\$3,082.80
4/29/2013	2012-461	Raheb	FDNY		\$7,000						
4/25/2013	2012-897a	Valencia	DEP	X				800 in restitution & 15 days annual leave forfeited = 3,038	\$3,838		
4/25/2013	2012-894b	Abrams	DEP	X				946 in restitution & 15 days annual leave forfeited = 3,142	\$4,088		
4/25/2013	2012-897c	Ramnarine	DEP	X				Restitution & resign from DEP	\$1,229		
4/25/2013	2012-897	Hernandez	DEP	X				Restitution	\$1,322	15	\$5,777.00
4/25/2013	2013-135	Starkey	Compt.	X						25	\$5,512.00
4/24/2013	2012-828	Taylor	HHC		\$2,500			Loan repayment	\$500		
4/17/2013	2012-848	Wolf	HHC		\$6,000						
4/15/2013	2012-710	James	DOHMH	X	\$1,500		\$2,500				
4/1/2013	2012-766	Wilson	DOHMH	X	\$2,000						
4/1/2013	2012-765	Singleton	DOHMH	X	\$1,250						\$500.00
4/1/2013	2012-712a	Piccirillo	DOE		\$250						
MARCH											
3/21/2013	2011-412	Booker	HPD		\$3,000						
3/18/2013	2012-362	Theodore+C226	HPD		\$1,250						
3/7/2013	2012-473	Pack	HHC		\$9,500						
3/7/2013	2012-624	Davis	ACS	X	\$1,500						
3/4/2013	2012-819	DeMaio	DOE	X	\$2,300		\$4,200				
FEBRUARY											
2/28/2013	2012-426	Muniz	DHS	X				Resign from DHS & never return to City employment		30	\$6,622.00
2/28/2013	2012-808	Romeo	NYCHA		\$1,000						
2/25/2013	2010-747	Findley	HRA		\$1,400						
2/6/2013	2011-898a	Purvis	HRA	X						60	\$9,972.00
2/5/2013	2012-464	Rodriguez	HRA	X						2	\$280.00
JANUARY											

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
1/23/2013	2012-322	Cohen	DOE		\$7,500						
1/23/2013	2012-313	Baptiste	DOE		\$6,500						
1/17/2013	2012-140	Stevenson-Hull	HRA							8	\$1,076.00
1/7/2013	2012-605	Blackman	DCAS	X				Resign from DCAS & never return to City employment; forfeit annual leave in the amount of 1,000	\$1,000		
1/7/2013	2011-816	Patel	DDC	X				13 days annual leave forfeited	\$2,591	30	\$5,980.00
1/7/2013	2012-746	Chavez-Downes	DHS	X			\$3,750				
<b>2012</b>											
<b>DECEMBER</b>											
12/27/2012	2012-568	DiVittorio	DOE	X	\$1,000						
12/27/2012	2012-473a	Rodriguez	HHC		\$1,750						
12/26/2012	2011-750	Vera	DOE		\$9,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
12/26/2012	2010-880	Dockery	ACS		\$7,500	Due to showing of financial hardship, fine was forgiven					
12/13/2012	2012-583	Sivilich	DoITT	X	\$5,000			Resign & never return to DoITT employment		30	\$7,144.78
12/13/2012	2012-582	Ervin-Turner	HRA	X						20	\$3,780.00
12/3/2012	2012-329	Zerilli	Parks	X	\$1,750						
<b>NOVEMBER</b>											
11/28/2012	2011-860	Namnum	DOE		\$47,929	15,000 fine + 32,929.29 value of benefit received					
11/26/2012	2012-270b	Cohen	HRA		\$3,000						
11/26/2012	2012-228	Fogel	DOE		\$2,500						
11/26/2012	2012-540	Brennan	DOE		\$500						
<b>OCTOBER</b>											
10/25/2012	2012-169	Agius	SCA		\$1,000						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
10/24/2012	2009-493	Knowlin	DOE		\$2,500	Due to showing of financial hardship, fine was forgiven					
10/24/2012	2011-636	Nero	DOE		\$4,000						
10/17/2012	2012-328	Scanterbury	DOE		\$4,000						
10/17/2012	2012-364	Lim	EDC		\$7,500						
10/4/2012	2012-581	Jimenez	HRA	X						7	\$3,363.94
10/3/2012	2012-486	Dance	DEP	X						15	\$3,790.00
10/3/2012	2012-316	Ojudun	HRA	X				Resign & never return to HRA employment			
SEPTEMBER											
9/12/2012	2009-845	Thompson	DOE					Resign & never return to DOE employment			
9/5/2012	2011-193	Taylor	DSNY		\$9,197	7,500 fine + 1,696.82 value of benefit received					
9/4/2012	2012-314	Marinello	DCAS	X							
9/4/2012	2012-367	Williams	DOHMH	X						25	\$4,686.35
9/4/2012	2012-399	Hayes	DOHMH	X	\$6,000			No longer use any affiliation in publications other than DOHMH			
9/4/2012	2011-531	Passarella	DOE		\$3,500						
9/4/2012	2012-492a	Perez	Compt.	X						3	\$1,316.45
9/4/2012	2012-492	Innamorato	Compt.	X						10	\$3,000.88
AUGUST											
8/22/2012	2012-021	Baksh	Parks	X						60	\$11,478.00
8/22/2012	2011-720	O'Mahoney	DOE	X	\$4,000						
8/22/2012	2011-055	Gonzalez	ACS	X	\$1,250					5	\$1,256.00
8/22/2012	2011-898	Purvis	HRA	X						20	\$3,530.00
8/22/2012	2012-115	Washington	HRA	X						5	\$758.00
8/8/2012	2010-479	Thornton	DOE		\$3,500						
JULY											
7/31/2012	2012-230	Hope, K.	HRA	X				Resign & never return to HRA employment			

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/31/2012	2011-622b	Charbonier	NYCHA	X				One year probation		5	\$812.00
7/31/2012	2011-622e	Shepard	NYCHA	X				One year probation		5	\$1,421.00
7/25/2012	825+B727	Balkcom	DFTA	X				9 month probation		45	\$4,757.12
7/25/2012	2012-204	Murph	HRA	X						8	\$1,085.97
7/25/2012	2012-114	Tomkins	HRA	X						5	\$1,244.00
7/23/2012	2012-339	Cortez	ACS	X						12	\$3,861.00
7/23/2012	2012-246	Paci	DEP	X				4 days annual leave forfeited	\$1,574	1	\$393.40
7/23/2012	2010-541	Rodriguez	HHC		\$1,250						
JUNE											
6/28/2012	2011-429a	Glover, M.	HRA	X						10	\$1,584.00
6/28/2012	2011-429	Glover, B.	HRA							30	\$4,307.00
6/26/2012	2012-095	Gomez	HRA	X	\$3,750						
6/26/2012	2009-598	Shepherd	DOE					Demoted, resulting in 39,003 annual salary reduction	\$39,003		
6/26/2012	2010-762	Strauss	DOE	X	\$2,500						
6/26/2012	2010-335a	McCrorey	Parks		\$250						
6/26/2012	2010-335b	Williams	Parks		\$250						
6/26/2012	2010-335c	James	Parks		\$750						
6/26/2012	2010-335d	Hill	Parks		\$500	Respondent did not appear at the trial, so the Board fine has not yet been collected					
6/26/2012	2010-335e	Simms	Parks		\$250	Due to showing of financial hardship, fine was forgiven					
6/25/2012	2012-162	Stewart	City Planning		\$6,500						
6/11/2012	2010-015	Neblett	DOE		\$1,000			Resign from DOE & return piano			
6/11/2012	2011-478	Mercado	DOE		\$1,000						
6/6/2012	2012-326	Mayo	DoITT	X				Resign & never return to DoITT employment			
6/6/2012	2010-672	Silver	DOE	X	\$1,500						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
6/4/2012	2012-098	Bennett	DOHMH	X							
6/4/2012	2012-150a	Borrero	DOE	X							
6/4/2012	2012-231	Thomas	HRA	X						20	\$2,252.11
6/4/2012	2012+A183-151	Tirado	HHC		\$1,750						
6/4/2012	2012-229	Hope	HRA	X						30	\$5,304.74
6/4/2012	2012-045	Gamble	ACS	X						12	\$2,348.00
6/4/2012	2010-276a	Mattern	DOE	X	\$1,500						
APRIL											
4/30/2012	2011-445	Shapiro	DOE	X	\$2,000						
4/30/2012	2010-836	Connell-Cowell	DOE	X	\$4,500						
4/25/2012	2011-591	Nelson	DOE		\$3,500						
4/24/2012	2011-480	Stark	DOF		\$22,000						
4/23/2012	2011-302	Trezevantte	DOE	X	\$1,250						
4/16/2012	2011-868	Perotti	DOF	X				Demoted, resulting in 8,000 salary reduction + 7,900 in loan repayment	\$15,900		
MARCH											
3/26/2012	2011-544	Fabrikant	DOE		\$2,500						
3/21/2012	2012-041	Gibson	DOHMH	X			\$1,500				
3/12/2012	2011-724	Edwards	DOC	X				24 days annual leave forfeited	\$7,235	21	\$4,539.40
3/12/2012	2011-456	Wiltshire	ACS		\$3,000						
3/12/2012	2012-121	Congo	DOHMH	X				Resign & never return to City employment			
3/6/2012	2012-014	Mark	DOHMH	X			\$4,000	20 days annual leave forfeited and resign & never return to City employment	\$4,494	20	\$4,494.20
3/5/2012	2011-765	Pawar	NYPD		\$1,000						
3/5/2012	2011-627	Singleton	DOHMH	X			\$2,000				
3/5/2012	2011-727	Dumeng	ACS	X						5	\$1,000.00
3/5/2012	2011-734	Vasquez	ACS	X						15	\$4,369.00
FEBRUARY											
2/21/2012	2011-664	Hines	ACS	X						30	\$3,926.67
2/8/2012	2011-547	Harris	ACS	X						4	\$1,172.20

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
2/7/2012	2010-609	Zackria	DOE		\$7,500	Respondent did not appear at the trial, so the Board fine has not yet been collected					
2/6/2012	2011-473	Vazgryn	Parks	X			\$4,500			30	\$5,300.00
2/6/2012	2011-768	Taylor-Williamson	DCC	X						7	\$1,743.00
JANUARY											
1/31/2012	2010-842a	Lugo	DoITT		\$2,500						
1/26/2012	2007-269	James	DSNY	X						90	\$25,046.10
1/26/2012	2007-269a	Gilbert	DSNY	X						60	\$16,697.47
1/26/2012	2007-269b	Maurice	DSNY	X						90	\$24,425.57
2011											
DECEMBER											
12/20/2011	2010-548	Maldonado	DOB		\$2,500						
12/20/2011	2010-285a	LaBella	FDNY		\$1,500						
12/20/2011	2010-285	Zerillo	FDNY		\$12,500						
12/15/2011	2011-726	Burgos	DOHMH	X	\$1,000						
12/15/2011	2011-663	Williams	DOHMH	X			\$2,440				
12/8/2011	2011-443	Akinoye	HRA	X			\$700				
12/6/2011	2011-368	Raab	DOE		\$6,500						
12/5/2011	2010-831	Glanz	DOC		\$2,500						
12/1/2011	2009-159	Carrion	Bx B.P.		\$10,000						
NOVEMBER											
11/14/2011	2011-392	Robertson	OATH	X				4 days annual leave forfeited	\$596		
SEPTEMBER											
9/28/2011	2010-258a	Garvin	ACS	X				5 days annual leave forfeited	\$706	10	\$1,412.60
9/19/2011	2011-361	Udeh	DOHMH	X	\$2,000			Demoted, resulting in 8% salary reduction			
9/19/2011	2011-427	Capellan	DOE		\$2,000						
9/19/2011	2011-003	Vielle	DOHMH	X				Resign & never return to DOHMH employment			
AUGUST											
8/29/2011	2011-360	Marandi	DEP	X	\$1,269			Restitution	\$1,269		

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
JULY											
7/25/2011	2009-700	McNair	HRA		\$7,500	Although respondent did appear at the trial, the Board fine has not yet been collected					
7/25/2011	2009-181	Markowitz	Bk B.P.		\$20,000						
7/25/2011	2011-343	Godfrey	DOHMH		\$1,000						
7/6/2011	2008-880	Julien	DOT		\$2,000						
JUNE											
6/30/2011	2010-723	Pizarro	DOHMH	X	\$600			3 days annual leave forfeited & 111.92 restitution	\$1,099		
6/30/2011	2010-276	Kelly-Ennis	DOE		\$1,250						
6/30/2011	2010-430	Mitchell	HRA	X						5	\$799.61
6/30/2011	2010-063	Naidu-Walton	HPD	X	\$2,500						
6/30/2011	2009-434	Hedrington	HRA		\$1,000						
6/30/2011	2009-434a	Barthelemy	HRA		\$1,250						
6/29/2011	2011-189	Olsen	DOE	X	\$4,000						
6/28/2011	2011-084	Smolkin	DOE	X			\$5,000	Restitution	\$764		
6/28/2011	2010-406	Garcia	HRA	X						10	\$2,033.60
6/28/2011	2010-830	Lee	BIC	X						30	\$3,403.00
6/28/2011	2011-156	Andrews	NYCHA		\$2,000						
6/27/2011	2011-015	Ruiz	NYCHA	X						40	\$7,616.00
6/27/2011	2010-282	Baez	HRA		\$500	Due to showing of financial hardship, fine was reduced from \$5,000 to \$500					
6/27/2011	2010-156	Belle	HRA			financial hardship,		Restitution	\$345		
6/23/2011	2011-230	Terracciano	DEP	X				3 days annual leave forfeited	\$1,371		
MAY											
5/25/2011	2011-187	Shaffer	DFTA	X	\$1,000	Due to showing of financial hardship, fine was reduced from \$7,500 to \$1,000		Demoted & transferred, resulting in 20% salary reduction			



Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
5/19/2011	2010-873	Arowolo	NYCHA	X				One year probation		10	\$3,013.00
5/9/2011	2010-329	Barrington	DCAS	X				Restitution	\$277	20	\$2,423.00
5/9/2011	2009-807	Solomon	DOE		\$1,000						
5/4/2011	2010-842	Jordan	DoITT					Transferred, resulting in 15,000 salary reduction	\$15,000		
5/2/2011	2010-573	Lowe	ACS	X						30	\$3,352.00
APRIL											
4/21/2011	2010-335	Diggs	Parks		\$1,250						
4/7/2011	2009-553	Grant	DOE		\$300						
4/5/2011	2009-467	Tatum	DOE		\$20,000						
4/4/2011	2011-002	Ginty	DEP	X				Demoted & one year probation		30	\$3,772.00
MARCH											
3/29/2011	2010-439	Paige	FDNY		\$2,500	Respondent did not appear at the trial, so the Board fine has not yet been collected					
3/24/2011	2009-436	Szot	DOE		\$3,250		\$2,500				
3/21/2011	2008-963a	Concepcion	ACS		\$3,000						
3/10/2011	2009-651	Tabaei	HHC		\$3,500						
3/9/2011	2010-165	Walker	DOE	X				Resign & never return to DOE employment			
3/7/2011	2008-503	Armstead	DOC		\$4,000						
3/7/2011	2008-747	James	DOHMH		\$1,500						
FEBRUARY											
2/15/2011	2010-657	Lumpkins-Moses	DOE	X			\$7,500				
2/9/2011	2010-492	Hall	HRA	X						30	\$3,695.00
2/9/2011	2010-278	Wright	HRA	X						60	\$6,972.00
2/7/2011	2009-849a	Scissura	BBP		\$1,100						
2/7/2011	2009-849	Markowitz	BBP		\$2,000						
2/2/2011	2010-540	Cadet	DOE							10	\$848.40
2/2/2011	2010-742	Padilla	HHC		\$2,000						
2/1/2011	2006-773	Koonce	HPD		\$1,500	Due to showing of financial hardship, fine was forgiven					

