

Suffolk County Board of Ethics
Suffolk County, New York

Annual Report

2014



Robin L. Long, Esq.
Chair

Linda A. Spahr, Esq.
Vice Chair

Richard F. Halverson, Ph.D.
Dennis O'Doherty
Heather M. Palmore, Esq.
Members

Samantha Segal, Esq.
Executive Director

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Dated March 18, 2015

Submitted to: Suffolk County Executive

Submitted to: Suffolk County Legislature

MISSION STATEMENT

“The Mission of the Suffolk County Board of Ethics is to practice and promote ethical literacy and conduct in government through training, transparency, and trust. In order to accomplish the Mission, the Suffolk County Board of Ethics shall maintain confidentiality, adhere to its own Code of Ethics, engage in outreach and training of public officials and employees, and recommend new laws to advance the Mission of ethical compliance.”

**MESSEGE FROM THE CHAIR OF THE SUFFOLK COUNTY BOARD OF ETHICS
ROBIN L. LONG, ESQ.**

The Suffolk County Board of Ethics would like to recognize the ongoing dedication of the County Legislature, the Offices of the County Executive, County District Attorney, and the County Law Department in establishing new standards of independent ethical government.

In 2014, the Board of Ethics far exceeded their preliminary goals. As to trainings, the Board provided Ethics training at twelve in-person lectures with approximately 400 in-person attendees. The Board also accomplished a major training initiative spearheaded by the Suffolk County Information Technology Department. This involved the creation of an interactive web based self-certifying all employee Ethics training module with certifying quiz. This training module is available to all 9,000+ County employees online through the County's intranet page.

As the legal custodian and regulatory entity of the County's Annual Financial Disclosure Statements, the Board also received and reviewed 500 Financial Disclosure Statements, with 100% employee filing and zero late employee filings. As the Board strives for strict public disclosure through the current laws, the Board commenced a delineated audit on disclosure questions focusing on outside employment and government contracts. The Board commenced 86 informal investigations regarding the audit and upon completion of a completeness review of all filed statements 155 filers were advised of errors that were made in following the form's instructions.

We welcome all interested persons to provide us with suggestions, to visit our webpage, and to attend the public portion of our regularly scheduled Board meetings.

Respectfully Submitted,

Robin L. Long, Esq.
Chair of the Suffolk County Board of Ethics

**ADMINISTRATION STATEMENT FROM THE EXECUTIVE DIRECTOR
SAMANTHA L. SEGAL, ESQ.**

Through the Suffolk County Charter Law, to ensure the independence and integrity of the County ethics process, the Suffolk County Legislature and County Executive have taken extraordinary measures to establish a system that provides the public with transparency, independence, and protocols.

In 2014, the Administration of the Suffolk County Board of Ethics accepted this charge with not only due diligence and responsibility, but also with a level of heightened responsiveness for the citizens of Suffolk County. As the Board develops new initiatives for public education, and government safeguards, the Administration is dedicated to being accessible to the public and public servants so that they can be heard by the Board with process. The Administration strives to serve the public, and the public servants of Suffolk County, in a manner that is systematic, accountable, and approachable.

We welcome all interested persons to provide us with suggestions and to attend the public portion of the Board's regularly scheduled Board meetings.

Respectfully Submitted,

Samantha L. Segal, Esq.
Executive Director of the Suffolk County Board of Ethics

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EXECUTIVE SUMMARY

In 2014, the Suffolk County Board of Ethics convened 23 times from January 1, 2014 through December 31, 2014. During the course of the year, the Board's six public service initiatives were executed: 1) Directing the regulatory administrative law enforcement provisions for the Suffolk County Annual Financial Disclosure Statements, 2) Conducting Ethics Trainings, 3) Rendering Advisory Opinions, 4) Commencing Informal Investigations, 5) Commencing Formal Investigations and Adjudications, and 6) Serving as the custodian and clerk of all Board of Ethics Records.

I. Annual County Financial Disclosure

The Board received and reviewed 500 Financial Disclosure Statements, with 100% employee filing.

