**Ethics Complaints and Case Results**

**2007**

The ICMA Committee on Professional Conduct reviewed 24 ethics complaints filed against ICMA members. The review resulted in:

* 1 membership bar
* 2 public censures with membership bar
* 6 public censures
* 8 private censures
* 7 closed cases

**Conduct that resulted in a membership bar:**

►**Failure to keep a commitment:** A former member reneged on his written commitment to his employer when he left the organization after serving for 7 months to take a more financially lucrative position. (Tenets 3 and 4)

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

►**Theft of public funds:**

* + Member pled guilty to six felony and misdemeanor charges of theft public funds, receiving stolen property, unlawful use of a computer, and misappropriation of government property. The member used approximately $88,000 in public funds for personal expenses, including $4,905 in petty cash and $4,100 in fraudulently transferred leave. (Tenets 2, 3, and 12)
	+ Member pled guilty to a charge of theft of public funds; falsified records; impugned the reputation of other public officials by falsely stating that they attended meetings with him at an adult entertainment club; and brought embarrassment to the community he served. (Tenets 2, 3, and 12)

**Conduct that resulted in a public censure:**

►**Undermining the public’s trust (Tenet 3):**

* + A manager’s multiple arrests for driving under the influence undermined the public’s trust in his work as a professional city manager.
	+ Member pled no-contest to two misdemeanor charges of making terroristic threats.
	+ Manager pled guilty to a misdemeanor charge of voyeurism.

►**Falsifying public documents**: After receiving a pay increase that was not authorized in the employment agreement or approved by the governing body, a manager altered her employment agreement to make it appear that the raise was legitimate. The member pled no-contest to a misdemeanor charge of destroying evidence. (Tenet 3)

►**Short tenure:** A member left his position after one month with the organization to accept a preferred position in another local government. The member had the requisite facts and time to make an informed decision about the first offer he accepted and failed to consider the serious impact his conduct had on the organization. (Tenet 4)

►**Sexual harassment:** A manager made inappropriate comments of a sexual nature to subordinate employees. (Tenets 2 and 3)

**Conduct that resulted in private censure:**

►**Political Activity (Tenet 7):**

* A manager signed an invitation to a fundraising event for a candidate for statewide office and made a financial contribution to the campaign.
* A member made campaign contributions to a candidate running for state office in another state.
* A manager made a small campaign contribution and displayed yard signs in support of a mayoral candidate in the community where he resided.

►**Failure to honor commitment (Tenet 3):**

* A manager accepted a position and then withdrew later that day citing personal issues.
* A member accepted a staff position in a local government but withdrew shortly before the agreed upon start date in order to accept a position as the manager in another organization.
* A member accepted a position with a local government and then withdrew one week later to accept a preferred position with another local government.

►**Undermining a colleague:** The former manager met with elected officials and senior staff on budget and policy matters without informing the city manager. At a minimum, the former manager’s continued engagement with elected officials over city matters created the appearance of impropriety. (Tenet 3)

►**Conflict of interest**: A manager had a personal relationship with a department director he hired and then supervised. (Tenet 3)