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
2/1/2011	2010-521	Graham	ACS	X				One year probation		45	\$9,079.00
2/1/2011	2010-442	Peruggia	FDNY	X	\$12,500						
JANUARY											
1/31/2011	2010-874	Mark	DOHMH	X			\$4,000	20 days annual leave forfeited	\$4,494	20	\$4,494.20
1/31/2011	2010-893	Anderson	DOHMH	X				Transferred to another unit		30	\$7,303.96
2010											
DECEMBER											
12/27/2010	2010-610	Rizzo	DOE		\$14,000						
12/22/2010	2010-126	Acevedo	HPD	X				Resign			
12/22/2010	2010-242	Karim	NYCHA	X						15	\$3,082.00
12/21/2010	2010-014	Crispiano	SCA		\$1,500						
12/20/2010	2010-234a	Angelidakis	DOE	X	\$2,250						
12/20/2010	2010-234b	Halpern	DOE	X	\$1,500						
12/20/2010	2010-234c	Nussbaum	DOE	X	\$1,500						
12/20/2010	2010-768	Vazquez	DOHMH	X				Resign & never return to DOHMH employment			
NOVEMBER											
11/18/2010	2010-296	Woods	HRA	X						20	\$2,490.00
11/18/2010	2010-661	Orah	HPD	X						60	\$8,464.44
11/8/2010	2009-307	McNeil	DOHMH		\$2,000	Although respondent did appear at the trial, the Board fine has not yet been collected					
11/8/2010	2008-397	Mitchell	NYCHA		\$6,000						
11/8/2010	2010-035	Fischetti	NYCHA		\$20,000						
11/1/2010	2010-338	Mendez	HRA	X				Resign & never return to City employment			
11/1/2010	2010-558	Bradley	ACS	X						3	\$571.00
11/1/2010	2010-446	Bollera	DOE					Terminated			
OCTOBER											
10/20/2010	2008-602	Jones	HPD		\$2,000						
10/19/2010	2009-465	Yung	FDNY	X						6	\$2,060.00

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
10/14/2010	2009-514	Agbaje	HRA		\$1,500						
10/4/2010	2010-491	Kayola	DSNY		\$2,250						
10/4/2010	2010-051	Currie	DCAS		\$2,000						
SEPTEMBER											
9/30/2010	2010-345	Griffen-Cruz	HRA	X						10	\$1,161.00
9/23/2010	2010-433	Coward	DSNY	X				Retire & never return to DSNY employment or City for 5 years			
9/1/2010	2008-756	John	DOHMH	X				136 hours of annual leave forfeited; resign & never return to City employment	\$5,303	22	\$6,005.34
AUGUST											
8/26/2010	2010-067	Chabot	NYCHA		\$900	In setting the amount of the fine, the Board took into consideration that respondent was suspended by his agency for 30 days, valued at approx. \$3,890				30	\$3,890.00
8/26/2010	2009-466	Holder	DOE	X	\$2,400						
8/26/2010	2010-245	Speranza	DEP	X						8	\$1,495.00
8/23/2010	2010-299	King	DOT		\$1,000						
8/23/2010	2010-424	Simpkins	DOHMH	X			\$2,500				
8/23/2010	2010-432	Oates	DOHMH	X				Resign		19	\$2,371.00
8/9/2010	2009-686	Romano	NYCHA	X	\$1,750						
JULY											
7/19/2010	2010-315	Clare	DEP	X				Restitution	\$2,939		
								Criminal restitution, resign & never return to DEP employment or City for 5 years			
7/13/2010	2010-097	Simmons	DOHMH	X						7	\$1,083.00
7/12/2010	2009-815	Beers	DEP	X						30	\$4,884.00
7/12/2010	2010-005	Duncan	DCAS		\$1,750						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/6/2010	2008-547	Reid	DOB		\$2,000						
JUNE											
6/29/2010	2009-598b	Williams	DOE							75	\$7,515.00
6/29/2010	2008-759	Macaluso	Parks		\$2,500						
6/29/2010	2009-398	Rubin	DOF		\$2,500						
6/29/2010	2009-265	Ingram	HRA							10	\$1,357.00
6/3/2010	2007-773a	Gill	DOHMH		\$950						
6/2/2010	2006-772	Kolowski	DOHMH	X	\$1,500						
6/2/2010	2006-772a	Fisher	DOHMH	X	\$1,500						
6/2/2010	2010-103	McKinney	Parks	X	\$800			Restitution	\$802		
MAY											
5/19/2010	2009-687	Siyabolola	HRA	X				Resign			
5/19/2010	2009-814	Jamal	DEP	X	\$250					3	\$903.00
5/11/2010	2009-486	Aponte	NYCHA	X						5	\$612.00
5/11/2010	2009-099	Tieku	ACS		\$7,500	Due to showing of financial hardship, fine was forgiven					
5/11/2010	2009-403	Roberts	HRA		\$7,500						
5/4/2010	2010-212	Eliopoulos	DSNY	X						6	\$1,567.02
5/3/2010	2010-077a	Cid	DOE		\$1,250						
5/3/2010	2010-077	Piazza	DOE		\$3,000						
5/3/2010	2008-648a	Dunn	HHC		\$1,000						
5/3/2010	2008-246b	Stewart	City Council		\$1,250						
5/3/2010	2010-035a	Eng	NYCHA		\$1,500						
APRIL											
4/15/2010	2009-646	Wright	DOHMH	X	\$1,000			5 days annual leave forfeited	\$1,048	5	\$1,047.55
4/15/2010	2009-852	Williams	HRA	X						20	\$2,714.00
4/15/2010	2009-261	Hines	DEP	X	\$400					10	\$2,124.60
4/15/2010	2007-695	Colbert	ACS		\$1,500	Due to showing of financial hardship, fine was forgiven					
4/13/2010	2009-542	Velez Rivera	DOE	X	\$1,250						
4/13/2010	2009-445	Maliaros	DOE		\$900						
4/8/2010	2009-204	Paulk	HRA							6	\$1,144.00
MARCH											
3/5/2010	2008-562	Roberts	DORIS		\$1,000						
3/2/2010	2009-600	Robinson	DOE		\$1,250						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
3/2/2010	2008-648	Ricciardi	HHC		\$13,500						
3/2/2010	2008-246	Reid	City Council		\$2,500						
3/1/2010	2009-723	Baker	DCAS		\$1,750						
FEBRUARY											
2/2/2010	2007-635	Holchendler	DSNY		\$6,000						
2/2/2010	2009-053a	Cohen-Brown	DOE	X			\$3,500				
2/1/2010	2007-155	Dziewanowski	DOE		\$5,000	In setting the amount of the fine, the Board took into consideration that respondent was suspended by his agency for 30 days, valued at approx. \$6,747				30	\$6,747.00
2/1/2010	2009-6+A22990	Keaney	City Council		\$2,500						
JANUARY											
1/28/2010	2009-312	Avinger	ACS		\$500	Due to showing of financial hardship, fine was reduced from \$3,000 to \$500					
1/11/2010	2009-062	Rosa	Parks	X	\$2,500						
1/6/2010	2009-226a	Wierson	NYC-TV		\$5,000						
2009											
DECEMBER											
12/22/2009	2009-351	Wright	ACS		\$1,000	Due to showing of financial hardship, fine was reduced from \$3,000 to \$1,000					
12/22/2009	2008-948	Gray	ACS		\$750	Due to showing of financial hardship, fine was reduced from \$1,500 to \$750					
12/22/2009	2008-805	Mateo	DOE		\$2,000	Due to showing of financial hardship, fine was forgiven					
12/16/2009	2009-391	Paige	FDNY	X				Loan repayment	\$1,500	5	\$1,136.00

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
12/15/2009	2008-923a	Jack	DSNY	X						9	\$2,412.00
12/15/2009	2008-923	Coward	DSNY	X						9	\$2,412.00
12/14/2009	2009-046	Racicot	DOF	X			\$3,000				
12/14/2009	2009-085	Hicks	DOE	X			\$750				
12/8/2009	2008-861	Smart	HRA		\$10,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
12/2/2009	2008-792	Bryant	ACS		\$1,250						
12/2/2009	2009-381	Watts	DHS	X						5	\$870.00
12/2/2009	2009-082	Winfrey	HRA	X		Due to showing of financial shardaship, the Board accepted the penalty imposed by the agency of \$1,586, instead of the Board fine of \$3,000				10	\$1,586.00
12/1/2009	2008-911	Pettinato	DOE	X	\$6,000		\$1,500				
NOVEMBER											
11/24/2009	2008-271	Cuffy	HPD		\$1,500						
11/23/2009	2006-045	Williams	HRA		\$1,500						
11/23/2009	2008-390	R. Brewster	HRA		\$3,000						
OCTOBER											
10/26/2009	2007-588	Fox	DOE		\$1,000						
10/21/2009	2004-220	Perez	HHC		\$12,500						
10/21/2009	2009-416	Mason-Bell	DOE		\$1,250						
10/20/2009	2009-140	Brown	DOE	X	\$1,500		\$1,300				
10/20/2009	2009-024	Beza	HRA		\$7,500	Due to showing of financial hardship, fine was forgiven					
10/19/2009	2009-479	Anthony	DOHMH	X			\$1,400				
10/15/2009	2008-531	Maslin	DOE		\$1,000						
10/15/2009	2009-576	King	HRA	X						60	\$6,100.33
SEPTEMBER											
9/29/2009	2007-626	Eisenberg	DOE		\$1,000						
9/29/2009	2009-482	Pittman	DOHMH	X				5 days annual leave forfeited	\$762	5	\$761.50

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
9/29/2009	2009-224	McNeil	ACS	X						10	\$1,420.08
9/29/2009	2008-274	Proctor	DHS		\$1,000						
9/9/2009	2009-481	Patrick	DOHMH	X				3 days annual leave forfeited	\$330	2	\$219.94
9/29/2009	2009-144	DeSanctis	NYCHA	X						15	\$4,695.00
9/29/2009	2008-303	Kundu	HRA		\$1,000						
9/29/2009	2008-802	Baksh	DOT	X						15	\$1,644.00
9/29/2009	2009-480	Ayinde	DOHMH	X						7	\$1,412.46
9/29/2009	2007-847	Sirefman	EDC		\$1,500						
9/8/2009	2009-122	Campbell	DCAS	X				10 days annual leave forfeited	\$1,994	15	\$2,999.00
AUGUST											
8/27/2009	2008-872	Cora	DOE		\$500	Due to showing of financial hardship, after respondent paid \$500, the Board forgave the remainder of the \$2,500 fine					
8/27/2009	2009-029	Finkenberg	HRA		\$900	Due to showing of financial hardship, after respondent paid \$900, the Board forgave the remainder of the \$1,500 fine					
8/27/2009	2008-729	Calvin	ACS	X						16	\$2,491.55
8/27/2009	2008-582	Knowles	DOE		\$1,250						
8/27/2009	2009-498	Purvis	OCME	X						10	\$1,433.00
8/10/2009	2007-218; 2008-530	Dorsinville	DOHMH		\$3,500						
JULY											
7/28/2009	2008-881	Green	DOE		\$15,000						
7/28/2009	2008-825	Byrne	NYCHA		\$1,000						

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7/28/2009	2008-910	Samuels	NYCHA		\$1,000	In setting the amount of the fine, the Board took into consideration that respondent was suspended by his agency for 3 days, valued at approx. \$586				3	\$586.00
7/23/2009	2009-399	Spann	HRA	X						10	\$1,325.00
7/20/2009	2008-348	Hall	NYCHA	X	\$2,000		\$1,500				
7/13/2009	2007-565	Keeney	DOF		\$1,450						
7/13/2009	2009-241	Vazquez	NYCHA	X						44	\$10,164.00
7/9/2009	2009-227	Miller	DOHMH	X						6	\$1,597.00
7/9/2009	2008-131	Edwards	ECB	X	\$2,500			Demoted & reassigned			
7/8/2009	2009-177	Sheiner	DOHMH	X						5	\$1,274.00
7/7/2009	2009-279	Belenky	ACS		\$2,000						
7/6/2009	2008-260	Keene	Parks	X						30	\$2,300.00
7/6/2009	2009-262	Fenves	DEP	X				12 days annual leave forfeited	\$6,290		\$6,290.00
JUNE											
6/9/2009	2008-962a	Lucks	DOE		\$1,500						
6/8/2009	2008-355	Constantino	HHC		\$1,000						
6/1/2009	2008-929	Hahn	DOE		\$600						
6/1/2009	2009-192	Gabrielsen	DOHMH	X						7	\$1,492.00
MAY											
5/6/2009	2008-237a	Core	DOE	X						30	\$7,904.00
5/5/2009	2008-922	Guerrero	DSNY	X						15	\$3,822.00
5/4/2009	2008-960	O'Brien	DOE		\$20,000						
5/4/2009	2008-527	Richardson	NYCHA		\$1,500						
5/4/2009	2008-687	Purdie	HRA	X	\$400					11	\$1,671.00
5/4/2009	2008-236	Tharasavat	DEP		\$6,000						
5/4/2009	2008-744	Medal	HRA					Criminal restitution	\$41,035		
5/4/2009	2008-635	Davey	ACS		\$2,750						
5/4/2009	2005-612	Abiodun	HRA	X						13	\$1,466.00
APRIL											
4/16/2009	2008-823	Winfield	OPA		\$2,000						
4/13/2009	2007-565a	Horowitz	ALI-OATH		\$750						
4/8/2009	2009-063	Pottinger	DOHMH	X						5	\$817.00



Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
4/8/2009	2008-688	Chen	City Planning		\$500						
4/7/2009	2008-478	Ribowsky	OCME		\$3,250						
4/6/2009	2008-192	Forsythe	DCAS		\$4,000						
4/6/2009	2008-301	Smith	Parks		\$1,200						
4/6/2009	2008-387	Candelario	HRA	X						21	\$3,074.00
4/6/2009	2008-555	Borowiec	DOE		\$1,150						
4/6/2009	2009-045	Bastawros	DOHMH	X						25	\$5,000.00
MARCH											
3/10/2009	2007-745	Piscitelli	SLA		\$12,000						
3/5/2009	2007-297	Benson	DEP		\$2,000						
3/4/2009	2006-462	James	DHS		\$2,000	Due to showing of financial hardship, fine was forgiven					
3/3/2009	2008-941	McFadzean	OCME	X						11	\$1,472.00
3/3/2009	2008-943	Hayes	DOHMH	X						3	\$699.00
3/2/2009	2008-006	Henry	ACS		\$6,626	Due to showing of financial hardship, fine was forgiven					
3/2/2009	2008-760	Qureshi	DSNY		\$1,000						
3/2/2009	2008-504	Kwok	FDNY		\$500						
FEBRUARY											
2/26/2009	2008-326	Burgos	HRA	X						60	\$8,232.00
2/19/2009	2008-681	King	DOHMH	X						3	\$562.00
2/18/2009	2008-581	Alejandro	DOE		\$2,000						
2/10/2009	2008-434	Tangredi	DEP	X						5	\$839.00
2/9/2009	2008-368a	Geraghty	DEP	X						30	\$4,826.00
2/9/2009	2008-481	Murrell	DOE		\$1,000	Due to showing of financial hardship, fine was reduced from \$3,000 to \$1,000					
2/4/2009	2008-719	Teriba	DOHMH	X				10 days annual leave forfeited	\$2,070	5	\$1,034.85
2/4/2009	2008-921	Conton	DOHMH	X				3 days annual leave forfeited	\$338	3	
2/4/2009	2004-750	Buccigrossi	NYPD		\$2,000						
2/3/2009	2006-640	Leigh	ACS		\$500						

