

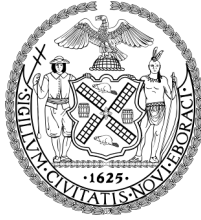


Annual Report

2017

New York City
Conflicts of Interest Board

Carolyn Lisa Miller, Executive Director



THE NEW YORK CITY CONFLICTS OF INTEREST BOARD

2017 ANNUAL REPORT

Board Members 2017

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 (c)). 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(b)).

Members

Richard Briffault	Joseph P. Chamberlain Professor of Legislation at Columbia Law School, appointed to the Board in March 2014 and serves as its Chair.
Fernando A. Bohorquez Jr.	Partner at BakerHostetler, appointed to the Board in March 2014.
Anthony Crowell	Dean and President of New York Law School, appointed to the Board in April 2013.
Jeffrey D. Friedlander	Appointed to the Board in April 2017.
Andrew Irving	Area Senior Vice President and Area Counsel of Gallagher Fiduciary Advisors, LLC, appointed to the Board in March 2005 and reappointed in April 2013; he served until March 2017.
Erika Thomas	Counsel at BakerHostetler, appointed to the Board in March 2012.



Introduction

This Annual Report summarizes the work, and highlights the accomplishments, of the New York City Conflicts of Interest Board during 2017.

The New York City Conflicts of Interest Board (“COIB” or “the Board”) has four broad responsibilities:

1. Educating the more than 300,000 current public servants of the City of New York about the requirements of Chapter 68;
2. Interpreting Chapter 68 and the Lobbyist Gift Law, contained in Sections 3-224 through 3-228 of the New York City Administrative Code, through issuance of formal advisory opinions, promulgation of rules, and responding to requests for advice, both formal and informal, 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.

This Report reviews the Board's accomplishments during 2017, as summarized in [Exhibit 1 to this Report](#), under each of the following headings: (1) [Education and Engagement](#); (2) [Legal Advice](#); (3) [Enforcement](#); (4) [Annual Disclosure](#); (5) [Administration and Information Technology](#); (6) [Proposed Amendments to Chapter 68](#); and (7) [Exhibits and Appendices](#).

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Education & Engagement

UNIT OVERVIEW

The Board's six-person Education & Engagement 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).

OVERALL APPROACH

Public servants may not need to memorize every detail of the Conflicts of Interest Law, but they do need to know enough to be able to spot issues as they arise, and they need to know who to turn to for answers. Effective education should achieve three goals:

1. Make public servants aware of the basic bright-line compliance standards.
2. Help public servants develop a "field awareness" of conflicts of interest, so they can spot issues early.
3. Cultivate positive relationships with public servants, so that they feel encouraged to seek guidance from the Board when questions arise.

To these ends, the Education & Engagement Unit works on three primary fronts:

1. **Onboarding** – New employees are introduced to the Board and the Conflicts of Interest Law soon after being hired. This is a short session, usually as a part of a larger "new hire orientation" undertaken by the appointing agency.
2. **Biennial "Deep Dive"** – Once every two years employees must undergo comprehensive, interactive training on the Conflicts of Interest Law. For most of the Board's 27-year history, this training has

Education & Engagement

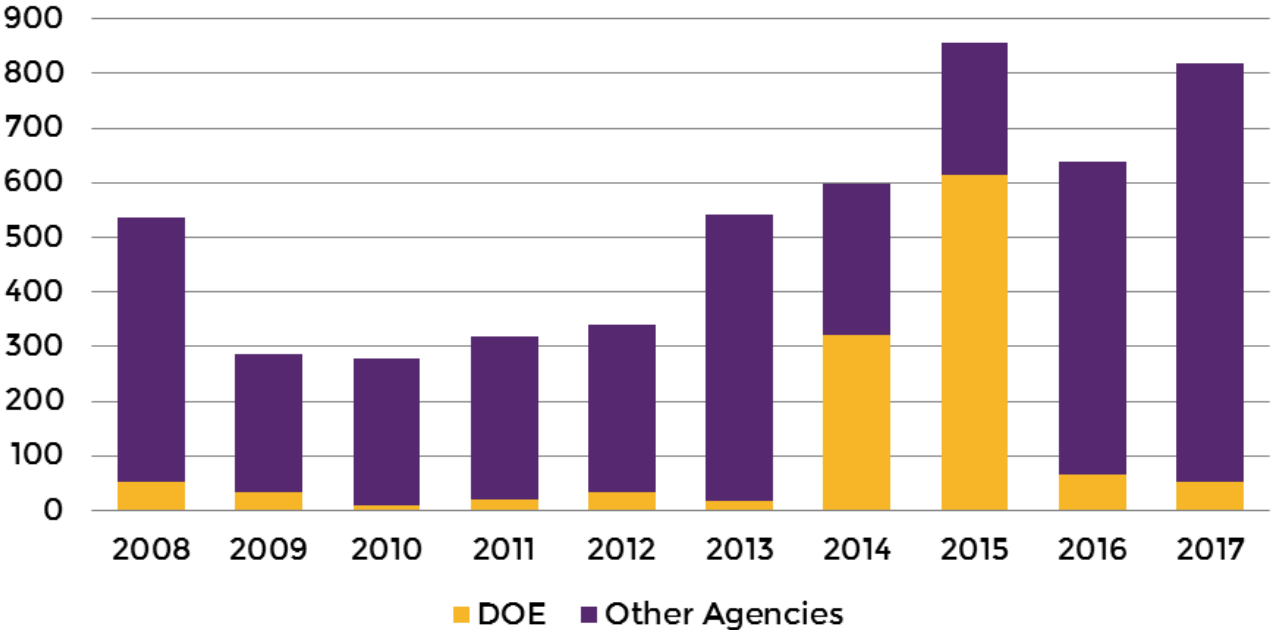
taken the form of live classes, delivered by the Unit’s celebrated training professionals. The Board is currently increasing its reach by adding eLearning to the tools it uses to provide in-depth Chapter 68 education.

3. Micro-Learning & Engagement – Between onboarding and mandatory training sessions, the Education & Engagement Unit puts its writing, graphic design, filmmaking, and social media skills to work on bite-sized ethics messaging campaigns across a wide variety of platforms, including video, online, social media, print, pop-up booths in public parks, and other hosted events.

CLASSES

In 2017, the Unit conducted 818 classes, the second highest number in the history of the Board, as reflected in Exhibit 2. During 2017, the Unit trained the entire staffs of several agencies, including the Board of Elections, the Board of Standards and Appeals, the Business Integrity Commission, the City Council, the Commission on Human Rights, the Comptroller’s Office, the Department of Consumer Affairs, the Department of Transportation, the Manhattan District Attorney’s Office, NYC Employee Retirement System, the Office of the Actuary, the Office of Administrative Trials & Hearings, the Office of Management & Budget, the Police Pension Fund, and the School Construction Authority. In all, during 2017 the Unit presented classes at 53 City agencies and offices, reaching approximately 29,115 City employees.¹

Classes Taught



¹ While significant, that number falls far below the over 300,000 public servants who are mandated to receive Chapter 68 training every two years.

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 classes, 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 sessions, the Unit, together with the Board's attorneys, conducted 15 Continuing Legal Education ("CLE") classes, a requirement for attorneys in New York State, in various formats and at many agencies. The Unit also continued to work with the City's Department of Citywide Administrative Services ("DCAS") to offer Citywide CLE classes in Chapter 68, both general and specialized, at the DCAS Citywide Training Center.

It is anticipated that the great majority of public servants will eventually learn about Chapter 68 through eLearning, similar to the way many large organizations handle other types of mandatory training. In 2017 the Education & Engagement Unit, in conjunction with the Learning & Development Division at DCAS, finalized production of a Conflict of Interest eLearning Course to be deployed on the DCAS Citywide Learning Management System ("LMS"). A successful pilot was completed in Summer 2017 and deployment to City agencies began in earnest in Fall 2017, with several thousand City employees having completed the course by end of the year. We look forward to deploying eLearning to many more thousands of City employees in 2018.

Three City 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 Education & Engagement Unit served as the Chapter 68 content consultant for these three systems.

The Unit anticipates that, as the result of the additional capacity created by eLearning, it will be able to reach many more public servants each year and also be able to focus the majority of its live classroom training energies on those public servants who are in need of more comprehensive, robust training in the law, such as managers, policymakers, and those working directly with contracts.

WEBSITE & PUBLICATIONS

The Internet remains an essential tool for Chapter 68 outreach. The Board's website includes frequently asked questions (FAQs), legal publications, plain language guides, and a list of helpful links. In 2017 the Unit, with the assistance of the Department of Information Technology & Telecommunications and under the leadership of the Board's Deputy Director of Enforcement Jeff Tremblay, completed a comprehensive overhaul of [the Board's website](#), making it more user-friendly and easier to navigate.

Board attorneys and the Education & Engagement Unit continued to write materials on Chapter 68 for publication, including a monthly column, "Ask the City Ethicist," featured in the Board's e-newsletter, *The Ethical Times*. Several City agencies electronically distribute the newsletter to their entire staff.

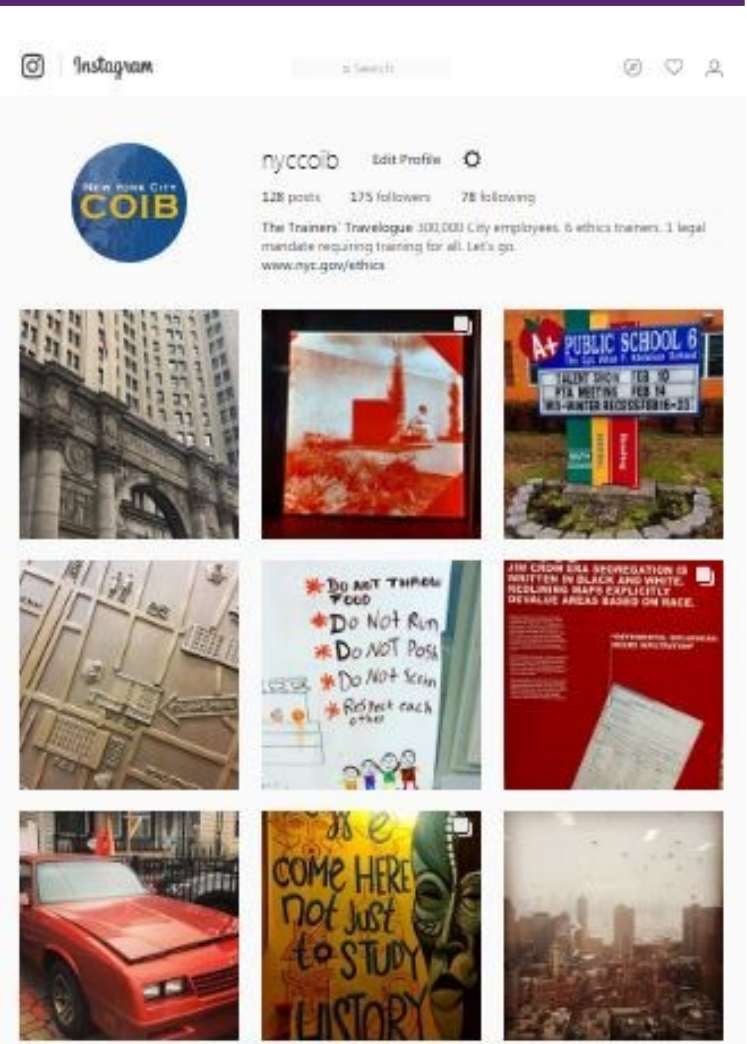
Education & Engagement

The Board’s monthly ethics contest, the *Public Service Puzzler*, continued in 2017. Each month, the Education & Engagement Unit emails 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.



SOCIAL MEDIA

In 2017 the Education & Engagement Unit completed a series of seven very short, snappy educational videos called, “Ethics Over-Easy: Conflicts of Interest with a Side of Fun.” It also began two more video series, “The Conflict Zone” (seen to the left) and “MunicipALS with Dan!” One video for “The Conflict Zone” was completed and posted in 2017. Shooting for the first episode of “MunicipALS” was completed in December and is currently in post-production. All three of these video series seek to engage audiences on ethics content with humor and surprise. The Board’s videos can be viewed on its [Youtube channel](#). The Board’s Twitter feed ([@NYCCOIB](#)), run by the Education and Engagement Unit, 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. In 2017, COIB posts were viewed 927,840 times and users actively engaged with the account - by commenting, sharing, or opening web and multimedia links - a total of 20,512 times.



Also in 2017, the Education & Engagement Unit established a presence on Instagram with its account, “The Trainer’s Travelogue,” a collection of photos from the tremendous variety of sites the Education & Engagement staff visits on a weekly basis. It can be viewed at [instagram.com/nyccoib](https://www.instagram.com/nyccoib).

SEMINAR

The Board's Twenty-third Annual Seminar on Ethics in New York City Government, held at New York Law School on May 19, 2017, was a great success. More than 250 public servants attended, representing approximately 50 City agencies. The Ollens Award for Ethics in City Government was presented to David Fenichel of the Department of Transportation. The Pierpoint Award for Outstanding Service to the Board was presented to former Board Member Andrew Irving. A list of past recipients of these awards may be found on page 68 of this Report.

The Board welcomes nominations for both awards, to be conferred at its Twenty-fourth Annual Seminar on Ethics in New York City Government, which will again be held at New York Law School, on May 24, 2018.

Thanks to the generous contribution of funds by the New York City Department of Investigation ("DOI") from its Asset Forfeiture Program, the Seminar was offered in 2017 at virtually no charge for public servants for the fourth year in a row. The Board thanks both DOI and New York Law School for their support and generosity in making the Seminar such a resounding success.

SPECIAL PROJECTS

For Halloween, the Education & Engagement Unit donned costumes and took its "Ethics Advice Booth" to City Hall Park in a day-long effort to engage members of the public on the topic of ethics and conflicts of interest. The Unit handed out flyers to and had conversations with hundreds of interested passersby.

Additional staff has allowed the Education & Engagement Unit to take on new projects, including an internally-facing tool to help Board educators and attorneys research agency-specific policies and issues. Completed largely in 2017, this "COIB Training Wiki" is a linkable, user-friendly resource that puts agency-specific policies, quizzes, advisory opinions, and enforcement dispositions at staff's fingertips when they are about to teach a class or are attempting to answer a question.



International Visitors and Government Ethics Associations

In 2017, Education & Engagement Director Alex Kipp, Deputy General Counsel Chris Hammer, and Deputy Director of Enforcement Jeff Tremblay 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.

Mr. Hammer participated as a panelist on a session about social media and government. Mr. Tremblay moderated a “Table Topics” breakfast session for Northeast agencies. Mr. Hammer, Mr. Tremblay, and Mr. Kipp represented the Board at COGEL’s “Shiny New Toys” tech trade show, where they featured the Board’s recent video creations and its new eLearning course. Mr. Kipp moderated a panel discussion on legislative term limits and co-moderated COGEL’s yearly “Local Agency Round Table.” Mr. Kipp also ran his own workshop, “Leave ‘em Wanting More: Driving Engagement with Creative Content,” a continuation of the successful session he created and ran last year with Senior Education & Engagement Specialist Rob Casimir. Mr. Kipp also served on COGEL’s 2017 Programming Committee.

Executive Director Carolyn Miller continued her ethics work outside the Board, serving as a member of the New York City Bar Association’s Committee on Government Ethics and State Affairs.

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. Board staff respond to those requests, whenever possible, by e-mail, although occasionally in person. In 2017, Senior Education & Engagement Specialist Rob Casimir met with visiting officials from the Jiangsu Academy of Governance and the City of Shenzhen in the People’s Republic of China.

CONCLUSION

The Board has consistently expanded its outreach with new materials and technologies while maintaining the high level of quality and authenticity people have come to expect with its work in the classroom. For that, and for all of the work undertaken by the Education & Engagement Unit, the Board thanks its hard-working and creative staff: Director of Education & Engagement Alex Kipp, Senior Education & Engagement Specialist Rob Casimir, and Education & Engagement Specialists Gavin Kendall, Roy Koshy, Dan Iwrey, and Isaiah Tanenbaum.

Legal Advice

UNIT OVERVIEW

The Legal Advice Unit oversees the Board's responsibility under City Charter Section 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 formal 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 requests for formal written advice and thousands of requests for informal (telephone and email) advice. [Exhibits 3](#) and [4](#) summarize the Unit's work in 2017 and prior years.

REQUESTS FOR ADVICE

In 2017 the Board received 787 formal written requests for advice. 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 3](#), in 2017 the Board's median response time to formal written requests for advice was 33 days.

As shown in [Exhibit 4](#), in 2017 the Board responded in writing to 676 requests for its advice, consisting of 297 Board letters and orders reflecting Board action, 75 staff advice letters, 304 waiver letters signed by the Chair on behalf of the Board, and 5 formal advisory opinions.² These 676 formal responses was the Board's highest annual total, top-

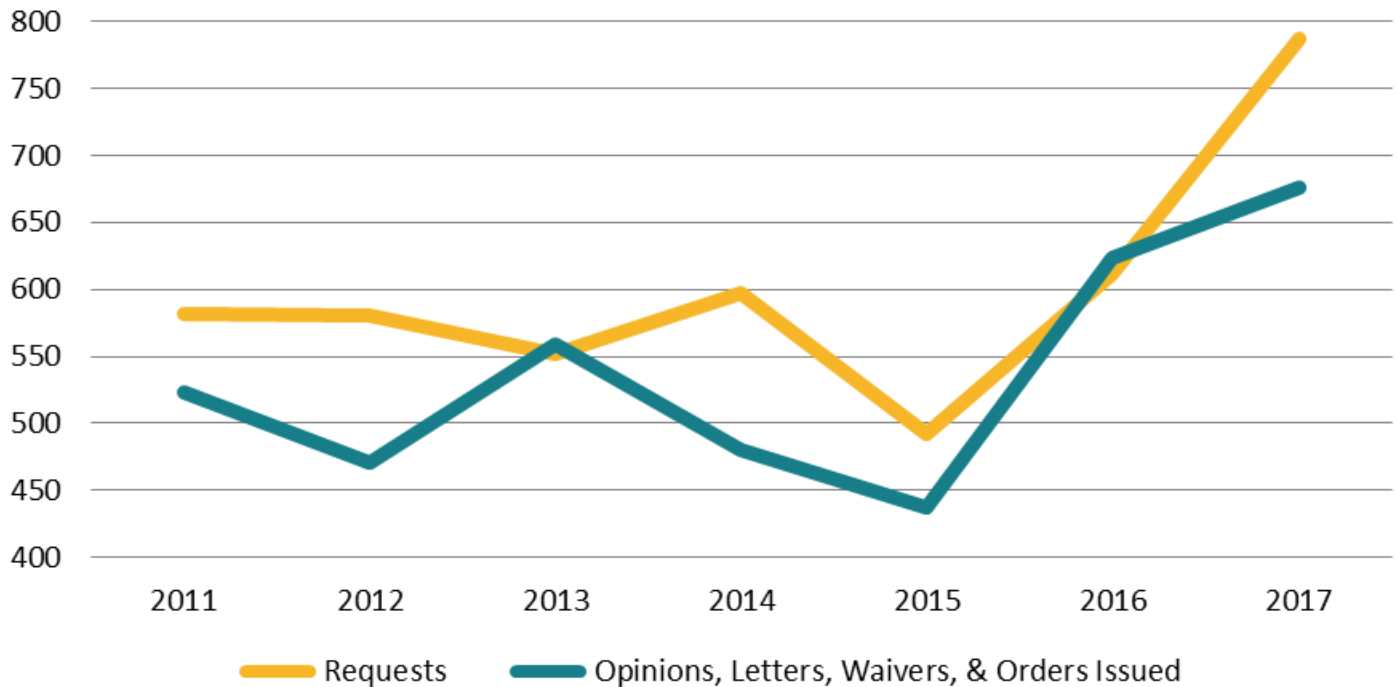
² Under Section 2604(e) of the City Charter, the Board may grant waivers permitting public servants to hold positions or take action "otherwise prohibited" by Chapter 68, upon the written approval of the head of the agency or agencies involved and a finding by the Board that the proposed position or action "would not be in conflict with the purposes and interests of the city." As authorized by City Charter Section 2602(g), the Board has delegated to the Chair the authority to grant such waivers in routine cases.

ping the prior record set last year. At year’s end the number of pending advice requests awaiting written response was 114.

