**Ethics Complaints and Case Results**

**2009**

The ICMA Committee on Professional Conduct reviewed 23 ethics complaints filed against ICMA members. The reviews resulted in:

* 1 public censure, expulsion, and credential revocation
* 1 public censure and expulsion
* 1 public censure and membership bar
* 5 public censures
* 10 private censures
* 5 closed cases

**Conduct that resulted in public censure, expulsion, and credential revocation:**

► **Violation of the law**

* A former city manager pled guilty to one felony charge of importuning following his arrest for soliciting sex from someone he believed to be a 14-year old girl. (Tenets 2 and 3)

**Conduct that resulted in public censure and expulsion:**

►**Holding elected office:**

* A manager ran for mayor while serving as the interim administrator for another city. The member was elected and continued to serve as the mayor and city administrator. (Tenet 7)

**Conduct that resulted in public censure and membership bar:**

► **Altering city documents**

* A manager altered city documents and engaged staff in the process in order to conceal alcohol purchased at business meals. (Tenets 2 and 3)

**Conduct that resulted in public censure:**

► **Violation of the law**

* A manager pled no-contest to a misdemeanor charge of attempted theft after he altered a bid for his moving expenses and then submitted the falsified document to the city. (Tenets 2 and 3)

►**Short tenure**

* A city manager had short tenures in each of his last three positions and lacked sufficient justification for failing to serve the recommended two year tenure in each position. (Tenet 4)

► **Improper personal gain; Failure to exercise proper oversight**

* A former city manager improperly used his personal credit card for town related expenses; failed to exercise proper oversight of town credit cards resulting in gross misuse; received additional compensation for mowing town property without securing authorization; and failed to exercise due diligence and care in his fiduciary responsibility to ensure the accuracy of transactions related to his retirement plans. (Tenets 2, 3, and 12)

►**Failure to honor commitment**

* A city manager failed to honor his commitment to a city after he signed an employment agreement and then withdrew his acceptance one week before he was to begin work. (Tenet 3)

►**Inappropriate personal conduct**

* A former city manager admitted that on at least two occasions and without his wife’s knowledge, he gave her anti-anxiety medication that was not prescribed for her. (Tenet 3)

**Conduct that resulted in private censure:**

► **Political activity (Tenet 7)**

* A member was elected to a school board while serving in a local government capacity.
* A member wrote letters-to-the-editors in support of a candidate for elected office in the community where she resided.

► **Driving under the influence**

* Following arrest for driving under the influence, the manager acknowledged that his blood alcohol level exceeded the legal limit. (Tenets 2 and 3)

► **Assault**

* A member pled guilty to one misdemeanor charge of assault and one summary offense of harassment. (Tenet 3)

► **Misrepresentation of credentials**

* A member misrepresented his credentials on his résumés. (Tenet 3)

► **Personal relationship with subordinate employee**

* A member had a personal relationship with a subordinate employee in violation of city policy. (Tenets 3 and 12)

► **Lack of Disclosure of** **Investments**

* A manager did not adequately disclose investments he made in firms that owned land within the local government that he managed. (Tenet 3)

► **Conflict of Interest**

* A member’s personal investments and business interests created a conflict with his official duties and responsibilities which he failed to address by publicly disclosing those relationships and recusing himself from county business when he had a conflict of interest. (Tenets 3 and 12)

► **Failure to uphold high standards of profession**

* The personal conduct that led to a member’s arrest failed to uphold the high standards of the profession. (Tenet 3)

►**Insufficient disclosure**

* A member did not publicly disclose his spouse’s employment with a firm that did business with the county as required by state law. (Tenets 3 and 12)