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JANUARY											
1/29/2009	2008-716	Brenner	Parks				\$11,000				
1/29/2009	2007-330	Dodson	DDC		\$2,500						
1/12/2009	2008-374	Santana	FDNY		\$1,000						
2008											
DECEMBER											
12/30/2008	2008-267a	Hubert	NYCHA	X						20	\$2,882.00
12/22/2008	2005-748	Bryan	DOE		\$7,500	Respondent did not appear at the trial, so the Board fine has not yet been collected					
12/22/2008	2008-604	Wiltshire	ACS	X				Restitution	\$291	30	\$3,495.00
12/18/2008	2008-478b	Shaler	OCME		\$2,500						
12/17/2008	2008-423b	Bradley	Parks		\$600						
12/17/2008	2005-588	LaBush	DCAS		\$750						
12/15/2008	2007-813	Miraglia	NYCHA		\$2,000						
12/15/2008	2007-686	Alfred	DOE	X	\$1,000						
12/10/2008	2007-479	Valvo	DOE		\$800						
NOVEMBER											
11/24/2008	2008-376	Rosado	DOE	X	\$3,000						
11/24/2008	2007-431	Ballard	DOE		\$3,000						
11/24/2008	2008-706	Bryk	DOC	X	\$1,800						
11/17/2008	2008-077	Pittari	Parks		\$1,000						
11/5/2008	2005-132	Okanome	ACS		\$7,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
11/5/2008	2007-627	Ramsami	NYCERS		\$750						
OCTOBER											
10/30/2008	2008-331	Elliott	DOE	X			\$1,000				
10/30/2008	2007-442	Bourbeau	DOE	X	\$3,000			Resign			
10/29/2008	2008-296	Salgado	DSNY	X						44	\$11,020.00
10/29/2008	2008-122	Geddes	DSNY	X	\$250					3	\$561.00
10/28/2008	2008-352	Ng-A-Qui	DOHMH	X						6	\$1,563.00

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10/27/2008	2007-261	Soto	HRA		\$1,500	Due to showing of financial hardship, fine was reduced from \$3,500 to \$1,500					
10/27/2008	2007-680	DeFabbia	DOE		\$1,500						
10/22/2008	2008-543	Adkins	DOHMH	X						8	\$1,003.76
10/21/2008	2008-256	Proctor	DHS	X				7 days annual leave forfeited	\$770	10	\$1,499.50
10/20/2008	2008-609	Grandt	DOE		\$500						
10/20/2008	2008-624	Tsarsis	DOB		\$750						
SEPTEMBER											
9/29/2008	2005-243	Byrne	NYPD		\$5,000	In setting the amount of the fine, the Board took into consideration that respondent forfeited terminal leave valued at approximately \$37,000		Terminal leave forfeited	\$37,000		
9/24/2008	2008-472	Nash-Daniel	DOHMH	X						8	\$1,496.00
9/24/2008	2008-536	Miller	DOHMH	X						5	\$550.00
9/24/2008	2008-585	Wordsworth	DOHMH	X						5	\$623.00
9/23/2008	2008-423	Greco	EDC		\$2,000						
9/22/2008	2007-777	Gray	DOE		\$2,500						
9/22/2008	2008-421	Mir	EDC		\$11,500						
9/17/2008	2007-672	Siegel	ACS		\$1,500						
9/16/2008	2008-396	Solo	DOE		\$1,250						
9/16/2008	2008-396a	Militano	DOE		\$1,250						
9/11/2008	2007-436h	Carmenaty	DSNY		\$1,500						
AUGUST											
8/25/2008	2007-827	Heaney	DOE	X	\$1,500						
8/14/2008	2008-436ss	Stephenson	DSNY		\$1,500						
JULY											
7/28/2008	2008-207	Berger	DCAS		\$1,750						
7/28/2008	2008-217	Passaretti	DSNY	X						30	\$7,306.00
7/23/2008	2008-295	Lowry	DSNY	X						30	\$7,307.10
7/15/2008	2007-436	Arzuza	DSNY	X						5	\$1,172.09
7/15/2008	2007-436a	Baerga	DSNY	X						5	\$1,206.09
7/15/2008	2007-436b	Baldi	DSNY	X						20	\$4,940.40

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/15/2008	2007-436c	Barone	DSNY	X						5	\$862.50
7/15/2008	2007-436d	Bellucci	DSNY	X						5	\$1,172.09
7/15/2008	2007-436e	Bostic	DSNY	X						5	\$1,172.09
7/15/2008	2007-436f	Bracone	DSNY	X						5	\$1,223.81
7/15/2008	2007-436g	Branaccio	DSNY	X						15	\$2,587.50
7/15/2008	2007-436i	Castro	DSNY	X						15	\$3,705.30
7/15/2008	2007-436j	Cato	DSNY	X						5	\$1,189.33
7/15/2008	2007-436k	Colorundo	DSNY	X						5	\$1,206.57
7/15/2008	2007-436l	Congimi	DSNY	X						5	\$1,235.10
7/15/2008	2007-436m	Cutrone	DSNY	X						5	\$1,252.30
7/15/2008	2007-436n	Damers	DSNY	X						5	\$1,235.10
7/15/2008	2007-436o	Desanctis	DSNY	X						5	\$1,189.33
7/15/2008	2007-436p	Dixon	DSNY	X						5	\$1,252.30
7/15/2008	2007-436q	Drogsler	DSNY	X						5	\$829.31
7/15/2008	2007-436r	Gallo	DSNY	X						15	\$3,808.65
7/15/2008	2007-436s	Garcia	DSNY	X						5	\$1,217.85
7/15/2008	2007-436t	Georgios	DSNY	X						5	\$821.40
7/15/2008	2007-436u	Grey	DSNY	X						30	\$7,410.60
7/15/2008	2007-436v	Harley	DSNY	X						5	\$1,172.09
7/15/2008	2007-436w	Hayden	DSNY	X						5	\$1,189.33
7/15/2008	2007-436x	Jaouen	DSNY	X						5	\$1,252.30
7/15/2008	2007-436y	Kane	DSNY	X						5	\$1,217.85
7/15/2008	2007-436z	Keane	DSNY	X						5	\$1,206.57
7/15/2008	2007-436aa	Kopczynski	DSNY	X						4	\$1,223.81
7/15/2008	2007-436bb	Lagalante	DSNY	X						5	\$1,206.57
7/15/2008	2007-436cc	Lampasona	DSNY	X						5	\$959.70
7/15/2008	2007-436dd	La Rocca	DSNY	X						15	\$3,705.30
7/15/2008	2007-436ee	La Salle	DSNY		\$1,500						
7/15/2008	2007-436ff	MacDonald	DSNY	X						15	\$3,705.30
7/15/2008	2007-436gg	Mann, A.	DSNY	X						15	\$3,757.05
7/15/2008	2007-436hh	Mann, C.	DSNY	X						5	\$1,189.33
7/15/2008	2007-436ii	Mastrocco	DSNY	X						15	\$3,808.68
7/15/2008	2007-436jj	McDermott	DSNY	X						5	\$829.31
7/15/2008	2007-436kk	McMahon	DSNY	X						5	\$1,172.09
7/15/2008	2007-436ll	Morales, A.	DSNY	X						5	\$1,252.30
7/15/2008	2007-436mm	Morales, J.	DSNY	X						15	\$3,705.30
7/15/2008	2007-436nn	Moscarelli	DSNY	X						5	\$1,217.85
7/15/2008	2007-436oo	Prendergrast	DSNY	X						15	\$2,587.50
7/15/2008	2007-436pp	Puhi	DSNY	X						5	\$1,206.57

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/15/2008	2007-436qq	Ruocco	DSNY	X						5	\$1,269.55
7/15/2008	2007-436rr	Smith, M.	DSNY	X						5	\$1,217.85
7/15/2008	2007-436tt	Sterbenz	DSNY	X						5	\$2,217.85
7/15/2008	2007-436uu	Taylor	DSNY	X						4	\$1,189.33
7/15/2008	2007-436vv	Torres	DSNY	X						5	\$1,206.57
7/15/2008	2007-436ww	Valerio	DSNY	X						5	\$1,172.09
7/15/2008	2007-436xx	Wallace	DSNY	X						5	\$1,217.85
7/15/2008	2007-436yy	Williams	DSNY	X						15	\$3,705.30
7/15/2008	2007-436zz	Zaborsky	DSNY		\$1,500						
7/15/2008	2007-436ab	Guifre	DSNY	X						5	\$821.40
7/15/2008	2007-436ac	Sullivan	DSNY	X						5	\$821.40
7/15/2008	2007-436ae	Pretakiewicz	DSNY	X						5	\$1,252.30
7/8/2008	2008-132	Hwang	DCA		\$1,250						
7/8/2008	2007-015c	Klein	DOE		\$1,500						
7/8/2008	2007-015	Montemarano	DOE		\$2,500						
7/7/2008	2008-025	Harmon	DOHMH		\$7,500						
7/7/2008	2007-237	Philemy	DOE	X	\$2,250						
7/7/2008	2007-774	Harrington	DEP		\$1,000						
7/7/2008	2004-746	Lemkin	NYPD		\$500						
7/7/2008	2004-746a	Renna	NYPD		\$500						
7/7/2008	2004746b	Schneider	NYPD		\$500						
JUNE											
6/17/2008	2002-325	Anderson	HHC		\$7,100	Due to showing of financial hardship, fine was reduced from \$20,000 to \$7,100					
MAY											
5/22/2008	2006-559a	Cross	DOE	X	\$500						
5/22/2008	2006-559	Richards	DOE	X	\$500						
5/22/2008	2007-433	Jafferalli	ACS	X						30	\$4,151.00
5/22/2008	2007-433a	Edwards	ACS	X						21	\$3,872.00
5/22/2008	2007-570	Mouzon	ACS	X			\$1,279			10	\$1,046.00
5/20/2008	2007-636	Blundo	DOE	X	\$1,000						
5/9/2008	2006-617	Johnson	DOE	X	\$300						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
5/8/2008	2008-037	Zigelman	DOE	X	\$1,500		\$1,500				
5/1/2008	2006-775	Childs	HRA	X	\$500					5	\$1,795.00
APRIL											
4/30/2008	2003-373k	Rider	DEP		\$1,000						
4/29/2008	2007-873	Shaler	OCME		\$2,000						
4/29/2008	2005-236	Mizrahi	HPD		\$2,000						
4/29/2008	2007-744	Deschamps	NYCHA	X	\$1,500					5	\$892.00
MARCH											
3/20/2008	2003-373a	Lee	DOC		\$3,000						
3/20/2008	2003-373k	Gwiazdzinski	DOC		\$3,000						
3/6/2008	2004-530	Murano	NYPD		\$1,250						
3/5/2008	2007-058	Saigbovo	DOP		\$750						
3/5/2008	2007-157	Aldorasi	DOE	X	\$3,000		\$1,500				
3/4/2008	2003-550	Amar	DCAS		\$4,500						
3/3/2008	2007-723	Namnum	DOE	X	\$1,250						
3/3/2008	2005-665	Osindero	HRA	X	\$500					15	\$2,205.97
3/3/2008	2007-825	Namyotova	HRA	X	\$1,000					15	\$1,952.00
FEBRUARY											
2/7/2008	2001-566d	Moran	DOE	X	\$1,500						
2/7/2008	2001-566c	Guarino	DOE	X	\$1,500						
2/7/2008	2001-566b	Sender	DOE	X	\$5,000						
2/7/2008	2001-566a	Diaz	DOE	X	\$1,500						
2/7/2008	2001-566	Ferro	DOE	X	\$2,500						
JANUARY											
1/28/2008	2004-610	Riccardi	DOT		\$1,500						
1/23/2008	2006-350	Schlein	CCSC		\$15,000						
2007											
DECEMBER											
12/17/2007	2006-632	Blenman	ACS		\$2,000						
12/17/2007	2006-233	Osagie	DOP	X	\$5,000						
12/4/2007	2004-188	Pratt	DJJ		\$500	Due to showing of financial hardship, fine was reduced from \$4,750 to \$500		Restitution	\$3,961		
NOVEMBER											

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
11/29/2007	2007-519	Tamayo	DOE	X	\$100			Resign as Principal & reinstated as teacher w/pay reduction; must resign from DOE by 8/31/08	\$900		\$52,649.00
11/29/2007	2006-562b	McLeod	NYCHA	X						5	\$1,105.62
11/27/2007	2006-618	Hall	DHS		\$1,500						
11/27/2007	2004-517	Williams	City Planning		\$4,000						
11/5/2007	2005-365	Norwood	DOC		\$4,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
OCTOBER											
10/29/2007	2006-423	S. Fraser	Bk CB 17		\$2,000						
10/29/2007	2003-785a	Speiller	City Council		\$1,000						
10/29/2007	2007-138	Basile	FDNY		\$2,000						
10/26/2007	2007-039	Tulce	HRA	X						30	\$4,550.00
10/9/2007	2003-200	Lastique	DOHMH	X	\$2,000			Plus reassignment & probation		21	\$1,971.69
10/2/2007	2007-441	Larson	HPD		\$1,000						
10/2/2007	2006-423a	Russell	Bk CB 17		\$1,000						
SEPTEMBER											
9/26/2007	2006-411	Allen	HRA		\$5,000	Respondent did not appear at the trial, so the Board fine has not yet been collected					
9/18/2007	2004-246	Margolin	DOE		\$3,250						
9/12/2007	2006-551	Davis	HPD		\$700						
9/4/2007	2007-016	Graham	ACS							5	\$896.00
AUGUST											
8/30/2007	2007-362	Lucido	NYCHA		\$500						
JULY											
7/31/2007	2003-785	Gennaro	City Council		\$2,000						
7/23/2007	2003-152a	Bergman	Bk CB 2		\$1,000						
7/18/2007	1999-026	Pentangelo	DOT		\$1,500						
7/16/2007	2006-706	Carlson	DOE	X	\$500		\$4,821				

