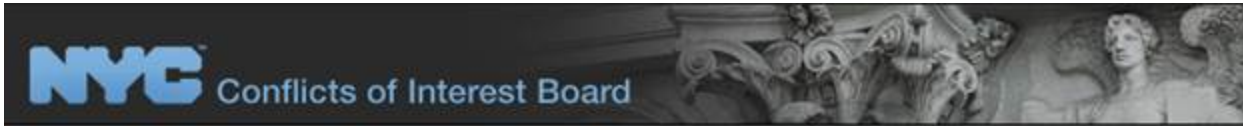


Roy Koshy

From: Michele Weinstat
Sent: Tuesday, June 06, 2017 12:12 PM
To: Michele Weinstat
Subject: COIB Settlements Announced
Attachments: COIB Disposition (DOHMH).pdf; COIB Disposition (DOHMH-OCME).pdf; COIB Public Warning Letter (DOE).pdf



FOR IMMEDIATE RELEASE: June 6, 2017

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The New York City Conflicts of Interest Board (the “Board”) announces three settlements.

Misuse of City Position; Superior-Subordinate Financial Relationship. A now-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 soliciting and receiving loans from subordinates on several occasions:

- In the first instance, she solicited and obtained the use her subordinate’s credit card to make \$2,000 worth of personal purchases.
- In the second instance, she asked for and received a \$1,000 cash loan from the same subordinate. The Associate Public Health Sanitarian repaid both these loans to her subordinate.
- In the third instance, she solicited and obtained the use of the credit card of another subordinate to make personal purchases totaling \$4,482. In this case, the Associate Public Health Sanitarian did not repay the money.

Soliciting loans or other things of value from a subordinate is a violation of the conflicts of interest law. *See* City Charter Section 2604(b)(3). It is also a violation of the conflicts of interest law for a superior and a subordinate to enter into any sort of financial relationship, irrespective of how the relationship is initiated or how (un)favorable the terms may be to either party. *See* City Charter Section 2604(b)(14).

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. The disposition is attached as “COIB Disposition (DOHMH).”

Misuse of City Time & Resources. Since her hiring in 2014, a Criminalist at the Department of Health and Mental Hygiene - Office of Chief Medical Examiner (“DOHMH-OCME”) maintained her own private online retail business. Over the course of three months in 2016, she used City time and her City computer to visit the website for her online retail business 375 times. She also used her City email account to draft 17 emails to promote that business, although she did not send them. Using City time and/or City resources for non-City activities, such as a private business, a non-City job, or political activities is a violation of the conflicts of interest law. *See* City Charter Section 2604(b)(2) and Board Rules 1-13(a) & (b). 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 to serve a two-workday suspension, valued at approximately \$495, for her violations. In determining the penalty, the Board and DOHMH-OCME took into consideration prior cases with similar facts,

as well the short duration of most of the Criminalist’s improper internet usage. The disposition is attached as “COIB Disposition (DOHMH-OCME).”

Misuse of City Resources. 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. *See* Charter Section 2604(b)(2) and Board Rules 1-13(b). Given the minimal nature of this one-time violation, the Board chose not to impose a fine. However, it published a warning letter in order to provide guidance to public servants in similar situations. The public warning letter is attached as “COIB Public Warning Letter (DOE).”

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COIB is the independent, non-mayoral City agency charged with interpreting, administering, and enforcing the City's Conflicts of Interest Law, Annual Disclosure Law, and Lobbyist Gift Law. The agency's jurisdiction extends to all City agencies and current and former officers, elected officials, and employees of the City, as well as lobbyists. Learn more about COIB and the law at nyc.gov/ethics.

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