

STATE OF NEW HAMPSHIRE
EXECUTIVE BRANCH ETHICS COMMITTEE

COMPLAINT FORM

*** Please note that step-by-step instructions are included on this form ***



The Committee CAN ONLY consider complaints against State employees who work for the executive branch and who are not classified personnel. (Most State employees are classified).

The following are examples of employees who are not classified:

- The commissioner or deputy commissioner of an agency
- A member of a professional licensing board, such as the Board of Pharmacy or the Board of Cosmetology
- A member of the executive council;
- A member of a state commission, such as the Lottery Commission
- Any person holding a position listed in RSA 94:1-a, (b)

The Committee CANNOT consider a complaint against:

- A person who works for a local government (towns, cities, school districts, counties, etc.)
- A person who works for the judicial branch of State government (judges, marital masters, clerks, judicial support personnel, etc.)
- A person who works for the legislative branch of State government (state representatives, state senators, legislative staff, etc.)
- Federal employees
- Private individuals who are not associated with government
- A state office, state agency, or state commission (because the Committee can only consider complaints against particular, identified individuals)
- A person holding a classified position listed in on the Department of Personnel Class Specification Index

_____, Complainant
Print your name

Your Title/Position/Agency (if applicable): _____

Address: _____

Phone numbers: _____ (day) _____ (cell)

Email: _____ @ _____

The Committee will contact you at these phone numbers and email address. If you do not want the Committee to contact you at an employer's phone number or email address, please provide alternatives. Please keep the Committee apprised of any changes in your contact information.

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_____, Respondent 1

Print the name of the person about whom you are complaining. The Committee cannot consider a complaint against a department, division, bureau, agency, board, commission, etc. It can only consider complaints against individuals who work, or in some cases volunteer for the State in the Executive Branch.

Office and Position (at the time of the alleged violation) for Respondent 1: _____

Contact information for Respondent 1:

Address _____

Phone: _____ Email: _____@_____

If the person you are complaining about is no longer in the same position in the State executive branch, what is his or her current position (and if the individual no longer works for the State of New Hampshire in the executive branch please provide the name of his or her new employer along with the employer's address if known):

Don't worry if you do not know all of the information requested.

If you are filing a complaint against more than one person, please complete the next section, fill out multiple complaint forms or include the information on a separate sheet of paper.

_____, Respondent 2

Office and Position (at the time of the alleged violation) for Respondent 2:

Contact information for Respondent 2:

Address _____

Phone: _____ Email: _____@_____

If the person you are complaining about is no longer in the same position in the State executive branch, what is his or her current position (and if the individual no longer works for the State of New Hampshire in the executive branch please provide the name of his or her new employer along with the employer's address if known):


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1. Is the person you are complaining about a classified employee? (If the answer is yes, the Committee will not be able to consider your complaint).

Respondent 1 Yes (he or she is classified employee) No (not a classified employee) Don't know

Respondent 2 Yes (he or she is classified employee) No (not a classified employee) Don't know

	<p><i>The Committee can only consider complaints alleging a violation of three specific laws:</i></p> <ul style="list-style-type: none">➤ <i>RSA 21-G:21 – 27, relating to conflicts of interest, misuse of position and nepotism</i>➤ <i>RSA 15-A, relating to financial disclosure statements</i>➤ <i>RSA 15-B, relating to gifts</i>
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2. Which of the following types of statutory violations are you complaining about? (Please check all that apply.)