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/12/2007	2006-461	Greenidge	HRA		\$500						
7/11/2007	2006-098	Barreto	DOE	X	\$2,500						
7/11/2007	2005-244	Clair	FDNY		\$6,500						
7/10/2007	2007-056	Glover	HRA	X						30	\$7,742.00
JUNE											
6/29/2007	2005-200	Cetera	DDC	X	\$2,000						
6/5/2007	2005-442	Sanders	City Council		\$1,000						
6/4/2007	2005-467	Mazer	TLC		\$2,000						
DECEMBER											
5/31/2007	2006-383	Ianniello	DOE	X	\$1,000						
5/31/2007	2006-684	Cooper	DOE	X	\$2,500		\$2,500				
5/31/2007	2006-684a	Reilly	DOE	X	\$750		\$750				
5/31/2007	2006-460	Amofo-Danquah	DHS	X	\$3,000					5	\$1,273.25
5/30/2007	2007-053	Cammarata	HHC		\$1,500						
5/30/2007	2002-678	Murphy	DOT		\$750						
5/30/2007	2004-556	Cagadoc	HHC		\$500						
5/2/2007	2005-690	Cantwell	SCA		\$1,500						
APRIL											
4/30/2007	2006-068	Henry	ACS		\$1,000						
4/30/2007	2005-739a	Oquendo	DOE		\$500						
4/25/2007	2004-570	Matos	DOE	X	\$1,000						
4/17/2007	2006-562a	Wade	NYCHA		\$500						
MARCH											
3/28/2007	2006-554	Bassy	HRA		\$500						
3/27/2007	2006-349	Vale	NYCHA		\$2,250						
3/27/2007	2005-240	Sahm	DDC		\$1,250						
FEBRUARY											
2/28/2007	2005-505	Martino-Fisher	Qns CB 13		\$1,000						
2/28/2007	2003-752	Kessock	TRS		\$500						
2/28/2007	2006-519	Lepkowski	DOC		\$500						
2/28/2007	2002-503	Maith	DOHMH		\$500						
2/5/2007	2002-458	Aquino	NYCHA		\$500						
2/5/2007	2006-064	Tarazona	NYCHA		\$2,000						
2/5/2007	2001-494	Russo	DSNY	X	\$2,000						
JANUARY											
1/29/2007	2005-031	Marchuk	DOE		\$750						
1/29/2007	2006-635	Bayer	DDC	X	\$1,000			Retire from DDC		18	\$1,000.00
1/24/2007	2005-178	Davis	DOE	X	\$1,000						
1/24/2007	2005-098	Rosenfeld	NYCERS		\$500						
1/5/2007	2004-697	Della Monica	DOE		\$1,500						



Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
1/3/2007	2004-712	McHugh	DOT		\$2,000						
2006											
DECEMBER											
12/19/2006	2005-685	Diaz	DOE		\$500						
12/15/2006	2002-140	Fenster	DYCD		\$500						
12/11/2006	2006-562b	Jefferson	NYCHA	X						25	\$3,085.00
12/11/2006	2006-562	Nelson	NYCHA	X						25	\$4,262.00
NOVEMBER											
11/10/2006	2003-655	Sorkin	FDNY		\$500						
11/10/2006	2005-271a	Parlante	DEP	X	\$460						
11/10/2006	2005-271	Marchesi	DEP	X	\$750						
AUGUST											
8/24/2006	2004-324a	Neira	DDC		\$4,500						
8/24/2006	2006-048	Tyner	HRA	X						45	\$6,224.00
JULY											
7/28/2006	2004-700a	L. Golubchick	DOE		\$4,000						
7/28/2006	2004-700	J. Golubchick	DOE		\$1,000						
JUNE											
6/30/2006	2003-097	Kerik	DOC		\$10,000			5,000 FD & 206,000 Criminal	\$211,000		
6/20/2006	2004-159	Goyol	HHC		\$2,500						
6/6/2006	2005-155	Okowitz	HRA	X	\$1,250						
MAY											
5/10/2006	2003-423a	Coppola	DOE		\$500						
APRIL											
4/3/2006	2005-590	Whitlow	DOE	X			\$1,818				
FEBRUARY											
2/23/2006	2005-238	Valsamedis	FDNY	X				10 days annual leave forfeited	\$2,254	50	\$11,267.50
2/15/2006	2005-146	Vance	SCI		\$1,500			Annual leave forfeited	\$1,122		
2/3/2006	2002-716	Green	DOE	X	\$2,500		\$1,500				
2005											
NOVEMBER											
11/16/2005	2004-214	Guttman	DOE		\$2,800						
11/16/2005	2004-418	Trica	FDNY		\$4,000						
JULY											

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
7/23/2005	2002-677y	Serra	DOC		\$10,000	This fine was paid to the Board as part of Serra's plea of guilty to grand larceny and violation of the conflicts of interest law					
JUNE											
6/22/2005	2005-151	Carroll	DDC	X	\$3,000					25	\$3,000.00
6/7/2005	2004-082a	Romano	DOE		\$4,000						
MAY											
5/25/2005	2004-082	Hoffman	DOE		\$4,000						
MARCH											
3/29/2005	2003-788	Asemota	HRA	X	\$500			Annual leave forfeited	\$1,000		
3/29/2005	2004-466	Powery	DOE		\$1,000						
FEBRUARY											
2/28/2005	2004-515	Genao	DOE		\$1,000						
2/28/2005	2004-321a	Vasquez	HRA	X	\$1,750			Annual leave forfeited	\$1,600		
JANUARY											
1/31/2005	2003-127	Thomas	DOS		\$2,000			Annual leave forfeited	\$3,915		
1/31/2005	2002-782	Bonamarte	HRA		\$3,000						
2004											
DECEMBER											
12/21/2004	2004-180	Berkowitz	OEM		\$3,500						
OCTOBER											
10/30/2004	2002-770	W. Fraser	DOC		\$500						
10/21/2004	2004-305	McKen	DOE	X	\$450		\$450				
JUNE											
6/22/2004	2003-359	Campbell	NYCHA		\$2,000						
MARCH											
3/5/2004	2001-618	Anderson	DORIS		\$1,000						
FEBRUARY											
2/25/2004	2002-528	Fleishman	DOE		\$1,000		\$5,000	Restitution	\$1,300		
2003											
APRIL											
4/3/2003	2002-304	Arriaga	DOE	X	\$1,000					30	\$2,500.00

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
MARCH											
3/25/2003	2002-088	Adams	DOE		\$1,500						
JANUARY											
1/7/2003	2002-463	Mumford	DOE				\$2,500	for violation of Reg. C-110	\$5,000		
2002											
JULY											
7/1/2002	2001-593	Cottes	DCA	X	\$500						
7/18/2002	2002-188	Blake-Reid	DOE		\$4,000			Annual leave forfeited	\$4,000		
JUNE											
6/21/2002	2000-456	Silverman	DFTA		\$500						
MARCH											
3/27/2002	2000-192	Smith	ACS			The fine was forgiven if by 3/1/04, respondent had fully paid restitution for outstanding loan amount.		Restitution	\$2,433		
FEBRUARY											
2/27/2002	2001-569	Kerik	NYPD		\$2,500						
2/22/2002	2000-407	Loughran	NYCHA		\$800						
2001											
DECEMBER											
12/13/2001	1998-508	King	DOT	X	\$1,000						
NOVEMBER											
11/13/2001	2000-581	Hill-Grier	ACS	X	\$700						
SEPTEMBER											
9/30/2001	1998-437	Jones	DOC	X				5 days annual leave forfeited			
9/25/2001	2000-533	Denizac	BOE	X			\$4,000				
AUGUST											
8/15/2001	1999-501	Moran	DOT					Demotion to non-supervisory position with payout of 1,268; 30 days annual leave forfeited = 2,500	\$3,768		

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
JULY											
7/16/2001	1999-157	Capetanakis	Bk CB 10		\$4,000						
JUNE											
6/25/2001	2000-005	Rieue	CHR		\$2,000						
6/7/2001	2000-231	Steinhandler	BOE	X	\$1,500						
MAY											
5/23/2001	1999-121	Camarata	DOE		\$1,000						
MARCH											
3/8/2001	1991-173	Peterson	DOPR		\$1,500						
FEBRUARY											
2/26/2001	1999-199	Finkel	NYCHA		\$2,250						
2000											
OCTOBER											
10/24/2000	1999-200	Hoover	HRA		\$8,500						
10/16/2000	1999-200	Turner	HRA		\$6,500						
AUGUST											
8/14/2000	1999-511	Paniccia	DOT		\$1,500						
8/7/2000	1999-500	Chapin	Cultural Affairs		\$500						
JULY											
7/24/2000	2000-254	Lizzio	HPD		\$250						
MAY											
5/24/2000	1999-358	Rosenberg	DoITT		\$1,000						
APRIL											
4/26/2000	1998-169	Marrone	SCA		\$5,000						
MARCH											
3/26/2000	1998-288	Sullivan	DOF	X	\$625						
3/10/2000	1999-250	Carlin	DEP	X	\$800						
JANUARY											
1/6/2000	1997-237d	Rene	DOE	X			\$2,500				
1999											
NOVEMBER											
11/23/1999	1994-082	Davila	CHR		\$500						
11/22/1999	1999-334	McGann	DOB	X	\$3,000						
JUNE											
6/29/1999	1998-190	Sass	MPBO		\$20,000						
NOVEMBER											
2/3/1999	1997-247	Ludewig	NYFD	X	\$7,500						
1998											
OCTOBER											

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
10/9/1998	1997-247	Morello	NYFD		\$6,000			Annual leave forfeited & resign	\$93,105		
SEPTEMBER											
9/17/1998	1994-351	Katsorhis	Sheriff		\$84,000						
JULY											
7/14/1998	1997-394	Weinstein	DOH	X	\$1,250			Annual leave forfeited	\$3,750		
JUNE											
6/22/1998	1996-404	Fodera	DCAS		\$3,000			for late FD filing	\$100		
6/22/1998	1995-045	Wills	CHR		\$1,500						
6/15/1998	1998-102	Hahn	DOB	X	\$1,000						
MAY											
5/22/1998	1997-368	Harvey	M CB 11		\$200	Due to showing of financial hardship, fine was reduced to \$200					
5/8/1998	1997-247	Cioffi	NYFD		\$100						
1997											
DECEMBER											
12/22/1997	1997-076	N. Ross	ADA		\$1,000						
12/10/1997	1997-225	M. Ross	BOE	X	\$1,000						
JUNE											
6/17/1997	1997-060	Quennell	Art Commission		\$100						
1996											
APRIL											
4/3/1996	1993-121	Holtzman	Compt.		\$7,500						
MARCH											
3/8/1996	1994-368	Matos	DEP		\$250	Due to showing of financial hardship, fine was reduced from \$1,000 to \$250					
1995											
AUGUST											
8/4/1995	1993-282a	Baer	Mayor's Office		\$5,000						
1994											
FEBRUARY											
2/11/1994	1993-282	Bryson	PVB		\$500						

Date	Case No.	Case Name	Agency	3-Way Settlement	Fine paid to COIB	Explanation of COIB Fine	Fine Paid to Agency	Other Penalty	Other Penalty Value	Suspension Days	Suspension Value
JANUARY											
1/24/1994	1991-214	McAuliffe	Mayor's Office		\$2,500						
1993											
APRIL											
4/27/1993	1991-223	Ubinas	CSD 1								
<b>TOTALS</b>					<b>\$1,617,003</b>		<b>\$139,601</b>		<b>\$698,534</b>		<b>\$871,366.09</b>

## EXHIBIT 12 ANNUAL DISCLOSURE REPORTS

Reporting Year <sup>1</sup> ("R.Y.")	Number of Reports Required for R.Y.	Reports Filed for R.Y.	Compliance Rate for R.Y. <sup>2</sup>	Number of Fines Waived for R.Y.	Number of Fines Paid for R.Y.	Amount of Fines Paid for R.Y.	Current Non-Filers for R.Y. Act.Inact. <sup>3</sup>		Current Non-Payers for R.Y. Act.Inact.	
2009*	7,921	7,763	98.7%	67	61	\$20,550	0	54	0	52
2010*	8,249	8,099	98.8%	67	51	\$17,250	0	60	0	92
2011*	8,240	8,131	99%	71	44	\$15,250	0	63	0	69
2012*	8,804	8,615	98.1%	126	63	\$24,500	0	83	0	73
2013*	9,044	8,860	98.1%	95	44	\$18,280	0	110	1	85
2014	9,283	9,147	98.6%	91	72	\$24,030	9	71	9	98
TOTALS	51,541	50,615	98.5%	517	335	\$119,860 <sup>4</sup>	9	441	10	469

<sup>1</sup> The reporting year is the year to which the annual disclosure report pertains; the report is submitted the following calendar year.

<sup>2</sup> Includes those individuals who have appealed their agency's determination that they were required filers.

<sup>3</sup> "Act." indicates active City employees; "inact." indicates inactive City employees.

<sup>4</sup> The total amount of fines collected since the Board assumed responsibility for annual disclosure in 1990 is \$649,978.

\* The numbers reported in this chart have been updated to reflect activity since the 2014 annual report.

# ADVISORY OPINIONS & ENFORCEMENT CASES OF THE BOARD

## SUMMARIES AND INDEXES

*A link to the full text of the Board's advisory opinions and enforcement cases may be found on the Board's website at <http://nyc.gov/ethics>.*



**CUMULATIVE INDEX TO ADVISORY OPINIONS  
BY CHARTER CHAPTER 68 SECTION  
1990-2015**

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2601(3)	90-7 96-1	90-8	91-14	93-11	93-19
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2601(10)	03-1	09-2			
2601(11)	90-1 93-1 94-6 99-6	91-2 93-3 94-10 05-2	92-11 93-5 94-13 07-2	92-16 93-17 95-26 09-7	92-31 94-1 98-5
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## CHAPTER 68 ENFORCEMENT CASE SUMMARIES 2015

*Note: Some of the following summaries include more than one case, and some cases appear in more than one category.*

### **MOONLIGHTING WITH A FIRM ENGAGED IN BUSINESS DEALINGS WITH THE CITY**

- **Relevant Charter Sections:** City Charter §§ 2604(a)(1)(a), 2604(a)(1)(b)<sup>1</sup>

The Board and the New York City Administration for Children’s Services (“ACS”) concluded a joint settlement with the Acting Executive Director for the Case Review and Support Unit at ACS, who agreed to pay a \$3,500 fine—\$2,000 to the Board and \$1,500 to ACS—for multiple violations of the City’s conflicts of interest law. The Acting Executive Director accepted a free meal for herself and her ACS staff from a day care provider as a “thank you” for helping the provider be reinstated at ACS. The City’s conflicts of interest law prohibits public servants from accepting a gratuity in any amount from a person whose interests may be affected by the public servant’s official action. Separately, the Acting Executive Director held a prohibited position at the Young Adult Institute (“YAI”), a firm engaged in business dealings with multiple City agencies. In furtherance of her work for YAI, the Acting Executive Director wrote two reports for YAI during her City work hours and subsequently used an ACS fax machine to send those reports to YAI. The matter was a joint settlement with ACS. *COIB v. Crawley*, COIB Case No. 2014-935 (Sept. 25, 2015).

A Community Coordinator for the New York City Human Resources Administration (“HRA”) agreed to resign her position and not challenge a prior thirty-day unpaid suspension, valued at approximately \$4,692, imposed for numerous conflicts of interest law violations in addition to other conduct that violated HRA’s Rules and Procedures. The Community Coordinator: (1) had a position with a private childcare business that accepted payments from HRA on behalf of clients whose children attended the daycare; (2) used her HRA computer and email account to send and receive emails relating to the childcare business and her private rental properties; (3) asked her subordinate to fill out an affidavit unrelated to the subordinate’s HRA job duties as a personal favor to the Community Coordinator; (4) without authorization or a City purpose, used the Welfare Management System (“WMS”) to access the confidential public

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<sup>1</sup> City Charter § 2604(a)(1)(a) states: “Except as provided in paragraph three below, no public servant shall have an interest in a firm which such public servant knows is engaged in business dealings with the agency served by such public servant; provided, however, that, subject to paragraph one of subdivision b of this section, an appointed member of a community board shall not be prohibited from having an interest in a firm which may be affected by an action on a matter before the community or borough board.”

