



**Board of Ethics – City of Stamford**  
888 Washington Boulevard  
Stamford, CT 06901

May 19, 2021

Advisory Opinion

The Honorable Jonathan Jacobson  
Board of Representatives  
Stamford Government Center  
888 Washington Blvd.  
Stamford, CT 06901

Dear Representative Jacobson,

Thank you for your email to the Board of Ethics ("BOE"), and for your participation in our meeting of April 21, 2021 during which you requested an advisory opinion as to when you may publicly disclose 1 ) a Complaint you filed with the Board of Ethics, and 2 ) when you may disclose the Board of Ethics's Investigating Board's finding relative to that Complaint, particularly when probable cause of an ethical violation is found to exist.

We refer to Section 19-14D.(2)(b) of the Stamford Municipal Code of Ethics which reads:

*Any investigation and hearing, if held, shall be confidential and shall not be open to the public unless the respondent requests that such investigation, hearing and disclosure be open or if there is a finding of probable cause. By filing a complaint with the Board of Ethics, the complainant shall be bound by the requirement of confidentiality in the investigative phase. A violation of the requirement of confidentiality by the complainant, whether direct or indirect, shall be grounds, at the discretion of the Board of Ethics, to dismiss the complaint. Pending the outcome of the probable cause hearing, no member of the Board of Ethics shall disclose his or her knowledge of such investigation to a third party, except to the extent necessary to conduct their investigation. The respondent shall have the right to appear and be heard and to offer any information by way of answer or denial of the allegations.*

Based on the above reading of the Code, it is the considered opinion of the BOE that a complainant is released from the requirement of confidentiality once the Investigating Board has filed its finding of probable cause.

The Board of Ethics thanks you for proactively seeking advice on compliance with the Code of Ethics, and for your service to the City of Stamford as a member of its Board of Representatives.

Very truly yours,

*Allan Fargy*  
Chair