

Harford County Ethics Board

Rules and Regulations for Meetings, Hearings and Investigations

These Rules of Procedure are adopted pursuant to the Harford County Public Ethics Law, §23-4D.

A. Meetings

1. The Board shall meet at the call of the Chair or a majority of the members.
2. A quorum of the Board consists of three (3) members.
3. An affirmative vote of at least three (3) members shall be necessary for any action by the Board.
4. Meetings shall be conducted in compliance with the State's Open Meetings Act.
5. Unless otherwise provided in these rules and regulations, Roberts Rules of Order Newly Revised, current edition, shall govern parliamentary procedure during a meeting.

B. Investigations

1. Once a signed complaint is filed with the Board, all information concerning the complaint shall remain confidential until the Board issues a final decision.
2. Upon receipt of a signed complaint, the Board shall conduct an investigation to determine if there is a reasonable basis to believe that a violation has occurred.
3. After an investigation the Board shall dismiss a complaint and close the investigation if the Board determines that:
 - i) the facts as alleged in the complaint do not constitute a violation of the Ethics Law;
 - ii) the allegations are frivolous; or
 - iii) the Board lacks jurisdiction.

C. Hearings

1. Upon receipt of a signed complaint and where the Board has determined that there is a reasonable basis to believe a violation has occurred, a hearing shall be scheduled.
2. At least fifteen (15) calendar days prior to the hearing, the Board shall send by certified mail a notice of the alleged violation and hearing date to the individual who is subject of the complaint and the complainant.

3. Three (3) members shall constitute a quorum for purposes of conducting a hearing, to participate in a hearing a member must attend in person.
4. The individual shall have the right to be represented by counsel and if requested by the individual, shall be granted a public hearing.
5. The individual may require the complainant to appear at the hearing and shall have the right to question the complainant at the hearing.
6. All hearings shall be recorded and the recording shall be maintained for four (4) years after the action is concluded.
7. The Board shall dismiss a complaint and cancel a hearing if the violation is corrected within fifteen (15) calendar days from the date the individual receives notification of the violation but only if the dismissal would not be contrary to the purposes of the Harford County Public Ethics Law.
8. The Chair or another member designated by the Chair shall convene the hearing and shall briefly state the allegations against the individual.
9. The Chair or designated member acting as Chair shall have the authority to:
 - i) grant a postponement of a hearing for good cause;
 - ii) rule on admissibility of evidence;
 - iii) administer oaths to witnesses;
 - iv) consider and rule on all motions appropriate to the proceedings; and
 - v) recess the hearing for any reasonable purpose.
10. A party to the hearing has the right to:
 - i) present opening and closing statements;
 - ii) call witnesses and present evidence;
 - iii) cross-examine witnesses; and
 - iv) present rebuttal evidence, but evidence raising new issues shall not be permitted upon rebuttal.