

21:11

Add:

*(6) To shield elected or appointed officers or employees of the City from false or reckless accusations filed with intent to smear, defame, or malign one's good name or reputation.*

21:13

Add a new J:

*The Commission shall adjourn at the conclusion of the hearing and shall have a cooling off period of at least 36 hours for reflection before reconvening to consider charges and remedies. The Commission is specifically prohibited from preparing or considering checklists or other aides for determining guilt or innocence that are prepared prior to the conclusion of the hearing.*

21:13 (K) (existing)

Amend:

*The complainant shall have the sole burden of proof. The Commission's review is restricted to charges contained in the complaint and to evidence presented by the complainant, the accused, and witnesses. For the removal of doubt, the Commission's role is to assess cases, not to prosecute them. The Commission is specifically prohibited from conducting its own independent investigation, from making or considering charges not contained in the complaint, and shall not introduce or consider evidence other than that presented by the complainant, the accused, and witnesses. The standard of proof for the Ethics Commission to use for deciding matters before the Ethics Commission shall be clear and convincing evidence.*

21:14

Add:

*(C) The Council may reverse the findings of the Ethics Commission, dismiss any and all charges against the accused, and declare the accused innocent of having violated the Ethics Code.*