In 2017 Board staff also answered 4,651 informal requests for advice by email and telephone, the highest annual total on record, beating the previous record set in 2014. Informal 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 and emails, 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. The Board has developed a substantial e-mail distribution list, so that new advisory opinions, enforcement dispositions, and other important Board documents are e-mailed to a large network of people, including the legal staffs of all City agencies.³ 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 (CityAdmin.org). Indices to all of the Board’s public advisory opinions since 1990 begin on [page 57](#) of this Report.

Formal Advice



³ Anyone who wishes to be added to the Board’s distribution list can send a request to miller@coib.nyc.gov.

ADVISORY OPINIONS

The five advisory opinions issued by the Board in 2017 were:

Advisory Opinion No. 2017-1 (Revised): Political Activities & Social Media

Public servants may not use official City social media accounts for political purposes, regardless of whether they do so on City time or whether they use City resources. Public servants may not, on City time or using City resources, operate social media accounts registered and operated on behalf of a campaign for elective office. Subordinate public servants may not manage, or create content for, their superior's personal social media accounts. Public servants, other than elected officials, who reference their City positions on personal social media accounts may not imply that they are speaking on behalf of the City or are invoking the authority of their City positions.

Advisory Opinion No. 2017-2: Legal Defense Funds

Contributions to legal defense funds to defray legal expenses must be viewed as gifts to public servants within the meaning of Chapter 68. Exempting legal defense fund contributions from otherwise applicable gift restrictions would require a Charter amendment or local legislation that so provides. As a result, under current law, a public servant may accept, whether through a legal defense fund or otherwise, gifts to offset legal expenses only on the following terms:

1. A public servant may not accept contributions from his or her City subordinates.
2. A public servant may not accept a valuable gift, that is, a contribution of \$50.00 or more, or a series of contributions (or other gifts) over any twelve-month period worth \$50.00 or more, from any person or firm having, or intending to have, business dealings with the City. If two or more donors are relatives or domestic partners of one another, the \$50.00 per twelve-month period restriction applies to the aggregate of their donations. So, too, if two or more donors are directors, trustees, or employees of the same firm or affiliated firms, the public servant may not accept contributions totaling \$50.00 or more in the aggregate from such groups of people in any twelve-month period. A public servant is required to make a reasonable inquiry to determine if a donor has business dealings with the City.
3. A public servant may accept contributions in any amount from a family member or close personal friend who is not engaged in business dealings with the City, who does not appear before the City, and who otherwise has no non-ministerial dealings with the City.

4. For contributions from virtually all others—from non-subordinate City employees, constituents, and others who, although not engaged in business dealings with the City, know of a public servant by virtue of his or her City position—the Board will presume that the public servant is being offered contributions only because of his or her City position. As a result, the public servant’s acceptance from these persons of a valuable gift, that is, a contribution of \$50.00 or more, would presumably violate Charter Section 2604(b)(3) as a misuse of the public servant’s City position.

Advisory Opinion No. 2017-3: Boards and Commissions

Members of the following 11 boards, committees, and commissions are public servants charged with substantial policy discretion:

- the Audit Committee
- the Banking Commission
- the Business Integrity Commission
- the Civil Service Commission Screening Committee
- the Board of Collective Bargaining
- the Deferred Compensation Board
- the Districting Commission
- the Board of Health
- the Mayor’s Advisory Committee on the Judiciary
- the Office of Payroll Administration Board of Directors
- the Public Design Commission

As public servants charged with substantial policy discretion, Charter Section 2604(b)(12) prohibits the members of these boards, commissions, and committees from directly or indirectly requesting any person to make or pay any political assessment, subscription, or contribution for any candidate for an elective office of the City or for any City elected official who is a candidate for any elective office. In addition, Charter Section 2604(b)(15) prohibits the members of these boards, commissions, and committees from serving as a member of the national or state committee of a political party, an assembly district leader of a political party, or a chair or officer of the county committee or county executive committee of a political party.

The following are advisory committees and thus their members do not exercise substantial policy discretion:

- the Archival Review Board
- the Interagency Coordinating Council
- the Voter Assistance Advisory Committee

Accordingly, the members of these advisory committees are not subject to the restrictions on political activities set forth in Charter Sections 2604(b)(12) and 2604(b)(15) by virtue of their service on these advisory committees.

Advisory Opinion No. 2017-4: Campaign-Related Activities

Chapter 68 prohibits the use of City-owned wireless networks or internet connections for any business or political purposes. An exception is made only for City-owned wireless connections that make the internet widely accessible to the general public free of charge, such as those available at LinkNYC kiosks. Chapter 68 prohibits an elected official from using City logos and graphics on a website, unless the website is an official City website.

Chapter 68 prohibits an elected official's City office from sharing its City-maintained list of contact information, such as constituent e-mail addresses, with the elected official's political campaign. Elected officials are urged to take steps to ensure that individual contacts received in an official City context, such as business cards and related contact information, are not used to advance the elected official's campaign.

Advisory Opinion No. 2017-5: Lottery Pools

Public servants may not enter into lottery pools with their City superiors or subordinates. Public servants may, however, enter into lottery pools with other public servants who are neither their City superiors nor subordinates.

RULEMAKING

In 2017, the Board initiated the City Administrative Procedure Act's rulemaking process to implement new local legislation regulating not-for-profit organizations affiliated with elected officials (Local Law 181 of 2016) and, as required on a quadrennial basis, to adjust the dollar amount in the definition of "ownership interest" to account for inflation (Board Rules Section 1-11). The Board held three Open Meetings and a Public Hearing. To assist the Board in this undertaking, the Legal Advice Unit devoted substantial time and energy in drafting Board Rules and Commentary, consulting with the New York City Law Department, and advising the Board. The Legal Advice Unit also dedicated many hours into developing a web-based portal for the regulated organizations to report the information required by the local legislation and for the public to access such organizations' reported donations.

CONCLUSION

The Board's appreciation for the Legal Advice Unit's substantial output, an excellent result achieved under considerable pressure, goes to General Counsel Ethan A. Carrier and the superb Legal Advice staff: Deputy General Counsel Christopher M. Hammer; Assistant Counsels Amber Gonzalez, Chad H. Gholizadeh, and Clare Wiseman; and Paralegal Hannah Reisinger.

Enforcement

UNIT OVERVIEW

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 City's 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. 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 2017, the Board made 87 public findings of violations, including 79 dispositions imposing a fine (78 settlements and one case in which the Board issued Findings of Fact, Conclusions of Law, and an Order, following a hearing before the New York City Office of Administrative Trials and Hearings ("OATH")) and eight public warning letters. In 2017, the Board entered into 46% more dispositions imposing fines and issued four times as many public warning letters than in 2016. Detailed data about the Board's enforcement activity from 2008 through 2017 can be found in [Exhibit 5](#).

ENFORCEMENT ACTIONS

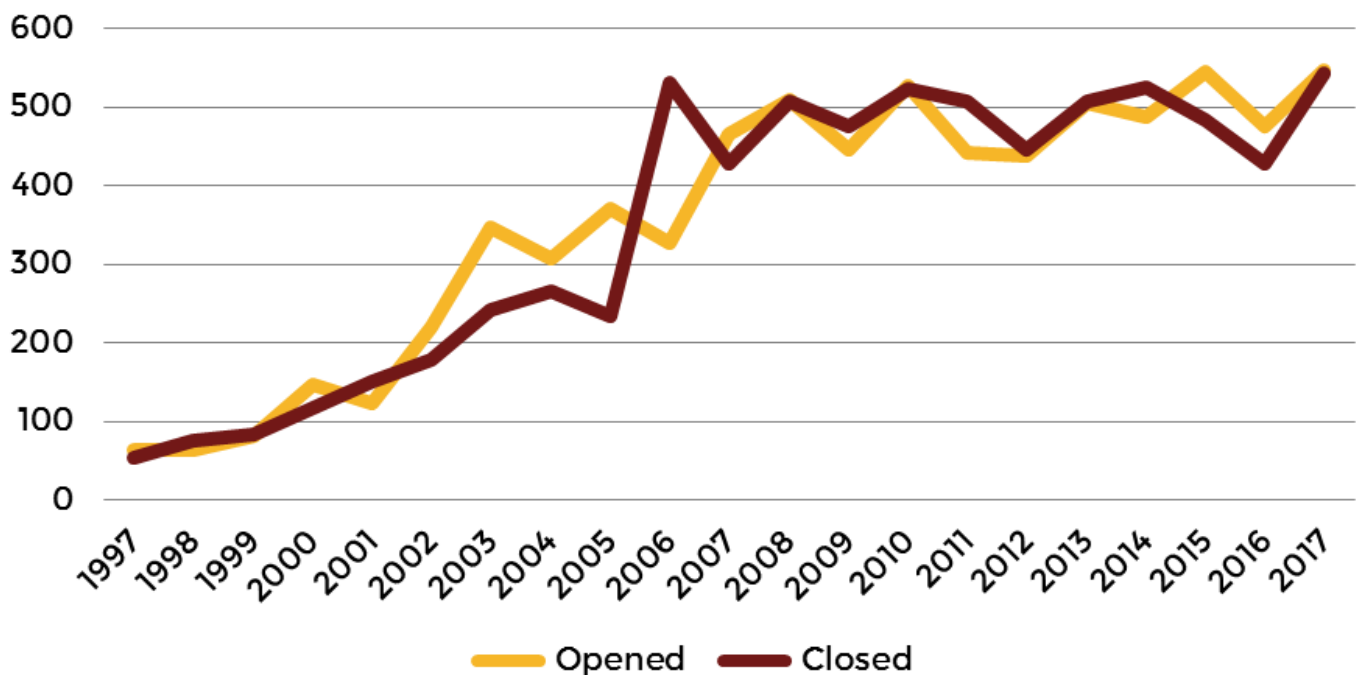
In 2017, the Enforcement Unit, under the leadership of Director Michele Weinstat, imposed \$231,125 in fines on violators. Although the Board partially forgave payment of some of these fines based on a showing by the public servant of significant financial hardship, the Board's collected fines increased by 48% in 2017. In addition, the Enforcement Unit continued to work in cooperation with City agencies to resolve cases involving Chapter 68 violations. In 2017, those cases resulted in agency fines, forfeiture of annual leave, and suspensions valued at \$86,952.

As reflected in the [Enforcement Fines Chart](#) posted on the Board's website, from 1990, when the Board gained enforcement authority, through 2017, Board fines and disgorge-

ment penalties have totaled \$1,857,378, of which \$231,876 was forgiven due to demonstrated financial hardship or uncollected after an OATH hearing and issuance of a Board Order. 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 \$1,786,000. 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 description of every enforcement action resolved in 2017 can be found in [Exhibit 7](#).

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 2017, the Board referred 76 cases to DOI for investigation, and DOI provided the Board with investigative reports involving 159 subjects, as reflected in Exhibit 5. The Board also relies on the public, City employees and officials, and the media to bring possible violations to the Board’s attention. Anyone with information about a possible violation of Chapter 68 is encouraged to [“Report a Violation”](#) on the Board’s website.

Total Cases



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 2017, the Board issued Findings of Facts, Conclusions of Law, and an Order in one case following a full trial at OATH.

In that action, the Board issued an Order imposing a \$10,000 fine on a former Job Opportunity Specialist for the New York City Human Resources Administration (“HRA”) who used his City position to steal from an HRA client. The Job Opportunity Specialist had taken a money order for \$845.80 from one of his clients and promised to give it to the client’s landlord as part of the client’s application to HRA for a loan to help her avoid eviction. Instead, the Job Opportunity Specialist wrote his name in the payee field on the money order, cashed it, and kept the money for himself. In determining the penalty, the Board considered prior penalties in cases of theft from vulnerable City clients; that the Job Opportunity Specialist had still not reimbursed the client for the theft; and that he did not accept responsibility for his actions by settling with the Board. The Board took particular note of the Job Opportunity Specialist’s “exploitation of his HRA client’s vulnerability, and the underlying breach not only of the trust placed in him by the public, but also of his client’s trust.”⁴

Significant Settlements

In a case involving a high-level official’s misuse of her City vehicle and City position, the Board imposed a substantial penalty on the Commissioner of the New York City Department of Correction (“DOC”), who, while serving as Deputy Commissioner of Quality Assurance, used her assigned DOC take-home vehicle to make 16 personal trips: 13 trips to shopping malls and three trips to JFK Airport. (City “take-home” vehicles are to be used in the performance of official duties and to commute.) The DOC Commissioner reimbursed DOC \$493.67 for the mileage incurred and forfeited eight days of personal leave, valued at \$5,824, which the Board took into account in setting the amount of its fine at \$6,000. The Commissioner also admitted to misusing her DOC position when she attempted to pay the Board-imposed fine she had received. Board fines must be paid with bank check, money order, cashier’s check, or certified check. After complaining to her subordinate that this form of payment would be difficult for her because she did not have a New York bank account, her subordinate offered to obtain a cashier’s check for her to pay the fine to the Board. She provided him with her personal check, and he provided her with a cashier’s check purchased through funds drawn from his personal bank account.⁵ In addition to the DOC Commissioner, the Board simultaneously fined eight other high-level DOC officials for misuse of their vehicles.⁶

⁴ *COIB v. D. Martinez*, OATH Index No. 498/17, COIB Case No. 2015-739 (Order March 29, 2017).

⁵ *COIB v. Brann*, COIB Case No. 2017-156b (2017).

⁶ *COIB v. Thamkittikasem*, COIB Case No. 2017-156a (2017); *COIB v. Moses*, COIB Case No. 2017-156n (2017); *COIB v. Brantley*, COIB Case No. 2017-156i (2017); *COIB v. Lemon*, COIB Case No. 2017-156s (2017); *COIB v. Glenn*, COIB Case No. 2017-156j (2017); *COIB v. Pressley*, COIB Case No. 2017-156q (2017); *COIB v. Barnes*, COIB Case No. 2017-156p (2017); *COIB v. Jennings*, COIB Case No. 2017-156l (2017).

The Board also fined a former Budget Director and Senior Director for Strategy and Program Development for the New York City Housing Authority (“NYCHA”) \$9,500 for negotiating for and accepting a position with a firm while working on NYCHA matters with the firm, including authorizing NYCHA work and payments to the firm. These successful employment negotiations took place over a ten-month period and included numerous emails and in-person meetings.⁷

The Queens County Public Administrator hired her son’s girlfriend in September 2014 to work at the Queens County Public Administrator’s Office (“QCPAO”). In Spring 2015, after they became engaged, the son and his now-fiancé moved in together. The Queens County Public Administrator continued supervising her son’s live-in fiancé for approximately one year, providing an indirect benefit to her son in violation of the Conflicts of Interest Law. The Board fined the Queens County Public Administrator \$3,000, which penalty took into account both the Public Administrator’s high-level position as head of the QCPAO and the lack of evidence that she treated her son’s live-in fiancé differently than other employees at QCPAO in terms of assignments and pay.⁸

Three-Way Settlements

The Board’s Enforcement Unit continued to strengthen its coordination with disciplinary counsel at City agencies in cases where Board action overlaps 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 the related disciplinary charges. Settlements reached in conjunction with City agencies result in penalties including 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 and the New York City Department of Transportation (“DOT”) reached a three-way settlement with an Assistant Director of Contracts for DOT’s Division of Transportation Planning and Management, who served in his private capacity as President, Pastor, and Trustee of a church in Staten Island. Over the course of seven and one-half years, he had solicited and received a total of \$58,500 in church donations from two contractors whose work he oversaw at DOT. Some of these funds went to his purely personal, non-church expenses, including car payments, telephone bills, and a trip to Africa. In the joint disposition with the Board and DOT, the Assistant Director of Contracts agreed to irrevocably resign from DOT and paid a \$10,000 fine to the Board.⁹

In another case, the Board and NYCHA reached a three-way settlement with a NYCHA Fleet Administrator, who agreed to serve a twenty-workday suspension, valued at \$7,075, as well as a two-year General Probationary Evaluation Period. The Fleet Administrator admitted that she had two subordinates, an Auto Mechanic and Auto Service Worker, drive her personal vehicle during their workday from their NYCHA work location

⁷ *COIB v. Dempsey*, COIB Case No. 2016-161 (2017).

⁸ *COIB v. Rosenblatt*, COIB Case No. 2016-247 (2017).

⁹ *COIB v. Ashimi*, COIB Case No. 2015-858 (2017).