- That an executive branch official participated in a matter in which he or she (or a spouse or dependent) had a personal interest that might have directly or indirectly influenced the performance of his or her duties. (RSA 21-G:22)
- That an executive branch official disclosed or used confidential or privileged information acquired in the course of his or her official duties for personal benefit or gain. (RSA 21-G:23, I)
- That an executive branch official used his or her position with the State to secure privileges or advantages for himself or herself that are not generally available for State employees. (RSA 21-G:23, II)
- That an executive branch official used his or her position with the State to secure privileges or advantages for other persons who were not entitled to them. (RSA 21-G:23, II)
- That an executive branch official who is (or was) a candidate for a political office that is not subject to the reporting requirements of RSA 664, accepted a contribution from a person or entity that is or is likely to become subject to that executive branch official's duties, and the contribution was not disclosed to the secretary of state within five days. (RSA 21-G:24)
- That an executive branch official violated the provisions of RSA 21-G:25, which specifies and prohibits certain types of specified *per se* conflicts of interest. (You may read RSA 21-G:25 at <http://www.gencourt.state.nh.us/rsa/html/I/21-G/21-G-25.htm>)
- That an executive branch official directly hired, evaluated, supervised, set compensation for or terminated any full-time or part-time employee or member of any state board or commission who was a spouse, a parent (by birth or adoption), a child (by birth or adoption), a step-child, a sibling or half-sibling by birth or adoption, or an in-law. (RSA 21-G:26)
- That an executive branch official violated a supplemental ethics code adopted by an agency. RSA 21-G:27

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- That an executive branch official failed to make complete and timely financial disclosures as required by RSA 15-A. (You may read RSA 15-A in its entirety at <http://www.gencourt.state.nh.us/rsa/html/l/15-A/15-A-mrg.htm>)
- That an executive branch official received a gift valued at more than that is prohibited by RSA 15-B. (You may read RSA 15-B in its entirety at <http://www.gencourt.state.nh.us/rsa/html/l/15-B/15-B-mrg.htm>)
- Other (Please explain why you believe that this conduct violates RSA 21-G:21-27, RSA 15-A, RSA 15-B or is otherwise within the jurisdiction of the Committee)

3. Please provide a concise statement of the conduct about which you are complaining. Please make sure to include the date or time frame in which the conduct took place. You may attach additional pages if necessary.


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4. Has the conduct that you are complaining about been the subject of any lawsuit, administrative adjudicatory proceeding, complaint to any regulatory body, or criminal proceeding?


Yes No

If your answer to Question 4 is yes, please identify such proceedings to the best of your ability. If such a proceeding has concluded please attach any final orders that may be in your possession. You do not need to go looking for this information, but if you have it in your ready possession, the Committee would appreciate receiving it. In addition, please provide the names and contact information for any witnesses to the conduct you are describing.

	<ul style="list-style-type: none">➤ <i>The Committee does not have the authority to award you monetary compensation.</i>➤ <i>The Committee cannot reverse any executive branch decision or order any executive branch official to do anything.</i>➤ <i>The Committee cannot impose any sanctions or punishment.</i>➤ <i>If the Committee concludes that a respondent has violated one the statutes within the Committee's purview it may: (a) recommend to the appropriate body that the respondent be disciplined or removed from office; or (b) refer the matter to the Attorney General's Office for possible criminal prosecution.</i> <p><i>The Committee may also decline to recommend discipline for violations that are of a less serious nature.</i></p>
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	<p><i>The Committee can only consider sworn complaints. Your signature must be witnessed by a Notary Public or Justice of the Peace.</i></p> <p><i>Please print the completed form, sign it, have it witnessed, and mail the form to:</i></p> <p style="text-align: center;"><i>Executive Branch Ethics Committee 33 Capitol Street Concord, New Hampshire 03301</i></p>
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By signing and filing this complaint, you are stating under penalty of law that the information you are providing is true and correct to the best of your knowledge.

Signature _____ Date _____

THE STATE OF NEW HAMPSHIRE

_____, SS

On the _____ day of _____, 20____ before me, _____

(name of Notary Public/Justice of the Peace), the undersigned officer, appeared _____

_____, (name of person whose signature is being notarized) known to me or

satisfactorily proven (circle one) to be the person whose name appears above, and s/he subscribed his/her name

to the foregoing complaint and swore that the facts contained in this Affidavit are true to the best of his/her

knowledge and belief.

Notary Public/Justice of the Peace

My Commission expires: _____

(seal)

Please note: If additional pages are used, both the complainant and the Notary Public/Justice of the Peace must sign and date each page.