

In the Matter of ROGER T. GRAY  
an employee of NYS Office of Children & Family Services

Respondent

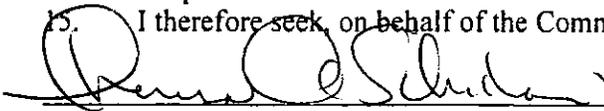
Case No. DEDOS120357

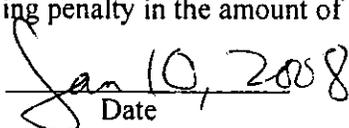
Failure to Timely File an Annual Statement of  
Financial Disclosure for 2006.

### AFFIRMATION

THERESA A. SCHILLACI, an attorney duly admitted to practice in the State of New York, hereby affirms under penalties of perjury:

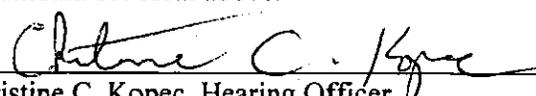
1. I am an attorney with the Commission on Public Integrity and am fully familiar with the facts set forth here.
2. At all times relevant, Respondent was a policy-maker at the NYS Office of Children & Family Services.
3. Respondent's Annual Statement of Financial Disclosure for the year noted above was due on May 15, 2007.
4. Respondent was issued a Notice of Failure to File on July 6, 2007. The Respondent had 15 days from the date of the Notice to file.
5. On October 18, 2007, the Commission sent by certified mail and first class mail a Notice of Delinquency.
6. Certified mail was returned to the Commission signed for by Respondent.
7. On November 5, 2007, the Commission received correspondence from Respondent with regards to his requirement to file.
8. On November 6, 2007, staff contacted Respondent with regards to his requirement to file.
9. On November 15, 2007, NYS Office of Children & Family Services faxed the Commission correspondence sent to Respondent with regards to the requirement to file.
10. On November 15, 2007, NYS Office of Children & Family Services e-mailed the Commission stating they had spoke to Respondent and he was going to file that night or next day and he was seeking a waiver of the administrative late fee.
11. On November 16, 2007, staff responded to NYS Office of Children & Family Services that Respondent was made aware in February 2007 of requirement to file the Annual Statement of Financial Disclosure by May 15, 2007 and that the Commission would not waive the late fee.
12. Said Annual Statement was received by the Commission on November 20, 2007, without the administrative late fee.
13. On December 18, 2007, the Commission sent by certified and first class mail, a Hearing Notice to the Respondent.
14. On December 24, 2007, certified mail was returned to the Commission signed for by Respondent.
15. I therefore seek, on behalf of the Commission, a late filing penalty in the amount of \$400.00.

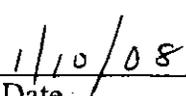
  
THERESA A. SCHILLACI

  
Date

### FINDINGS OF FACT AND RECOMMENDATION

I hereby accept the above statements as findings of fact and recommend that a penalty be assessed in the amount set forth above.

  
Christine C. Kopec, Hearing Officer

  
Date

**DECISION AND NOTICE OF CIVIL ASSESSMENT**

The above Findings of Fact and Recommendation of the Hearing Officer are Affirmed.

All Concur: John D. Feerick, Chair  
Daniel R. Alonso  
Virginia M. Apuzzo  
John M. Brickman  
Andrew G. Celli, Jr.  
Richard D. Emery  
Daniel J. French  
Robert J. Giuffra, Jr.  
David L. Gruenberg  
Hon. James P. King  
Hon. Howard A. Levine  
Loretta E. Lynch  
John T. Mithcell  
Members

Date: February 8, 2008