II. Ethics Trainings

The Board far exceeded the 2014 statutory requirement of two training seminars. The Suffolk County Board of Ethics provided trainings at twelve in-person trainings totaling approximately 400 attendees, an increase from 2013's training initiatives resulting in nine in-person lectures with a total of 153 in-person attendees. The Board also accomplished a major training initiative spearheaded by the Suffolk County Information Technology Department. This involved the creation of an interactive web based self-certifying all employee Ethics training with certifying quiz. This training module is available to all 9,000+ County employees online through the County's intranet page.

III. Advisory Opinions

The Board received 18 written requests for Advisory Opinions regarding the Suffolk County Ethics Laws.

IV. Formal and Informal Investigations/Adjudications

In 2014, the Suffolk County Board of Ethics received 6 complaints. Of these, the Board found 3 to have no reasonable cause to allege a violation of the Suffolk County Ethics Laws. Of the remaining, 1 was dismissed, 1 was converted to a Post-Employment Review, and 1 is still in the process of fact-finding. Additionally, the Board commenced 86 informal investigations resulting from the 2014 financial disclosure outside employment and government contracts audit. The Board also conducted 24 hearings of late financial disclosure forms that were filed in 2013.

V. Custodian and Clerk of all Board of Ethics Records

The Suffolk County Board of Ethics maintains and performs the clerking functions for all Suffolk County Annual Financial Disclosure Statement records, all Board generated documents, all Suffolk County Elected Official Sworn Statements, approximately 45 FOIL requests per year, all Board confidential records, and all records designated to the Board by statute.

I. INTRODUCTION

This report covers the time period of January 1, 2014 through December 31, 2014.

The Suffolk County Board of Ethics was established pursuant to Local Law No. 56-2011, which became effective in March 2012. The Board was fully formed in the summer of 2012, and has established its offices in Great River.

Article XXX of the Suffolk County Charter vests in the Board of Ethics the authority and responsibility to:

- 1) Provide ethics training and education to Suffolk County's public servants;
- 2) Render advisory opinions to Suffolk County's public servants on ethics and conflicts of interest issues;
- 3) Make financial disclosure statement forms available to persons required to file pursuant to Chapter 77, Article 2 of the Suffolk County Code, and review such statements; and
- 4) Conduct investigations and hearings to determine if ethics violations have occurred and to impose penalties as authorized by local law.

The Administrative laws governing the Board of Ethics are found at Article XXX of the Suffolk County Administrative Code. The Suffolk County Code of Ethics is found at Chapter 77, Section I, Article I. The Financial Disclosure Law is found at Chapter 77, Section I, Article II of the Suffolk County Code.

This Report reviews the Suffolk County Board of Ethics accomplishments during 2014 under the following headings: I.) Introduction, II.) Members and Staff of the Suffolk County Board of Ethics, III.) Budget, IV.) Independent Contractor: General Counsel, V.) Training and Education, VI.) 2014 Legislation, VII.) Board Policies, VIII.) Legislative Recommendations and Code Review, IX.) Financial Disclosure Statements/Investigations/Fines/Referrals, X.) Advisory Opinion Requests, XI.) Complaints, XII.) Freedom of Information Law, XIII.) Elected Official's Sworn Statements, XIV.) Administration, XV.) Information Technology, XVI.) 2015 Initiatives.

II. MEMBERS AND STAFF OF THE SUFFOLK COUNTY BOARD OF ETHICS

The Members of the Suffolk County Board of Ethics serve four year terms. Under the Suffolk County Charter, the Board must consist of five members. Two of the members are appointed by the County Executive, one by the Presiding Officer of the Legislature, one by the Majority Leader of the Legislature, and one by the Minority Leader of the Legislature. All appointments are subject to approval by the Legislature and are volunteer positions. Members are paid a \$200.00 stipend per meeting with a maximum of \$4800.00 per year. In 2014, the Suffolk County Board of Ethics convened 23 times from January 1 through December 31. Staff consists of two full time employees, the Executive Director and Confidential Secretary to the Board.

