



New York State Joint Commission on Public Ethics

Camille Joseph Varlack, *Chair*

Sanford N. Berland, *Executive Director*

540 Broadway, Albany, New York 12207

Main: 518-408-3976

Public Information Office: 518-486-7842

press@jcope.ny.gov

walter.mcclure@jcope.ny.gov

JCOPE Commissioners Approve New Communications Policy for Investigative Matters

Status Information May Now Be Released in Limited Circumstances

(ALBANY) – August 5, 2021 - The Joint Commission on Public Ethics (“Commission”), at its July 27, 2021 meeting, approved a new communications policy authorizing the release of information about the status of investigative matters in limited circumstances. As part of an ongoing effort to improve public awareness of its activities and to address or correct inaccurate assumptions in the public arena, the Commission has authorized staff, when the existence of a complaint or matter is already public and certain other conditions are met, to:

- Publicly acknowledge receipt of a complaint (the complaint itself, including the identity of the complainant if not public, remains a confidential record and cannot be disclosed);
- Publicly acknowledge that a matter is pending before JCOPE for the duration of the matter;
- Publicly acknowledge that a matter is no longer pending before JCOPE after it has been closed for any reason; and,
- Publicly acknowledge if the Commission has received a request from law enforcement to defer its inquiry in a matter.

While the Commission must continue to follow the confidentiality provisions in the Executive Law rigorously and to protect the privacy rights of those participating in

Commission proceedings, it believes that the new policy will improve the public's understanding of the Commission's process and activity.

Commission Executive Director Sanford Berland noted that reports in the media frequently mischaracterize the Commission's activity. "We are often deep into a matter, or waiting for a criminal trial or appeal to conclude, when we read that JCOPE shut something down or isn't pursuing something," said Berland. "We look forward to improving public confidence in JCOPE while continuing to follow the facts wherever they lead."

This new policy goes into effect immediately.