

Town of Salem Ethics Committee

Steps in processing a complaint

(Revised February 29, 2024)

Initial review

1. A copy of the complaint is provided to each committee member.
2. The chairman will acknowledge receipt of the complaint to the complainant.
3. Members determine if they have a conflict of interest must recuse themselves.
4. The Ethics Committee will meet in nonpublic session to determine if
 - The respondent is subject to Code of Ethics;
 - The complaint alleges conduct contrary to §6.3.1-11
 - The complainant has complied with confidentiality requirements
5. If the complaint fails to meet these criteria, the Committee may discharge the complaint and notify the complainant and the respondent.

If criteria are met:

6. Complaint is docketed and respondent and complainant are notified, reminding them the matter is confidential until the Committee makes a finding.
7. Respondent is invited to respond to the complaint in writing by email or by letter postmarked within 14 days of notification. Upon written request the Respondent shall be afforded an opportunity to be heard and present evidence to the Ethics Committee.

Investigation

8. The Ethics Committee may require, with sufficient written notice, the complainant or any official, board member or employee of the Town government to appear before it to provide testimony regarding pending complaints. The Ethics Committee, for this purpose, may administer oaths and require the production of evidence such as documents.
9. If there is reason to believe that any criminal activity has taken place the Ethics Committee may, at any time, terminate their investigation and refer the matter to law enforcement

Finding

10. Within thirty (30) days of concluding an investigation into a written complaint, the Ethics Committee shall submit to the Town Council a written statement setting forth its findings as follows:
 - The investigation did not disclose evidence of any violations; or

- The Ethics committee found by clear and convincing evidence that the respondent violated a provision of the Code of Ethics and therefor recommends a penalty of censure, suspension, training, or removal from office.

11. The respondent and complainant are notified of the findings and are released from the requirement of confidentiality when the findings are submitted to the Town Council.