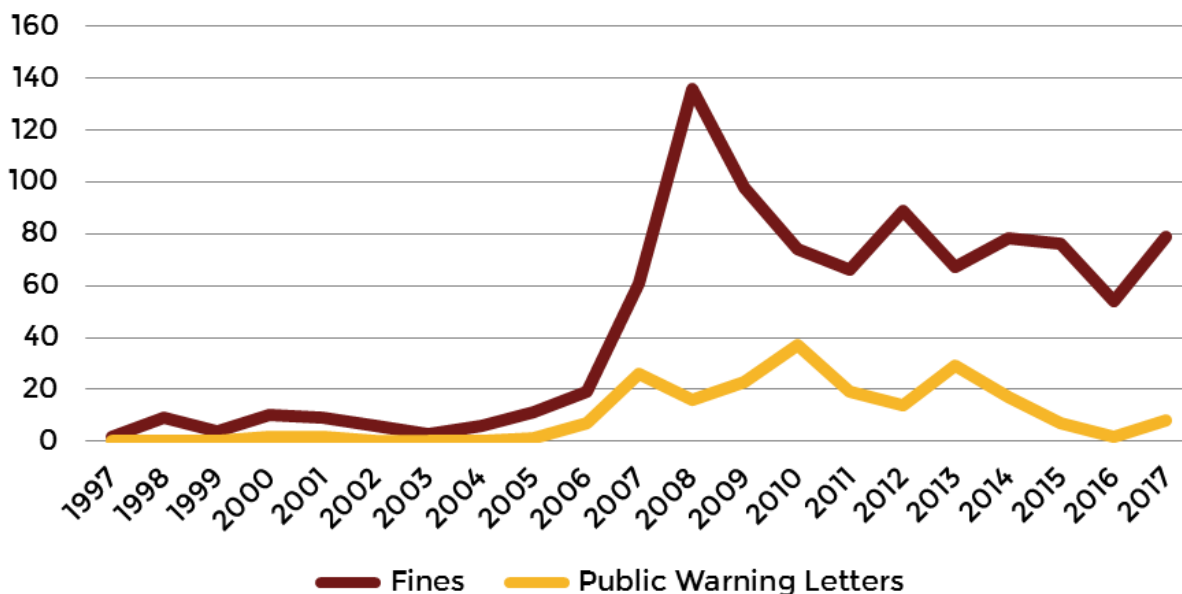
in Brooklyn to a car dealership in Roslyn, New York, to purchase brakes and a key for her personal vehicle, and to install the brakes, spending a total of approximately four hours and 20 minutes of their NYCHA workday performing personal tasks for her.¹⁰

In some cases, public servants who are the subject of a Board enforcement matter sign a confidentiality release to permit the Board attorney to discuss with the employing agency the possibility of participating in the Board’s disposition, thus foreclosing any potential agency disciplinary charges. In one such three-way settlement, a New York City Department of Education (“DOE”) Principal paid a \$3,500 fine for having her DOE subordinates give her free rides to work. The Principal sent an email to multiple teachers at her school asking them to drive her to work and, for four months, regularly received rides to school from three of her DOE subordinates. During the prior school year, she also obtained several rides to work from two of her DOE subordinates. The Principal did not generally share driving expenses or pay tolls when she carpooled with her subordinates. In determining an appropriate penalty, the Board took into account that the Principal had an injured arm that may have hampered her ability to drive but also that this was the second time the Board fined her for misusing her supervisory authority to obtain personal benefits from subordinates.¹¹

Settlements with 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 New York City Department of Education (“DOE”) teacher had, in her City position, received thousands of dollars of equipment donated explicitly for use in her DOE

Public Dispositions



¹⁰ *COIB v. L. James*, COIB Case No. 2016-325 (2017).

¹¹ *COIB v. Zigelman*, COIB Case No. 2016-879 (2017); see also *COIB v. Zigelman*, COIB Case No. 2008-037 (2008)

classroom. This equipment was donated by members of the public through the website “DonorsChoose.org.” As she was preparing to leave DOE for a new teaching position in Westchester County, despite being told by her DOE Principal that the donated equipment was the property of DOE and not hers to take, she removed approximately \$10,000 worth of the donated DOE equipment, including multiple iPads, iPods, MacBook laptops, printers, robots, and Nook e-readers, to use at her new job. The teacher paid a \$6,000 fine to the Board for her misuse of City resources, a penalty that took into account that the teacher returned the items to her former school after she was asked to do so by her new employer and that this flagrant misuse of City resources was intended for educational purposes and not private gain.¹²

In addition, the Board prosecutes cases against former public servants for violations that occur after they leave City service. In 2017, 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 of 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, a former Project Manager at the New York City Mayor’s Office of Housing Recovery (“HRO”) paid a \$6,000 fine to the Board for: 1) during his tenure at HRO, having several conversations and a first-round interview with a private construction contractor he was overseeing as a part of his City duties; and 2) communicating with HRO on behalf of his new employer seven months after leaving HRO by sending two emails to an HRO employee to inquire about construction permits and documentation his new employer needed.¹³

Public Warning Letters

After initiating an enforcement action, the Board may determine that a fine is unwarranted but that a public warning letter would serve a valuable educational purpose both for the public servant involved and for other public servants. The Board may agree to settle enforcement matters by issuing public warning letters in cases involving relatively minor violations, significant mitigating circumstances, or novel violations about which the Board has not explicitly spoken in the past. For example, in 2017, the Board issued public warning letters to one Principal and three Assistant Principals at the New York City Department of Education (“DOE”) who received unsolicited group holiday gifts of significant value from their subordinates. Three of them had received several hundred dollars in gift cards on multiple occasions, and one received a designer handbag. In its [Advisory Opinion No. 2013-1](#), the Board had previously advised that superiors may only accept holiday gifts of nominal value from subordinates, namely “gifts where the ‘thought of giving’ has greater value than the gift itself.” Even though each subordinate’s contribution to the gifts received by the Principal and each Assistant Principal was as low as \$5 to \$11 per year, expensive holiday gifts, particularly cash or the equivalent, do not qualify as having a “thought” that outweighs their value. In issuing the pub-

¹² *COIB v. Kan*, COIB Case No. 2016-846 (2017).

¹³ *COIB v. Scharff*, COIB Case No. 2016-599 (2017).

lic warning letters, the Board made clear that City employees are strictly prohibited from accepting valuable group holiday gifts from their subordinates just as they are prohibited from accepting valuable individual gifts.¹⁴

Private Warning Letters

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 58 in 2017 – include no findings of fact or violation, but instead serve as a formal reminder of the importance of strict compliance with the Conflicts of Interest Law.

2017 AND BEYOND

Throughout 2017, the Board continued to improve the implementation of its enforcement program. The Enforcement Unit, with the assistance of the Education & Engagement Unit, focused particularly on enhancing its communications with the public through dispositions and e-blasts that, to the extent permitted by the City Charter's confidentiality rules, provided more information regarding the Board's reasoning in reaching its result in each case. Among other factors, subject to the public servant's agreement, the Board's public dispositions routinely include information regarding relevant mitigating and aggravating circumstances in each case.

Looking forward, the Board seeks to speed up the process of addressing enforcement complaints. To that end, the Board is setting ambitious goals for the time frames of each major step in the enforcement process. The Board will begin using more detailed metrics to better quantify the efficiency of its work and is developing the technological means to measure the extent to which the Board is meeting these goals. Measuring efficiency in this way will help Board staff prioritize its work and ensure that enforcement cases are processed as quickly as possible. To increase transparency, the Board intends to share the results of these timeliness metrics with the public.

Summaries of all of the Board's public enforcement actions from 1990 to the present are currently 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 (CityAdmin.org).

For all their hard work, the Board thanks Michele Weinstat, Director of Enforcement; Jeff Tremblay, Deputy Director of Enforcement; Evan Berkow, Assistant Counsel for Enforcement; and Katherine Miller, Assistant Counsel for Enforcement. Finally, the Board extends its sincere thanks to the DOI Commissioner and DOI's entire staff for investigating and reporting on complaints of violations of the Conflicts of Interest Law.

¹⁴ *COIB v. Marino Coleman*, COIB Case No. 2015-882 (2017); *COIB v. O'Sullivan*, COIB Case No. 2015-882a (2017); *COIB v. Wald*, COIB Case No. 2015-882b (2017); *COIB v. Nevins*, COIB Case No. 2015-882c (2017).

Annual Disclosure

UNIT OVERVIEW

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.

In 2017, the Annual Disclosure (“AD”) Unit updated the filing and reporting processes by eliminating paper reports for members of policymaking boards and commissions, Public Authorities Accountability Act (“PAAA”) filers, assessors, and candidates to allow for faster and easier electronic submissions and review of information. The AD Unit, with the assistance of the Education & Engagement Unit, posted elected officials’ reports on the Board’s website in accordance with Local Law 21 and changed the public inspection request process to allow for greater and easier access to public reports.

FILING & REVIEW OF ANNUAL DISCLOSURE REPORTS

In 2017, the AD Unit reviewed 9,014 reports filed for the year 2016.¹⁵ After the four-week filing period which ran from April 10 to May 5, the AD Unit reviewed all submitted reports for completeness and possible conflicts of interest. The reviews resulted in 63 letters sent to public servants. While the majority of letters advised the filers that it was necessary to obtain agency head permission and then a Board waiver pursuant to City Charter § 2604(e) in order to retain their non-City positions, others instructed filers to seek advice on ownership interests and outside volunteer positions. By year’s end, 44 cases were opened and one matter was referred for enforcement action based on a possible conflict of interest involving a financial relationship between a superior and subordinate.

The AD Unit also reviewed reports to determine whether a conflict of interest existed where a filer and his or her relative work in the same City agency or the filer had more than one relative in another City agency. In February 2017, the AD Unit sent out 258 let-

¹⁵ Reports are filed in the year following the year to which they pertain. Thus, 2016 reports, covering calendar year 2016, were filed in 2017.

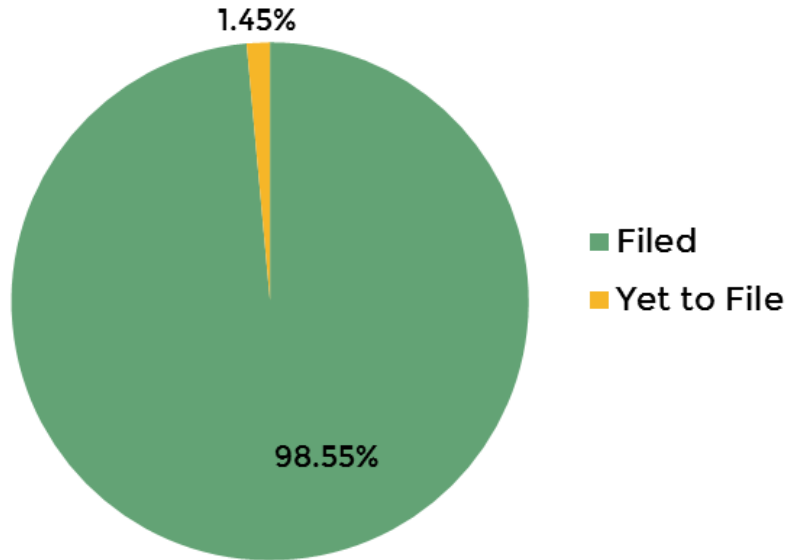
ters to relatives working in the same agency based on information reported in their 2015 reports, resulting in 154 calls to the Board's Legal Advice Unit. In December 2017, the AD Unit sent out 137 letters to relatives working in the same agency based on information reported in the 2016 reports, resulting in 118 additional calls handled by the attorneys of the Board's Legal Advice Unit.

As a result of the reviews, the AD Unit contacted 185 filers concerning the need to amend their reports. 146 of those filers amended their reports.

The AD Unit also processes certifications of compliance that demonstrate 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 2017, the Unit issued 688 certifications.

Finally, the Unit continued its annual disclosure liaison trainings in 2017 with classes given to 34 AD liaisons representing 35 City agencies.

2016 Annual Disclosure Reports



Policymaking Boards and Commissions

As amended by Local Law 58 of 2012 and to conform to State law, uncompensated members of policymaking boards and commissions are required to file a short form annual disclosure report. Twenty-three policymaking boards and commissions participated in the 2017 filing period. In 2017, the paper forms were replaced with .pdf fillable forms for electronic submission. There were 224 required filers, 20 of whom sat on multiple boards or commissions. By year's end, all required filers were in 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 PAAA entities participated in the 2017 filing period. These entities represented 377 filers. Of the 377 filers, 161 individuals had previously submitted annual disclosure reports pursuant to their City positions and thus were not required to file a PAAA annual disclosure report, and 18 individuals served on more than one PAAA entity. The remaining 198 individuals filed the short form reports. These filers also submitted their reports electronically for the first time. By year's end, there was 100% compliance.

Candidates

The AD Unit also processed and reviewed 198 reports submitted electronically by candidates in the Citywide election of 2017. The Unit worked closely with the New York City Campaign Finance Board to ensure that candidates seeking matching funds were in compliance with Local Law 173 which replaced the requirement for participating candidates to obtain receipts indicating proof of compliance with the requirement to maintain a record of all candidates in compliance.

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 an annual disclosure report. On March 7, 2017, the Board granted the appeals of two New York City Department of Buildings employees on default. See [Board Orders Nos. 2017-01](#) and [2017-02](#). On May 17, 2017, the Board determined that six Senior Construction Assessment Specialists at the New York City School Construction Authority were required to file Annual Disclosure Reports for calendar year 2015. See [Board Order No. 2017-03](#).

ANNUAL DISCLOSURE ENFORCEMENT

Section 12-110(g) of the City's Administrative Code empowers the Board to impose fines of up to \$10,000 for the non-filing or late filing of an annual disclosure report. During 2017, the Board collected \$29,001 in late filing fines.

In addition, in November 2017 former City Council Member Ruben Wills pleaded guilty to one count of offering a false instrument for filing in the second degree. In line with his plea agreement, Wills admitted that he knowingly filed a false yearly financial disclosure report with the Board by deliberately failing to disclose personal loans made to him on his 2012 annual disclosure report.

PUBLIC INSPECTION OF ANNUAL DISCLOSURE REPORTS

Section 12-110(e) of the City's Administrative Code provides that certain information contained in annual disclosure reports shall be made available for public inspection. In 2017, the City Council passed legislation requiring the posting of elected officials' annual disclosure reports on the Board's website. This contributed to a 50% reduction in the number of requests for reports, from 2,597 in 2016 to 1,293 in 2017.

For reports not available on the website, the AD Unit worked with the Education & Engagement Unit to create an online submission form to request reports and to receive reports electronically for faster and easier access to these public documents.

Annual Disclosure in the News

Of the 1,293 requests in 2017, 899 were from the media. As a result, there were several noteworthy articles generated from the reports that focused on various issues such as the legal bills of Mayor Bill De Blasio, the criminal charges against former Council Mem-

ber Ruben Wills, and other high-profile filers:

NY Post: De Blasio Spent As Much as Half a Million Dollars Fighting Probes

NY Post: How will De Blasio Pay His Huge Legal Bills?

NY Times: City Councilman Convicted of Stealing Thousands in Public Funds

Observer: Former Queens Councilman Pleads Guilty to Concealing Personal Loan

NY Post: MTA Board Members Failed to Declare Income

LEGISLATION

The New York City Council amended the City's Annual Disclosure Law by requiring that, effective in 2017 with the filing of reports for calendar year 2016, the Board post the reports of elected officials on its website. The amendment also eliminated the requirement that the Board notify the elected officials of the identity of the person who has viewed the report, a pre-requisite to posting reports.

In 2017, the City Council passed legislation changing the filing deadline for candidates for public office. The amendment to Section 12-110(b)(2) of the Administrative Code extended the deadlines for the filing of annual disclosure reports by candidates that would enable the Conflicts of Interest Board to both notify candidates of their filing obligation in sufficient time for them to comply and to provide reports to the public in advance of an election.

CONCLUSION

City employees continue to show an excellent compliance rate in filing their mandated annual disclosure reports. As detailed in [Exhibit 6](#), the overall rate of compliance with the Annual Disclosure Law has exceeded 98% over the past six years. This superb record is attributed in large part to the excellent work of the Annual Disclosure Unit: Julia H. Lee, Director of Annual Disclosure and Special Counsel; Joanne Giura-Else, Deputy Director of Annual Disclosure; Holli Hellman, Senior Annual Disclosure Analyst; Grace Cho, Annual Disclosure Analyst; and Veronica Martinez Garcia, Administrative Assistant.

ADMINISTRATION & INFORMATION TECHNOLOGY

The Board thanks its Director of Administration Varuni Bhagwant and Purchasing Coordinator Oni John 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.

Proposed Amendments to Chapter 68

The Board had a busy and successful year providing advice to City employees, enforcing violations of the City's Conflicts of Interest Law, administering annual disclosure, and educating City employees. However, Chapter 68 of the New York City Charter has gone largely unchanged since it was first enacted 27 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.¹⁵ 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.

¹⁵ 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 City Charter.

EXHIBIT 1

YEAR-BY-YEAR STATISTICAL COMPARISON: 1993, 2001, 2016, 2017

Agency	1993	2001	2016	2017
Adopted Budget (Fiscal Year)	\$1,132,000 (FY94)	\$1,698,669 (FY02)	\$2,561,120 (FY17)	\$2,580,410 (FY18)
Staff (budgeted)	26	23 ³ / ₅	26	26

Legal Advice	1993	2001	2016	2017
Attorneys	4½	3	4	5
Informal requests for advice	N/A	1,650	3,946	4,651
Formal requests for advice	321	539	611	787
Issued opinions, letters, waivers, orders	266	501	623	676
Opinions, etc. per attorney	53	167	156	135
Pending requests at year end	151	40	95	114
Median time to respond to requests	N/A	N/A	26 days	33 days

Enforcement	1993	2001	2016	2017
Attorneys	½	4	4	4
Cases opened	9	156	475	547
Cases opened	1	152	429	543
Dispositions imposing fines	1	9	54	79
Public warning letters	0	2	2	8
Private warning letter	0	10	70	58
Fines imposed	\$500	\$13,950	\$110,150	\$231,115
Referrals to DOI	2	57	99	76
Reports from DOI	7	48	137	159

Education & Engagement	1993	2001	2016	2017
Staff	1	4 ³ / ₅	6	6
Classes	10	190 24 agencies; CLE	638 55 agencies; press meet-up; multiple CLE offerings; training for all employees at 12 agencies; new seminar sessions; training sessions at COGEL; special sessions on Gifts; ethics “advice booth” in Thomas Paine Park	818 53 agencies; multiple CLE offerings; training for all employees at 19 agencies; new seminar sessions; training sessions at COGEL; ethics “advice booth” in City Hall Park
Dept. of Education classes	None	116	65	52
Ethics Newsletter	None	<i>Ethical Times</i> (quarterly)	<i>Ethical Times</i> (monthly), <i>Public Service Puzzler</i> (monthly)	<i>Ethical Times</i> (monthly) redesign, <i>Public Service Puzzler</i> (monthly); pre-production on monthly comic strip
Videos	None	3 half-hour training films; 2 PSA’s	“Ethics Express”: 3 clips shot, for posting in 2017; “Ethics Over Easy” PSAs – 7 shot in 2016	7 “Ethics Over Easy” PSAs posted; “The Conflicts Zone” episode 1 posted; “MunicipiPALS with Dan” episode 1 shot; video bookends for LMS eLearning shot and posted
Electronic Training	None	Computer game show; Cross-walks appearances	Development of LMS content/program with DCAS begun; COIB Twitter feed; training “wiki”	LMS eLearning with DCAS deployed; COIB Twitter, Instagram, and YouTube; training “wiki”; complete website overhaul

Annual Disclosure	1993	2001	2016	2017
Staff	12	5	5	5
6-year compliance rate	99%	98.6%	98.4%	98.5%
Fines Collected	\$36,051	\$31,700	\$26,250	\$29,001
Reports reviewed for completeness	All (12,000)	400	8,980	9,014
Reports reviewed for conflicts	350	38	8,980	9,014
Letters sent to filers for potential conflicts	n/a	0	73	458 (from review of 2015 and 2016 reports)
Filing by City-affiliated entities (e.g., not-for-profits and public authorities under PAAA)	0	0	32 PAAA entities filed	30 PAAA entities filed

Electronic filing	None	In development	With limited exceptions (PAAA filers, uncompensated members of policymaking boards & commissions, candidates, & assessors), all filers file electronically	PAAA filers, uncompensated members of policymaking boards and commissions, candidates, & assessors file on .pdf fillable forms. All other filers file electronically.
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EXHIBIT 2

CLASSES ON CHAPTER 68: 1999-2017

Year	DOE Classes	Other Agency Classes	Total Classes ¹
1999	23	69	92
2000	221	156	377
2001	116	74	190
2002	119	167	286
2003 ²	43	139	182
2004	119	169	288
2005	80	162	242
2006 ³	43	151	194
2007	75	341	416
2008	51	484	535
2009 ⁴	33	253	286
2010 ⁵	9	270	279
2011	21	297	318
2012 ⁶	34	307	341
2013	18	524	542
2014	320	279	599
2015 ⁷	614	241	855
2016 ⁸	65	573	638
2017 ⁹	52	766	818

¹These 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 the New York City Department of Investigation.