City Charter § 2604(a)(1)(b) states: “Except as provided in paragraph three below, no regular employee shall have an interest in a firm which such regular employee knows is engaged in business dealings with the City, except if such interest is in a firm whose shares are publicly traded, as defined by rule of the Board.”

assistance case records of her two brothers, her sister, her son, and her grandson to determine the status of their Medicaid benefits cases; (5) used WMS to improperly recertify her grandson's Medicaid benefits, even though the required recertification documentation had not been submitted; and (6) had an HRA coworker use WMS to improperly recertify her daughter's and her brother's Medicaid benefits, even though they had not submitted the proper recertification documentation. The matter was a joint settlement with HRA. *COIB v. Judd*, COIB Case No. 2015-102 (2015).

The Board issued a public warning letter to a now-former physical therapist for the New York City Department of Education ("DOE") for (1) moonlighting for a private physical therapy company that did business with DOE and (2) performing work for another physical therapy company during his DOE workday. The physical therapist was terminated by DOE for this conduct. The City's conflicts of interest law prohibits City employees from having a second job with a firm that has business dealings with any City agency, regardless of whether the firm is for-profit or not-for-profit. *COIB v. Roberto*, COIB Case No. 2014-638 (2015).

A Sanitation Worker for the New York City Department of Sanitation ("DSNY") agreed to pay a \$750 fine to the Board for having prohibited moonlighting positions with three different firms with City business dealings. The City's conflicts of interest law prohibits City employees from having a second job with a firm, whether for-profit or not-for-profit, with business dealings with any City agency. This matter was a joint settlement with DSNY. *COIB v. Middleton*, COIB Case No. 2014-431 (2015).

A Computer Systems Manager for the New York City Department of Records and Information Services ("DORIS") paid the Board a \$4,650 fine for doing business with the Office of the Public Administrator of New York County (a City agency) as an independent consultant. The City's conflicts of interest law prohibits City workers from engaging in business dealings with any City agency. The amount of the fine represents the total amount the Computer Systems Manager received as a result of the prohibited business dealings. This matter was a joint settlement with DORIS. *COIB v. Akuesson*, COIB Case No. 2014-488 (2015).

### **MISUSE OF CITY TIME**

- **Relevant Charter Sections:** City Charter § 2604(b)(2)
- **Relevant Board Rules:** Board Rules § 1-13(a)<sup>2</sup>

A Supervisor Engineer Level C for the New York City School Construction Authority ("SCA") accepted a three-month suspension without pay, valued at \$31,547, for using City office resources, during his City work hours, to perform work related to businesses that his wife owned and operated. Over an approximate nine-month period, the Engineer used his SCA computer to

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<sup>2</sup> City Charter § 2604(b)(2) states: "No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties."

Board Rules § 1-13(a) states in relevant part: "it shall be a violation of City Charter § 2604(b)(2) for any public servant to pursue personal and private activities during times when the public servant is required to perform services for the City."



create, access, modify, and/or store over 80 files related to his wife's two engineering firms and used an SCA printer to print documents for those businesses. This matter was a joint resolution with SCA, which had brought related disciplinary charges. *COIB v. M. Lee*, COIB Case No. 2015-182 (2015).

A Tax Auditor II for the New York City Department of Finance ("DOF") paid a \$750 fine for using his City computer to perform work for his private eBay-based business, sometimes while he was being paid to work for the City. This matter was a joint settlement with DOF. *COIB v. Haimoff*, COIB Case No. 2014-542 (2015).

A Caseworker for the New York City Human Resources Administration ("HRA") misused a City computer, email account, and internet access to perform work for his outside real estate business, sometimes on City time. The Caseworker previously accepted a forty-five day suspension, valued at \$5,538, to resolve related HRA disciplinary charges that also included charges that do not implicate Chapter 68. The Board accepted the agency penalty as sufficient to resolve the Chapter 68 violations. *COIB v. Rosario*, COIB Case No. 2015-248 (2015).

The Board and the New York City Administration for Children's Services ("ACS") concluded a joint settlement with the Acting Executive Director for the Case Review and Support Unit at ACS, who agreed to pay a \$3,500 fine—\$2,000 to the Board and \$1,500 to ACS—for multiple violations of the City's conflicts of interest law. The Acting Executive Director accepted a free meal for herself and her ACS staff from a day care provider as a "thank you" for helping the provider be reinstated at ACS. The City's conflicts of interest law prohibits public servants from accepting a gratuity in any amount from a person whose interests may be affected by the public servant's official action. Separately, the Acting Executive Director held a prohibited position at the Young Adult Institute ("YAI"), a firm engaged in business dealings with multiple City agencies. In furtherance of her work for YAI, the Acting Executive Director wrote two reports for YAI during her City work hours and subsequently used an ACS fax machine to send those reports to YAI. The matter was a joint settlement with ACS. *COIB v. Crawley*, COIB Case No. 2014-935 (Sept. 25, 2015).

An Engineer Level B for the New York City School Construction Authority ("SCA") was suspended for ten days without pay, valued at \$3,575, for using a City computer, during his City work hours, to do work related to his private engineering firm. Over an approximate ten-month period, the Engineer created, accessed, modified, and/or stored 30 files related to his outside engineering firm on his SCA computer. This matter was a joint resolution with the SCA of related disciplinary charges. *COIB v. Wong*, COIB Case No. 2015-182a (2015).

The Board fined a Supervising Electrician at the New York City Housing Authority ("NYCHA") \$1,750 for leaving during his NYCHA workday to tend to his private electrical business. Specifically, he would travel to the business every morning to collect the mail and sweep the sidewalk. The Supervising Electrician also used NYCHA resources to print copies of a bid form for his electrical business. The City's conflicts of interest law prohibits public servants from using City time or City resources for any non-City purpose. *COIB v. Lanzot*, COIB Case No. 2014-164 (2015).

A Custodian for the New York City Department of Citywide Administrative Services (“DCAS”) was suspended for 3 days for acting as a witness in a marriage ceremony for compensation during his workday. The City’s conflicts of interest law prohibits City employees from pursuing “personal and private activities during times when the public servant is required to perform services for the City.” This matter was a joint settlement with DCAS. The suspension was penalty for this and other misconduct that did not violate the conflicts of interest law; COIB accepted this penalty as sufficient. *COIB v. Dunbar*, COIB Case No. 2015-066 (2015).

The Board issued a public warning letter to a now-former physical therapist for the New York City Department of Education (“DOE”) for (1) moonlighting for a private physical therapy company that did business with DOE and (2) performing work for another physical therapy company during his DOE workday. The physical therapist was terminated by DOE for this conduct. The City’s conflicts of interest law prohibits City employees from having a second job with a firm that has business dealings with any City agency, regardless of whether the firm is for-profit or not-for-profit. *COIB v. Roberto*, COIB Case No. 2014-638 (2015).

The Board issued a public warning letter to a Substance Abuse Prevention & Intervention Specialist at the New York City Department of Education for using City time and resources to promote and sell trips to tour college campuses, run by his private company, to students at his school and their parents. The City’s conflicts of interest law prohibits City employees from pursuing “personal and private activities during times when the public servant is required to perform services for the City” and from using “City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.” The conflicts of interest law also prohibits City employees who work in schools from using their positions to find private, paying clients among parents of students attending the school where they work. *COIB v. Abney*, COIB Case No. 2014-315 (2015).

### **MISUSE OF CITY RESOURCES**

- **Relevant Charter Sections:** City Charter § 2604(b)(2)
- **Relevant Board Rules:** Board Rules § 1-13(b)<sup>3</sup>

A Supervisor Engineer Level C for the New York City School Construction Authority (“SCA”) accepted a three-month suspension without pay, valued at \$31,547, for using City office resources, during his City work hours, to perform work related to businesses that his wife owned and operated. Over an approximate nine-month period, the Engineer used his SCA computer to create, access, modify, and/or store over 80 files related to his wife’s two engineering firms and used an SCA printer to print documents for those businesses. This matter was a joint resolution with SCA, which had brought related disciplinary charges. *COIB v. Lee*, COIB Case No. 2015-182 (2015).

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<sup>3</sup> City Charter § 2604(b)(2) states: “No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties.”

Board Rules § 1-13(b) states in relevant part: “it shall be a violation of City Charter § 2604(b)(2) for any public servant to use City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.”

A City Research Scientist II for the New York City Department of Health and Mental Hygiene (“DOHMH”) accepted a two-day suspension, valued at \$588, for, over the course of one year, using her DOHMH email account to send 50 emails on behalf of a professional services organization for which she serves as unpaid president. This matter was a joint settlement with DOHMH of related disciplinary charges. *COIB v. Hsu*, COIB Case No. 2015-228 (2015).

A Tax Auditor II for the New York City Department of Finance (“DOF”) paid a \$750 fine for using his City computer to perform work for his private eBay-based business, sometimes while he was being paid to work for the City. This matter was a joint settlement with DOF. *COIB v. Haimoff*, COIB Case No. 2014-542 (2015).

A Caseworker for the New York City Human Resources Administration (“HRA”) misused a City computer, email account, and internet access to perform work for his outside real estate business, sometimes on City time. The Caseworker previously accepted a forty-five day suspension, valued at \$5,538, to resolve related HRA disciplinary charges that also included charges that do not implicate Chapter 68. The Board accepted the agency penalty as sufficient to resolve the Chapter 68 violations. *COIB v. Rosario*, COIB Case No. 2015-248 (2015).

After a full trial, the Board fined the former Executive Director of Gouverneur Healthcare Services (“Gouverneur”), a New York City Health and Hospital Corporation (“HHC”) facility, \$3,000 for indirectly supervising his brother’s employment at Gouverneur for nine years and authorizing a 10% increase in his annual compensation in August 2008. The Board also fined the Executive Director \$3,000 for soliciting employment from two NYU Medical School executives while he was responsible for managing the contract between his HHC facility and NYU Medical School and for using his HHC email account to do so. *COIB v. Hagler*, COIB Case No. 2013-866 (December 2, 2015), *adopting* OATH Index. No. 581/15 (June 17, 2015).

An Employee Assistance Program Specialist at the New York City Office of Labor Relations (“OLR”) paid a \$150 fine for submitting a letter printed on OLR letterhead to her private residence’s management company in relation to a personal dispute regarding a rental surcharge. In the letter, she invoked her City position by stating that she worked for the “Mayor’s Office” and by signing the letter with her City title and agency name. *COIB v. Annawah*, COIB Case No. 2015-434 (Oct. 21, 2015).

The Board issued a public warning letter to a Deputy Chief Financial Officer at Harlem Hospital Center, a New York City Health and Hospitals Corporation (“HHC”) facility, for receiving 50 emails related to his 2014 campaign for New York State Assembly. Forty-nine of the emails were sent from the email account associated with the Deputy Chief’s campaign committee and appeared to be email blasts; one email, which contained a draft campaign speech, was sent by the Deputy Chief to himself from his private email account. *COIB v. Tulloch*, COIB Case No. 2015-303 (Oct. 21, 2015).

The Board and the New York City Administration for Children’s Services (“ACS”) concluded a joint settlement with the Acting Executive Director for the Case Review and Support Unit at ACS, who agreed to pay a \$3,500 fine—\$2,000 to the Board and \$1,500 to ACS—for multiple violations of the City’s conflicts of interest law. The Acting Executive Director accepted a free meal for herself and her ACS staff from a day care provider as a “thank you” for

helping the provider be reinstated at ACS. The City's conflicts of interest law prohibits public servants from accepting a gratuity in any amount from a person whose interests may be affected by the public servant's official action. Separately, the Acting Executive Director held a prohibited position at the Young Adult Institute ("YAI"), a firm engaged in business dealings with multiple City agencies. In furtherance of her work for YAI, the Acting Executive Director wrote two reports during her City work hours and subsequently used an ACS fax machine to send those reports to YAI. The matter was a joint settlement with ACS. *COIB v. Crawley*, COIB Case No. 2014-935 (Sept. 25, 2015).

An Assistant Commissioner of Human Resources and Labor Relations at the New York City Department of Probation ("DOP") paid a \$1,900 fine for misusing her DOP identification and badge to attempt to expedite the City's renewal of a permit. The Assistant Commissioner displayed her DOP identification and badge (both City resources) to multiple New York City Department of Consumer Affairs ("DCA") employees to attempt to bypass the line at DCA Citywide Licensing Center for the purpose of expediting DCA's renewal of a permit for her friend. *COIB v. S. Mapp*, COIB Case No. 2013-480 (2015).

An Engineer Level B for the New York City School Construction Authority ("SCA") was suspended for ten days without pay, valued at \$3,575, for using a City computer, during his City work hours, to do work related to his private engineering firm. Over an approximate ten-month period, the Engineer created, accessed, modified, and/or stored 30 files related to his outside engineering firm on his SCA computer. This matter was a joint resolution with the SCA of related disciplinary charges. *COIB v. Wong*, COIB Case No. 2015-182a (2015).

The Deputy Bronx Borough President was fined \$3,500 for referencing her title in a robocall message she made for use by the 2013 campaign to re-elect the incumbent Bronx Borough President. In the message, which was transmitted to 36,609 telephone numbers in the Bronx, the Deputy Borough President identified herself by her City title and urged people to vote for the incumbent Bronx Borough President. The City's conflicts of interest law prohibits a public servant from using or attempting to use his or her position as a public servant for personal benefit, which would include referencing one's City position to benefit a political campaign from which the public servant stands to gain financially. The conflicts of interest law also prohibits a public servant from using City resources, such as the public servant's City title, for any non-City purpose, such as supporting a candidate in a political campaign. *COIB v. A. Greene*, COIB Case No. 2013-594 (2015).

A Community Coordinator for the New York City Human Resources Administration ("HRA") agreed to resign her position and not challenge a prior thirty-day unpaid suspension, valued at approximately \$4,692, imposed for numerous conflicts of interest law violations in addition to other conduct that violated HRA's Rules and Procedures. The Community Coordinator: (1) had a position with a private childcare business that accepted payments from HRA on behalf of clients whose children attended the daycare; (2) used her HRA computer and email account to send and receive emails relating to the childcare business and her private rental properties; (3) asked her subordinate to fill out an affidavit unrelated to the subordinate's HRA job duties as a personal favor to the Community Coordinator; (4) without authorization or a City purpose, used the Welfare Management System ("WMS") to access the confidential public

assistance case records of her two brothers, her sister, her son, and her grandson to determine the status of their Medicaid benefits cases; (5) used WMS to improperly recertify her grandson's Medicaid benefits, even though the required recertification documentation had not been submitted; and (6) had an HRA coworker use WMS to improperly recertify her daughter's and her brother's Medicaid benefits, even though they had not submitted the proper recertification documentation. The matter was a joint settlement with HRA. *COIB v. Judd*, COIB Case No. 2015-102 (2015).

A Sanitation Worker was suspended for 30 work days for allowing people to load construction debris—known as “trade waste”—into his assigned Sanitation truck, which is explicitly prohibited by New York City Department of Sanitation (“DSNY”) policy. The Sanitation Worker accepted a thirty workday suspension without pay, which has a value of \$8,349 to DSNY, as a penalty. This matter was a joint settlement with DSNY. *COIB v. Salvati*, COIB Case No. 2013-784a (2015).

