



Santa Fe County – Code of Conduct Complaint Form

This form shall be used to report alleged violations of the Santa Fe County Code of Conduct, Ordinance No. 2022-03. Sworn complaint must be filed with the Santa Fe County Attorney's Office:

- In person: 102 Grant Avenue, Santa Fe, NM
- By mail: Santa Fe County Attorney P.O. Box 276, Santa Fe, NM 87501

Please note: The form must be sworn and signed prior to filing. Anonymous complaints will not be accepted. Information included in this complaint is subject to the Inspection of Public Records Act (IPRA). A copy of this complaint may be provided to person(s) who are the subject(s) of the complaint.

Per Section 23 of Ordinance No. 2022-03, the Board of County Commissioners does not tolerate retaliation, workforce discrimination or harassment of any kind against a person who has reported in Good Faith a violation of the Santa Fe County Code of Conduct. This non-retaliation provision applies whether the complaint is ultimately determined to be well-founded or unfounded. All Elected Officials, Appointed Officials, Employees and Volunteers are specifically prohibited from taking any adverse employment action, engaging in workplace discrimination or harassment of any kind, or other retaliatory action against anyone for reporting a claim in Good Faith.

Section 1. Person Filing Complaint

Name: _____

Mailing Address: _____

Contact Phone: _____

Email: _____

Section 2. Person(s) Against Whom You Are Filing Complaint

Please list the name and position of each person against whom you are filing a complaint.

☐ Check here if including additional sheets; paginate and label additional sheets as Section 2:

Name & Position: _____

Name & Position: _____

Name & Position: _____

Section 3. Statement of Complaint

Describe the nature of the complaint and include dates, witnesses to the behavior, action or inaction and other pertinent information regarding the alleged ethics violation. Refer to the specific section of the Code of Conduct you believe was violated. Provide as much detail as you can, using additional pages as needed.

☐ Check here if including additional sheets; paginate and label additional sheets as Section 3:

Section 4. Witnesses or Other Individuals With Relevant Information:

Please provide information on witnesses and other individuals who may be able to provide information relevant to the complaint.

☐ Check here if including additional sheets; paginate and label sheets as Section 4:

Name: _____

Contact Information: _____

Email Address: _____

Name: _____

Contact Information: _____

Email Address: _____

Name: _____

Contact Information: _____

Email Address: _____

Name: _____

Contact Information: _____

Email Address: _____

Section 5. Supporting Documents

Please list all documents and other supporting materials attached to this complaint and label all such documents and materials as Section 5.

Section 6. Signature of Complainant

By signing this form, I _____
(print name)

swear or affirm under penalty of perjury that the information provided is true and accurate to the best of my knowledge.

Signature: _____ Date: _____

Santa Fe County Code of Conduct

The Santa Fe County Code of Conduct, Ordinance No. 2022-03, establishes minimum standards of ethical behavior for all elected officials, appointed officials, employees and volunteers who hold office or employment for the benefit of the public. The Code of Conduct may be found on the county's website, santafecountynm.gov; search "code of conduct". A copy of the ordinance is also available at the Santa Fe County Clerk's office.

Complaints of violations of the Santa Fe County Code of Conduct, also known as ethics complaints, shall be submitted to the Ethics Board by delivering to the Santa Fe County Attorney's Office a sworn complaint alleging facts that, if proven, constitute a violation of the Code of Conduct.

If you are concerned about the ethical behavior of a Santa Fe County elected or appointed official, employee or volunteer, please consult the Code of Conduct. In addition to the county's declaration of policy and the responsibility of public office and employment and definitions of terms used in the code (Sections 2-4), the following sections may assist you in determining the nature of your complaint:

- ▶ Section 5 – Non-partisanship
- ▶ Section 6 – Public Trust
- ▶ Section 7 – Recusal
- ▶ Section 8 – Conduct Avoiding Impropriety
- ▶ Section 9 – Limitations on Employment With, and Appearance Before, the County

Following Government Service

- ▶ Section 10 – Prohibited Financial Interest in County Business
- ▶ Section 11 – *Ex Parte* Communications
- ▶ Section 12 – Conflicts of Interest, Disclosure
- ▶ Section 13 – Misuse of Confidential Information
- ▶ Section 14 – Duty to Report Improper Offers
- ▶ Section 15 – Misuse of County Property and Resources for Private Gain or Personal

Benefit

- ▶ Section 16 – Misuse of Title or Prestige of Office for Private Gain or Personal Benefit
- ▶ Section 17 – Political Activity
- ▶ Section 18 – Disclosure
- ▶ Section 19 – Coercion.

The following sections detail the procedures and processes of making and resolving ethics complaints and creates the Ethics Board:

- ▶ Section 20 – Reporting and Resolving Alleged Ethics Violations
- ▶ Section 21 – County Ethics Board
- ▶ Section 22 – Right of Appeal
- ▶ Section 23 – Non-retaliation
- ▶ Section 24 – Restrictions on the Board of County Commissioners; Administration of the Personnel System, Management
- ▶ Section 25 – Penalties.

Is it An Ethics Violation?

A person concerned about the behavior, action or inaction of an elected or appointed official, employee or volunteer of Santa Fe County must first consider whether the behavior, action or inaction is an ethical violation. A true ethics complaint is a demonstrated failure of a county government official, employee or volunteer to adhere to a specific standard or principle as specified in the Code of Conduct (County Ordinance 2022-03) and the complaint is supported by objective documentation.

Some complaints against officials, employees or volunteers are not about ethics, but other issues, such as:

- ▶ A legal issue – meaning not every violation of the law is an ethical violation. A licensed professional may violate state law related to the profession, but that does not necessarily equate with an ethics violation.
- ▶ A business issue – meaning issues that arise from a business perspective, such as a billing or contractual dispute. This situation may include a person outside county government complaining about a county employee, official or volunteer.
- ▶ An employment issue – meaning a disagreement among staff, inadequate supervision, inaccurate task-related instructions, activity or behavior the complainant would not personally engage in. Generally interpersonal or work-related relationship issues are not addressed as ethical issues, but handled through Santa Fe County Human Resources in accordance with relevant employment policies.