Members

Heather M. Palmore, Esq. - Term 3/27/2012-3/26/2015

- Appointed by Majority Leader
- Former Assistant District Attorney of Queens County
- Litigation Counsel: Nationwide Insurance Co.
- Trustee Molloy College

Richard F. Halverson, Ph.D. 2nd Term 4/6/2014-4/5/2018

- Re-Appointed by County Executive
- Former Deputy Comptroller City of New York
- Former Executive Vice President St. Francis College
- Former Deputy Chancellor City of New York Board of Education
- Member of Budget and Finance Committee of Town of Southampton

Robin L. Long, Esq.- 2nd Term 6/26/2014-6/25/2018

- Re-Appointed by County Executive
- Law Office of Robin L. Long

Linda A. Spahr, Esq. - Term 6/26/2012-6/25/2015

- Appointed by Minority Leader
- Former Chief Environmental Crime Unit Suffolk County District Attorney's Office
- Former Deputy Bureau Chief Suffolk County Law Department

Dennis O'Doherty – Term 3/4/2014-3/26/2016

- Former New York State Legislator
- Trustee of Dowling College
- Decorated WWII Veteran

III. BUDGET

A. Budget

The 2014 Approved Budget is attached hereto as Exhibit “1”. The Board’s budget was under expended approximately 20% due to proactive measures to avoid litigation¹. The Board is continually assessing the needs of additional resources and staff including investigators, staff counsel, and administrative support. The Board requested a part-time departmental attorney for 2014. The intended duties for this position include tribunal hearing document preparation, Board representation at tribunal hearings, pleadings, FOIL Officer, and staffing of ethics hotline. The Board requested this position again for 2015, as well as a paralegal position. Neither position has been funded. The ongoing staffing needs are continually being reassessed and the Board will request said positions again, if appropriate, in 2016.

B. Debts

The Agency does not have any outstanding debts. All liabilities are paid for through the Suffolk County approved budget.

¹ Attachments do not reflect final 2014 accounting period for consultant invoice.

IV. INDEPENDENT CONTRACTOR: GENERAL COUNSEL

The Suffolk County Board of Ethics conducted a search in 2013 for General Counsel via an “RFQ” process. The Suffolk County Law Department provides the Board representation with respect to preparing and executing procurement for all County contracts.

The Board advertised the “RFQ” in the Smithtown Messenger, The Suffolk County Lawyer, Touro Law School, Hofstra Law School, and St. John’s Law School. The Executive Director and Board Members also contacted firms with the required practice areas which resulted in 22 law firms requesting the “RFQ”. Six firms responded, four of six were interviewed for General Counsel. The Board qualified one firm located in Suffolk County, Ingerman Smith LLP, through this process midyear in 2013. Suffolk County and the Board approved this independent contractor for an additional 1 year term expiring 12/31/2015 at which point in time the Agency will publish a new “RFQ” for General Counsel.

The three senior lawyers are assigned to work on this file are Partner: John Gross, Esq., Partner: Christopher Clayton, Esq., and Of Counsel: Julie Torrey, Esq. Mr. Gross is an experienced litigator with clients inclusive of government entities and private sector for over 30 years and is the former President of the Suffolk County Bar Association. Mr. Clayton is an experienced litigator and served as a Suffolk County Assistant District Attorney for eight years where he received the Suffolk County District Attorney’s Distinguished Trial Advocacy Award. Ms. Torrey is an experienced litigator with a practice background inclusive of municipalities and private sector clients in federal and state litigation, including employment discrimination litigation, administrative proceedings, and Civil Service Law Section 75 disciplinary proceedings.

V. TRAINING AND EDUCATION

In August 2013, by way of an “RFQ” procurement, the Suffolk County Board of Ethics retained Ingerman Smith, LLP as the Independent Training Consultant. In 2014, the Board advertised a Solicitation of Quotes for an Independent Training Consultant for the year 2015. Two firms responded and the lowest bidder, Ingerman Smith, LLP, was awarded the contract not to exceed \$15,000.00.