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

³From December 2005 to September 2006, the 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.

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

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

⁶The Unit was expanded from two to four in July 2012.

⁷One training position was effectively vacant from June to August and December in 2015.

⁸The Unit was expanded from four to six in Fall 2016, and one training position was effectively vacant from January through May 2016.

⁹One training position was effectively vacant from May through November 2017, and another was vacant from mid-June through September 2017.

EXHIBIT 3

LEGAL ADVICE SUMMARY: 1993 & 2011-2017

	1993	2011	2012	2013	2014	2015	2016	2017
Attorneys	5	4	4	4	3	4	4	5
Informal requests for advice	N/A	3,310	3,213 (+3%)	3536 (+10%)	4,353 (+23%)	3,827 (-12%)	3,946 (+3%)	4,651 (+18%)
Formal requests for advice	321	582	581 (-0%)	552 (-5%)	597 (+8%)	492 (-18%)	611 (+24%)	787 (+29%)
Issued opinions, letters,	266	523	471 (-10%)	559 (+19%)	480 (-14%)	437 (-9%)	623 (+43%)	676 (+9%)
Opinions, etc. per attorney	53	131	118 (-10%)	140 (+19%)	160 (+14%)	146 (-8%)	155 (+6%)	135 (-17%)
Pending formal requests at	151	166	221 (+33%)	107 (-52%)	174 (+63%)	170 (-2%)	95 (-44%)	114 (+20%)
Median time to respond to	N/A	29	28	22	28	30	26	33

EXHIBIT 4

WRITTEN RESPONSES TO REQUESTS FOR ADVICE: 1997-2017

Year	Staff Letters	Formal/(b)(2) Letters	Board Letters, Orders, Opinions	Total
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
2016	109	437	77	623
2017	75	304	297	676

EXHIBIT 5

ENFORCEMENT SUMMARY: 1997 & 2008-2017

	1997	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Attorneys	4	4	4	4	4	4	4	4	4	4	4
Cases opened	64	510	445 (-13%)	526 (+18%)	441 (-16%)	437 (-0.1%)	506 (+14%)	488 (-4%)	544 (+11%)	475 (-13%)	547 (+15%)
Cases closed	54	508	476 (-6%)	523 (+10%)	507 (-3%)	446 (-12%)	508 (+16%)	524 (+3%)	484 (-8%)	429 (-11%)	543 (+27%)
Dispositions Imposing fines	2	136	98 (-28%)	74 (-24%)	66 (-11%)	89 (+35%)	67 (-25%)	78 (+16%)	76 (-3%)	54 (-29%)	79 (+46%)
Fines imposed¹	\$2,100	\$155,600	\$161,076 (+4%)	\$145,850 (-9%)	\$145,769 (0%)	\$198,876 (+36%)	\$131,750 (-34%)	\$184,405 (+40%)	\$121,844 (-34%)	\$110,150 (-10%)	\$231,125 (+109%)
Fines collected	\$2,100	\$141,100	\$138,950 (-2%)	\$134,850 (-3%)	\$134,269 (0%)	\$173,626 (+29%)	\$131,750(- 24%)	\$125,905(- 4%)	\$120,092(- 5%)	\$68,150(- 43%)	\$100,225 (+47%)
Public Warning Letters	0	16	23 (+44%)	37 (+61%)	19 (-49%)	14 (-26%)	29 (+101%)	17 (-41%)	7 (-59%)	2 (-71%)	8 (+300%)
Private Warning Letters	1	46	51 (+11%)	76 (+49%)	81 (+7%)	88 (+9%)	49 (-44%)	62 (+27%)	71 (+15%)	70 (-1%)	58 (-15%)
Referrals to DOI	9	112	74 (-34%)	77 (+4%)	64 (-17%)	67 (+5%)	75 (+12%)	56 (-25%)	71 (+27%)	99 (+39%)	76 (-23%)
Reports from DOI	6	310	187 (-40%)	259 (+39%)	169 (-35%)	204 (+21%)	193 (-5%)	182 (-6%)	175 (-4%)	137 (-22%)	159 (+16%)

¹ Fines are imposed but not collected by the Board when: (1) the Board forgives a portion of an imposed fine as part of a settlement agreement based on a respondent's documented showing of financial hardship; or (2) the Board imposes a fine after a hearing at OATH and the Respondent does not pay it. These unpaid fines that have not been forgiven are referred to a private collection agency, which may obtain a judgment if needed. The fines imposed in 2017 include five fines totaling \$128,500 that were forgiven in part or in total based on respondents' documented showings of financial hardship and a \$10,000 fine that was imposed by the Board after a hearing at OATH that has not yet been paid by the Respondent.

EXHIBIT 6

ANNUAL DISCLOSURE SUMMARY: 2011-2016

Reporting Year ¹	Reports Required	Reports Filed	Compliance Rate ²	Fines Issued	Fine Amount	Current Non-filers ³	Current Non-Payers ⁴
2011	8,240	8,131	99%	44	\$15,250	63	69
2012	8,804	8,615	98.1%	63	\$24,500	78	77
2013*	9,044	8,872	98.1%	44	\$18,280	103	92
2014*	9,164	9,070	98.6%	81	\$25,500	65	108
2015*	9,833	9,672	98.1%	56	\$22,250	99	126
2016	9,745	9,602	98.5%	77	\$22,251	81	112
	54,830	53,962	98.4%	365	\$131,031	489	584

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

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

³ All inactive City employees

⁴ All inactive City employees except for one active City employee in 2016.

* The numbers reported in this chart have been updated to reflect activity since the Board's 2016 Annual Report.

ENFORCEMENT CASE SUMMARIES: 2017

OWNERSHIP INTEREST IN A FIRM ENGAGED IN BUSINESS DEALINGS WITH THE CITY

- **Relevant Charter Sections:** City Charter §§ 2604(a)(1)(a), 2604(a)(1)(b)¹

In a joint disposition with the Board and the New York City Administration for Children's Services ("ACS"), a Laborer agreed to serve a fifteen-workday suspension, valued at approximately \$4,000, for using his ACS-issued purchase card to make 104 purchases on behalf of ACS, totaling over \$71,000, from a retail establishment owned by the Laborer and his father. The Laborer acknowledged that, by making ACS purchases from a business in which he has an ownership interest, he violated City Charter § 2604(b)(3). Further, the Laborer acknowledged that, by holding an ownership interest in a store doing business with ACS, he violated City Charter § 2604(a)(1)(a). *COIB v. T. Peters*, COIB Case No. 2016-002 (2017).

MISUSE OF CITY TIME

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

On three occasions, a now-former New York City Housing Authority ("NYCHA") Exterminator left her NYCHA job site during her NYCHA workday to perform work for her private pest extermination business. As a result of this conduct, NYCHA terminated the Exterminator's employment. Taking into account the relatively limited amount of time the former Exterminator spent working for her outside business, the Board determined that NYCHA's termination sufficiently addressed the former Exterminator's conflicts of interest law violation and imposed no additional penalty. *COIB v. Allen-Sore*, COIB Case No. 2016-095 (2017).

A former New York City Department of Health and Mental Hygiene ("DOHMH") Project Manager agreed to pay a \$4,500 fine to the Board for misusing his DOHMH computer to perform work for his eBay sneaker business, as well as misusing City time by pursuing this private business during his DOHMH workday. In particular, over an eight-month period, the former Project Manager spent approximately 1,208 hours at sneaker-related websites during his DOHMH workday, researching, buying, and selling sneakers and other products, and he saved 49 images of sneakers and other items on his DOHMH computer. *COIB v. Grier*, COIB Case No. 2015-230 (2017).

During his City work hours and without authorization, a New York City Department of Education ("DOE") Computer Systems Manager made five to six attempts to install bitcoin mining software on his DOE computer, but was thwarted each time by DOE security software. He did finally circumvent DOE security software and began mining bitcoin with his DOE computer. Mining commenced every night at 6 pm and ended at 6 am the following morning. It continued for approximately one month, until his activities were discovered and shut down. In a joint settlement with the Board and DOE, the Computer Systems Manager agreed to forfeit four days of annual leave, valued at approximately \$611. *COIB v. Ilyayev*, COIB Case No. 2014-440 (2017).

Over a three-month period and during her City work hours, a New York City Department of Health and Mental Hygiene - Office of Chief Medical Examiner ("DOHMH-OCME") Criminalist used her DOHMH computer to visit the website associated with her online retail business on 375 occasions, usually for no more than a few seconds at a time, and used her City email account to draft 17 emails, which she did not send,

¹ 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."

² 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."

related to the promotion of her online retail business. In a joint settlement with the Board and DOHMH-OCME, the Criminalist agreed to pay a \$700 fine (\$500 to the Board and \$200 to DOHMH-OCME) and accepted a two-workday suspension, valued at approximately \$495. *COIB v. Erpenbeck*, COIB Case No. 2016-696 (2017).

A Department of Youth and Community Development (“DYCD”) Contract Specialist used her DYCD work hours and DYCD resources to perform work for her private online retail business. Over a four-month period, during her DYCD workday, the Contract Specialist used her DYCD computer to visit numerous websites and used her DYCD email account eight times to send or receive emails related to her private business. In a three-way settlement with the Board and DYCD, the Contract Specialist agreed to pay a \$1,000 fine to the Board and accepted a four-workday suspension, valued at approximately \$1,112, for her violations. *COIB v. S. Patterson*, COIB Case No. 2016-601 (2017).

On at least ten occasions during her New York City Department of Education (“DOE”) work hours and on DOE premises, a DOE Principal Administrative Associate accepted money from parents for notarizing DOE enrollment paperwork. (Her official duties did not include notarizing documents.) The Board issued a public warning letter to the Principal Administrative Associate for conducting her private business using City time and resources. In not imposing a fine, the Board took into account the small amount of City time and resources the Principal Administrative Associate used for her notary business and that she ceased accepting money from parents for her notary services upon learning of her conflict; but, in issuing a public warning letter, the Board sought to make clear to all public servants that any use of City time or resources for their private enterprises is strictly prohibited. *COIB v. Bell*, COIB Case No. 2016-877 (2017).

The Board imposed a \$75,000 fine, reduced to \$5,000 on a showing of financial hardship, on a former Traffic Enforcement Agent IV at the New York City Police Department (“NYPD”) for his multiple violations of the City’s conflicts of interest law, primarily relating to his work for his private business, Junior’s Police Equipment, Inc. (“Junior’s”). In particular, the former Traffic Enforcement Agent: 1) submitted an application on behalf of Junior’s to be added to the NYPD authorized police uniform dealer’s list; 2) submitted a letter to the NYPD Commissioner, asking that Junior’s be permitted to obtain a license from the NYPD to manufacture and sell items with the NYPD logo; 3) arranged with the commanding officer at the NYPD Traffic Enforcement Recruit Academy (“TERA”) to sell uniforms for Junior’s there and presented a sales pitch at TERA to a group of recruits – all on-duty public servants commanded to attend, taking in, over a two-day period, more than \$32,781 in orders at TERA and receiving \$3,704.85 in cash and credit card deposits; 4) over a three-month period, worked for Junior’s at times when he was supposed to be working for the City; 5) over a thirteen-month period, used his NYPD vehicle, gas (approximately two tanks of gas per week), and NYPD E-ZPass (\$8,827.93 in tolls), to conduct business for Junior’s, to commute on a daily basis, and for other personal purposes; 6) on 26 occasions, used his police sirens and lights in non-emergency situations in order to bypass traffic while conducting business for Junior’s, commuting, and engaging in other personal activities; and used an NYPD logo on his Junior’s business card without authorization. The Traffic Enforcement Agent IV engaged in the above conduct in contravention of prior advice from Board staff, which directed that he seek the Board’s advice if he ever wanted to apply to become an NYPD uniform dealer and that warned him not to use City time or resources for his outside activities, or to appear before the City on behalf of Junior’s. The former Traffic Enforcement Agent IV acknowledged that his conduct violated the City’s conflicts of interest law, which prohibits any public servant from, for compensation, representing private interests before the City; from pursuing private activities during times when that public servant is required to perform services for the City; and from using City resources, which includes an NYPD vehicle, lights and sirens, gas, E-ZPass, and the NYPD logo, for any non-City purpose; from using his City position, in this case, his emergency lights and sirens, for his personal financial benefit. The former Traffic Enforcement Agent IV also acknowledged that he had resigned from NYPD due to these infractions. Based on the Traffic Enforcement Agent IV’s showing of financial hardship, which included documentation of his loss of his status as an NYPD-authorized uniform dealer and licensed gun dealer that resulted in the closing of Junior’s, the Traffic Enforcement Agent’s lack of employment or other income, lack of assets, and outstanding debts, the Board agreed to reduce its fine from \$75,000 to \$5,000. *COIB v. Vega*, COIB Case No. 2016-090 (2017).

In a three-way settlement with the New York City Department of Health and Mental Hygiene (“DOHMH”), a DOHMH Public Health Advisor agreed to serve a six-workday suspension, valued at approximately \$936, and pay a \$300 fine to the Board for, during hours she was supposed to be working for DOHMH, using a DOHMH vehicle on two occasions for personal trips to the Green Acres Mall in Nassau County. *COIB v. Worthy-Smith*, COIB Case No. 2016-698 (2017).

MISUSE OF CITY RESOURCES

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

A New York City Department of Sanitation (“DSNY”) Sanitation Worker placed a counterfeit DSNY parking placard containing a DSNY logo in the windshield of his personal vehicle to avoid receiving a parking ticket while he was off-duty and parked in a no-standing zone. Taking into account the Sanitation Worker’s prior disciplinary history, DSNY determined that a ten-day suspension, valued at approximately \$3,006, was the appropriate penalty. The Board accepted the DSNY suspension as sufficient to resolve the Sanitation Worker’s violation of the conflicts of interest law. *COIB v. Foye*, 2017-286 (2017).

In a joint settlement with the Board and the New York City Administration for Children’s Services (“ACS”), the Supervisor of Mechanical Installations & Maintenance at the Crossroads Juvenile Center agreed to accept a seven-workday suspension, valued at approximately \$2,132, for removing an electric plumber’s snake from Crossroads for his personal use and keeping it at his residence for several weeks before returning it to Crossroads. In determining the appropriate penalty, the Board considered that, in July 2012, the Supervisor of Mechanical Installations & Maintenance was penalized by the Board and ACS for misusing City personnel to serve his divorce papers, for which he paid a \$1,250 fine to the Board and a \$1,256.51 fine to ACS. *COIB v. R. Gonzalez*, COIB Case No. 2017-529 (2017).

While serving as New York City Department of Correction (“DOC”) Deputy Commissioner of Quality Assurance, the Commissioner of DOC used her assigned DOC take-home vehicle to make 16 personal trips: 13 trips to shopping malls and 3 trips to JFK Airport. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The DOC Commissioner reimbursed DOC \$493.67 for the mileage incurred and forfeited 8 days of personal leave, valued at \$5,824, which the Board took into account in setting the amount of its fine at \$6,000. The Commissioner also admitted to misusing her DOC position when she attempted to pay the Board-imposed fine she had received. Board fines must be paid with bank check, money order, cashier’s check or certified check. After complaining to her subordinate that this form of payment would be difficult for her because she did not have a New York bank account, her subordinate offered to obtain a cashier’s check for her to pay the fine to the Board. She provided him with her personal check and he provided her with a cashier’s check purchased through funds drawn from his personal bank account. *COIB v. Brann*, COIB Case No. 2017-156b (2017).

The Board fined the Chief of Staff of the New York City Department of Correction (“DOC”) \$4,000 for using his “take-home” DOC vehicle for 14 personal trips, including numerous trips to New York City and New Jersey airports, as well as one trip to Washington, D.C., and one trip to Virginia. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The DOC Chief of Staff reimbursed DOC \$1,484.97 for the mileage incurred and forfeited 6 days of personal leave to DOC, valued at \$4,800, which the Board took into account in setting the amount of the fine. *COIB v. Thamkittikasem*, COIB Case No. 2017-156a (2017).

The Board fined a New York City Department of Correction (“DOC”) Warden \$1,500 for using her “take-home” DOC vehicle for 38 personal trips, most of which were in the general vicinity of her residence. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$1,231.74 for the mileage incurred and forfeited 20 days of compensatory time to DOC, valued at \$14,379.80, which the Board took into account in setting the amount of the fine. *COIB v. Moses*, COIB Case No. 2017-156n (2017).

The Board fined a New York City Department of Correction (“DOC”) Deputy Warden \$1,500 for using her “take-home” DOC vehicle for nine personal shopping trips and one personal trip to City Island. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Deputy Warden reimbursed DOC \$311.64 for the mileage incurred and forfeited 5 days of compensatory time to DOC, valued at \$3,608.77, which the Board took into account in setting the amount of the fine. *COIB v. Brantley*, COIB Case No. 2017-156i (2017).

³ 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.”

The Board fined a New York City Department of Correction (“DOC”) Warden \$1,000 for using his “take-home” DOC vehicle for 10 personal trips, primarily to New York City-New Jersey airports and shopping malls, as well as 6 or 7 trips to transport his children between Long Island and Staten Island. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$159.84 for the mileage incurred and forfeited ten days of compensatory time to DOC, valued at \$7,189.90, which the Board took into account in setting the amount of the fine. *COIB v. Lemon*, COIB Case No. 2017-156s (2017).

The Board fined a New York City Department of Correction (“DOC”) Warden \$600 for using his “take-home” DOC vehicle for 11 personal trips to New York City airports and one personal trip to a shopping mall. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$147.42 for the mileage incurred and forfeited 10 days of compensatory time to DOC, valued at \$7,189.90, which the Board took into account in setting the amount of the fine. *COIB v. Glenn*, COIB Case No. 2017-156j (2017).

The Board fined a New York City Department of Correction (“DOC”) Warden \$600 for using her “take-home” DOC vehicle for 9 personal trips for shopping and recreational outings to Long Island. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$81.43 for the mileage incurred and forfeited 7 days of compensatory time to DOC, valued at \$5,032.93, which the Board took into account in setting the amount of the fine. *COIB v. Pressley*, COIB Case No. 2017-156q (2017).

The Board fined a New York City Department of Correction (“DOC”) Warden \$600 for using his “take-home” DOC vehicle for 7 personal trips, mostly to visit shopping centers. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$88.02 for the mileage incurred and forfeited 5 days of compensatory time to DOC, valued at \$3,414.10, which the Board took into account in setting the amount of the fine. *COIB v. Barnes*, COIB Case No. 2017-156p (2017).

The Board fined a New York City Department of Correction (“DOC”) Warden, now serving as Acting Chief of Department, \$500 for using her “take-home” DOC vehicle for 6 personal trips in New York City and Long Island and for using her DOC vehicle to run personal errands and transport family members to and from medical appointments and recreational activities. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The Warden reimbursed DOC \$217.30 for the mileage incurred and forfeited 7 days of personal leave to DOC, valued at \$5,533.71, which the Board took into account in setting the amount of the fine. *COIB v. Jennings*, COIB Case No. 2017-156l (2017).

