

IN THE MATTER OF DENNIS GABRYSZAK,

Former Assemblymember.

---

**NOTICE OF SUBSTANTIAL BASIS INVESTIGATION**  
**Case No. 13-168**

Pursuant to Executive Law §94(13), the New York State Joint Commission on Public Ethics (“Commission”) has voted to commence an investigation to determine whether a substantial basis exists to conclude that you knowingly and willfully violated the New York State Public Officers Law §§74(3)(d),(f), and (h).


The investigation includes but is not limited to allegations that from in or about August 2007 through in or about December 2013, you engaged in an unethical course of conduct as a member of the Assembly through inappropriate actions and offensive comments of a sexual nature with certain female legislative staff members under your supervision and professional employment. Further, that you engaged in an unethical course of conduct in violation of the public's trust as a member of the Assembly by subjecting certain female legislative staff members under your supervision and professional employment to unwanted physical contact.

The investigation also includes but is not limited to allegations that your conduct could raise suspicion among the public that you are likely to have engaged in acts that were in violation of your trust and that you used or attempted to use your position to secure unwarranted privileges or exemptions for yourself or others by the manner used or attempted to use your official position to secure unwarranted privileges, included but not limited to offering raises as incentives and threats of adverse employment action to comply with inappropriate requests made by you; and misappropriated legislative time and resources with respect to the above conduct.

Executive Law §94(14) authorizes the Commission to enforce the Public Officers Law. Please be advised that, pursuant to Executive Law §94(14), an individual or entity who, following a hearing, is found to have knowingly and intentionally violated the provisions of Public Officers Law §74(3)(d) may be subject to a civil penalty for each violation in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result. Please be further advised that an individual or entity who, following a hearing, is found to have knowingly and intentionally violated the provisions of Public Officers Law §§74(3)(f) and/or (h) may not be subject to a civil penalty, but may be subject to a fine, suspension or removal from office or employment in the manner provided by law.

You have a right to submit a written response to the Commission within 30 days of this Notice. If after its investigation, the Commission finds a substantial basis to conclude that you have violated the relevant laws, the Commission shall send to you a substantial basis investigation report containing its findings of fact and conclusions of law, which shall be presented to the New York State Legislative Ethics Commission (“LEC”) pursuant to Executive Law §14-a and released publicly pursuant to Legislative Law §80(9)(b). The pertinent regulations and rules of the Commission regarding the conduct of adjudicatory proceedings, appeals and due process procedural mechanisms available are set forth in 19 NYCRR Part 941 and are available on the Commission's website at [www.jCOPE.ny.gov](http://www.jCOPE.ny.gov). LEC’s rules regarding the procedural mechanisms available to you are set forth in [Chapter 1 of the Laws of 2010](#) and at [www.legethics.state.ny.us](http://www.legethics.state.ny.us). Additionally, LEC should also provide you with written notice of receipt of a substantial basis investigation report which would include a copy of its rules and procedures.

Date: March 21, 2014

By:   
Letizia Tagliafierro  
Executive Director