

COUNTY OF SUFFOLK



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Special Grand Jury Report

The Suffolk County District Attorney's Office concluded a two year investigation into the conduct of the Suffolk County Ethics Commission with the release today of a 56-page Special Grand Jury Report accepted for public filing by Supreme Court Justice James Hudson.

The Grand Jury Report makes numerous legislative, executive and administrative recommendations for action in the public interest based on stated findings. The Grand Jury is prohibited by law from naming the public officials of which the report is critical.

The Special Grand Jury received thousands of pages of documentary evidence and heard testimony from twenty-five witnesses over the course of ten months. The Special Grand Jury examined the history of ethics in the County, attempts at reform and the perversion of the ethics process by officials resulting in the abolition of the Ethics Commission, and the passage of new county ethics laws.

Based on sworn testimony and documentary evidence, the Special Grand Jury found:

1. The Ethics Commission was used as a political sword to attack enemies of county officials and as a political shield to authorize questionable conduct by certain county officials.
2. The status of an Ethics Commission complaint was used by a county official in a desperate but unsuccessful attempt to intimidate a county legislator into voting against a bill authorizing the legislature's review of abuses by the Ethics Commission.
3. One Ethics Commissioner agreed to serve on the Ethics Commission on the condition of his willingness to reveal confidential affairs of the Ethics Commission to county officials.
4. An Ethics Commissioner who had an ongoing business relationship with the wife of a county official, and personal ties to both, failed to recuse himself from voting favorably on an ethics opinion relating specifically to the official and his wife.
5. The Ethics Commission permitted the substance, form, and timing of its work to be dictated by certain county officials for political purposes.
6. County officials acted as puppeteers for Ethics Commissioners by providing them with letters and statements to read at public meetings of the Suffolk County Legislature containing information meant to disguise misconduct.

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While the Special Grand Jury found that public officials discussed sending threatening messages to their opponents and enemies regarding Ethic Commission matters, which, if sent, might have constituted criminal conduct, other principled public officials refused to send said messages thus avoiding criminal liability for themselves and the orchestrators of their schemes.

The Special Grand Jury found that Suffolk County Law is devoid of enforcement provisions prohibiting the types of conduct uncovered. The Special Grand Jury Report makes numerous specific recommendations to enact violations of the Suffolk County Code punishable as felonies prohibiting officials from abusing the Ethics Commission in the future, thereby making them subject to criminal prosecution.

Suffolk County District Attorney Thomas J. Spota said, “This Grand Jury report exposes behavior by public officials acting in the name of the Ethics Commission that was unprincipled and wrong, but not criminal. Legislators must act to make certain that future public officials can be prosecuted for the behavior uncovered in this report.”