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## Joint Commission on Public Ethics Sworn Complaint Procedures

Effective May 29, 2012

**1. Sworn Complaint** - A sworn complaint for purposes of Executive Law §94 shall mean a written complaint that is determined to allege a violation of state ethics laws in Public Officers Law §73, §73-a, §74, the "Little Hatch Act" in Civil Service Law §107, or the "Lobbying Act" in Legislative Law Article 1-A, and shall be sworn to by the complainant under oath. The complaint shall contain a statement sworn or affirmed before an attesting officer that the individual is the complainant and that the foregoing complaint is true to his or her own knowledge, except as to the matters therein stated to be alleged upon information and belief and as to those matters he or she believes it to be true. The complaint must specifically identify the individual or entity (respondent) alleged to have violated the laws above, be based substantially on the complainant's first-hand knowledge and must state the basis for statements alleged upon information and belief. The complaint must contain facts constituting an alleged violation of the laws above.

**2. Form of Complaint** - A complaint must be written and shall conform to the following format:

- a. The complaint must identify the complainant and the respondent. The complainant's address must be reflected on the complaint as well as a telephone number.
- b. The complaint must be sworn to under oath or affirmed before an attesting officer.
- c. The complaint must contain a statement of the facts concerning the alleged violation(s) and should state, insofar as known, the date, time and place of any alleged violation.
- d. The complaint must allege facts constituting a violation of Public Officers Law §73, §73-a, §74, Civil Service Law §107, or Legislative Law Article 1-A.
- e. The complainant should include copies of any documentation or exhibits in his or her possession at the time the complaint is filed to support the allegations contained in the complaint.
- f. The intentional submission of false information may constitute a crime punishable by a fine or imprisonment, or both.

[COMPLAINT FORMS ARE AVAILABLE FOR PRINTING BY CLICKING HERE](#)

**3. Who may file a complaint** - Any person may file a sworn complaint with the Commission.

**4. Where to file** - A sworn complaint in its original form shall be deemed filed on the date the complaint is stamped received at the Commission's offices located at 540 Broadway Plaza, Albany, New York 12207. Complaints may be mailed or hand delivered to the Commission.

**5. Confidentiality** - A sworn complaint upon filing becomes a confidential record of the Commission and remains so unless and until the Commission concludes there was a violation of the above law(s) and issues a Substantial Basis Investigation Report ("SBIR") alleging such violation. At such time, the complaint or facts therein may be made part of the Substantial Basis Investigation Report which may become a public document pursuant to Executive Law §94(19)(a)(6).

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New York State Joint Commission on Public Ethics  
 540 Broadway Plaza  
 Albany, New York 12207  
 www.jcope.ny.gov  
 518-408-3976

**SWORN COMPLAINT**

The Joint Commission on Public Ethics has jurisdiction to investigate potential violations of Public Officers Law §73, §73-a, §74, Civil Service Law §107 and Legislative Law article 1-A as they apply to state legislators, candidates for the Legislature and legislative employees, as well as the four statewide elected officials, candidates for those offices, executive branch state employees, certain political party chairs, and lobbyists and their clients.

**COMPLAINANT NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**TELEPHONE** \_\_\_\_\_

**EMAIL** \_\_\_\_\_

Please provide a statement or description of the alleged violation of Public Officers Law §73, §73-a, §74, Civil Service Law §107 or Legislative Law article 1-A including facts constituting a violation of the law(s) above, the identity of the individual(s) at issue and, if possible, a date, time, place of the alleged violation. Also note any documents or exhibits you are including to support the allegations.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Has this matter been referred to any other agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, which agency?	_____	
Is there a pending legal action you are aware of?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, where?	_____	

I, \_\_\_\_\_, being duly sworn, have read the foregoing complaint in its entirety, including any additional pages, and to the best of my knowledge, or based on information and belief, believe it to be true. I also understand the intentional submission of false information may constitute a crime punishable by fine or imprisonment, or both.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_\_  
 MONTH

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 NOTARY PUBLIC