A New York City Department of Environmental Protection (“DEP”) Public Health Sanitarian was suspended for 30 days for using her agency-issued “Non-Revenue” E-ZPass for toll-free passage across the RFK Bridge to Wards Island on 18 dates when she was not working. By doing so, the employee avoided paying approximately \$55 for tolls. This matter was a joint settlement with DEP. *COIB v. Jung*, COIB Case No. 2015-150 (2015).

An Administrative Staff Analyst for the New York City Department of Health and Mental Hygiene (“DOHMH”) paid a \$3,000 fine, split evenly between the Board and DOHMH, for driving his DOHMH vehicle to Maryland without a City purpose or authorization from DOHMH. This matter was a joint settlement with DOHMH. *COIB v. Rene*, COIB Case No. 2015-001 (2015).

A Civil Engineer for the New York City Department of Environmental Protection (“DEP”) was suspended for two days, valued at approximately \$750, for, during his lunch break, using the laptop and wireless internet access provided to him for his City job to check the private email account associated with his outside position as an adjunct professor. The Civil Engineer had previously been warned by the Board not to use City resources to perform work for his outside employment. This matter was a joint settlement with DEP. *COIB v. Dixon*, COIB Case No. 2014-358 (2015).

The Board issued a public warning letter to a Network Engineer at the New York City Department of Education (DOE) for using City resources—namely his DOE computer, a DOE network closet, and the DOE network—to attempt to mine the digital currency Bitcoin. The Network Engineer maintained that he did not successfully mine Bitcoin. *COIB v. Chapoteau*, COIB Case No. 2014-676 (2015).

An Architect II for the New York City Human Resources Administration (HRA) agreed to resign her City position for, among other conduct that does not implicate the City's conflicts of interest law, directing her subordinate to accompany her offsite during work hours to cut out a template of a kitchen counter for the Architect II's private residence. The Architect also used her HRA email account to send and receive twelve emails concerning her private tenant's rent

payments and used her HRA computer to create, edit, and/or save two documents concerning her rental property. *COIB v. Chase*, COIB Case No. 2014-615 (2015).

A Supervising Housing Groundskeeper for the New York City Housing Authority (“NYCHA”) agreed to be suspended for 20 work days, valued at approximately \$4,385, for altering, or allowing to be altered, a NYCHA parking sticker and giving that altered parking sticker to someone who did not work for NYCHA to enable that person to park in the NYCHA employees’ parking lot. This matter was a joint settlement with NYCHA. *COIB v. F. Colon*, COIB Case No. 2015-051 (2015).

The Board issued a public warning letter to a Substance Abuse Prevention & Intervention Specialist at the New York City Department of Education for using City time and resources to promote and sell trips to tour college campuses, run by his private company, to students at his school and their parents. The City’s conflicts of interest law prohibits City employees from pursuing “personal and private activities during times when the public servant is required to perform services for the City” and from using “City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.” The conflicts of interest law also prohibits City employees who work in schools from using their positions to find private, paying clients among parents of students attending the school where they work. *COIB v. Abney*, COIB Case No. 2014-315 (2015).

While working for the City’s Board of Elections (“BOE”), a supervisor in the BOE Queens Borough Office hired a subordinate BOE employee to work for his private consulting company. The supervisor also used his BOE email account for purposes related to that company and to another company he owns that markets data services to political campaigns. The City’s conflicts of interest law prohibits using City resources for any non-City purpose and also prohibits financial relationships between superior and subordinate City employees. The Commissioners of Election voted to suspend the supervisor without pay pending a disciplinary hearing concerning this conduct, and the supervisor resigned to resolve the pending disciplinary action. The Board accepted the related disciplinary action taken by BOE as sufficient penalty for the Chapter 68 violations. *COIB v. Bougiamas*, COIB Case No. 2014-667 (2015).

A Principal for the New York City Department of Education agreed to pay a \$1,000 fine for: (1) accepting a free ticket to attend a college basketball event from a DOE vendor, the value of which exceeded the \$50 limit on gifts public servants may accept from a City vendor; and (2) using his DOE procurement card, which is intended to be used only for DOE-related expenses, to purchase \$134.49 in personal food items at the event. The Principal repaid the cost of the food to DOE when asked to do so by DOE. *COIB v. Perdomo*, COIB Case No. 2014-361 (2015).

## **AIDING OR INDUCING A VIOLATION OF THE CONFLICTS OF INTEREST LAW**

- **Relevant Charter Sections:** City Charter § 2604(b)(2)
- **Relevant Board Rules:** Board Rules § 1-13(d)<sup>4</sup>

In September 2014, a New York City Department of Education (“DOE”) teacher solicited a loan from his supervisor, a DOE assistant principal, which the assistant principal did not provide. The teacher had previously been advised in a public warning letter issued by the Board in December 2012 that for a public servant to accept a loan from one’s City superior or subordinate would violate the City’s conflicts of interest law. Thus, by soliciting this prohibited loan in September 2014, the teacher requested that his supervisor, the assistant principal would violate the conflicts of interest law, which itself is a violation of the conflicts of interest law, which prohibits a public servant from intentionally or knowingly soliciting, requesting, aiding, or causing another public servant to violate the law. The teacher paid a \$1,250 fine to the Board. *COIB v. Butz*, COIB Case No. 2014-894 (2015).

## **MISUSE OF CITY POSITION**

- **Relevant Charter Sections:** City Charter §§ 2604(b)(2), 2604(b)(3)<sup>5</sup>

A New York City firefighter paid a \$4,000 fine for accepting 52 free tickets to Super Bowl XLVIII from the National Football League (NFL) and for helping his child get an internship with the NFL. The NFL held Super Bowl XLVIII at MetLife Stadium in New Jersey on February 2, 2014. In the week leading up to the game, the NFL hosted a public event for fans in New York City called “Super Bowl Boulevard.” The event required street closures along Broadway between 34th and 47th Streets and for FDNY to set up a command tent to provide public safety. The firefighter was the NFL’s contact person at his firehouse and received the tickets the night before the game because the NFL needed to distribute tickets last-minute. The Firefighter attended the game and distributed the other tickets. By accepting free tickets to the Super Bowl XLVIII from the NFL, the firefighter accepted a valuable gift from an organization that is engaged in business dealings with the City in violation of the Valuable Gift Rule. Separately, the Firefighter misused his position to help his child get a summer internship with the NFL by

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<sup>4</sup> City Charter § 2604(b)(2) states: “No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties.”

Board Rules § 1-13(d)(1) states: “It shall be a violation of City Charter § 2604(b)(2) for any public servant to intentionally or knowingly solicit, request, command, importune, aid, induce or cause another public servant to engage in conduct that violates any provision of City Charter § 2604.”

<sup>5</sup> City Charter § 2604(b)(2) states: “No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties.”

City Charter § 2604(b)(3) states: “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.”

speaking to one of his NFL contacts about his child interning there. *COIB v. Curatolo*, COIB Case No. 2015-061d (2015).

A Child Protective Specialist II for the New York City Administration for Children's Services ("ACS") agreed to be suspended for 3 workdays, valued at approximately \$598, for accessing the State Central Register's confidential database, CONNECTIONS, on one occasion to determine the status of an ACS investigation in which she was personally involved. This matter was a joint settlement with ACS. *COIB v. Evans*, COIB Case No. 2015-311 (2015).

Six officers in the New York City Fire Department were fined for accepting an unsolicited gift of free Super Bowl tickets from a subordinate firefighter. The six officers were fined \$500 for each ticket they received, with fines ranging from \$500 for one ticket to \$3,000 for six tickets. It is a misuse of a public servant's position to accept an unsolicited gift from a subordinate, except in certain limited circumstances that did not apply here. *COIB v. Brosi*, COIB Case No. 2015-061a (2015); *COIB v. Cartafalsa*, COIB Case No. 2015-061b (2015); *COIB v. Chilson*, COIB Case No. 2015-061c (2015); *COIB v. Duffy*, COIB Case No. 2015-061e (2015); *COIB v. McLaughlin*, COIB Case No. 2015-061h (2015); *COIB v. Meyers*, COIB Case No. 2015-061i (2015). *See also COIB v. Curatolo*, COIB Case No. 2015-061d (2015).

The Board, New York City Housing Authority ("NYCHA") and a NYCHA Maintenance Worker reached a three-way settlement whereby she agreed to a fifteen workday suspension, valued at \$3,143, and one-year probation to resolve both her Chapter 68 violation and related disciplinary charges. While assigned as Assistant Resident Buildings Superintendent at Park Rock Consolidated, the NYCHA worker: (1) requested and received \$10 from a subordinate employee as payment for assisting him with a vehicle problem he had in the field; and (2) demanded and received soda for herself and another supervisor when she discovered a subordinate employee away from his assigned work location. It is a misuse of a public servant's position to require subordinates to pay her to perform and refrain from performing official action. *COIB v. Scott*, COIB Case No. 2015-625 (2015).

A Nursing Supervisor at the New York City Department of Health and Mental Hygiene ("DOHMH") agreed to pay a \$2,000 fine for: (1) misusing her position for personal gain by accepting \$75 worth of items purchased for her by one of her subordinates; and (2) having a financial relationship with a subordinate by renting an apartment from a subordinate for over a year. This matter was a joint settlement with DOHMH. *COIB v. Hardy-Howard*, COIB Case No. 2014-453 (2015).

An Assistant Superintendent of Welfare Shelters for the York City Department of Homeless Services ("DHS") who lived with a subordinate employee accepted a seven-day suspension, valued at approximately \$1,715, for having a financial relationship with a subordinate and for misusing her City position by supervising an associated person. This was a joint settlement with DHS. *COIB v. Etienne*, COIB Case No. 2015-587 (2015).

Four Clerks and one Administrative Associate working in the Brooklyn Borough Office of the New York City Board of Elections ("BOE") were fined for using unauthorized BOE parking permits to park their personal vehicles on a public street behind the BOE office while at



work. By using these unauthorized parking permits in a manner that purported to be related to their BOE position, the BOE employees used their City positions for personal gain. Four of the BOE employees paid \$500 fines for their violations, and one employee, whose violation spanned a shorter time period, paid a \$250 fine. *COIB v. Annarummo, et al.*, COIB Case Nos. 2015-190/a-b, d-e (2015).

After a full trial, the Board fined the former Executive Director of Gouverneur Healthcare Services (“Gouverneur”), a New York City Health and Hospital Corporation (“HHC”) facility, \$3,000 for indirectly supervising his brother’s employment at Gouverneur for nine years and authorizing a 10% increase in his annual compensation in August 2008. The Board also fined the Executive Director \$3,000 for soliciting employment from two NYU Medical School executives while he was responsible for managing the contract between his HHC facility and NYU Medical School and for using his HHC email account to do so. *COIB v. Hagler*, COIB Case No. 2013-866 (December 2, 2015), *adopting* OATH Index. No. 581/15 (June 17, 2015).

An Employee Assistance Program Specialist at the New York City Office of Labor Relations (“OLR”) paid a \$150 fine for submitting a letter printed on OLR letterhead to her private residence’s management company in relation to a personal dispute regarding a rental surcharge. In the letter, she invoked her City position by stating that she worked for the “Mayor’s Office” and by signing the letter with her City title and agency name. *COIB v. Annawah*, COIB Case No. 2015-434 (Oct. 21, 2015).

A Supervisor of Billing and Inspection Support for the New York City Department of Environmental Protection (“DEP”) agreed to serve a one-day suspension and forfeit one day of annual leave, valued at approximately \$418, for soliciting and receiving a \$136 loan from a subordinate. The loan was repaid within one day. *COIB v. An. Reid*, COIB Case No. 2015-312 (Oct. 21, 2015).

An Eligibility Specialist II for the New York City Human Resources Administration (“HRA”) agreed to serve a ten-day suspension, valued at \$1,177.75, for, without authorization or a City purpose: (1) using the Welfare Management System to access the confidential public assistance case records of an associated relative on 35 dates to determine the status of that relative’s benefits case; and (2) misusing her position to fill out a referral form giving the false impression that the relative had called HRA’s Infoline to complain that their benefits case was inactive. The matter was a joint settlement with HRA. *COIB v. Colon Rivera*, COIB Case No. 2015-405 (Sept. 25, 2015).

The Queens Republican Commissioner of the New York City Board of Elections (“BOE”) paid a \$10,000 fine for using his position to twice promote his daughter’s domestic partner to higher positions in the BOE Queens borough office, thereby indirectly benefitting the Commissioner’s daughter financially with each promotion. *COIB v. Michel*, COIB Case No. 2014-317 (Aug. 19, 2015).

A Housing Inspector for the New York City Department of Housing Preservation and Development (“HPD”) agreed to pay a \$1,750 fine (\$1,250 to HPD; \$500 to the Board) for soliciting sales for his private coffee and tea business from a Section 8 tenant whose apartment

he was inspecting. While inspecting the Section 8 tenant's apartment, the Housing Inspector gave a card for his private business as a "Distributor of Organic and Gourmet Coffee and Teas" to the Section 8 tenant, who declined to purchase any items from the Housing Inspector. The City's conflicts of interest law prohibits public servants from using or attempting to use their positions with the City for personal benefit, which includes soliciting private business from members of the public with whom the public servant is interacting as part of his or her City job. This was a joint resolution of related HPD disciplinary charges. *In the matter of Drew*, COIB Case No. 2014-904 (July 14, 2015).

An employee of the New York City Department of Design and Construction ("DDC") paid a \$1,000 fine for (1) entering into a financial relationship with a superior DDC employee by borrowing a total of \$800 from her DDC supervisor over the course of four months; (2) using her position as an Analyst in the DDC Agency Chief Contracting Office to obtain and to attempt to obtain free tickets from the Metropolitan Museum of Art and the New York City Center, both of which are DDC contractors that she dealt with in her DDC capacity; and iii) accepting a gift valued at more than \$50 from a firm engaged in business dealing with the City by accepting three free tickets to the Museum. This matter was a joint resolution with DDC. *COIB v. Bourne*, COIB Case No. 2015-099 (June 25, 2015).

The Deputy Bronx Borough President was fined \$3,500 for referencing her title in a robocall message she made for use by the 2013 campaign to re-elect the incumbent Bronx Borough President. In the message, which was transmitted to 36,609 telephone numbers in the Bronx, the Deputy Borough President identified herself by her City title and urged people to vote for the incumbent Bronx Borough President. The City's conflicts of interest law prohibits a public servant from using or attempting to use his or her position as a public servant for personal benefit, which would include referencing one's City position to benefit a political campaign from which the public servant stands to gain financially. The conflicts of interest law also prohibits a public servant from using City resources, such as the public servant's City title, for any non-City purpose, such as supporting a candidate in a political campaign. *COIB v. A. Greene*, COIB Case No. 2015-594 (2015).

