



BOARD OF ETHICS

PROCEDURES FOR RESPONDING TO REQUESTS FOR INSPECTION AND COPYING OF ANNUAL STATEMENTS OF FINANCIAL DISCLOSURE

Effective: January 1, 2022

1) Purpose

Chapter 883 of the Laws of Westchester County (Code of Ethics), § 883-304 (Annual Financial Disclosure), provides at subsection (i) that:

All statements filed with the Board of Ethics shall be available for public inspection and copying; except that:

(1) The Board of Ethics may, on its own initiative, to the extent permitted by Article 6 of the New York Public Officers Law (the Freedom of Information Law) withhold from public disclosure particular information, the disclosure of which would constitute an unwarranted invasion of personal privacy; or

(2) A Reporting Person may request that such information be withheld from public disclosure, and the Board of Ethics, in its discretion, may grant such request to the extent permitted by Article 6 of the New York Public Officers Law (the Freedom of Information Law).

New York Public Officers Law Art. 6 (Freedom of Information), § 87 (Access to agency records) provides, among other things, that an agency may deny access to public records or portions thereof that, if disclosed, could endanger the life or safety of any person, or would constitute and unwarranted invasion of personal privacy.

Freedom of Information Law § 87 further provides that each agency shall promulgate rules and regulations pertaining to the availability of records and procedures to be followed including, among other things, the persons from whom such records may be obtained.

In order to discharge its duties under the Freedom of Information Law, and to protect the legitimate privacy interests of County officers and employees, the Board of Ethics hereby adopts the following policies and procedures:

1) Pursuant to the authority granted by Freedom of Information Law § 87, the Board of Ethics designates its counsel as the person from whom records may be obtained.

2) Upon receipt of a request made pursuant to the Freedom of Information Law for inspection or copying of an Annual Statement of Financial Disclosure (“Disclosure Statement”) the Board of Ethics or its counsel shall:

- Inform the filing person of the FOIL request;
- Advise the filing person that the Board will delete from public disclosure the filing person’s home address, the names of the filing person’s dependent children, and the categories of amounts set forth on the Disclosure Statement;
- Permit the filing person to identify such other information set forth on the Disclosure Statement that the filing person believes would result in an unwarranted invasion of personal privacy if disclosed;
- Determine whether the Board of Ethics has the discretion to deny access to the information so identified pursuant to Freedom of Information Law § 87(2) and, if so, whether the Board of Ethics will exercise its discretion to do so; and
- Advise the filing person of its determination before making the Disclosure Statement available for inspection or copying.