The Board far exceeded the 2014 statutory requirement of two training seminars. In total, the Suffolk County Board of Ethics provided trainings at twelve in-person trainings totaling approximately 400 attendees, an increase from 2013’s training initiatives resulting in nine in-person lectures with a total of 153 in-person attendees, with employee attendance from 24 Suffolk County Departments.²

Additionally, in 2014 the Board was successful in securing New York State Bar Association Continuing Legal Education ethics credits from 2014-2017 for its “Suffolk County Ethics Laws” lecture presentation. As an approved provider, the Suffolk County Board of Ethics provided Continuing Legal Education credit to attorneys employed in varying departments by Suffolk County (Exhibit “2” – 2014-2017 New York State Bar Association Continuing Legal Education Accreditation attached).

The Board also accomplished a major training initiative, in collaboration with the Suffolk County Information Technology Department. An interactive web based training module was created which provides general employee Ethics training with a certifying quiz. This program also offers an “Exit Interview” training that covers the prohibitions post Suffolk County employment. To date, employees with the following titles have opted to use this training tool:
(*training occurred in 2015)

- 1) PERSONNEL ANALYST
- 2) SENIOR INDUSTRIAL ENGINEER*
- 3) PROGRAM EXAMINER*
- 4) SENIOR PURCHASING AGENT*
- 5) SENIOR INDUSTRIAL ENGINEER*
- 6) ASST DPTY COMM POL (PMIS)*

² County Executive, Legislature, District Attorney, County Attorney, Public Works, Finance & Management, Intergovernmental Relations, Performance Management, Minority Affairs, Youth Bureau, Office for Women, Office for the Aging, Office for People with Disabilities, Labor Relations, Labor, Probation, Traffic and Parking Violations Agency, Social Services, Information Technology, Civil Service, Health, Police, Fire, Rescue and Emergency Services.

- 7) DIR OF EMERGENCY PREPAREDNESS*
- 8) ASSOC PUB HLTH SANITARIAN*
- 9) PUBLIC HEALTH NURSE I*
- 10) SR PUBLIC HLTH SANITARIAN*
- 11) HEALTH PROGRAM ANALYST I*
- 12) CLINICAL NURSE PRACTITIONER*
- 13) PHYSICIAN III*
- 14) PSYCHIATRIC SOCIAL WORKER*
- 15) SR PUBLIC HLTH SANITARIAN*
- 16) AMBULANCE SVCS CONSULTANT*
- 17) SR F-S AID CLAIMS EXAMNR*
- 18) PSYCHIATRIC SOCIAL WORKER*
- 19) PBLC HLTH NURSE III(EPDM)*
- 20) SUPVR OF MED SOCIAL WORK*
- 21) ASSOC PUB HLTH SANITARIAN*
- 22) HEALTH PROGRAM ANALYST I*
- 23) PHYSICIAN III*
- 24) CHEMIST IV*
- 25) CLERK TYPIST*
- 26) COMMUNICATIONS ANALYST II
- 27) OFFICE SYSTEMS ANALYST IV
- 28) DATA CONTROL SPECIALIST
- 29) COMPUTER OPERATOR IV
- 30) OFFICE SYSTEMS ANALYST IV
- 31) COMPUTER OPERATOR III
- 32) PROGRAMMER ANALYST
- 33) COMMUNICATIONS ANALYST II
- 34) OFFICE SYSTEMS ANALYST IV
- 35) DATA CONTROL SPECIALIST
- 36) COMPUTER OPERATOR IV
- 37) OFFICE SYSTEMS ANALYST IV
- 38) COMPUTER OPERATOR III

The Board is developing a training schedule that complies with the statute for 2015, an odd-numbered year, requiring one training seminar.

The Executive Director continues to present at Suffolk County Civil Service New Employee Orientations. This brief presentation introduces all new employees to their obligations under the Suffolk County Ethics Laws and informs them of the Board's obligation to render all requests with independence and process.

In furtherance, in 2014, the Board, the independent Training Consultant, and the Executive Director conducted in-person Suffolk County Ethics Laws trainings to the following departments and events:

- 1) Suffolk County Legislature
- 2) Economic Development and Planning
- 3) Informational Technology
- 4) County Attorney
- 5) District Attorney
- 6) Suffolk County Annual Planning Federation in conjunction with the New York State Comptroller's Office Training of Local Government
- 7) Probation

Departmental trainings are specifically created with industry trends and legal issues relevant to the department's operations. Such trainings are a collaborative effort between the Department Head, Executive Director, and Independent Training Consultant to provide the most effective training.

