



News from the Office of
Adam J. Bello
Monroe County Executive



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Republican Supermajority “Ethics Reform” Would Force Dr. Mendoza From His Post and Would Have Protected Ernest Flagler Mitchell

ROCHESTER, NY — Under the guise of “ethics reform,” Monroe County Legislature Republican Leader Steve Brew and his supermajority partner Vince Felder submitted legislation that would effectively force Public Health Commissioner Michael Mendoza to vacate his position and would have protected disgraced Monroe County Legislator Ernest Flagler Mitchell from public scrutiny by imposing criminal penalties for disclosing the findings of ethics investigations. County Executive Adam Bello and the Monroe County Democratic Caucus today announced their opposition to the Republican Majority’s proposed legislation, which was submitted to the Legislature on July 13.

The new law would prohibit, without exception, outside employment by County employees in the Management and Professional classification. This change in County law would impact countless County employees, including Public Health Commissioner Dr. Michael Mendoza, who has been a steady and trusting voice for Monroe County residents throughout the COVID-19 pandemic.

Dr. Mendoza has served as the County’s Public Health Commissioner since 2016 and maintains his medical practice at Highland Family Medicine, where he sees patients two days a week. Doing so is a requirement in order to maintain his Board certification. Under the proposed ethics amendments, Dr. Mendoza would have to leave his position as Public Health Commissioner in order to maintain his Board certification or give it up in order to maintain employment with Monroe County.

“The actions of the Republican supermajority continue to prove they are not serious about the important work of governing. This purported ethics reform is either rooted in gross incompetence and a total lack of understanding how government actually works, or it codifies partisan coverups of bad acts while perpetuating a hostile attack on county employees who serve our community. Either way, it’s dangerous, and this proposal should never have seen the light of day,” **said County Executive Bello**. “Dr. Mendoza and countless other Monroe County employees bring a level of expertise and knowledge to County government that helps to improve the services we provide and elevate the quality of life for our residents. They do not deserve to be targeted in this way.”

Other employees affected by this proposal include many nurses and clinical professionals in the Public Health Department, as well as employees of the Public Defender’s Office and County Law Department, many of whom teach at our local colleges and universities. Additionally, this

law would threaten the existence of Starlight Pediatrics, the healthcare and service provider for children in the Monroe County Foster Care system.

Beyond punishing an important subset of the County's hardworking employees, the Republican supermajority proposal would also outlaw the public disclosure of ethics violations, including sexual harassment. Rather than strengthening and empowering the County's Board of Ethics and ethics laws to hold violators accountable for their actions, this legislation would handcuff the Ethics Board's ability to release the findings of any investigation and ensure the public is aware of any violations committed by elected officials. In fact, their law violates existing State Freedom of Information laws and provides criminal penalties for making this information available to the public.

"The priorities demonstrated by this proposed legislation are unconscionable," **added Bello.** "Using the pretext of ethics reform to hide information about legislators like Ernest Flagler-Mitchell who use their positions to harass their constituents and limit the public disclosure of wrongdoing, while at the same time penalizing those who led us through a pandemic, is a shameful abuse of power."

In April, Bello and the Democratic Caucus introduced a package of amendments to the County's Code of Ethics that would address issues of abusive conduct, including sexual harassment, and limit the ability of County employees and officers to do business with County government during and after their employment or term. Under the proposal, the Monroe County Board of Ethics would be fully empowered to investigate any and all complaints it receives regarding sexual harassment and make any eventual findings public. Any individual found in violation could be subject to fines, suspension, censure or removal from office or employment.

That package of amendments also included restrictions on departing County officers, including County Legislators, or high-level employees from practicing before the County or receiving compensation from a private firm for work with the County for a period of two years following their departure, as well as a more robust recusal and disclosure requirement when County officers, including County Legislators, have a conflict of interest that would impair their ability to discharge their duties with respect to a particular matter. The Republican supermajority's proposal does not address either of these issues.

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