

CALIFORNIA ASSOCIATION OF CRIMINALISTS ETHICS ENFORCEMENT WORKSHEET

Allegation is received and President decides to discontinue or pursue Allegation

1. An Allegation in accordance with the Code of Ethics Enforcement document Paragraphs II, A, 1-3 was received by the President on _____ (date).

2. Within 30 days of the above date, the President decided if the allegation does or does not constitute a potential ethical violation and completed either of the following appropriate actions.
 - a. The President decided that the allegation does not constitute a potential ethical violation and discontinued its further consideration on _____ (date) with the written concurrence of the President-Elect and the chairman of the Ethics Committee. The Accuser was notified of the discontinuation and the reason(s) therefore in writing (by certified mail return receipt requested) on _____ (date within 30 days of date of discontinuation). Continue with page 5 of worksheet.

OR

- b. The President decided that the allegation does constitute a potential ethical violation and forwarded (by certified mail return receipt requested) the allegation to the Chairman of the Ethics Committee for investigation on _____ (date within 30 days of date allegation was received). Continue with page 2 of worksheet.

ETHICS COMMITTEE

Actions to be taken if the Allegation will be pursued and the Allegation is forwarded to the Ethics Committee.

1. The Chairman of the Ethics Committee received the allegation from the President on _____ (date).
2. The Chairman sent a Notice of Referral to the President, the Accuser, and the Accused containing the information as required by Paragraph II, B, 2. Date of Notice of Referral _____.
3. If the Ethics Committee changes the section of the Code of Ethics which the Accused is accused of violating or brings additional charges based upon considerations of the same or other events encountered during the investigation an amended Notice of Referral will be sent, within seven days of the decision to effect such changes, to the President, the Accuser, and the Accused.
If changes were made attach to this worksheet a list of changes, date changes made and the date the Notice of Referral regarding the changes was sent.
4. Date by when the Chairman shall forward the Report of Investigation to the President or submit a Notice of Extension to the President and the Accused to receive a 60-day extension _____ (date from step #2 plus 90 days).
 - a. If the Accused resigns from the membership, the President issues an Order of Exclusion. Continue with page 6 of worksheet.
5. If a Notice of Extension to the President and the Accused was submitted, list the new date that the Chairman shall forward the Report of Investigation to the President _____ (date from step #3 plus 60 days).
6. Date that the Chairman sent the Report of Investigation to the President and the Accused _____ (date).
7. The President sends copies of the Report to all members of the Board of Directors.
8. Board receives the Report of Investigation on _____ (date).
Board has a 30 day period to question the Chairman of the Ethics Committee through the President and create an addenda to the Report of Investigation as elaborated by Paragraph III, A, 1.
9. A copy of the addenda to the Report of Investigation was sent by the Ethics Committee Chairman to the Accused and to each Board Member at the closure of 30 days from the date listed above in step 8. Date addenda to the Report of Investigation was sent _____.
10. President received the addenda to the Report of Investigation on _____ (date).
11. Within 90 days of the date listed in step 10, the President convened the Board in Executive session according to Paragraph III, A, 1 to consider the Report and the addenda. Date Board was convened _____. Method by which Board was convened _____.
12. After consideration of the Report, the Board votes to determine the action to be taken.

- a. Board determines by a two-thirds vote that a basis for a consideration of ethics violation exists. The Board issued a Notice of Ethics Hearing meeting the requirements stated in Paragraph III, A, 2, (a) to the Accused. Date Notice of Hearing was sent to the Accused _____. The Board sent a Notice of Ethics Hearing specifying only the time, date and place of the hearing to the membership on _____.

OR

- b. A two-thirds vote was not obtained and the Board determined that a basis for consideration of ethics violation does not exist. The Board issued a Notice of Dismissal of the Allegation signed by the President to the Accused and the Accuser on _____ (date). The process is complete.