The Board has taken steps to be as visual to as many public servants as possible. The "Ethics by Posters" series has been continued and now has five posters that are circulated to the County departments. These posters are designed with the general County employee as their target audience on the subject matters of advisory opinions, financial disclosure statements, post-employment, and gifts. (Exhibit "3" – Ethics by Posters Series).

Additionally, in 2014 the Board drafted a Code of Ethics Plain Language as required by statute. Such guide will be printed and distributed in 2015. (Exhibit "4" – Plain Language Guide).

VI. 2014 LEGISLATION

In 2014, the following two County Laws in the Suffolk County Code of Ethics were amended.

A. Local Law 1-2015

I. Article 30 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE XXX. BOARD OF ETHICS

* * * *

§ C30-2. Membership of Board.

* * * *

F. Members shall receive compensation of \$200 for each Board meeting they attend; such compensation shall not exceed [~~\$400 per month.~~] \$4,800 per year. The Board shall meet at least once per month.

B. Local Law 1-2015

Article II. Financial Disclosure

* * * *

§77-16. Penalties for offenses.

A. Any person required to file a financial disclosure statement with the Board pursuant to this article or any provision of County law who has not so filed at the end of one week after the required filing date shall be subject to a fine of not less than \$250 or more than \$1,000. In determining the amount of the fine, the Board shall consider factors, including, but not limited to, the person's failure in prior years to file a report in a timely manner, and the length of the delay in filing. The Board may waive a fine entirely if a person establishes that the failure to file a report in a timely manner was due to illness, injury or other hardship.

C. Additionally, the Suffolk County Board of Ethics responded to the proposed changes in the County lobbying laws. Such changes were awaiting legislative action at the close of 2014.

VII. BOARD POLICIES

In 2014 the Suffolk County Board of Ethics enacted the following Board policies and procedures: 1) Uniform Redaction Policy, 2) Outstanding Fine Referral to the Suffolk County District Attorney Policy, 3) Investigation Procedures, 4) Hearing Procedures, and 5) Freedom of Information Procedures. Attached hereto is a complete record of all such policies (Exhibit “5”).

VIII. LEGISLATIVE RECOMMENDATIONS AND CODE REVIEW

A. Legislative Recommendations

Code Review

The Suffolk County Code, §77-10 sets forth the County employees who are required to file annual County financial disclosure statements. Subsection (E) requires each employee of the County Executive’s office and County Legislature who holds independent exercise of managerial or policy making functions to be deemed a required filer. Subsection (F) requires each County employee, other than an employee of the County Executive and County Legislature, who holds a policymaking position to be deemed a required filer. The Board recommends that the Legislature consider whether County employees who hold managerial functions in all County departments should be designated as required filers under subsection (F).

IX. FINANCIAL DISCLOSURE
STATEMENTS/INVESTIGATIONS/FINES/REFERRALS

A. Financial Disclosure Statements

Pursuant to § A30-4, Financial Disclosure, the Board shall make financial disclosure statement forms available to all persons required to file pursuant to the requirements of Chapter 77, Part 1, Article II, of the Suffolk County Code. The Board shall review and maintain these statements and otherwise administer and enforce the financial disclosure requirements in accordance with the provisions of Chapter 77, Part 1.

In 2014 all required County employees filed on time. As such, no adjudication hearings were commenced against filers for late filing. This is a substantial increase in timeliness compliance as 49 actions were commenced in 2013 against late filers.

2014 Financial Disclosure Statement Filings

<i>Filer Designation</i>	<i>Total Required to File</i>	<i>Total Filed</i>
County Employees	385	385
Non County Employee Filers	105	91
Elected Officials	24	24
TOTAL	514*	500

**Individuals holding multiple filing positions are counted in the “total required to file” tally.*

B. Investigations and Hearings

The Suffolk County Administrative Code Section A30-7 authorizes the Board of Ethics to conduct any investigation necessary to carry out the provisions Article XXX and Chapter 77, Part 1 of the Suffolk County Code. As such, the Board established processes and procedures to conduct investigations. In doing so, the Board developed two lines of investigations: 1) informal and 2) formal.

