



## JCOPE CHARGES FORMER ASSEMBLYMAN DENNIS GABRYSZAK WITH VIOLATIONS OF STATE ETHICS LAWS

*Findings: Conducted self inappropriately with female staff; Misused State resources for campaign work*

ALBANY (December 30, 2015) The New York State Joint Commission on Public Ethics (JCOPE) has released a report charging state ethics violations against former Assemblyman Dennis Gabryszak (D-Cheektowaga). The report alleges that Gabryszak subjected more than half a dozen of his female staff members to inappropriate sexually-charged conduct and improperly used state resources for his re-election campaign.

The report – referred to as a Substantial Basis Investigation Report (SBIR) – is the product of a 12-month investigation, including findings based on interviews of several witnesses and evidence derived from subpoenas and other sources.

Between 2007 and 2014 seven female employees in Gabryszak’s offices in both Albany and Cheektowaga accused him of sexual misconduct. JCOPE’s investigation found that Gabryszak had created and perpetrated an environment subjecting female staffers to his sexually inappropriate behavior. The behavior continued despite numerous complaints directed to the Assemblyman and despite requests by affected staff for intervention by Gabryszak’s Chief of Staff.

JCOPE’S investigation also discovered that during the election season, Gabryszak’s staff was directed to improperly use state supplies and resources for Gabryszak’s re-election campaign. Multiple witnesses confirmed that phones, computers, and printers in the Assemblyman’s district office were used to prepare campaign fundraising material, and a conference room in the office was used for storage of campaign material, which was packaged for mailing there as well.

“Mr. Gabryszak acted for the benefit of himself, and no one else,” said JCOPE spokesperson Walter McClure. “His conduct was a deplorable exhibition of how not to act in public service – inappropriate sexual conduct towards employees and letting the public foot the bill to advance his own political ambitions.”

JCOPE found that Gabryszak committed violations of the Public Officers’ Law (POL) as follows:

- Gabryszak violated POL §74(3)(d) by using his official position to secure unwarranted privileges for himself by compelling female employees to submit to sexually inappropriate requests and conduct while threatening that his position allowed him to fire them for any reason, including appearance, and by constantly warning them that they – by his own words – “serve at the pleasure of the member”. He also retaliated against non-compliant staff by taking away significant job responsibilities or otherwise marginalizing them.
- Gabryszak also violated POL §74(3)(d) by directing the misappropriation of state resources by using his district office and state equipment and supplies for his re-election campaign.
- Gabryszak violated POL§ 74(3)(f) by engaging in conduct providing a reasonable basis for the impression that a person could “unduly enjoy his favor in the performance of his official duties.”
- Gabryszak violated §74(3)(h) through inappropriate and offensive behavior directed at female staff by pursuing a course of conduct that not only “raised suspicions among the public that he was likely to be engaged in acts in violation of the public trust” but that such conduct did, in fact, violate the public trust.

Each violation of Public Officers Law §74(3)(d) is subject to a potential penalty of up to \$10,000, as well as other sanctions.

By law JCOPE must forward any SBIR regarding a member or staff of the legislature to the Legislative Ethics Commission (LEC) to determine whether it will adopt the Commission’s findings, assess penalties, and whether it will take further action against Gabryszak.

JCOPE’s report and additional documentation related to the investigation can be found [here](#).