

**DEKALB COUNTY BOARD OF ETHICS  
ETHICS COMPLAINT**

**The Board of Ethics has jurisdiction over the Section 22A of HB 597. The Ethics Office is required to send written notice to the subject of any ethics complaint. The Ethics Office shall dismiss complaints over which it has no jurisdiction.**

**PART ONE: PERSON VIOLATING THE CODE OF ETHICS.**

State the name, address, telephone number, and email address of the person who you believe has violated the Code of Ethics.

Name: \_\_\_\_\_  
County position or title: \_\_\_\_\_  
Department or agency: \_\_\_\_\_  
Work address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail address: \_\_\_\_\_ Telephone: \_\_\_\_\_

**PART TWO: SPECIFIC DEKALB COUNTY ETHICS LAW VIOLATED (PLEASE SEE ATTACHMENT)**

State the specific **DeKalb County Code** section or sections of the **Code of Ethics** that you believe was violated.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART THREE: STATEMENT OF FACTS**

Describe the facts on which this complaint is based, including relevant dates, places, and actions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART FOUR: WITNESS INFORMATION**

State the names (first and last), addresses, telephone numbers, and email addresses of persons with firsthand knowledge of the facts alleged or other information that could help.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART FIVE: SUPPORTING DOCUMENTS**

List any records or documents that would assist the Board of Ethics in its investigation. Please mail or deliver to the Ethics Office any documentary evidence that supports the facts.

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**PART SIX: PERSON MAKING THE COMPLAINT**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail address: \_\_\_\_\_ Telephone: \_\_\_\_\_

I agree to receive service of any notice via the email address set forth above. Yes \_\_\_\_\_ No \_\_\_\_\_

**I declare under penalty of perjury and false swearing that I have reviewed the information given in this complaint and, to the best of my knowledge, it is a true, accurate, and complete statement.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

**Completion of this form by a Complainant is not proof of any allegation made. The Board will determine whether a violation of the DeKalb Ethics Code exists upon investigation and full hearing of the complaint.**

Complaints should be mailed to:

Ethics Officer  
DeKalb County Board of Ethics  
178 Sam Street  
Decatur, Georgia 30030

## ATTACHMENT

### Ethics Code Sections:

(c) Proscribed Conduct. No official or employee of DeKalb County shall:

(1) By his or her conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official acts or actions or that he or she is affected unduly by the rank or position of or kinship or association with any person;

Proscribed Conduct (c)(2)(A). Directly or indirectly request, exact, receive, or agree to receive a gift, loan, favor, promise, or thing of value for himself or herself or another person if:

- (i) It tends to influence him or her in the discharge of his or her official duties;
- (ii) He or she recently has been, or is now, or in the near future may be, involved in any official act or action directly affecting the donor or lender.

Proscribed Conduct (2)(B). Subparagraph (A) of this paragraph shall not apply in the case of:

- An occasional nonpecuniary gift of value less than \$100.00;
- An award publicly presented in recognition of public service; or
- A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of Georgia to engage in the making of such a loan;

Proscribed Conduct (3). Disclose or otherwise use confidential information acquired by virtue of his or her position for his or her or another person's private gain;

Proscribed Conduct (4). Appear on his or her own personal behalf, or represent, advise, or appear on the personal behalf, whether paid or unpaid, of any person before any court or before any legislative, administrative, or quasi-judicial board, agency, commission, or committee of this state or of any county or municipality concerning any contract or transaction which is or may be the subject of an official act or action of DeKalb County or otherwise use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or other persons;

Proscribed Conduct (5). Engage in, accept employment with, or render services for any agency, private business, or professional activity when such employment or rendering of services is adverse to and incompatible with the proper discharge of his or her official duties;

Proscribed Conduct (6). Acquire an interest in any contract or transaction at a time when he or she believes or has reason to believe that such an interest will be affected directly or indirectly by his or her official act or actions or by the official acts or actions of other officials or employees of DeKalb County; or  
Proscribed Conduct (7). Engage in any activity or transaction that is prohibited by law now existing or hereafter enacted which is applicable to him or her by virtue of his or her being an official or employee of DeKalb County.

(c.1) No employee of the Purchasing and Contracting Department of DeKalb County shall accept any gift of value from anyone who has had or may reasonably be anticipated to have any business with or before

such department. Gifts from persons who do not have or who would not be reasonably anticipated to have any business with or before such department may be accepted by an employee or such department only when such gifts are based solely on a family relationship or personal friendship.

(d) Disclosure of interests. An official or employee who has an interest that he or she has reason to believe may be affected by his or her official acts or actions or by the official acts or actions of another official or employee of DeKalb County shall disclose the precise nature and value of such interest by sworn written statement to the Board of Ethics and ask for the board's opinion as to the propriety of such interest. Every official or employee who knowingly has any interest, direct or indirect, in any contract to which DeKalb County is or is about to become a party, or in any other business with DeKalb County, shall make full disclosure of such interest to the Chief Executive and the Commission and to the ethics officer and the Board of Ethics. The information disclosed by such sworn statements, except for the valuation attributed to the disclosed interest, shall be made a matter of public record by the Board of Ethics. In cases where a conflict of interest exists, such official or employee shall recuse himself or herself from participating or taking any official acts or actions in any matter for the county affected by such conflict of interest.

(e) Participation in contracts.

(1) An official or employee shall disqualify himself or herself from participating in any official act or action of DeKalb County directly affecting a business or activity in which he or she has any interest, whether or not a remote interest.

(2) DeKalb County shall not enter into any contract involving services or property with an official or employee of the county or with a business in which an official or employee of the county has an interest. This subsection shall not apply in the case of:

- (A) The designation of a bank or trust company as a depository for county funds;
- (B) The borrowing of funds from any bank or lending institution which offers the lowest available rate of interest for such loans;
- (C) Contracts for services entered into with a business which is the only available source for such goods or services; or
- (D) Contracts entered into under circumstances which constitute an emergency situation, provided that a record explaining the emergency is prepared by the Chief Executive and submitted to the Board of Ethics at its next regular meeting and thereafter kept on file.

(3) DeKalb County shall not enter into any contract with, or take any official act or action favorably affecting any person, or business represented by such person, who has been within the preceding two-year period an official or employee of DeKalb County.