As the Board strives for strict public disclosure through the current laws, the Board authorized a 2014 delineated audit on disclosure questions that focused on outside employment and government contracts. This was accomplished by the Board requesting that all filers who disclosed outside employment, or an interest in a government contract, provide 1) a copy of the Department’s approval and/or County SOP A-15 dual employment form and/or 2) the Comptroller’s Vendor Disclosure Form 22 respectively. This resulted in the Board commencing 86 informal investigations as a result of the audit. Additionally, 155 filers were advised of instructional errors.

Such Informal Investigations are regulated under Board procedure as set forth below:

1. **“Informal Investigations”**: The Board can commence an informal investigation upon approved Board motion at any time. Such motion can be made based up information received through a complaint, advisory opinion request, review of a Financial Disclosure Statement, review of any public record, any information available to the public, or upon receipt of any documentary evidence. Such investigation shall be inclusive of fact-finding through public record searches and requests for documents from relevant persons. These duties shall be delegated by the Board to the Staff, General Counsel, or Investigator. Such informal investigation shall be without powers to administer oaths and affirmations or serve subpoenas. All findings of an informal investigation may be used in a subsequent formal investigation. Upon conclusion of an informal investigation, a reasonable cause vote shall take place. If reasonable cause is found to believe that a public servant or former public servant has violated a provision of Chapter 77, Part 1, Article 1 of the Suffolk County Code or other applicable provision of law, the Board may conduct a Hearing pursuant to Board investigation “Hearing Procedures” passed on November 20, 2013.”

Such Formal Investigations are regulated under Board procedure as set forth below:

2. **“Formal Investigations”**: The Board can commence a formal investigation with powers to administer oaths and affirmations and serve subpoenas upon approved Board motion at any time based up information received through a complaint, advisory opinion request, review of a Financial Disclosure Statement, review of any public record, or upon receipt of any documentary evidence. All subpoenas must be issued by a supermajority vote of the entire membership of the Board. *Suffolk County Administrative Code at section A30-7*. Upon conclusion of a formal investigation, a reasonable cause vote shall take place. If reasonable cause is found to believe that a public servant or former public servant has violated a provision of Chapter 77, Part 1, Article 1 of the Suffolk County Code or other applicable provision of law, the Board may conduct a Hearing pursuant to Board investigation “Hearing Procedures” passed on November 20, 2013 as set forth below in entirety.

All such investigation procedures are available on the Suffolk County Board of Ethics webpage. With respect to any investigation, the Executive Director assists filers by apprising them of Board procedures and acting as a liaison between the filers and the Board. General Counsel to the Board reviews all papers submitted on adversarial matters and advises the Board of the legal implications of policy decisions.

In 2014, the Board conducted 24 hearings on late Financial Disclosure filings from 2013. These hearings resulted in the imposition of four fines totaling \$1000.00 in ethics violations sanctions and of all imposed fines, from 2013 and 2014, \$1250.00 was collected in 2014.

C. FINES AND REFERRALS

1. Fines

In 2014, the Suffolk County Board of Ethics imposed four fines totaling \$1000.00 in ethics violations sanctions. Fines imposed from 2013 and 2014 totaled \$2000.00 of which \$1250.00 was submitted to the County Treasurer for payment.

2. Referrals

The Suffolk County Board of Ethics referred three matters to the Suffolk County District Attorney's Office in 2014 pursuant to Board's "Adjudication by Mail Procedure", and one additional unrelated matter.

X. ADVISORY OPINION REQUESTS

The Suffolk County Board of Ethics received 18 requests for Advisory Opinions in 2014. Of these, 8 received a formal written Advisory Opinion, 1 the Board found no jurisdiction, 2 the Board found that the question posed was not ripe for analysis, 4 were still in the process of fact-finding, 1 was deemed administratively inactive as it laid dormant (non-responsive to fact-finding) for more than 90 days, and 2 were withdrawn by the requestors.