A Community Coordinator for the New York City Human Resources Administration ("HRA") agreed to resign her position and not challenge a prior thirty-day unpaid suspension, valued at approximately \$4,692, imposed for numerous conflicts of interest law violations in addition to other conduct that violated HRA's Rules and Procedures. The Community Coordinator: (1) had a position with a private childcare business that accepted payments from HRA on behalf of clients whose children attended the daycare; (2) used her HRA computer and email account to send and receive emails relating to the childcare business and her private rental properties; (3) asked her subordinate to fill out an affidavit unrelated to the subordinate's HRA job duties as a personal favor to the Community Coordinator; (4) without authorization or a City purpose, used the Welfare Management System ("WMS") to access the confidential public assistance case records of her two brothers, her sister, her son, and her grandson to determine the status of their Medicaid benefits cases; (5) used WMS to improperly recertify her grandson's Medicaid benefits, even though the required recertification documentation had not been submitted; and (6) had an HRA coworker use WMS to improperly recertify her daughter's and her brother's Medicaid benefits, even though they had not submitted the proper recertification

documentation. The matter was a joint settlement with HRA. *COIB v. Judd*, COIB Case No. 2015-102 (2015).

The Board fined a former NYPD Captain \$7,500 for violating the Valuable Gift rule while working in the NYPD Office of Information Technology, Communications Division. The Commanding Officer accepted \$784.97 worth of meals and entertainment from Black Box Network Systems, which had a multi-million-dollar contract to update the NYPD telecommunications system. The Commanding Officer also misused his position by soliciting a charitable contribution to his designated charity from Black Box, which donated \$500 to the cause. The City's conflicts of interest law prohibits accepting a gift valued at \$50 or more from any person or firm engaged in business dealings with the City. *COIB v. Duval*, COIB Case No. 2014-908b (2015).

The Board issued a ruling imposing a \$6,000 fine on a New York City Housing Authority ("NYCHA") employee who worked as a supervisor of caretakers for violating the conflicts of interest law by intermittently supervising his wife's work as a NYCHA caretaker for fourteen years. The Board found that the NYCHA employee, by supervising the work performed for the City by a member of his household, violated the conflicts of interest law provision that bars public servants from using their City positions to benefit an associate. The Board held that "where a public servant supervises an associated person, no explicit showing of a benefit to that associated party need be made, because superiors will inevitably take actions to benefit their subordinates, if only in refraining from taking negative personnel actions." The Board also found that the NYCHA employee, by residing with a subordinate NYCHA employee, violated the provision that bars public servants from having a financial relationship with a superior or a subordinate employee. *COIB v. Edwin Martinez*, COIB Case No. 2013-673 (Apr. 10, 2015); OATH Index No. 656/15.

An Architect II for the New York City Human Resources Administration (HRA) agreed to resign her City position for, among other conduct that does not implicate the City's conflicts of interest law, directing her subordinate to accompany her offsite during work hours to cut out a template of a kitchen counter for the Architect II's private residence. The Architect also used her HRA email account to send and receive twelve emails concerning her private tenant's rent payments and used her HRA computer to create, edit, and/or save two documents concerning her rental property. The City's conflicts of interest law prohibits public servants from using their City positions to obtain a personal benefit, which includes having a subordinate perform personal tasks for them, and from using City time and resources for non-City purposes. *COIB v. Chase*, COIB Case No. 2014-615 (2015).

The Board imposed a \$3,000 fine on a now former employee of the New York City Human Resources Administration for using his position as a Caseworker in the HIV/AIDS Services Administration (HASA) to solicit at least ten HASA clients to purchase gas and electric services from Ambit Energy, for which company the Caseworker worked as a Marketing Consultant. The Board forgave the fine based on the Caseworker's showing of financial hardship, including documentation of his income, assets, expenses, and liabilities. The conflicts of interest law prohibits public servants from using their City positions to obtain a personal

benefit, which includes soliciting business for an outside employer from agency clients. *COIB v. Das*, COIB Case No. 2014-134 (2015).

The former Senior Director for Human Resources at the Central Office of the New York City Health and Hospitals Corporation (“HHC”) agreed to pay a \$12,000 fine to the Board for using her HHC position in multiple ways to benefit her daughter. First, the Senior Director created a volunteer internship position in Human Resources at the HHC Central Office for her daughter, running from June 2003 to August 2006, and directed her subordinates to supervise the work of her daughter during the internship. Second, the Senior Director contacted human resources staffers at HHC hospitals to see if they knew of any positions for her daughter. Third, she supervised, promoted, and authorized raises for her daughter’s domestic partner, thus providing a benefit to her daughter, between late 2010 and August 2013. The City’s conflicts of interest law prohibits City employees from using their City positions to obtain a personal benefit for themselves or for their close family members, such as a parent, child, sibling, spouse, or domestic partner. *COIB v. Velez*, COIB Case No. 2014-663 (2015).

A teacher for the New York City Department of Education agreed to pay a \$500 fine to the Board for requesting and receiving a \$1,200 loan from the mother of a student assigned to the teacher’s class. The teacher and the mother were friends, and the loan was repaid after the teacher was interviewed by investigators regarding the matter. The City’s conflicts of interest law prohibits public servants from using their City positions to obtain a personal benefit, which would include soliciting loans from the parents of students whom the public servant supervises. *COIB v. Peterson Murray*, COIB Case No. 2014-565 (2015).

A Supervising Special Officer at the New York City Human Resources Administration (“HRA”) agreed to serve an unpaid suspension of forty-five calendar days, valued at approximately \$5,434, for soliciting and receiving loans from three of his subordinates and one of his HRA clients. The City’s conflicts of interest law prohibits public servants from using their City positions to obtain a personal benefit, which would include soliciting loans from their subordinates and clients, and from entering into a financial relationship (such as a loan) with their superior or subordinate. This matter was a joint settlement with HRA. *COIB v. Cruz*, COIB Case No. 2014-903 (2015).

The Board issued a public warning letter to a Substance Abuse Prevention & Intervention Specialist at the New York City Department of Education for using City time and resources to promote and sell trips to tour college campuses, run by his private company, to students at his school and their parents. The City’s conflicts of interest law prohibits City employees from pursuing “personal and private activities during times when the public servant is required to perform services for the City” and from using “City letterhead, personnel, equipment, resources, or supplies for any non-City purpose.” The conflicts of interest law also prohibits City employees who work in schools from using their positions to find private, paying clients among parents of students attending the school where they work. *COIB v. Abney*, COIB Case No. 2014-315 (2015).

A Plasterer for the New York City Housing Authority (“NYCHA”) agreed to be suspended for 25 work days without pay, valued at approximately \$8,128, for agreeing to accept

money from a NYCHA tenant to repair the bathroom ceiling in her apartment. The Plasterer cancelled the appointment shortly before its scheduled time because he did not want to give up his NYCHA overtime. This matter was a joint settlement with NYCHA. *COIB v. Fonseca*, COIB Case No. 2014-519 (2015).

A Supervising Highway Repairer for the New York City Department of Transportation (“DOT”) agreed to pay a \$2,000 fine to the Board for referencing his DOT position to a fellow DOT employee in an unsuccessful attempt to convince that employee not to issue two New York City Environmental Control Board Notice of Violation summonses to a private construction company for which the Supervising Highway Repairer worked on a part-time basis. The City’s conflicts of interest law prohibits public servants from using or attempting to use their City positions to obtain a benefit for themselves or for any person or firm with which they are associated, such as a private employer. This matter was a joint settlement with DOT. *COIB v. Restagno*, COIB Case No. 2014-517 (2015).

A Captain in the New York City Department of Homeless Services (“DHS”) Security Division forfeited 50 days of annual leave for being involved in two separate personnel matters at DHS concerning his daughter, who is a Special Officer at DHS. It violates the City’s conflicts of interest law for a City employee to have any involvement in an agency matter concerning the employee’s child or any other person who is associated with the City employee. This matter was a joint settlement with DHS. *COIB v. Eddie*, COIB Case No. 2014-839 (2015).

A teacher for the New York City Department of Education (“DOE”) agreed to pay a \$1,500 fine to the Board for asking the mother of a student assigned to the teacher’s pre-kindergarten class to loan her the mother’s SNAP food stamp card so that the teacher could personally use approximately \$100 in benefits connected with the SNAP card. The mother did not provide the SNAP card to the teacher. The City’s conflicts of interest law prohibits public servants from using or attempting to use their City positions to obtain a personal benefit, which would include soliciting loans from the parents of students whom the public servant supervises. This matter was a joint settlement with DOE. *COIB v. Giles*, COIB Case No. 2014-312 (2015).

A former Council Member paid a \$9,000 fine for two violations of the City’s conflicts of interest law. Starting in 2003, the Council Member started renting an apartment from a developer and property manager of multiple affordable housing developments sponsored by the New York City Department of Housing Preservation and Development (“HPD”); for some of the HPD-sponsored developments, Council approval was sought for designation as a Urban Development Action Area Project (“UDAAP”), which designation, among other things, would exempt the property from real estate taxes on the assessed value of the buildings for up to twenty years. The former Council Member, without disclosing his financial relationship with the developer, voted in favor of the UDAAP resolutions for three of the developer’s projects in 2003 and 2006. Second, in 2008, the Council Member asked the developer about moving into a larger apartment and then selected an apartment designed for a tenant earning an income level less than what his family earned. The City’s conflicts of interest law prohibits public servants from using their positions to obtain a personal benefit, which would include soliciting such a benefit from a

firm or individual with a matter pending, or expected to be pending, before the public servant's agency. *COIB v. Dilan*, COIB Case No. 2011-201 (2015).

**USE OR DISCLOSURE OF  
CONFIDENTIAL INFORMATION**

- **Relevant Charter Sections:** City Charter § 2604(b)(4)<sup>6</sup>

An Investigator for the New York City Civilian Complaint Review Board (“CCRB”) agreed to accept a thirty-day suspension and re-assignment from Investigator (CCRB) Level II to Investigator (CCRB) Level I, for, without authorization or a City purpose: (1) using the confidential CCRB Case Tracking System to access information regarding a police officer who was investigating him for potential hiring by the New York City Police Department (“NYPD”); and (2) in the course of his NYPD pre-hire interview, revealing to the police officer information regarding the police officer's years of service, information that the Investigator had obtained from the confidential CCRB Case Tracking System. The matter was a joint settlement with CCRB. *COIB v. Sazarov*, COIB Case No. 2015-621 (2015).

An Eligibility Specialist II for the New York City Human Resources Administration (“HRA”) agreed to serve a ten-day suspension, valued at \$1,177.75, for, without authorization or a City purpose: (1) using the Welfare Management System to access the confidential public assistance case records of an associated relative on 35 dates to determine the status of that relative's benefits case; and (2) misusing her position to fill out a referral form giving the false impression that the relative had called HRA's Infoline to complain that their benefits case was inactive. The matter was a joint settlement with HRA. *COIB v. Pagan*, COIB Case No. 2015-432 (Sept. 25, 2015).

An Associate Job Opportunity Specialist I for the New York City Human Resources Administration (“HRA”) agreed to resign her position for, without authorization or a City purpose: (1) using the Welfare Management System (“WMS”) to access the confidential public assistance case records of her tenant on 148 dates to determine the status of the tenant's benefits case; and (2) using WMS to acquire confidential information regarding an acquaintance of her sister and disclosing this confidential information to her sister. The matter was a joint settlement with HRA. *COIB v. Colon Rivera*, COIB Case No. 2015-405 (Sept. 25, 2015).

A Child Protective Specialist Supervisor II for the New York City Administration for Children's Services (“ACS”) was suspended for 8 days, valued at approximately \$2,335, for misusing confidential City information and other misconduct. On four occasions, the CPS accessed CONNECTIONS—the confidential database of child abuse and maltreatment investigations used by ACS and other child protective services throughout New York State—to determine the status of an ACS investigation involving her brother and nephew. This matter was

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<sup>6</sup> City Charter § 2604(b)(4) states: “No public servant shall disclose any confidential information concerning the property, affairs or government of the city which is obtained as a result of the official duties of such public servant and which is not otherwise available to the public, or use any such information to advance any direct or indirect financial or other private interest of the public servant or of any other person or firm associated with the public servant; provided, however, that this shall not prohibit any public servant from disclosing any information concerning conduct which the public servant knows or reasonably believes to involve waste, inefficiency, corruption, criminal activity or conflict of interest.”

a joint resolution with ACS of related disciplinary charges for this and other misconduct that does not implicate the City’s conflicts of interest law. *COIB v. Gaskin*, COIB Case No. 2015-113 (Aug. 19, 2015).

A Community Coordinator for the New York City Human Resources Administration (“HRA”) agreed to resign her position and not challenge a prior thirty-day unpaid suspension, valued at approximately \$4,692, imposed for numerous conflicts of interest law violations in addition to other conduct that violated HRA’s Rules and Procedures. The Community Coordinator: (1) had a position with a private childcare business that accepted payments from HRA on behalf of clients whose children attended the daycare; (2) used her HRA computer and email account to send and receive emails relating to the childcare business and her private rental properties; (3) asked her subordinate to fill out an affidavit unrelated to the subordinate’s HRA job duties as a personal favor to the Community Coordinator; (4) without authorization or a City purpose, used the Welfare Management System (“WMS”) to access the confidential public assistance case records of her two brothers, her sister, her son, and her grandson to determine the status of their Medicaid benefits cases; (5) used WMS to improperly recertify her grandson’s Medicaid benefits, even though the required recertification documentation had not been submitted; and (6) had an HRA coworker use WMS to improperly recertify her daughter’s and her brother’s Medicaid benefits, even though they had not submitted the proper recertification documentation. The matter was a joint settlement with HRA. *COIB v. Judd*, COIB Case No. 2015-102 (2015).

In a joint resolution of agency disciplinary charges and a Board enforcement action, the Board issued a public warning letter to a Child Welfare Specialist at the New York City Administration for Children’s Services (“ACS”) who accessed his godson’s confidential case records in the central repository for all ACS cases—Automated Case Reference System (ACRSPlus)—without authorization because he was concerned about his godson’s welfare and wanted to speak with the ACS Child Protective Specialist Supervisor assigned to the case. In the letter, the Board reminded the public servants that the conflicts of interest law strictly prohibits them from using confidential information to advance any personal interest. *COIB v. W. Harris*, COIB Case No. 2015-126 (2015).

A Child Protective Specialist II for the New York City Administration for Children’s Services (“ACS”) was suspended for five days, valued at approximately \$1,351, for misusing confidential City information by accessing CONNECTIONS—the confidential database of child abuse and maltreatment investigations used by ACS and other child protective services throughout New York State—on ten occasions to determine the status of an ACS investigation involving her ex-husband. This matter was a joint settlement with ACS. *COIB v. King*, COIB Case No. 2015-159 (2015).

A Child Protective Specialist for the New York City Administration for Children’s Services (“ACS”) agreed to be suspended for 5 work days, valued at approximately \$1,009, for accessing the State Central Register’s confidential database CONNECTIONS on three occasions to determine the status of an ACS investigation in which she was personally involved. This matter was a joint settlement with ACS. *COIB v. T. Ellis*, COIB Case No. 2015-011 (2015).

A Eligibility Specialist II for the New York City Human Resources Administration (“HRA”) agreed to be suspended without pay for 50 calendar days, valued at approximately \$5,068, for accessing the Welfare Management System to view the confidential public assistance records of herself, her son, her daughter, her brother who resides with her, two friends who reside with her, and a tenant. This matter was a joint settlement with HRA. *COIB v. Roman*, COIB Case No. 2013-632 (2015).