A former New York City Department of Education (“DOE”) teacher paid a \$1,000 fine to the Board for working at a second job during hours he was being paid to perform per session services for DOE, for a total of seven and one-half overlapping hours. In determining the appropriate penalty, the Board considered the relatively limited number of overlapping hours worked by the former DOE teacher and that the former DOE teacher voluntarily resigned from his second job because he thought it might present a conflict of interest. *COIB v. Cancel*, COIB Case No. 2016-681 (2017).

The former Labor Relations Director for the Division of School Facilities at the New York City Department of Education (“DOE”) paid a \$1,000 fine to the Board for having a DOE intern use a DOE computer and DOE Westlaw account to perform legal research related to her personal lawsuit against DOE. The intern spent approximately fifteen minutes of her lunch break performing this research. The former Labor Relations Director admitted that in taking these actions she used her position to obtain a personal advantage and used City resources – the DOE computer and DOE Westlaw account – for a personal, non-City purpose. In determining the appropriate fine, the Board considered the nature of the request, but also that it was an isolated incident that resulted in just fifteen minutes of research and a minimal use of City resources. *COIB v. Husser*, COIB Case No. 2016-562 (2017).

A former New York City Department of Sanitation (“DSNY”) Sanitation Worker misused his assigned DSNY parking placard to park his personal vehicle illegally overnight while he was off-duty. The former DSNY Sanitation Worker agreed to pay a \$500 fine for using a City resource, namely a City parking placard, for a non-City purpose. *COIB v. Brush*, COIB Case No. 2016-804 (2017).

In a joint settlement with the Board and the New York City Department of Sanitation (“DSNY”), a DSNY Worker agreed to serve a six-workday suspension, valued at approximately \$1,801, for periodically using an invalid DSNY parking placard to park in a DSNY garage without authorization. The Board accepted DSNY’s penalty as sufficient for the Sanitation Worker’s misuse of a City resource, namely an invalid parking placard bearing the DSNY logo, for a non-City purpose. *COIB v. Mondello*, COIB Case No. 2017-671 (2017).

In a joint settlement with the Board and the New York City Department of Environmental Protection (“DEP”), a DEP Administrative Engineer agreed to resign his DEP employment for having used a DEP vehicle on 21 occasions for personal, non-City purposes. During his 21st misuse of the vehicle, he was involved in a collision that resulted in more than \$4,000 worth of damage to the DEP vehicle. The Board, after reviewing prior cases with similar facts, accepted the DEP-imposed resignation as sufficient for the Chapter 68 violations committed. *COIB v. Pierre*, COIB Case No. 2017-536 (2017).

An Assistant Commissioner at the New York City Department of Design and Construction (“DDC”) was authorized to use a DDC vehicle for two specific purposes: pursuit of DDC business and commuting to and from work. On at least five occasions, however, he also used his City vehicle to make unauthorized trips to drop his son off at school and visit a relative. In a three-way settlement with the Board and DDC, the Assistant Commissioner agreed to pay a \$2,500 fine. *COIB v. O. Gonzalez*, COIB Case No. 2017-011 (2017).

A former New York City Department of Health and Mental Hygiene (“DOHMH”) Project Manager agreed to pay a \$4,500 fine to the Board for misusing his DOHMH computer to perform work for his eBay sneaker business, as well as misusing City time by pursuing this private business during his DOHMH workday. In particular, over an eight-month period, the former Project Manager spent approximately 1,208 hours at sneaker-related websites during his DOHMH workday, researching, buying, and selling sneakers and other products, and he saved 49 images of sneakers and other items on his DOHMH computer. *COIB v. Grier*, COIB Case No. 2015-230 (2017).

In a joint settlement with the Board and the New York City Department of Sanitation (“DSNY”), a Sanitation Worker admitted to taking a DSNY parking placard that was not assigned to him, entering his personal vehicle’s license number on the permit, and laminating it in order to create a fraudulent parking placard. The Sanitation Worker placed the placard in his personal vehicle and parked it in a no-standing zone near his home, thus misusing a City resource for a personal purpose. DSNY suspended the Sanitation Worker for three workdays, valued at approximately \$881, after considering personal issues it viewed as a mitigating factor. The Board accepted the DSNY suspension as sufficient and imposed no additional penalty. *COIB v. W. Santiago*, 2017-314 (2017).

On three occasions, a New York City Department of Probation (“DOP”) Community Service Aide presented her DOP Identification Card to a Long Island Railroad (“LIRR”) conductor in order to avoid paying her fare. On the third occasion, after she was rebuffed by the conductor, the Community Service Aide identified herself as a DOP officer and demanded the conductor allow her to ride the train for free. The Community Service Aide acknowledged that in taking these actions she misused a City resource – her DOP Identification Card – for a non-City purpose (*see* City Charter § 2604(b)(2) and Board Rules § 1-13(b)), and misused her City position by insisting that the conductor allow her to ride for free because she worked for DOP (*see* City Charter § 2604(b)(3)). DOP determined that the appropriate penalty was a ten-workday suspension, valued at approximately \$1,206. In a three-way settlement with DOP, the Board considered this ten-workday suspension as a significant loss of paid work for the Community Service Aide and imposed no additional fine. *COIB v. Burgess*, COIB Case No. 2017-287 (2017).

The Fleet Administrator for the New York City Housing Authority (“NYCHA”) agreed to serve a twenty-workday suspension, valued at \$7,075, as well as a two-year General Probationary Evaluation Period, as part of a three-way settlement with the Board and NYCHA. The Fleet Administrator admitted that she had two subordinates, an Auto Mechanic and Auto Service Worker, drive her personal vehicle during their workday from their NYCHA work location in Brooklyn to a car dealership in Roslyn, New York, to purchase brakes and a key for her personal vehicle, and to install the brakes. The two subordinates drove one hour each way, waited approximately 20 minutes at the dealership for the car key to be programmed, and spent approximately two hours installing the new brakes, spending a total of approximately four hours and 20 minutes of their NYCHA workday performing personal tasks for their boss. The conflicts of interest law prohibits supervisors from having subordinates perform personal favors for them, especially during their City work hours. *COIB v. Leslie James*, 2016-325 (2017).

A Project Development Coordinator at the New York City Department of Parks and Recreation (“DPR”) paid a \$500 fine to the Board for driving a DPR vehicle from her home in Astoria, Queens, to John F. Kennedy International Airport to pick up her domestic partner and bring her home, thereby misusing the DPR car for a non-City purpose. *COIB v. L. Sanchez*, COIB Case No. 2016-208 (2017).

A Community Associate for Manhattan Community Board 6 (“CB 6”) committed multiple violations of the conflicts of interest law by: (1) repeatedly removing CB 6’s digital camera from the CB 6 office and using it extensively to photograph family events; (2) misusing \$686 of CB 6 funds to purchase two Kindles and several Kindle accessories for her own personal use; and (3) misusing her City position to improperly authorize payment of \$200 of CB 6 funds to pay her husband for gasoline used to drive her to CB 6 meetings and for moving CB 6 furniture. In a joint settlement with the Board and CB 6, the Community Associate agreed to resign her CB 6 position. The Board accepted the Community Associate’s resignation as a sufficient penalty for her Chapter 68 violations. *COIB v. Ward-Gamble*, COIB Case No. 2016-416 (2017).

A now-former New York City Department of Education (“DOE”) teacher had, in her City position, received thousands of dollars of equipment donated explicitly for use in her DOE classroom. This equipment was donated by members of the public through the website “DonorsChoose.org.” As she was preparing to leave DOE for a new teaching position in Westchester County, despite being told by her DOE Principal that the donated equipment was the property of DOE and not hers to take, she removed approximately \$10,000 worth of the donated DOE equipment, including multiple iPads, iPods, MacBook laptops, printers, robots, and Nook e-readers, to use at her new job. The Board imposed a \$6,000 fine for the teacher’s misuse of City resources, a penalty that took into account that the teacher returned the items to her former school after she was asked to do so by her new employer and that this flagrant misuse of City resources was intended for educational purposes and not private gain. *COIB v. Kan*, COIB Case No. 2016-846 (2017).

A New York City Department of Education teacher committed a number of Chapter 68 violations by: (1) selling review packets to some of her students for \$5 each; (2) renting calculators she owned to some of her students for \$1 each; (3) advertising the review packets via a letter printed on her school’s letterhead that she sent to the parents of her students and via a flyer she posted at her school. The teacher claimed that she charged for the review packets, which she printed at home, to reimburse herself for the cost of printing them rather than for personal profit. She also claimed that she later refunded all the money she obtained from her students. The Board issued a public warning letter to the teacher for using her City position to obtain money from her students and for using City resources (namely her school’s letterhead and her classroom space) for the non-City purpose of selling items to her students. In not imposing a fine, the Board took into account the small amount of money at issue, that the teacher later refunded the money to her students, and that she may have mistakenly believed she had a City purpose for her actions. *COIB v. Lewis*, COIB Case No. 2016-634 (2017).

During his City work hours and without authorization, a New York City Department of Education (“DOE”) Computer Systems Manager made five to six attempts to install bitcoin mining software on his DOE computer, but was thwarted each time by DOE security software. He did finally circumvent DOE security software and began mining bitcoin with his DOE computer. Mining commenced every night at 6 pm and ended at 6 am the following morning. It continued for approximately one month, until his activities were discovered and shut down. The conflicts of interest law prohibits the use of City time and resources for any private profit-making activity. In a joint settlement with the Board and DOE, the Computer Systems Manager agreed to forfeit four days of annual leave, valued at approximately \$611. *COIB v. Ilyayev*, COIB Case No. 2014-440 (2017).

A New York City Department of Parks and Recreation (“DPR”) Park Supervisor made known to his subordinates that a pipe in his home had frozen and he was unable to fix it. Later that workday, two of his DPR subordinates arrived at his home in a DPR vehicle. One of the subordinates attempted to fix the pipe for twenty minutes while the Supervisor was present. In a three-way settlement with the Board and DPR, the Park Supervisor agreed to forfeit six days of annual leave, valued at approximately \$1,625, and to serve a one-year probationary period for misusing City resources and City personnel by having his subordinates use a DPR vehicle to come work on his home, and misusing his City position to benefit himself by accepting household repair work from his subordinates. The penalty took into account the isolated nature of the violation as well as the relatively small amount of City time and resources misused. *COIB v. McManamon*, COIB Case No. 2017-047 (2017).

For a period of two months, a now former DPR Director of Central Communications permitted her spouse, a DPR Urban Park Ranger, to park that spouse's personal vehicle in a DPR parking space without proper authorization. In addition, the former Director made a DPR vehicle available to her spouse so she could continue her commute to her assigned DPR location. This was also done without proper authorization. The former Director of Communications acknowledged that she violated the conflicts of interest law by using her City position to benefit her spouse, and both acknowledged that they violated the conflicts of interest law by misusing a DPR parking space and a DPR vehicle for a personal non-City purpose. In three-way settlements with the Board and DPR, the former Director of Central Communications (now an Associate Urban Park Ranger) agreed to pay a \$750 fine and the Urban Park Ranger agreed to pay a \$500 fine, which took into account the mitigating factor that the Urban Park Ranger also used the DPR vehicle to conduct her DPR duties while her assigned vehicle was unavailable. Both fines were split evenly between the Board and DPR. *COIB v. E. Holmes*, COIB Case No. 2016-466 (2017); *COIB v. N. Mercado*, COIB Case No. 2016-466a (2017).

Over a three-month period and during her City work hours, a New York City Department of Health and Mental Hygiene - Office of Chief Medical Examiner ("DOHMH-OCME") Criminalist used her DOHMH computer to visit the website associated with her online retail business on 375 occasions, usually for no more than a few seconds at a time, and used her City email account to draft 17 emails, which she did not send, related to the promotion of her online retail business. In a joint settlement with the Board and DOHMH-OCME, the Criminalist agreed to pay a \$700 fine (\$500 to the Board and \$200 to DOHMH-OCME) and accepted a two-workday suspension, valued at approximately \$495. *COIB v. Erpenbeck*, COIB Case No. 2016-696 (2017).

After receiving a personal summons, a DOE teacher used his school's official fax cover sheet to submit a request to the New York City Office of Administrative Trials and Hearings ("OATH") to waive the fine. Using a City fax cover sheet that contains letterhead or other indicia of official City business for a personal purpose is a violation of the City's conflicts of interest law. Given the minimal nature of this one-time violation, the Board chose not to impose a fine and instead issued a public warning letter to make clear to all public servants that the City's conflicts of interest law prohibits use of City fax cover sheets containing letterhead or other indicia of official City business for personal purposes. *COIB v. De Leon*, COIB Case No. 2016-235 (2017).

Two New York City Department of Sanitation ("DSNY") Sanitation Workers drove their sanitation truck to a vacant lot adjacent to one of their homes to meet contractors who were making a delivery there. They remained there for over one-half hour. In three-way settlements with the Board and DSNY that resolved both their conflicts of interest law violations and unrelated disciplinary charges, the Sanitation Worker to whose home they traveled accepted a ten-workday suspension, valued at approximately \$2,971. *COIB v. Darmalingum*, COIB Case No. 2016-956 (2017). The second Sanitation Worker accepted a seven-workday suspension, valued at approximately \$2,079, which penalty takes into account that he received no personal benefit from his unauthorized use of his DSNY vehicle. *COIB v. Hooks*, COIB Case No. 2016-956a (2017).

In a joint settlement with the Board and the New York City Housing Authority ("NYCHA"), a NYCHA Community Coordinator, who served as the Fleet Administrator for his NYCHA department, agreed to serve a ten-workday suspension, valued at approximately \$2,222, and a one-year probationary period, for taking a NYCHA car to transport his mother to buy a chair at Pier 1 Imports in Freeport, New York, and transport the chair and his mother back to her home. The Board accepted the penalty imposed by NYCHA as sufficient to address the Community Coordinator's Chapter 68 violations and imposed no additional penalty. *COIB v. LeMaitre*, COIB Case No. 2016-246 (2017).

A Department of Youth and Community Development ("DYCD") Contract Specialist used her DYCD work hours and DYCD resources to perform work for her private online retail business. Over a four-month period, during her DYCD workday, the Contract Specialist used her DYCD computer to visit numerous websites and used her DYCD email account eight times to send or receive emails related to her private business. In a three-way settlement with the Board and DYCD, the Contract Specialist agreed to pay a \$1,000 fine to the Board and accepted a four-workday suspension, valued at approximately \$1,112, for her violations. *COIB v. S. Patterson*, COIB Case No. 2016-601 (2017).

On at least ten occasions during her New York City Department of Education ("DOE") work hours and on DOE premises, a DOE Principal Administrative Associate accepted money from parents for notarizing DOE enrollment paperwork. (Her official DOE duties did not include notarizing documents.) The Board

issued a public warning letter to the Principal Administrative Associate for conducting her private business using City time and resources. In not imposing a fine, the Board took into account the small amount of City time and resources the Principal Administrative Associate used for her notary business and that she ceased accepting money from parents for her notary services upon learning of her conflict; but, in issuing a public warning letter, the Board sought to make clear to all public servants that any use of City time or resources for their private enterprises is strictly prohibited. *COIB v. Bell*, COIB Case No. 2016-877 (2017).

In a joint settlement with the Board and the New York City Department of Sanitation (“DSNY”), a Sanitation Worker agreed to serve a three-workday suspension, valued at approximately \$486, for copying a DSNY parking placard that he was no longer allowed to use and placing the fraudulent copy in his personal vehicle’s windshield so that he could park in a DSNY garage without authorization. The Board accepted DSNY’s penalty as sufficient for the Sanitation Worker’s use of a City resource, in this case a City parking placard, for a non-City purpose. *COIB v. Morgan*, COIB Case No. 2017-157 (2017).

In a joint settlement with the Board and the New York City Department of Environmental Protection (“DEP”), a DEP Electrical Engineer agreed to resign his DEP employment for, without authorization, using a DEP vehicle on approximately nineteen occasions to run personal errands and to commute between his DEP office and his home. The Board accepted the Electrical Engineer’s resignation as sufficient penalty for his violations and imposed no additional penalty. *COIB v. Youssef*, COIB Case No. 2016-881 (2017).

The Board fined an Associate Fraud Investigator for the New York City Human Resources Administration (“HRA”) \$1,500 for writing and submitting to a New York City Parking Violations Bureau (“PVB”) Administrative Law Judge a letter written on HRA letterhead; in the letter, the Associate Fraud Investigator invoked his City employment and misrepresented that HRA was appealing a PVB ruling relating to a parking ticket that he was personally responsible for paying. HRA had not authorized his submission of the appeal letter or use of HRA letterhead. *COIB v. H. O’Brien*, COIB Case No. 2014-216 (2017).

The Board imposed a \$40,000 fine, reduced to \$1,000 on a showing of financial hardship, on a former New York City Department of Education (“DOE”) Teacher for his violations of the City’s conflicts of interest law. As part of his DOE duties, the former Teacher supervised students in his school’s work-study program and processed their timesheets for submission to DOE. DOE issued paychecks that he then distributed to the students. From December 2014 through April 2015, the former Teacher added work hours to the time sheets of four students, inflating their hours to include time they had not worked. He then used his authority as their teacher to direct the students to split with him the extra money they received from DOE. As a result, the Teacher received approximately \$1,289 in improper payments from DOE. The Teacher acknowledged that, by inflating the work hours on student time sheets and directing the students to split with him the payments they received from DOE, he used his City position to benefit himself in violation of City Charter § 2604(b)(3). The Teacher also acknowledged that, by causing this overbilling of DOE, he used City resources for a personal purpose in violation of City Charter § 2604(b)(2), pursuant to Board Rules § 1-13(b). *COIB v. B. Harris*, COIB Case No. 2015-516 (2017).

The Board imposed a \$75,000 fine, reduced to \$5,000 on a showing of financial hardship, on a former Traffic Enforcement Agent IV at the New York City Police Department (“NYPD”) for his multiple violations of the City’s conflicts of interest law, primarily relating to his work for his private business, Junior’s Police Equipment, Inc. (“Junior’s”). In particular, the former Traffic Enforcement Agent: 1) submitted an application on behalf of Junior’s to be added to the NYPD authorized police uniform dealer’s list; 2) submitted a letter to the NYPD Commissioner, asking that Junior’s be permitted to obtain a license from the NYPD to manufacture and sell items with the NYPD logo; 3) arranged with the commanding officer at the NYPD Traffic Enforcement Recruit Academy (“TERA”) to sell uniforms for Junior’s there and presented a sales pitch at TERA to a group of recruits - all on-duty public servants commanded to attend, taking in, over a two-day period, more than \$32,781 in orders at TERA and receiving \$3,704.85 in cash and credit card deposits; 4) over a three-month period, worked for Junior’s at times when he was supposed to be working for the City; 5) over a thirteen-month period, used his NYPD vehicle, gas (approximately two tanks of gas per week), and NYPD E-ZPass (\$8,827.93 in tolls), to conduct business for Junior’s, to commute on a daily basis, and for other personal purposes; 6) on 26 occasions, used his police sirens and lights in non-emergency situations in order to bypass traffic while conducting business for Junior’s, commuting, and engaging in other personal activities; and used an NYPD logo on his Junior’s business card without authorization. The Traffic Enforcement Agent IV engaged in the above conduct in contravention of prior advice from Board staff, which directed that he seek the Board’s advice if he ever wanted to apply to be-

come an NYPD uniform dealer and that warned him not to use City time or resources for his outside activities, or to appear before the City on behalf of Junior's. The former Traffic Enforcement Agent IV acknowledged that his conduct violated the City's conflicts of interest law, which prohibits any public servant from, for compensation, representing private interests before the City; from pursuing private activities during times when that public servant is required to perform services for the City; and from using City resources, which includes an NYPD vehicle, lights and sirens, gas, E-ZPass, and the NYPD logo, for any non-City purpose; from using his City position, in this case, his emergency lights and sirens, for his personal financial benefit. The former Traffic Enforcement Agent IV also acknowledged that he had resigned from NYPD due to these infractions. Based on the Traffic Enforcement Agent IV's showing of financial hardship, which included documentation of his loss of his status as an NYPD-authorized uniform dealer and licensed gun dealer that resulted in the closing of Junior's, the Traffic Enforcement Agent's lack of employment or other income, lack of assets, and outstanding debts, the Board agreed to reduce its fine from \$75,000 to \$5,000. *COIB v. Vega*, COIB Case No. 2016-090 (2017).