The Board maintained compliance with the statutory provisions under the Suffolk County Charter and all Advisory Opinions were rendered within 45 days of completed fact-finding. Upon determining a request has standing, a fact-finding is commenced from which the Board renders their final Advisory Opinion. Advisory Opinions are catalogued by subject matter and section of law pursuant to statute.

XI. COMPLAINTS

The Board has limited jurisdiction to process complaints as to only violations of Chapter 77, Part 1, Article I, of the Suffolk County Code or other applicable provision of law governing conflicts of interest by a public servant or former public servant. As such, all complaints alleging offenses that are outside of the Board's jurisdiction are rejected.

The Suffolk County Board of Ethics received 6 complaints. Of these, the Board found 3 to have no reasonable cause to allege a violation of the Suffolk County Ethics Laws. Of the remaining, 1 was dismissed, 1 was converted to a Post-Employment Review, and 1 is still in the process of fact-finding at the time of this report. The Ethics Violation Complaint Procedure and Form are available on the Suffolk County Board of Ethics webpage.

XII. FREEDOM OF INFORMATION LAW

The Board received and fulfilled 47 Freedom of Information Law ("FOIL") Requests. All FOIL Requests, including those that were served on the Board in error, were responded to in compliance with the FOIL mandates. The Board maintains a FOIL Subject Matter Index that categorizes all materials, exemptions, and protocols.

XIII. ELECTED OFFICIAL'S "TRUTH AND HONESTY IN GOVERNMENT LOBBYING" STATEMENTS

The Board is also the custodian of, and maintains, the filed Elected Official's "Truth and Honesty in Government Lobbying" Sworn Statements. The Board's administrative staff maintains these documents for the 18 Legislative Offices and the 6 Elected Official Department Heads. (Exhibit "6" – 2014 FOIL Subject Matter Index)

XIV. ADMINISTRATION

A. Location

The Suffolk County Board of Ethics relocated its office from 335 Yaphank Avenue, Yaphank, New York 11980 to 3500 Sunrise Highway, Great River, New York 11739. This relocation was presented to the Suffolk County Space Committee and approved in spring 2014. (Exhibit “7” – Space Committee Submission). The relocation was based on the Agency’s need to produce confidential legal work product in a secure facility. The new location was chosen due to its 24-hour security staff and easy assimilation to the adjacent Suffolk County Department (Health) that has protocols in place for confidential records under HIPPA.

B. Document Due-Diligence and Cataloging

The Suffolk County Board of Ethics staff exercises daily due diligence and audits for document retention and accuracy. Set forth below are the categories of documents which undergo cataloging at the Board’s office:

Document Type	Management System
Adjudication Pleadings	Separate physical and electronic file folders are maintained for each individual, organized by batch number and name (i.e.: Batch 1 – Jane Doe).
Notice of Violation	Separate physical and electronic file folders are maintained within each individual’s physical and electronic file containing all Notices of Violation served by the Suffolk County Board of Ethics for the 2013 Financial Disclosure Statements where they are grouped by batch number, name, and index number (i.e. Index Number FDS 001/2013).
Orders	Separate physical and electronic file folders are maintained within each individual’s physical and electronic file containing all orders issued by the Suffolk County Board of Ethics for the 2013 Financial Disclosure Statements where they are grouped by meeting date, name, and index number (i.e. Index Number FDS 001/2013).
Advisory Opinions	Separate physical and electronic file folders are maintained for each individual, organized by Advisory Opinion Request number (assigned in order of date of request) and name (i.e.: AO-2014-1 John Doe). Advisory Opinions are available on the Board’s webpage in redacted (pursuant to §A30-3 (D)) form.
Agendas & Minutes	Separate physical and electronic file folders are maintained.
Articles & Publications	Separate physical and electronic file folders are