## **GIFTS**

- **Relevant Charter Sections:** City Charter § 2604(b)(5)
- **Relevant Board Rules:** Board Rules § 1-01(a)<sup>7</sup>

An employee of the New York City Department of Design and Construction (“DDC”) paid a \$1,000 fine for (1) entering into a financial relationship with a superior DDC employee by borrowing a total of \$800 from her DDC supervisor over the course of four months; (2) using her position as an Analyst in the DDC Agency Chief Contracting Office to obtain and to attempt to obtain free tickets from the Metropolitan Museum of Art and the New York City Center, both of which are DDC contractors that she dealt with in her DDC capacity; and (3) accepting a gift valued at more than \$50 from a firm engaged in business dealing with the City by accepting three free tickets to the Museum. This matter was a joint resolution with DDC. *COIB v. Bourne*, COIB Case No. 2015-099 (June 25, 2015).

A Principal for the New York City Department of Education agreed to pay a \$1,000 fine for (1) accepting a free ticket to attend a college basketball event from a DOE vendor, the value of which exceeded the \$50 limit on gifts public servants may accept from a City vendor; and (2) using his DOE procurement card, which is intended to be used only for DOE-related expenses, to purchase \$134.49 in personal food items at the event. The Principal repaid the cost of the food to DOE when asked to do so by DOE. *COIB v. Perdomo*, COIB Case No. 2014-361 (2015).

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<sup>7</sup> City Charter § 2604(b)(5) states: “No public servant shall accept any valuable gift, as defined by rule of the board, from any person or firm which such public servant knows is or intends to become engaged in business dealings with the City, except that nothing contained herein shall prohibit a public servant from accepting a gift which is customary on family and social occasions.”

Board Rules § 1-01(a) defines “valuable gift” to mean “any gift to a public servant which has a value of \$50.00 or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. Two or more gifts to a public servant shall be deemed to be a single gift for the purposes of this subdivision and Charter § 2604(b)(5) if they are given to the public servant within a twelve-month period under one or more of the following circumstances (1) they are given by the same person; and/or (2) they are given by persons who the public servant knows or should know are (i) relatives or domestic partners of one another; or (ii) are directors, trustees, or employees of the same firm or affiliated firm.”



**APPEARANCE BEFORE THE CITY  
ON BEHALF OF PRIVATE INTEREST**

- **Relevant Charter Sections:** City Charter §§ 2604(b)(2), 2604(b)(6)<sup>8</sup>

An Administrative Engineer for the New York City Department of Housing Preservation and Development (“HPD”) agreed to pay a \$4,000 fine, split evenly between HPD and the Board, for, in his capacity as a private engineering consultant, submitting a Visual Inspection Report to the New York City Department of Buildings (“DOB”) challenging DOB’s decision to demolish a building owned by the Administrative Engineer’s private client. The Administrative Engineer had previously been warned by the Board not to communicate with any City agency on behalf of any private client. The City’s conflicts of interest law prohibits public servants from communicating with any City agency, for compensation, on behalf of a private interest in a matter involving the City. The matter was a joint settlement with HPD. *COIB v. Bukhgalter*, COIB Case No. 2014-891 (2015).

A New York City Fire Department Lieutenant was fined \$1,000 for representing his outside employer—a private construction company—in a hearing before the City’s Environmental Control Board regarding a construction safety violation issued by New York City Department of Buildings. The City’s conflicts of interest law prohibits City employees from appearing on behalf of private interests before any City agency. *COIB v. Annette*, COIB Case No. 2014-241 (2015).

**ACCEPTING COMPENSATION FOR CITY  
JOB FROM SOURCE OTHER THAN THE CITY**

- **Relevant Charter Sections:** City Charter § 2604(b)(13)<sup>9</sup>

The Board and the New York City Administration for Children’s Services (“ACS”) concluded a joint settlement with the Acting Executive Director for the Case Review and Support Unit at ACS, who agreed to pay a \$3,500 fine—\$2,000 to the Board and \$1,500 to ACS—for multiple violations of the City’s conflicts of interest law. The Acting Executive Director accepted a free meal for herself and her ACS staff from a day care provider as a “thank you” for helping the provider be reinstated at ACS. The City’s conflicts of interest law prohibits public servants from accepting a gratuity in any amount from a person whose interests may be affected

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<sup>8</sup> City Charter § 2604(b)(2) states: “No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties.”

City Charter § 2604(b)(6) states: “No public servant shall, for compensation, represent private interests before any city agency or appear directly or indirectly on behalf of private interests in matters involving the city. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.”

<sup>9</sup> City Charter § 2604(b)(13) states: “No public servant shall receive compensation except from the city for performing any official duty or accept or receive any gratuity from any person whose interests may be affected by the public servant’s official action.”

by the public servant's official action. Separately, the Acting Executive Director held a prohibited position at the Young Adult Institute ("YAI"), a firm engaged in business dealings with multiple City agencies. In furtherance of her work for YAI, the Acting Executive Director wrote two reports for YAI during her City work hours and subsequently used an ACS fax machine to send those reports to YAI. The matter was a joint settlement with ACS. *COIB v. Crawley*, COIB Case No. 2014-935 (Sept. 25, 2015).

A Construction Project Manager ("CPM") at the New York City Housing Authority ("NYCHA") paid a \$2,200 fine to the Board for accepting a bottle of wine and a bottle of olive oil from two NYCHA contractors whose work he oversaw as part of his official NYCHA duties. The City's conflicts of interest law prohibits public servants from accepting a gratuity in any amount from a person whose interests may be affected by the public servant's official action. This is the second time the Board fined the CPM for a violation involving a City contractor whose work he oversaw. In March 2013, the CPM was penalized \$2,643 for misusing his position to recommend his stepson for a job with a NYCHA vendor he supervised. *COIB v. G. Jones*, COIB Case No. 2014-184 (2015).

A member of Manhattan Community Board 2 paid a \$3,192 fine for accepting a free dinner and a one-year membership to Soho House, an entity with matters before Community Board 2. Soho House provided the complimentary membership for reasons related to the Respondent's position on the community board. The amount of the fine represents the total value of the membership, estimated to be \$1,192, plus a \$2,000 penalty. The City's conflicts of interest law prohibits accepting a gratuity from any person whose interests may be affected by the public servant's official action. *COIB v. Sweeney*, COIB Case No. 2013-374 (2015).

An Office Manager at the Brooklyn Forestry Office for the New York City Department of Parks and Recreation paid a \$1,000 fine to the Board for accepting a bottle of chocolate liqueur from an arborist whose permit applications she processed. The City's conflicts of interest law prohibits City employees from accepting tips or gratuities of any amount from any person whose interests may be affected by the public servant's official action. *COIB v. Badillo*, COIB Case No. 2014-070 (2015).

## **SUPERIOR-SUBORDINATE FINANCIAL RELATIONSHIPS**

- **Relevant Charter Sections:** City Charter § 2604(b)(14)<sup>10</sup>

A Nursing Supervisor at the New York City Department of Health and Mental Hygiene ("DOHMH") agreed to pay a \$2,000 fine for: (1) misusing her position for personal gain by accepting \$75 worth of items purchased for her by one of her subordinates; and (2) having a financial relationship with a subordinate by renting an apartment from a subordinate for over a year. This matter was a joint settlement with DOHMH. *COIB v. Hardy-Howard*, COIB Case No. 2014-453 (2015).

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<sup>10</sup> City Charter § 2604(b)(14) states: "No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant."

A former Deputy Commissioner for Family Services for the New York City Department of Homeless Services (“DHS”) was fined \$3,500 for, over a period of several years, having five of her subordinates perform numerous personal favors for her that were unrelated to the subordinates’ DHS job duties. Subordinates performed favors such as parking the Deputy Commissioner’s City vehicle, frequently picking up her lunch, running to the post office for her, and preparing tea for her. *COIB v. Davis Moten*, COIB Case No. 2014-269 (2015).

A Child Protective Specialist Supervisor I for the New York City Administration for Children’s Services (“ACS”) agreed to accept a seven workday suspension, valued at approximately \$1,600, for selling a car to a subordinate ACS employee for \$5,000. This matter was a joint settlement with ACS. *COIB v. M. Joseph*, COIB Case No. 2015-300 (2015).

An Assistant Superintendent of Welfare Shelters for the York City Department of Homeless Services (“DHS”) who lived with a subordinate employee accepted a seven-day suspension, valued at approximately \$1,715, for having a financial relationship with a subordinate and for misusing her City position by supervising an associated person. The subordinate Community Assistant accepted a three-day suspension, valued at approximately \$330, for having a financial relationship with a superior. These were joint settlements with DHS. *COIB v. Etienne*, COIB Case No. 2015-587 (2015); *COIB v. Valles*, COIB Case Nos. 2015-587a (2015).

The Board issued public warning letters to a Head Nurse and a Staff Nurse for the New York City Health and Hospital Corporation for participating in an informal savings and loan club, commonly known as a “sou-sou,” with staff they supervised at Coler-Goldwater Specialty Hospital and Nursing Facility. Each member of a sou-sou is, at one time or another, borrowing from or lending money to the other members. The City’s conflicts of interest law prohibits City employees from having such a financial relationship with a superior or a subordinate. *COIB v. Virrey*, COIB Case No. 2015-241a (2015); *COIB v. Vano*, COIB Case No. 2015-241b (2015).

A Supervisor of Billing and Inspection Support for the New York City Department of Environmental Protection (“DEP”) agreed to serve a one-day suspension and forfeit one day of annual leave, valued at approximately \$418, for soliciting and receiving a \$136 loan from a subordinate. The loan was repaid within one day. *COIB v. An. Reid*, COIB Case No. 2015-312 (Oct. 21, 2015).

An employee of the New York City Department of Design and Construction (“DDC”) paid a \$1,000 fine for i) entering into a financial relationship with a superior DDC employee by borrowing a total of \$800 from her DDC supervisor over the course of four months; ii) using her position as an Analyst in the DDC Agency Chief Contracting Office to obtain and to attempt to obtain free tickets from the Metropolitan Museum of Art and the New York City Center, both of which are DDC contractors that she dealt with in her DDC capacity; and iii) accepting a gift valued at more than \$50 from a firm engaged in business dealing with the City by accepting three free tickets to the Museum. This matter was a joint resolution with DDC. *COIB v. Bourne*, COIB Case No. 2015-099 (June 25, 2015).

A Supervising Stock Worker at the New York City Department of Citywide Administrative Services (“DCAS”) paid a \$500 fine for entering into a financial relationship with a subordinate DCAS employee by paying the subordinate \$60 to repair a pole in a closet in his home. This matter was a joint resolution of related DCAS disciplinary charges. *In the matter of J. Brewster*, COIB Case No. 2015-188 (June 25, 2015).

The Board issued a ruling imposing a \$6,000 fine on a New York City Housing Authority (“NYCHA”) employee who worked as a supervisor of caretakers for violating the conflicts of interest law by intermittently supervising his wife’s work as a NYCHA caretaker for fourteen years. The Board found that the NYCHA employee, by supervising the work performed for the City by a member of his household, violated the conflicts of interest law provision that bars public servants from using their City positions to benefit an associate. The Board held that “where a public servant supervises an associated person, no explicit showing of a benefit to that associated party need be made, because superiors will inevitably take actions to benefit their subordinates, if only in refraining from taking negative personnel actions.” The Board also found that the NYCHA employee, by residing with a subordinate NYCHA employee, violated the provision that bars public servants from having a financial relationship with a superior or a subordinate employee. *COIB v. Edwin Martinez*, COIB Case No. 2013-673 (Apr. 10, 2015); OATH Index No. 656/15.

A Supervising Special Officer at the New York City Human Resources Administration (“HRA”) agreed to serve an unpaid suspension of forty-five calendar days, valued at approximately \$5,434, for soliciting and receiving loans from three of his subordinates and one of his HRA clients. The City’s conflicts of interest law prohibits public servants from using their City positions to obtain a personal benefit, which would include soliciting loans from their subordinates and clients, and from entering into a financial relationship (such as a loan) with their superior or subordinate. This matter was a joint settlement with HRA. *COIB v. Cruz*, COIB Case No. 2014-903 (2015).

While working for the City’s Board of Elections (“BOE”), a supervisor in the BOE Queens Borough Office hired a subordinate BOE employee to work for his private consulting company. The supervisor also used his BOE email account for purposes related to that company and to another company he owns that markets data services to political campaigns. The City’s conflicts of interest law prohibits using City resources for any non-City purpose and also prohibits financial relationships between superior and subordinate City employees. The Commissioners of Election voted to suspend the supervisor without pay pending a disciplinary hearing concerning this conduct, and the supervisor resigned to resolve the pending disciplinary action. The Board accepted the related disciplinary action taken by BOE as sufficient penalty for the Chapter 68 violations. *COIB v. Bougiamas*, COIB Case No. 2014-667 (2015).

## **JOB-SEEKING VIOLATIONS**

- **Relevant Charter Sections:** City Charter § 2604(d)(1)<sup>11</sup>

After a full trial, the Board fined the former Executive Director of Gouverneur Healthcare Services (“Gouverneur”), a New York City Health and Hospital Corporation (“HHC”) facility, \$3,000 for indirectly supervising his brother’s employment at Gouverneur for nine years and authorizing a 10% increase in his annual compensation in August 2008. The Board also fined the Executive Director \$3,000 for soliciting employment from two NYU Medical School executives while he was responsible for managing the contract between his HHC facility and NYU Medical School and for using his HHC email account to do so. *COIB v. Hagler*, COIB Case No. 2013-866 (December 2, 2015), *adopting* OATH Index. No. 581/15 (June 17, 2015).

A now-former Senior Vice President at the New York City Economic Development Corporation (“EDC”) paid a \$1,250 fine for negotiating for a position with a firm while continuing to have oversight responsibilities for the firm’s active EDC projects. The City’s conflicts of interest law prohibits public servants from soliciting, negotiating for or accepting any position with any person or firm “involved in a particular matter with the city, while such public servant is actively considering, or is directly concerned or personally participating in such particular matter on behalf of the city.” *COIB v. L. Gray*, COIB Case No. 2013-648 (2015).

## **ONE-YEAR POST-EMPLOYMENT APPEARANCES**

- **Relevant Charter Sections:** City Charter § 2604(d)(2)<sup>12</sup>

A former First Deputy Press Secretary for the New York City Mayor’s Office paid a \$2,000 fine to the Board for communicating with her former City agency on two occasions on behalf of her new private sector employer – once by attending a meeting hosted by a Deputy Mayor at City Hall and once by giving a Deputy Mayor a tour of her private employer’s offices – within her first year of leaving City service. The City’s conflicts of interest law prohibits former public servants from communicating with their former City agency for one year after leaving City service. *COIB v. Wood*, COIB Case No. 2014-495 (2015).

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<sup>11</sup> City Charter § 2604(d)(1) states: “No public servant shall solicit, negotiate for or accept any position (i) from which, after leaving city service, the public servant would be disqualified under this section, or (ii) with any person or firm who or which is involved in a particular matter with the city, while such public servant is actively considering, or is directly concerned or personally participating in such particular matter on behalf of the city.”

<sup>12</sup> City Charter § 2604(d)(2) states: “No former public servant shall, within a period of one year after termination of such person’s service with the city, appear before the city agency served by such public servant; provided, however, that nothing contained herein shall be deemed to prohibit a former public servant from making communications with the agency served by the public servant which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant’s service with that agency. For the purposes of this paragraph, the agency served by a public servant designated by a member of the board of estimate to act in the place of such member as a member of the board of estimate, shall include the board of estimate.”