In a three-way settlement with the Board and the New York City Administration for Children's Services ("ACS"), a Juvenile Counselor agreed to serve a fifteen calendar-day suspension, valued at approximately \$2,019, for, after being involved in an automobile accident with another vehicle, identifying herself to the other driver as an ACS employee, pointing to the official uniform she was wearing, displaying her ACS-issued badge/identification card, and requesting that the other driver not call the police regarding the accident. The City's conflicts of interest law prohibits public servants from using their City positions to benefit themselves and from using a City resource - which includes City badges and identification cards - for any personal, non-City purpose. *COIB v. Agbasonu*, COIB Case No. 2016-366 (2017).

In a three-way settlement with the Board and the New York City Administration for Children's Services ("ACS"), a Child Protective Specialist Supervisor 2, who also operated two private businesses, agreed to serve an eight-workday suspension, valued at approximately \$2,466, to resolve her Chapter 68 violations and unrelated misconduct. During her ACS work hours, the Child Protective Specialist Supervisor sent three emails related to her private businesses using her ACS email account and computer, and attempted to sell event tickets and other products, such as makeup and jewelry, to a number of her subordinates and other ACS employees. The Child Protective Specialist Supervisor acknowledged that she violated the City of New York's conflicts of interest law, which prohibits a public servant from using City time or City resources to pursue private business activities and from using one's City position to sell items to a subordinate. *COIB v. C. Maldonado*, COIB Case No. 2016-713 (2017).

In a three-way settlement with the Board and the New York City Department of Environmental Protection ("DEP"), a DEP Sewage Treatment Worker admitted to stealing \$13,700 worth of metal from DEP and agreed to: (1) resign his DEP employment; (2) accept DEP's prior imposition of a 65-day suspension valued at approximately \$15,904; and (3) pay \$13,700 in restitution to DEP. The Sewage Treatment Worker also pled guilty to criminal charges related to the conduct. *COIB v. Maloney*, COIB Case No. 2016-733 (2017).

In a three-way settlement with the Board and New York City Department of Education ("DOE"), a DOE Associate Educational Analyst agreed to resign his DOE employment after using another employee's DOE procurement card to purchase \$554.09 worth of items for his personal use, including clothing, a Kindle e-reader, and candy. The Associate Educational Analyst repaid DOE in full for the charges after DOE discovered the misconduct. The Board accepted the employee's resignation as sufficient for the Chapter 68 violations committed. *COIB v. Ginsberg*, COIB Case No. 2016-838 (2017).

In a three-way settlement with the New York City Department of Health and Mental Hygiene ("DOHMH"), a DOHMH Public Health Advisor agreed to serve a six-workday suspension, valued at approximately \$936, and pay a \$300 fine to the Board for, during hours she was supposed to be working for DOHMH, using a DOHMH vehicle on two occasions for personal trips to the Green Acres Mall in Nassau County. *COIB v. Worthy-Smith*, COIB Case No. 2016-698 (2017).

In a three-way settlement with the Board and the New York City Department of Sanitation ("DSNY"), a Sanitation Worker agreed to serve a five-workday suspension, valued at approximately \$1,468, for taking a DSNY sanitation truck without authorization on approximately four occasions to haul personal construction waste from his home. The City's conflicts of interest law prohibits using City resources, such as a City vehicle, for any non-City purpose. *COIB v. Patrikeyev*, COIB Case No. 2015-602 (2017).

In a three-way settlement with the Board and the New York City Department of Sanitation ("DSNY"), a Sanitation Supervisor agreed to serve a three-workday suspension, valued at approximately \$1,144, for

using a DSNY vehicle for the personal, non-City purpose of going to the Flushing Skyview Mall, where he parked in a handicapped parking spot for approximately one hour and 23 minutes. The City's conflicts of interest law prohibits using City resources, such as a City vehicle, for any non-City purpose. *COIB v. G. Davis*, COIB Case No. 2016-702 (2017).

MISUSE OF CITY POSITION

- **Relevant Charter Sections:** City Charter §§ 2604(b)(2), 2604(b)(3)⁴

A Deputy Chief with the New York City Taxi and Limousine Commission (“TLC”) ordered an emergency lights-and-siren package for his personal car from a City vendor. He told the vendor that he worked for TLC. Believing the car was a TLC vehicle, the vendor installed the lights and siren package, valued at \$4,191. When the vendor learned that the car was not a City vehicle and that, as such, the City would not pay the invoice, he requested reimbursement of \$955 from the Deputy Chief for the cost of labor to install and remove the lights-and-siren package, which the Deputy Chief paid. In a joint disposition with the Board and TLC, the Deputy Chief agreed to a penalty of a one-week suspension, valued at approximately \$1,448, and a \$600 fine for attempting to misuse his City position to obtain a personal benefit. *COIB v. Ramos*, COIB Case No. 2017-003 (2017).

A New York City Department of Transportation (“DOT”) Assistant Director of Contracts for DOT’s Division of Transportation Planning and Management served in his private capacity as President, Pastor, and Trustee of a church in Staten Island. Over the course of seven and one-half years, he solicited and received a total of \$58,500 in church donations from two contractors whose work he oversaw at DOT. Some of these funds went to his purely personal, non-church expenses, including car payments, phone bills, and a trip to Africa. In a joint disposition with the Board and DOT, the Assistant Director of Contracts agreed to irrevocably resign from DOT and paid a \$10,000 fine to the Board. The Assistant Director of Contracts admitted that, by soliciting and accepting \$58,500 in donations to the church from two DOT vendors with which he worked in his capacity as a DOT employee, he misused his DOT position to benefit the church with which he was associated in violation of City Charter § 2604(b)(3). Moreover, the Assistant Director of Contracts admitted that, by accepting the donations to his church from DOT vendors, which funds he then used for personal expenses, he accepted prohibited valuable gifts in violation of City Charter § 2604(b)(5). *COIB v. Ashimi*, COIB Case No. 2015-858 (2017).

A former Job Opportunity Specialist for the New York City Human Resources Administration (“HRA”): (1) accessed the confidential public assistance case records of 6 close relatives using the Welfare Management System (“WMS”) a total of 1,116 times; and (2) performed work on the public assistance cases of 2 close relatives using HRA’s Paperless Office System (“POS”) a total of 23 times. The former Job Opportunity Specialist acknowledged that, by accessing WMS to view the records of her close relatives, she violated the conflicts of interest law’s prohibition on using confidential City information to advance a private interest of the public servant or anyone associated with the public servant, a group that includes close relatives. The Job Opportunity Specialist further acknowledged that, by performing work on the public assistance cases of her close relatives, she violated the conflicts of interest law’s prohibition on a public servant using his or her City position to benefit the public servant or people with whom the public servant is associated. In electing not to impose a fine in this matter, the Board considered that the Job Opportunity Specialist resigned her HRA employment to resolve related HRA disciplinary charges. *COIB v. V. Roberts*, COIB Case No. 2016-874 (2017).

While serving as New York City Department of Correction (“DOC”) Deputy Commissioner of Quality Assurance, the Commissioner of DOC used her assigned DOC take-home vehicle to make 16 personal trips: 13 trips to shopping malls and 3 trips to JFK Airport. DOC “take-home” vehicles are assigned to DOC employees to be used only in the performance of their official duties and to commute. The DOC Commissioner reimbursed DOC \$493.67 for the mileage incurred and forfeited 8 days of personal leave, valued at \$5,824, which the Board took into account in setting the amount of its fine at \$6,000. The Commissioner also admitted to misusing her DOC position when she attempted to pay the Board-imposed fine she had

⁴ 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.”

received. Board fines must be paid with bank check, money order, cashier's check or certified check. After complaining to her subordinate that this form of payment would be difficult for her because she did not have a New York bank account, her subordinate offered to obtain a cashier's check for her to pay the fine to the Board. She provided him with her personal check and he provided her with a cashier's check purchased through funds drawn from his personal bank account. *COIB v. Brann*, COIB Case No. 2017-156b (2017).

The former Labor Relations Director for the Division of School Facilities at the New York City Department of Education ("DOE") paid a \$1,000 fine to the Board for having a DOE intern use a DOE computer and DOE Westlaw account to perform legal research related to her personal lawsuit against DOE. The intern spent approximately fifteen minutes of her lunch break performing this research. The former Labor Relations Director admitted that in taking these actions she used her position to obtain a personal advantage and used City resources – the DOE computer and DOE Westlaw account – for a personal, non-City purpose. In determining the appropriate fine, the Board considered the nature of the request, but also that it was an isolated incident that resulted in just fifteen minutes of research and a minimal use of City resources. *COIB v. Husser*, COIB Case No. 2016-562 (2017).

The Board issued a public warning letter to a New York City Department of Education ("DOE") teacher who hired two students from his school to work at his daughter's sweet-sixteen party. The two students helped set up for the party until the teacher was informed by a colleague that it was impermissible to have the students working at the event, at which time the teacher told the students to stop working and invited them to remain at the party as guests. The teacher paid each student \$60 for his or her work. The Board took the opportunity of this public warning letter to remind public servants that the City's conflicts of interest law prohibits a public servant from asking any person over whom they have authority, such as a subordinate or a student at their school, to perform personal services for them. In deciding not to impose a penalty, the Board took into account that only two students worked at a single event; that, as soon as the teacher was informed that it was impermissible to have the students working at the event, the teacher told the students to stop working and invited them to remain at the party as guests; and that the teacher paid the students for their work. *COIB v. J. Santiago*, COIB Case No. 2017-049 (2017).

The Board issued public warning letters to one Principal and three Assistant Principals at the New York City Department of Education ("DOE") who received group holiday gifts of significant value from their subordinates at PS 63 in Queens. In particular, three of them received several hundred dollars in gift cards on multiple occasions and one received a designer handbag. Even though the gifts were unsolicited by the Principal and Assistant Principals, the Board in its Advisory Opinion No. 2013-1 advised that superiors may only accept holiday gifts of nominal value from subordinates, namely "gifts where the 'thought of giving' has greater value than the gift itself." While each subordinate's contribution to the gifts received by the Principal and each Assistant Principal was as low as \$5 to \$11 per year, the expensive holiday gifts the superiors received, particularly cash or the equivalent, do not qualify as having a "thought" that outweighs their value. In issuing these public warning letters, the Board made clear that City employees are strictly prohibited from accepting valuable group holiday gifts from their subordinates. *COIB v. Marino Coleman*, COIB Case No. 2015-882 (2017); *COIB v. O'Sullivan*, COIB Case No. 2015-882a (2017); *COIB v. Wald*, COIB Case No. 2015-882b (2017); *COIB v. Nevins*, COIB Case No. 2015-882c (2017).

A Principal paid a \$3,500 fine for having her New York City Department of Education ("DOE") subordinates give her free rides to work. In a three-way settlement with the Board and DOE, the Principal admitted that she sent an email to multiple teachers at her school asking them to drive her to work, and, for four months, regularly received rides to school from three of her DOE subordinates. The Principal also admitted that, during the prior school year, she obtained several rides to work from two of her DOE subordinates. The Principal did not generally share driving expenses or pay tolls when she carpooled with her subordinates to work. The Principal acknowledged that, by requesting and obtaining free rides from her DOE subordinates, she used her position to obtain a personal benefit in violation of City Charter § 2604(b)(3). In determining an appropriate penalty in this case, the Board took into account that the Principal had an injured arm that may have hampered her ability to drive but also that this was the second time the Board fined her for misusing her supervisory authority to obtain personal benefits from subordinates. *COIB v. Zigelman*, COIB Case No. 2016-879 (2017).

An Executive Director of Technology Support & Business Continuity for the New York City Comptroller's Office was fined the equivalent of five-days pay, approximately \$2,227, as part of a three-way settlement with the Board and the Comptroller's Office. The Executive Director admitted that, on ten occasions and

without authorization from the Comptroller's Office, he looked up information regarding a personal claim that he had filed against the City in the Comptroller's Office workflow management system ("OASIS"), which is used to process and track claims filed against or on behalf of the City. No members of the general public who are claimants are able to access their files in a similar fashion. On five of the occasions when the Executive Director viewed his claim in OASIS, he accessed confidential internal information relevant to the Comptroller's Office's claims adjustment process. The Executive Director acknowledged that, when he accessed information regarding his claim in OASIS, he misused his City position in violation of City Charter § 2604(b)(3). He also acknowledged that, by accessing confidential City information for personal purposes on five occasions, he violated City Charter § 2604(b)(4). *COIB v. Katz*, COIB Case No. 2017-352 (2017).

On three occasions, a New York City Department of Probation ("DOP") Community Service Aide presented her DOP Identification Card to a Long Island Railroad ("LIRR") conductor in order to avoid paying her fare. On the third occasion, after she was rebuffed by the conductor, the Community Service Aide identified herself as a DOP officer and demanded the conductor allow her to ride the train for free. The Community Service Aide acknowledged that in taking these actions she misused a City resource - her DOP Identification Card - for a non-City purpose (*see* City Charter § 2604(b)(2) and Board Rules § 1-13(b)), and misused her City position by insisting that the conductor allow her to ride for free because she worked for DOP (*see* City Charter § 2604(b)(3)). DOP determined that the appropriate penalty was a ten-workday suspension, valued at approximately \$1,206. In a three-way settlement with DOP, the Board considered this ten-workday suspension as a significant loss of paid work for the Community Service Aide and imposed no additional fine. *COIB v. Burgess*, COIB Case No. 2017-287 (2017).

The Fleet Administrator for the New York City Housing Authority ("NYCHA") agreed to serve a twenty-workday suspension, valued at \$7,075, as well as a two-year General Probationary Evaluation Period, as part of a three-way settlement with the Board and NYCHA. The Fleet Administrator admitted that she had two subordinates, an Auto Mechanic and Auto Service Worker, drive her personal vehicle during their workday from their NYCHA work location in Brooklyn to a car dealership in Roslyn, New York, to purchase brakes and a key for her personal vehicle, and to install the brakes. The two subordinates drove one hour each way, waited approximately 20 minutes at the dealership for the car key to be programmed, and spent approximately two hours installing the new brakes, spending a total of approximately four hours and 20 minutes of their NYCHA workday performing personal tasks for their boss. The conflicts of interest law prohibits supervisors from having subordinates perform personal favors for them, especially during their City work hours. *COIB v. Leslie James*, 2016-325 (2017).

The Board and the New York City Department of Health and Mental Hygiene ("DOHMH") concluded a settlement with a Public Health Sanitarian, serving as a Day Camp Inspector, who agreed to accept a five-workday suspension, valued at approximately \$1,117, for misusing his City position. DOHMH Day Camp Inspectors conduct site visits to summer day camps to ensure their compliance with DOHMH regulations and issue violations when camps are not in compliance. Over the course of two years, this Inspector used his authority over a camp to repeatedly gain access to and communicate with a particular camp employee. The Day Camp Inspector admitted that his efforts to communicate with the particular camp employee served no City purpose and that he used his City position to obtain a personal benefit for himself in violation of the City's conflicts of interest law. *COIB v. Gittlitz*, COIB Case No. 2017-305 (2017).

A Community Associate for Manhattan Community Board 6 ("CB 6") committed multiple violations of the conflicts of interest law by: (1) repeatedly removing CB 6's digital camera from the CB 6 office and using it extensively to photograph family events; (2) misusing \$686 of CB 6 funds to purchase two Kindles and several Kindle accessories for her own personal use; and (3) misusing her City position to improperly authorize payment of \$200 of CB 6 funds to pay her husband for gasoline used to drive her to CB 6 meetings and for moving CB 6 furniture. In a joint settlement with the Board and CB 6, the Community Associate agreed to resign her CB 6 position. The Board accepted the Community Associate's resignation as a sufficient penalty for her Chapter 68 violations. *COIB v. Ward-Gamble*, COIB Case No. 2016-416 (2017).

A New York City Department of Education teacher committed a number of Chapter 68 violations by: (1) selling review packets to some of her students for \$5 each; (2) renting calculators she owned to some of her students for \$1 each; (3) advertising the review packets via a letter printed on her school's letterhead that she sent to the parents of her students and via a flyer she posted at her school. The teacher claimed that she charged for the review packets, which she printed at home, to reimburse herself for the cost of printing them rather than for personal profit. She also claimed that she later refunded all the money she

obtained from her students. The Board issued a public warning letter to the teacher for using her City position to obtain money from her students and for using City resources (namely her school's letterhead and her classroom space) for the non-City purpose of selling items to her students. In not imposing a fine, the Board took into account the small amount of money at issue, that the teacher later refunded the money to her students, and that she may have mistakenly believed she had a City purpose for her actions. *COIB v. Lewis*, COIB Case No. 2016-634 (2017).

A New York City Department of Parks and Recreation ("DPR") Park Supervisor made known to his subordinates that a pipe in his home had frozen and he was unable to fix it. Later that workday, two of his DPR subordinates arrived at his home in a DPR vehicle. One of the subordinates attempted to fix the pipe for twenty minutes while the Supervisor was present. In a three-way settlement with the Board and DPR, the Park Supervisor agreed to forfeit six days of annual leave, valued at approximately \$1,625, and to serve a one-year probationary period for misusing City resources and City personnel by having his subordinates use a DPR vehicle to come work on his home, and misusing his City position to benefit himself by accepting household repair work from his subordinates. The penalty took into account the isolated nature of the violation as well as the relatively small amount of City time and resources misused. *COIB v. McManamon*, COIB Case No. 2017-047 (2017).

For a period of two months, a now former DPR Director of Central Communications permitted her spouse, a DPR Urban Park Ranger, to park her spouse's personal vehicle in a DPR parking space without proper authorization. In addition, the former Director made a DPR vehicle available to her spouse so she could continue her commute to her assigned DPR location. This was also done without proper authorization. The former Director of Communications acknowledged that she violated the conflicts of interest law by using her City position to benefit her spouse, and both acknowledged that they violated the conflicts of interest law by misusing a DPR parking space and a DPR vehicle for a personal non-City purpose. In three-way settlements with the Board and DPR, the former Director of Central Communications (now an Associate Urban Park Ranger) agreed to pay a \$750 fine and the Urban Park Ranger agreed to pay a \$500 fine, which took into account the mitigating factor that the Urban Park Ranger also used the DPR vehicle to conduct her DPR duties while her assigned vehicle was unavailable. Both fines were split evenly between the Board and DPR. *COIB v. E. Holmes*, COIB Case No. 2016-466 (2017); *COIB v. N. Mercado*, COIB Case No. 2016-466a (2017).

