

**City Valparaiso Ethics Commission
Department Head or Employee
Complaint Process**

Ethics Officer

The Ethics Officer upon receiving a written, notarized complaint shall:

Notify the employee that a complaint has been filed against him or her. (The employee may respond in writing to the complaint).

Meet individually with all parties and make a recommendation to the Mayor and department head, if applicable.

Ethics Commission

The complaint will be forwarded to the Commission if:

The complaint alleges a severe violation; or
No resolution or agreement is reached between parties.

Commission May Reject Complaint:

If frivolous and/or inconsequential
If satisfied by the federal, state or local agency
If it lacks sufficient facts

Commission May Accept Complaint:

If investigation determines probable cause:
Convene public hearing within 60 days.
Subject of complaint notified within 15 days.
Subject may request continuation - max. 30 days
Evidence is confidential unless:
Subject of the complaint or investigation makes statement, or
Commission responds to public comment

Commission May Acknowledge:

Existence of an investigation before finding probable cause,
The Commission did not find probable cause.

Complaint is open for public inspection after determining probable cause.

Hearing

Both parties may have counsel, call witnesses, introduce exhibits, and cross-examine.
Evidence must be given under oath or affirmation.

After Hearing

Decision must be by majority vote.
Report – violation, statutes, or rules
Report is made public and presented to:
Subject of complaint,
Mayor, and
City Council.
Report may be sent to:
Prosecuting Attorney,
Law Enforcement,
State Board of Accounts,
Attorney General, or
Any other appropriate person.