	maintained.
Complaints	Separate physical and electronic file folders are maintained for each complaint, organized by complaint number (assigned in order of date of request) and name (i.e.: C-001-2014 John Doe).
Financial Disclosure Statements (“FDS”)	FDS Statements are filed in alphabetical order within the applicable Department, Board, Commission, or Agency’s file. Each FDS Statement is assigned an FDS number (i.e.: FDS# 001/2014).
2014 Financial Disclosure Statement Workbook	Contains 42 spreadsheets, of those the following are included: Departmentally Organized Index, Alphabetically Organized Index, Status (FDS Number (i.e.: FDS# 001/2014), filer name, category of filer, filing date, privacy requested, incomplete status, and tracks all letters sent to filers, Privacy Requests, Audit, Review, Deadlines, and a separate spreadsheet for each Department, Agency, Board, Commission, or Council containing required filers and filing status.
Freedom of Information Law Requests (“FOIL”)	Separate physical and electronic file folders are maintained for each FOIL request, organized by FOIL number (assigned in order of date of request) and name (i.e.: FOIL-001-2014 Jane Doe).
2014 Mail Spreadsheet	Electronic file folders are maintained containing information of all mailings and facsimiles received by the office. Information Entered: Mailing Number, Date, Sender, Sender’s Address, Contents, Mail Type, and Tracking Number (if available).
Notices of Public Meetings	Separate physical and electronic file folders are maintained of the Notice of Public Meeting, email to Legislature approved County newspapers, Fax to Sheriff’s Office for Notice posting on County Public Bulletin Board, and screenshot of online notice posting on the Board’s webpage.
Miscellaneous	Separate physical and electronic file folders are maintained for each miscellaneous document, letter, inquiry, etc., organized by “miscellaneous” item number (assigned in order of date of request) and name (ie: M-001-2014 John Doe).

XV. INFORMATION TECHNOLOGY

The Suffolk County Board of Ethics maintains an independent webpage on www.SuffolkCountyNY.Gov. The webpage includes the following:

1. Notices of Public Meetings;
2. Meeting agendas and minutes;
3. Complaint procedures;
4. Advisory opinion procedures;
5. FOIL procedures;
6. Adjudication procedures;
7. Hearing Procedures;
8. Links to Local Laws;
9. Forms;
10. Contact information;
11. Press Releases;
12. Contracting opportunities;
13. Training and educational materials;
14. Newsletters.

The Suffolk County Board of Ethics webpage is maintained and updated on a monthly and as-needed basis. In effort to maintain confidentiality at all points of contact, the Board does not accept complaints or requests for advisory opinions via email. All such correspondence to and from the Board are made by facsimile, mail, or hand delivery. Google Analytics provides reports as to the usage of the Board's webpage reporting over 2,500 page views in 2014 (Exhibit "8" – 2014 Google Analytic Webpage Reports).

In 2014, administrative staff attended the County required two hour ADA Compliance Training provided by the Suffolk County Community College, Office of Continuing Education, and subsequently worked with the Suffolk County Department of Information Technology to ensure that the Board's webpage met, and continues to meet, A.D.A. compliant standards.

The Board's initiative to have online Annual Financial Disclosure capabilities is contingent on programming and identity theft measures which can exclusively be provided by the Suffolk County Information Technology Department. At this juncture, the Suffolk County Information Technology Department has begun programming efforts on this initiative. The Suffolk County Print Shop created a fillable PDF file for the Annual County Financial Disclosure form in 2014 which will also be available to all required filers in 2015.

XVI. 2015 INITIATIVES

- 1) To exceed the statutory requirement of one training seminar inclusive of specialized departmental trainings;
- 2) To distribute the Code of Ethics Plain Language Guide;
- 3) To continue the “Ethics by Posters” Series;
- 4) To continue providing all requestors timely advisory opinions;
- 5) To continue conducting hearings and investigations pursuant to the Suffolk County Ethics Laws;
- 6) To conduct due diligence, first and second level, reviews of all County Financial Disclosure Statements;
- 7) To provide members of the public, and public servants, with ongoing guidance and education, pre-emptively and upon request, relating to the Suffolk County Ethics Laws;
- 8) To maintain A.D.A. compliance on all webpages;
- 9) To continue administering online training; and
- 10) To work with the Department of Information Technology to create an electronic filing system for County Financial Disclosure Statements.

Executive Director
Submitted