A former Associate Public Health Sanitarian for the New York City Department of Health and Mental Hygiene ("DOHMH") admitted that she violated the conflicts of interest law by using her City position to enter into prohibited relationships by soliciting and receiving loans from two subordinates. In the first instance, the Associate Public Health Sanitarian solicited and obtained the use of a subordinate's credit card to make \$2,000 worth of personal purchases and asked for and received a \$1,000 cash loan. The Associate Public Health Sanitarian repaid these loans. In the second instance, the Associate Public Health Sanitarian solicited and obtained the use of another subordinate's credit card to make 28 personal purchases over the course of approximately eight months, totaling \$4,482. In this instance, the Associate Public Health Sanitarian did not repay the money. As a penalty, the Board required the former Associate Public Health Sanitarian to repay the \$4,482 she owed to the second subordinate and to pay a \$1,000 fine. *COIB v. Ikhhibhojere*, COIB Case No. 2014-920 (2017).

A former Department of Education ("DOE") Assistant Principal asked for and received \$15,000 in monetary gifts from a teacher who was his subordinate. The former Assistant Principal told the teacher he would use the money for a charitable cause and to pay certain personal expenses he was incurring, but he kept the money for himself. The Assistant Principal returned the \$15,000 to the teacher after the teacher learned what had happened to the money and asked that he return it. His DOE employment ended shortly thereafter. The Board fined the former Assistant Principal \$7,000, which took into account that he had already repaid his former subordinate. *COIB v. Scaduto*, COIB Case No. 2016-096 (2017).

The Queens County Public Administrator hired her son's girlfriend in September 2014 to work at the Queens County Public Administrator's Office ("QCPAO"). In Spring 2015, after they became engaged, the son and his now-fiancé moved in together. The Queens County Public Administrator continued supervising her son's live-in fiancé for approximately one year, providing an indirect benefit to her son in violation of the City's conflicts of interest law. The Board fined the Queens County Public Administrator \$3,000, which penalty took into account the Public Administrator's high-level position as head of the QCPAO, as well as the lack of evidence that she treated her son's live-in fiancé differently than other employees at QCPAO in terms of assignments and pay. *COIB v. Rosenblatt*, COIB Case No. 2016-247 (2017).

In a three-way settlement with the Board and the New York City Department of Education, an Assistant Principal at the Wilton School (“PS 30”) in the Bronx agreed to pay a \$2,000 fine to the Board for using a school volunteer to pick up her grandchild from a preschool in Harlem and transport her back to PS 30 on at least fourteen occasions and for regularly using the school volunteer to babysit her grandchild for two-and-a-half hours during the school day. The Assistant Principal admitted that she misused her City position by having a school volunteer perform personal babysitting services for her. *COIB v. M. Martinez*, COIB Case No. 2014-943 (2017).

The Board and the New York City Administration for Children’s Services (“ACS”) concluded a three-way settlement with a Child Protective Specialist, who agreed to accept an eight-workday suspension, of which she will serve only six workdays valued at approximately \$1,389, for two violations of Chapter 68. First, the Child Protective Specialist violated City Charter § 2604(b)(3) by invoking her ACS position during a Family Court hearing involving an associated family member. During the hearing, the Child Protective Specialist told the presiding judge three times what specific actions she, as an ACS Child Protective Specialist, thought ACS should take. Second, the Child Protective Specialist Level II violated City Charter § 2604(b)(4) by accessing the New York State Central Register’s confidential child abuse and maltreatment database, CONNECTIONS, on one occasion to obtain information about the status of an associated family member’s case for her own personal use and to benefit the associated family member. *COIB v. N. Campbell*, COIB Case No. 2016-900 (2017).

The Board issued an Order, after a full hearing, imposing a \$10,000 fine and \$845.80 in restitution on a former Job Opportunity Specialist for the New York City Human Resources Administration (“HRA”) who used his City position to steal from an HRA client. The Job Opportunity Specialist took a money order for \$845.80 from one of his clients and promised to submit the money order to the client’s landlord as part of the client’s application to HRA for a loan to help her avoid eviction. Instead, the Job Opportunity Specialist wrote his name in the payee field on the money order, cashed it, and kept the money for himself. In determining the penalty, the Board considered prior penalties in cases of theft from vulnerable City clients; that the Job Opportunity Specialist has still not reimbursed the client for the theft; and that he did not accept responsibility for his actions by settling with the Board. The Board took particular note of the Job Opportunity Specialist’s “exploitation of his HRA client’s vulnerability, and the underlying breach not only of the trust placed in him by the public, but also of his client’s trust.” *COIB v. D. Martinez*, OATH Index No. 498/17, COIB Case No. 2015-739 (Order March 29, 2017).

In a joint disposition with the Board and the New York City Administration for Children’s Services (“ACS”), a Child Protective Specialist agreed to pay a \$1,250 fine to ACS for using her City position to benefit an associated relative. The Child Protective Specialist admitted that, in March 2016, she contacted the ACS employee assigned to a case involving her associated relative, invoked her ACS title, inquired about the investigation, and stated that her associated relative would not speak to the ACS employee unless she was also present. *COIB v. Gillenwater*, COIB Case No. 2016-593 (2017).

The Board fined an Associate Fraud Investigator for the New York City Human Resources Administration (“HRA”) \$1,500 for writing and submitting to a New York City Parking Violations Bureau (“PVB”) Administrative Law Judge a letter written on HRA letterhead; in the letter, the Associate Fraud Investigator invoked his City employment and misrepresented that HRA was appealing a PVB ruling relating to a parking ticket that he was personally responsible for paying. HRA had not authorized his submission of the appeal letter or use of HRA letterhead. *COIB v. H. O’Brien*, COIB Case No. 2014-216 (2017).

The Board imposed a \$40,000 fine, reduced to \$1,000 on a showing of financial hardship, on a former New York City Department of Education (“DOE”) Teacher for his violations of the City’s conflicts of interest law. As part of his DOE duties, the former Teacher supervised students in his school’s work-study program and processed their timesheets for submission to DOE. DOE issued paychecks that he then distributed to the students. From December 2014 through April 2015, the former Teacher added work hours to the time sheets of four students, inflating their hours to include time they had not worked. He then used his authority as their teacher to direct the students to split with him the extra money they received from DOE. As a result, the Teacher received approximately \$1,289 in improper payments from DOE. The Teacher acknowledged that, by inflating the work hours on student time sheets and directing the students to split with him the payments they received from DOE, he used his City position to benefit himself in violation of City Charter § 2604(b)(3). The Teacher also acknowledged that, by causing this overbilling of DOE, he used City resources for a personal purpose in violation of City Charter § 2604(b)(2), pursuant to Board Rules § 1-13(b). *COIB v. B. Harris*, COIB Case No. 2015-516 (2017).

In a joint disposition with the Board and the New York City Administration for Children's Services ("ACS"), a Laborer agreed to serve a fifteen-workday suspension, valued at approximately \$4,000, for using his ACS-issued purchase card to make 104 purchases on behalf of ACS, totaling over \$71,000, from a retail establishment owned by the Laborer and his father. The Laborer acknowledged that, by making ACS purchases from a business in which he has an ownership interest, he violated City Charter § 2604(b)(3). Further, the Laborer acknowledged that, by holding an ownership interest in a store doing business with ACS, he violated City Charter § 2604(a)(1)(a). *COIB v. T. Peters*, COIB Case No. 2016-002 (2017).

The Board imposed a \$75,000 fine, reduced to \$5,000 on a showing of financial hardship, on a former Traffic Enforcement Agent IV at the New York City Police Department ("NYPD") for his multiple violations of the City's conflicts of interest law, primarily relating to his work for his private business, Junior's Police Equipment, Inc. ("Junior's"). In particular, the former Traffic Enforcement Agent: 1) submitted an application on behalf of Junior's to be added to the NYPD authorized police uniform dealer's list; 2) submitted a letter to the NYPD Commissioner, asking that Junior's be permitted to obtain a license from the NYPD to manufacture and sell items with the NYPD logo; 3) arranged with the commanding officer at the NYPD Traffic Enforcement Recruit Academy ("TERA") to sell uniforms for Junior's there and presented a sales pitch at TERA to a group of recruits - all on-duty public servants commanded to attend, taking in, over a two-day period, more than \$32,781 in orders at TERA and receiving \$3,704.85 in cash and credit card deposits; 4) over a three-month period, worked for Junior's at times when he was supposed to be working for the City; 5) over a thirteen-month period, used his NYPD vehicle, gas (approximately two tanks of gas per week), and NYPD E-ZPass (\$8,827.93 in tolls), to conduct business for Junior's, to commute on a daily basis, and for other personal purposes; 6) on 26 occasions, used his police sirens and lights in non-emergency situations in order to bypass traffic while conducting business for Junior's, commuting, and engaging in other personal activities; and used an NYPD logo on his Junior's business card without authorization. The Traffic Enforcement Agent IV engaged in the above conduct in contravention of prior advice from Board staff, which directed that he seek the Board's advice if he ever wanted to apply to become an NYPD uniform dealer and that warned him not to use City time or resources for his outside activities, or to appear before the City on behalf of Junior's. The former Traffic Enforcement Agent IV acknowledged that his conduct violated the City's conflicts of interest law, which prohibits any public servant from, for compensation, representing private interests before the City; from pursuing private activities during times when that public servant is required to perform services for the City; and from using City resources, which includes an NYPD vehicle, lights and sirens, gas, E-ZPass, and the NYPD logo, for any non-City purpose; from using his City position, in this case, his emergency lights and sirens, for his personal financial benefit. The former Traffic Enforcement Agent IV also acknowledged that he had resigned from NYPD due to these infractions. Based on the Traffic Enforcement Agent IV's showing of financial hardship, which included documentation of his loss of his status as an NYPD-authorized uniform dealer and licensed gun dealer that resulted in the closing of Junior's, the Traffic Enforcement Agent's lack of employment or other income, lack of assets, and outstanding debts, the Board agreed to reduce its fine from \$75,000 to \$5,000. *COIB v. Vega*, COIB Case No. 2016-090 (2017).

In a three-way settlement between the Board and the New York Financial Information Services Agency and the New York City Office of Payroll Administration ("FISA"), FISA's First Deputy Executive Director paid a \$2,500 fine to the Board for helping her daughter obtain a position with a firm that receives funding from the City and with which she interacted in her City position. Specifically, during a meeting with the vendor's CEO that the First Deputy Executive Director attended on behalf of FISA, the First Deputy Executive Director learned that the vendor wanted to hire a recent college graduate with compliance experience. The First Deputy Executive Director suggested her daughter as a candidate. The daughter applied for the position, using the First Deputy Executive Director's name, and the vendor hired the daughter for a position other than the one its CEO had mentioned. No other candidates were interviewed for that position. The First Deputy Executive Director acknowledged that, by this conduct, she violated the City's conflicts of interest law, which prohibits a public servant from using his or her City position to help his or her child get a job. *COIB v. R. Myers*, COIB Case No. 2016-735 (2017).

In a three-way settlement with the Board and the New York City Administration for Children's Services ("ACS"), a Juvenile Counselor agreed to serve a fifteen calendar-day suspension, valued at approximately \$2,019, for, after being involved in an automobile accident with another vehicle, identifying herself to the other driver as an ACS employee, pointing to the official uniform she was wearing, displaying her ACS-issued badge/identification card, and requesting that the other driver not call the police regarding the accident. The City's conflicts of interest law prohibits public servants from using their City positions to

benefit themselves and from using a City resource - which includes City badges and identification cards - for any personal, non-City purpose. *COIB v. Agbasonu*, COIB Case No. 2016-366 (2017).

In a three-way settlement with the Board and the New York City Administration for Children's Services ("ACS"), a Child Protective Specialist Supervisor 2, who also operated two private businesses, agreed to serve an eight-workday suspension, valued at approximately \$2,466, to resolve her Chapter 68 violations and unrelated misconduct. During her ACS work hours, the Child Protective Specialist Supervisor sent three emails related to her private businesses using her ACS email account and computer, and attempted to sell event tickets and other products, such as makeup and jewelry, to a number of her subordinates and other ACS employees. The Child Protective Specialist Supervisor acknowledged that she violated the City of New York's conflicts of interest law, which prohibits a public servant from using City time or City resources to pursue private business activities and from using one's City position to sell items to a subordinate. *COIB v. C. Maldonado*, COIB Case No. 2016-713 (2017).

The Board and the New York City Department of Sanitation ("DSNY") entered into three-way settlements with two DSNY employees who received (and repaid) loans from a DSNY subordinate in violation of the conflicts of interest law's prohibition on superior-subordinate financial relationships. The Director of DSNY's Work Experience Program agreed to forfeit five days of annual leave, valued at approximately \$1,963, and to pay a \$250 fine to the Board for receiving two loans totaling \$3,000 from a DSNY Clerical Associate who had provided loans to other DSNY coworkers. The Assistant Director of DSNY's Work Experience Program agreed to forfeit five days of annual leave, valued at approximately \$1,371, and to pay a \$250 fine to the Board for receiving \$2,500 in loans from the same Clerical Associate. *COIB v. Asare*, COIB Case No. 2016-380 (2017); *COIB v. Bowman*, COIB Case No. 2016-391 (2017).

The Board fined a New York City Department of Education ("DOE") School Aide \$50 for, on multiple occasions, soliciting and receiving loans of \$20 or less from the parent of a student she supervised. The School Aide repaid the last loan she received—a \$20 loan she obtained in November 2014—on January 18, 2017, after being asked to repay the loan by the Board. For a DOE employee to seek a loan from a parent of a student supervised by that employee constitutes a misuse of that employee's DOE position in violation of City Charter § 2604(b)(3). *COIB v. Kipp*, COIB Case No. 2015-851 (2017).

The Board fined a New York City Department of Education ("DOE") Paraprofessional for using emergency contact information from confidential DOE student records to call and visit the homes of two students in her assigned class in an attempt to sell Primerica insurance products to their parents. The Paraprofessional acknowledged that, by utilizing confidential information to sell insurance to parents of students in her class, she misused her City position and confidential City information in violation of City Charter §§ 2604(b)(3) and 2604(b)(4). Based on the Paraprofessional's documented showing of financial hardship, the Board agreed to reduce its fine from \$2,500 to \$600. *COIB v. Salazar*, COIB Case No. 2016-444 (2017).

USE OR DISCLOSURE OF CONFIDENTIAL INFORMATION

- **Relevant Charter Sections:** City Charter § 2604(b)(4)⁵

A former Job Opportunity Specialist for the New York City Human Resources Administration ("HRA"): (1) accessed the confidential public assistance case records of six of her close relatives using the Welfare Management System ("WMS") a total of one thousand one hundred and sixteen (1,116) times; and (2) performed work on the public assistance cases of two of her close relatives using HRA's Paperless Office System ("POS") a total of twenty-three (23) times. The former Job Opportunity Specialist acknowledged that, by accessing WMS to view the records of her close relatives, she violated the conflicts of interest law prohibition on using confidential City information to advance a private interest of the public servant or anyone associated with the public servant, a group that includes close relatives. The Job Opportunity Specialist further acknowledged that, by performing work on the public assistance cases of her close relatives, she violated the conflicts of interest law's prohibition on using one's City position to benefit oneself or the people with whom one is associated. In electing not to impose a fine in this matter, the Board

⁵ 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."

considered that the Job Opportunity Specialist had previously resigned her HRA employment to resolve related HRA disciplinary charges. *COIB v. V. Roberts*, COIB Case No. 2016-874 (2017).

A now-former temporary Monitor with the New York City Department of Citywide Administrative Services (“DCAS”) copied from civil service testing applications 168 personal email addresses belonging to applicants. He planned to use the confidential email addresses to promote an online radio show he hoped to start. Despite being told to stop copying the email addresses, he continued to do so. In settling with the Board, the Monitor admitted that he violated the conflicts of interest law prohibition against public servants using confidential information to advance their personal interests. In determining the appropriate penalty, the Board took into account the egregiousness of the Monitor’s violations, that DCAS terminated the Monitor’s work assignment and eligibility for future assignments, and the lack of evidence that he ever launched his marketing plans; the Board set the penalty at \$3,000 and forgave this fine based on a showing of financial hardship. *COIB v. Kw. Thompson*, COIB No. 2015-569 (2017).

In a joint settlement with the Board and the New York City Human Resources Administration (“HRA”), an HRA Eligibility Specialist II agreed to irrevocably 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 daughter 93 times; (2) using HRA’s Paperless Office System (“POS”) to view the confidential public assistance records of her daughter 9 times; and (3) on one occasion, requesting that one of her HRA coworkers access her daughter’s public assistance case in POS and provide her with information from those records. *COIB v. Namyotova*, COIB Case No. 2017-431 (2017).

In a joint settlement with the Board and the New York City Human Resources Administration (“HRA”), an HRA Eligibility Specialist II agreed to accept a ten-calendar-day suspension, valued at \$1,243, and forfeiture of fifteen days of annual leave, valued at \$2,331, for, without authorization or a City purpose: (1) using the Welfare Management System (“WMS”) to access the confidential public assistance case records of his former spouse on 28 dates; and (2) using HRA’s Paperless Office System to view the confidential public assistance records of his former spouse on 5 occasions. *COIB v. Zholovnik*, COIB Case No. 2017-432 (2017).

A Clerical Associate for the New York City Human Resources Administration (“HRA”) agreed to irrevocably retire from HRA as part of a three-way settlement with the Board and HRA. The Clerical Associate admitted that, over the course of twelve years, without authorization or a City purpose, she looked up confidential information regarding close family members and the children of close family members in the Welfare Management System on 231 occasions. The Clerical Associate acknowledged that, by accessing confidential City information for personal purposes, she violated City Charter § 2604(b)(4). *COIB v. C. Harris*, COIB Case No. 2016-972 (2017).

An Executive Director of Technology Support & Business Continuity for the New York City Comptroller’s Office was fined the equivalent of five-days pay, approximately \$2,227, as part of a three-way settlement with the Board and the Comptroller’s Office. The Executive Director admitted that, on ten occasions and without authorization from the Comptroller’s Office, he looked up information regarding a personal claim that he had filed against the City in the Comptroller’s Office workflow management system (“OASIS”), which is used to process and track claims filed against or on behalf of the City. No members of the general public who are claimants are able to access their files in a similar fashion. On five of the occasions when the Executive Director viewed his claim in OASIS, he accessed confidential internal information relevant to the Comptroller’s Office’s claims adjustment process. The Executive Director acknowledged that, when he accessed information regarding his claim in OASIS, he misused his City position in violation of City Charter § 2604(b)(3). He also acknowledged that, by accessing confidential City information for personal purposes on five occasions, he violated City Charter § 2604(b)(4). *COIB v. Katz*, COIB Case No. 2017-352 (2017).