OR

- c. The Board determined by a two-thirds vote that the incident(s) has (have) been dealt with in a constructive manner and as such causes it not to require the application of additional procedures of the Enforcement of the Code of Ethics. Board issued a Notice of Procedural Termination of the Allegation signed by the President to the Accused on _____ (date). The process is complete.

13. The Chairman received a written request from the Accused for information specified in Paragraph III, A, 3 on _____ (date should be at least 14 days prior to the date of the Hearing). The Chairman responded with the information to the Accused on _____ (date should be within 10 days of the above date).

14. Ethics Hearing conducted in accordance with Paragraphs III, B on _____ (date).

- a. If there is no determination of ethical violation, the Hearing shall be terminated by order of the President and the President shall issue and sign a Notice of Exoneration to the Accused and the Accuser. Notice of Exoneration issued _____ (date). The process is complete.

OR

- b. If the Board determines that one or more ethical violations have been committed by the Accused, a Sanction Phase of the Hearing is convened according to Paragraph III, B, 4, (b). The Board will decide the appropriate sanctions according to Paragraphs III, B, 5, (a) and (b). Sanctions determined on _____ (date).

15. The Board sends a Finding of Ethical Violation and Specification of Sanctions signed by the President to the Accused in accordance with Paragraph III, B, 5, (c) within ten days of the date above in step 14. Date Finding of Ethical Violation and Specification of Sanctions was sent to the Accused _____.
16. If no appeal is received within 35 days of the date above in step 15, sanctions will go into effect and the Board notifies the membership regarding the results of the hearing in accordance with Paragraph III, C. Membership notified on _____ (date). The process is complete.
17. An appeal of the Finding was received by the President from the Accused in accordance with Paragraphs IV, A on _____ (date should be within 35 days of date of Finding in step 15).
18. The President specified the date, time and place for the hearing of the appeal on _____ (date should be within 30 days of date in step 17). The appeal is scheduled for _____ (date). The scheduling of the appeal should be conducted in accordance with Paragraph IV, A, 4.
19. The appeal was held in accordance with Paragraphs IV, B on _____ (date).
20. The Board notifies the membership regarding the results of the hearing in accordance with Paragraph III, C. Membership notified on _____ (date). The process is complete.

DISCONTINUANCE

Actions to be taken if the President, President-Elect and Chairman of the Ethics Committee decide the Allegation will not be pursued.

1. Accuser received the Notice of Discontinuation on _____ (date).
 - a. The President did / did not (circle one) receive a written, signed request for appeal of this decision from the Accuser within 15 days of the above date. If the appeal was not received within 15 days, the process is complete. If the appeal was received within 15 days continue with this page of the worksheet.
2. The President received a written request for appeal from the Accuser on _____ (date).
3. Within 30 days, the following was completed:
 - a. The President convened the Board.
_____ (date)
_____ (method, ie phone, e-mail)
 - b. The Board members voted on the Notice of Discontinuation by responding in writing to the President.
 - i. Board voted to overrule the Notice of Discontinuation. The Accuser was notified in writing (by certified mail return receipt requested) of the Board's decision on _____ (date within 30 days of date listed above in step #2).
 - ii. Board did not vote to overrule the Notice of Discontinuation. The process is complete.
 - c. If two thirds of the Board members voted to overrule the Notice of Discontinuation, the President forwarded the allegation to the Chairman of the Ethics Committee for investigation on _____ (date within 75 days of date listed in step #2.). Continue with page 2 of worksheet.

ACCUSED RESIGNS MEMBERSHIP

Actions to be taken if the Accused resigns from membership at any time following the issuance of the Notice of Referral.

1. The Accused resigned from CAC membership on _____ (date).
2. President issues an Order of Exclusion barring the Accused from membership in the CAC until the Order is rescinded by a 75% vote of the Board. Investigation is suspended. Order of Exclusion issued on _____ (date).
3. Ethics Committee received Order of Exclusion on _____ (date) and submitted a signed Interim Report of Investigation (in the format guidelines stated in Paragraph II, D, 1) to the President on _____ (date).