The Board and the New York City Administration for Children’s Services (“ACS”) concluded a three-way settlement with a Child Protective Specialist, who agreed to accept an eight-workday suspension, of which she will serve only six workdays valued at approximately \$1,389, for two violations of Chapter 68. First, the Child Protective Specialist violated City Charter § 2604(b)(3) by invoking her ACS position during a Family Court hearing involving an associated family member. During the hearing, the Child Protective Specialist told the presiding judge three times what specific actions she, as an ACS Child Protective Specialist, thought ACS should take. Second, the Child Protective Specialist Level II violated City Charter § 2604(b)(4) by accessing the New York State Central Register’s confidential child abuse and maltreatment database, CONNECTIONS, on one occasion to obtain information about the status of an associated

family member's case for her own personal use and to benefit the associated family member. *COIB v. N. Campbell*, COIB Case No. 2016-900 (2017).

The Board fined a New York City Department of Education (“DOE”) Paraprofessional for using emergency contact information from confidential DOE student records to call and visit the homes of two students in her assigned class in an attempt to sell Primerica insurance products to their parents. The Paraprofessional acknowledged that, by utilizing confidential information to sell insurance to parents of students in her class, she misused her City position and confidential City information in violation of City Charter §§ 2604(b)(3) and 2604(b)(4). Based on the Paraprofessional’s documented showing of financial hardship, the Board agreed to reduce its fine from \$2,500 to \$600. *COIB v. Salazar*, COIB Case No. 2016-444 (2017).

GIFTS

- **Relevant Charter Sections:** City Charter § 2604(b)(5)
- **Relevant Board Rules:** Board Rules § 1-01(a)⁶

A New York City Department of Transportation (“DOT”) Assistant Director of Contracts for DOT’s Division of Transportation Planning and Management served in his private capacity as President, Pastor, and Trustee of a church in Staten Island. Over the course of seven and one-half years, he solicited and received a total of \$58,500 in church donations from two contractors whose work he oversaw at DOT. Some of these funds went to his purely personal, non-church expenses, including car payments, phone bills, and a trip to Africa. In a joint disposition with the Board and DOT, the Assistant Director of Contracts agreed to irrevocably resign from DOT and paid a \$10,000 fine to the Board. The Assistant Director of Contracts admitted that, by soliciting and accepting \$58,500 in donations to the church from two DOT vendors with which he worked in his capacity as a DOT employee, he misused his DOT position to benefit the church with which he was associated in violation of City Charter § 2604(b)(3). Moreover, the Assistant Director of Contracts admitted that, by accepting the donations to his church from DOT vendors, which funds he then used for personal expenses, he accepted prohibited valuable gifts in violation of City Charter § 2604(b)(5). *COIB v. Ashimi*, COIB Case No. 2015-858 (2017).

APPEARANCE BEFORE THE CITY ON BEHALF OF PRIVATE INTEREST

- **Relevant Charter Sections:** City Charter §§ 2604(b)(2), 2604(b)(6)⁷

A Member of Manhattan Community Board 12 (“CB 12”) twice represented the nightclubs where she worked in their attempts to get liquor license applications approved by the CB 12 Licensing Committee. The Licensing Committee approved both requests, and CB 12 issued positive recommendation letters to the New York State Liquor Authority. While Community Board Members may, in their capacity as Members, participate in discussions (although not vote) related to a matter that has a direct financial impact on their employer, it is a violation to, in a private non-Member capacity, represent an employer before their own community board. In settling with the Board, the Community Board Member agreed to pay a \$2,000 fine and admitted that she violated the City’s conflicts of interest law by advocating before her own community board on behalf of her private employer. *COIB v. R. Morales*, COIB Case No. 2015-392 (2017).

⁶ 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.”

⁷ 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.”

The Board imposed a \$75,000 fine, reduced to \$5,000 on a showing of financial hardship, on a former Traffic Enforcement Agent IV at the New York City Police Department (“NYPD”) for his multiple violations of the City’s conflicts of interest law, primarily relating to his work for his private business, Junior’s Police Equipment, Inc. (“Junior’s”). In particular, the former Traffic Enforcement Agent: 1) submitted an application on behalf of Junior’s to be added to the NYPD authorized police uniform dealer’s list; 2) submitted a letter to the NYPD Commissioner, asking that Junior’s be permitted to obtain a license from the NYPD to manufacture and sell items with the NYPD logo; 3) arranged with the commanding officer at the NYPD Traffic Enforcement Recruit Academy (“TERA”) to sell uniforms for Junior’s there and presented a sales pitch at TERA to a group of recruits – all on-duty public servants commanded to attend, taking in, over a two-day period, more than \$32,781 in orders at TERA and receiving \$3,704.85 in cash and credit card deposits; 4) over a three-month period, worked for Junior’s at times when he was supposed to be working for the City; 5) over a thirteen-month period, used his NYPD vehicle, gas (approximately two tanks of gas per week), and NYPD E-ZPass (\$8,827.93 in tolls), to conduct business for Junior’s, to commute on a daily basis, and for other personal purposes; 6) on 26 occasions, used his police sirens and lights in non-emergency situations in order to bypass traffic while conducting business for Junior’s, commuting, and engaging in other personal activities; and used an NYPD logo on his Junior’s business card without authorization. The Traffic Enforcement Agent IV engaged in the above conduct in contravention of prior advice from Board staff, which directed that he seek the Board’s advice if he ever wanted to apply to become an NYPD uniform dealer and that warned him not to use City time or resources for his outside activities, or to appear before the City on behalf of Junior’s. The former Traffic Enforcement Agent IV acknowledged that his conduct violated the City’s conflicts of interest law, which prohibits any public servant from, for compensation, representing private interests before the City; from pursuing private activities during times when that public servant is required to perform services for the City; and from using City resources, which includes an NYPD vehicle, lights and sirens, gas, E-ZPass, and the NYPD logo, for any non-City purpose; from using his City position, in this case, his emergency lights and sirens, for his personal financial benefit. The former Traffic Enforcement Agent IV also acknowledged that he had resigned from NYPD due to these infractions. Based on the Traffic Enforcement Agent IV’s showing of financial hardship, which included documentation of his loss of his status as an NYPD-authorized uniform dealer and licensed gun dealer that resulted in the closing of Junior’s, the Traffic Enforcement Agent’s lack of employment or other income, lack of assets, and outstanding debts, the Board agreed to reduce its fine from \$75,000 to \$5,000. *COIB v. Vega*, COIB Case No. 2016-090 (2017).

ACCEPTING COMPENSATION FOR CITY JOB FROM SOURCE OTHER THAN THE CITY

- **Relevant Charter Sections:** City Charter § 2604(b)(13)⁸

As part of his official duties, a Forensic Mortuary Technician at the New York City Department of Health and Mental Hygiene–Office of Chief Medical Examiner (“DOHMH-OCME”) regularly helped funeral directors transfer bodies from the morgue to their vehicles. The Forensic Mortuary Technician had been specifically instructed that he should never ask for or accept tips from funeral directors for the assistance he rendered. Despite these instructions, he did accept tips of \$5.00 on at least ten occasions. In a three-way settlement with the Board and DOHMH-OCME, the Forensic Mortuary Technician agreed to pay a \$1,500 fine – \$500 to the Board and \$1,000 to DOHMH-OCME – to resolve his Chapter 68 violation as well as unrelated DOHMH-OCME disciplinary charges. *COIB v. L. Walker*, COIB Case No. 2017-207 (2017).

SUPERIOR-SUBORDINATE FINANCIAL RELATIONSHIPS

- **Relevant Charter Sections:** City Charter § 2604(b)(14)⁹

In a joint settlement with the Board and the New York City Department of Education (“DOE”), a DOE Superintendent paid a \$3,000 fine to the Board for, while employed as a DOE Principal, selling her house to a teacher she supervised. The Superintendent admitted that she violated the City’s conflicts of interest law by entering into this financial relationship with her subordinate. In setting the fine, the Board took into account that a home sale is a transaction of significant magnitude but also that this violation was a single instance, lacking any evidence of coercion or unfair advantage. *COIB v. Estrella*, COIB Case No.

⁸ 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.”

⁹ 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.”

2016-057 (2017). The teacher who purchased the home paid a \$1,500 fine to the Board, which took into account that she was the subordinate in this prohibited superior-subordinate financial relationship and thus was not in a position of power with respect to her superior. Additionally, there was no evidence that the teacher received special treatment or advantage at DOE due to her financial relationship with her superior. *COIB v. Abreu-Herarte*, COIB Case No. 2016-057a (2017).

A former Associate Public Health Sanitarian for the New York City Department of Health and Mental Hygiene (“DOHMH”) admitted that she violated the conflicts of interest law by using her City position to enter into prohibited relationships by soliciting and receiving loans from two subordinates. In the first instance, the Associate Public Health Sanitarian solicited and obtained the use of a subordinate’s credit card to make \$2,000 worth of personal purchases and asked for and received a \$1,000 cash loan. The Associate Public Health Sanitarian repaid these loans. In the second instance, the Associate Public Health Sanitarian solicited and obtained the use of another subordinate’s credit card to make 28 personal purchases over the course of approximately eight months, totaling \$4,482. In this instance, the Associate Public Health Sanitarian did not repay the money. As a penalty, the Board required the former Associate Public Health Sanitarian to repay the \$4,482 she owed to the second subordinate and to pay a \$1,000 fine. *COIB v. Ikhhibhojere*, COIB Case No. 2014-920 (2017).

In a joint disposition with the Board and the New York City Department of Transportation (“DOT”), a DOT Construction Project Manager paid a \$2,500 fine – \$1,500 to DOT and \$1,000 to the Board – for engaging in a series of financial transactions with his direct supervisor. Over the course of three years, the Construction Project Manager and his supervisor lent and repaid each other more than \$40,000. The Construction Project Manager acknowledged that he violated City Charter § 2604(b)(14), which prohibits a public servant from entering into a financial relationship with anyone who is the superior or subordinate of that public servant. *COIB v. Noel*, COIB Case No. 2015-858d (2017).

The Board and the New York City Department of Sanitation (“DSNY”) entered into three-way settlements with two DSNY employees who received (and repaid) loans from a DSNY subordinate in violation of the conflicts of interest law’s prohibition on superior-subordinate financial relationships. The Director of DSNY’s Work Experience Program agreed to forfeit five days of annual leave, valued at approximately \$1,963, and to pay a \$250 fine to the Board for receiving two loans totaling \$3,000 from a DSNY Clerical Associate who had provided loans to other DSNY coworkers. The Assistant Director of DSNY’s Work Experience Program agreed to forfeit five days of annual leave, valued at approximately \$1,371, and to pay a \$250 fine to the Board for receiving \$2,500 in loans from the same Clerical Associate. *COIB v. Asare*, COIB Case No. 2016-380 (2017); *COIB v. Bowman*, COIB Case No. 2016-391 (2017).

JOB-SEEKING VIOLATIONS

- **Relevant Charter Sections:** City Charter § 2604(d)(1)¹⁰

A now-former Project Manager at the New York City Mayor’s Office of Housing Recovery (“HRO”) paid a \$6,000 fine to the Board for two separate violations of the City’s conflicts of interest law. First, during his tenure at HRO, the now-former Project Manager had several conversations and a first-round interview with a private construction contractor he was overseeing as a part of his City duties. Second, having accepted employment with the contractor approximately two weeks after he left HRO, the former Project Manager disregarded Board advice and communicated with HRO on behalf of his new employer seven months after leaving HRO by sending two emails to an HRO employee to inquire about construction permits and documentation his new employer needed. *COIB v. Scharff*, COIB Case No. 2016-599 (2017).

The Board fined a former Budget Director and Senior Director for Strategy and Program Development for the New York City Housing Authority (“NYCHA”) \$9,500 for negotiating for and accepting a position with a firm while working on NYCHA matters with the firm, including authorizing NYCHA work and payments to it. These employment negotiations, which were ultimately successful, took place over a ten-month period and included numerous emails and in-person meetings. *COIB v. Dempsey*, COIB Case No. 2016-161 (2017).

¹⁰ 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.”

ONE-YEAR POST-EMPLOYMENT APPEARANCE BAN

- **Relevant Charter Sections:** City Charter § 2604(d)(2)¹¹

A former Agency Attorney for the New York City Department of Education (“DOE”) agreed to pay a fine of \$1,750 for, within one year of leaving City service, communicating on three occasions with his former DOE supervisor about a special education case being handled by his new law firm (a proceeding that had been pending at DOE while he was a DOE employee). *COIB v. Qamer*, COIB Case No. 2017-112 (2017).

A now-former Project Manager at the New York City Mayor’s Office of Housing Recovery (“HRO”) paid a \$6,000 fine to the Board for two separate violations of the City’s conflicts of interest law. First, during his tenure at HRO, the now-former Project Manager had several conversations and a first-round interview with a private construction contractor he was overseeing as a part of his City duties. Second, having accepted employment with the contractor approximately two weeks after he left HRO, the former Project Manager disregarded Board advice and communicated with HRO on behalf of his new employer seven months after leaving HRO by sending two emails to an HRO employee to inquire about construction permits and documentation his new employer needed. *COIB v. Scharff*, COIB Case No. 2016-599 (2017).

After leaving the New York City Fire Department (“FDNY”), a former FDNY Assistant Chief for Emergency Medical Services began working at a private company that provides ambulance services to Brooklyn Hospital Center. Approximately six months after he left FDNY, the former Assistant Chief called FDNY’s Chief of Emergency Medical Services (who had been the former Assistant Chief’s subordinate at FDNY) to discuss an FDNY decision that impacted his new employer’s ambulance tours at Brooklyn Hospital Center. The Board fined the former Assistant Chief \$1,000 for making that telephone call on behalf of his new employer. *COIB v. Gombo*, COIB Case No. 2015-700 (2017).

The Board imposed an \$8,000 fine, reduced to \$1,000 on a showing of financial hardship, on a former Councilmanic Aide for the New York City Council. Within one year of leaving City service, the former Councilmanic Aide communicated on eight occasions with Council employees and Council Members on behalf of her new employer, a registered lobbyist. The Councilmanic Aide admitted that her communications with the Council, which included asking Council staff to set up appointments with Council Members and meeting with and lobbying Council Members, violated City Charter § 2604(d)(2). *COIB v. J. Edwards*, COIB Case No. 2015-550 (2017).

¹¹ 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.”

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	92-9	92-11	92-26 (Revised)		92-30	92-35
	93-7	93-16	93-22	93-27	93-32	94-1
	94-3	94-8	94-10	94-11	94-13	94-20
	94-25	97-3	98-2	98-3	02-01	03-7
	94-26	95-10	95-12	95-18	95-21	97-3
	98-2	98-3	02-01	03-7	07-4	09-7
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	95-13	95-24	03-5	03-6	12-5	16-1
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	92-16	92-17	92-32	92-37	93-18	93-30
	93-31	94-5	94-7	92-38	93-8	93-11
	93-12	93-13	94-15	94-19	94-21	94-22
	95-1	95-4	95-23	96-1	96-6	97-1
	99-1	99-3	00-2	07-1	08-1	08-4
	09-5	12-2				
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Prohibited Interests	90-1	90-2	91-2	91-3	91-15	92-5
	92-6	92-7	92-9	92-11	92-26 (Revised)	
	92-30	92-35	93-1	93-3	93-4	93-7
	93-9	93-16	93-22	93-27	93-29	93-32
	94-1	94-13	94-16	94-20	94-25	94-26
	94-3	94-5	94-8	94-10	94-11	95-10
	95-12	95-18	95-21	96-2	98-3	03-2

Prohibited Interests	90-1	90-2	91-2	91-3	91-15	92-5
	92-6	92-7	92-9	92-11	92-26 (Revised)	
	92-30	92-35	93-1	93-3	93-4	93-7
	93-9	93-16	93-22	93-27	93-29	93-32
	94-1	94-13	94-16	94-20	94-25	94-26
	94-3	94-5	94-8	94-10	94-11	95-10
	95-12	95-18	95-21	96-2	98-3	03-2
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	92-6	92-8	92-9	92-18	92-20	92-25
	92-26 (Revised)		92-28	92-30	93-1	93-4
	93-7	93-17	93-19	93-31	94-6	94-11
	94-17	94-18	94-24	96-2	98-1	
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	92-37	93-18	93-20	93-22	93-27	93-30
	94-1	94-3	94-6	94-8	94-11	94-15
	94-16	94-19	95-17	96-1	96-2	98-8
	98-9	94-20	94-22	95-1	95-3	95-16
	99-2	99-4	99-5	99-6	00-2	06-1
	07-1	08-4	12-2			
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RECIPIENTS OF BOARD AWARDS

Sheldon Oliensis Ethics in City Government Award

- 2017 David Fenichel (Department of Transportation)
- 2016 David Varoli (Department of Design & Construction)
- 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

- 2017 Andrew Irving
- 2016 Alex Kipp
- 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

Board Staff

Executive

Carolyn Lisa Miller
Executive Director

Jasmine Mack
Administrative Legal Coordinator
(commencing September 2017)

Administration

Varuni Bhagwant
Director of Administration

Oni John
Purchasing Coordinator

Legal Advice

Wayne G. Hawley
Deputy Executive Director
& General Counsel
(until March 2017)

Ethan A. Carrier
General Counsel
(commencing April 2017)

Christopher M. Hammer
Deputy General Counsel
(commencing January 2017)

Chad Gholizadeh
Assistant Counsel
(commencing
February 2017)

Amber Marie Gonzalez
Assistant Counsel

Clare Wiseman
Assistant Counsel
(commencing May 2017)

Hannah Reisinger
Paralegal

Enforcement

Michele L. Weinstat
Director of Enforcement

Jeffrey Tremblay
Deputy Director of Enforcement

Evan Berkow
Assistant Counsel

Katherine Miller
Assistant Counsel
(commencing February 2017)

Maritza Fernandez
Litigation Coordinator
(until July 2017)

Annual Disclosure

Julia H. Lee
Director of Annual Disclosure &
Special Counsel
(commencing January 2017)

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

Grace Cho
Annual Disclosure Analyst
(commencing July 2017)

Education & Engagement

Alex Kipp
Director of Engagement
& Education

Rob Casimir
Senior Education & Engagement
Specialist

Dan Iwrey
Education & Engagement
Specialist

Gavin Kendall
Education & Engagement
Specialist

Roy Koshy
Education & Engagement
Specialist

Isaiah Tanenbaum
Education & Engagement
Specialist (commencing
August 2017)

Claire Wiseman
Education & Engagement
Specialist
(until May 2017)

Information Technology

Derick Yu
Director

College Intern

Upasna Saha

Former Board Members

Merrill E. Clarke, Jr., Chair	1989	Bruce A. Green	1995-2005
Beryl Jones	1989-1995	Angela Mariana Freyre	2002-2011
Robert J. McGuire	1989-1994	Steven B. Rosenfeld, Chair	2002-2012
Sheldon Oliensis, Chair	1990-1998	Kevin J. Frawley	2006-2009
Shirley Adelson Siegel	1990-1998	Monica Blum	2004-2013
Benjamin Gim	1990-1994	Burton Lehman	2009-2014
Benito Romano, Acting Chair (1998-2002)	1994-2004	Nicholas Scoppetta, Chair	2012-2014
Jane W. Parver	1994-2006	Andrew Irving	2005-2017