

Ethics Policy of the Office of the Attorney General

(Revised as of September 3, 2015)

Statement of Purpose

All employees of the Office of the Attorney General (“OAG”) serve the citizens of the State of Connecticut and hold positions of significant trust and responsibility that require adherence to the highest ethical standards in order to promote public confidence in government. Each employee must act ethically and avoid even the appearance of impropriety in all dealings with the public, other agencies and government entities, and private contractors. All employees are required to be aware of and follow the Code of Ethics for Public Officials and State Employees (“Code of Ethics”), which is administered by the Office of State Ethics (“OSE”), Conn. Gen. Stat. §§ 1-79 *et. seq.*, and other office policies. Attorneys are also separately bound by the Code of Professional Conduct. This Ethics Statement is intended as a general guide in determining what conduct is prohibited so that such prohibited conduct may be avoided and does not supersede the Code of Ethics or, where applicable, the Code of Professional Conduct.

General Principles

- Employees should perform their official duties at all times with fairness and impartiality.
- Employees are prohibited from using their position with the OAG for any improper purpose, including securing private gain or preferential treatment for themselves or their family members.
- Employees may not use their staff position, title, identification card, business cards or agency letterhead in order to resolve personal disputes or in any way threaten vendors of goods and services with whom the staff member may be dealing on a private matter.
- Employees may not use any resources of the OAG for unauthorized purposes. These resources include, but are not limited to, copy machines, long-distance telephone calls, fax machines, supplies, the mail systems, and computers.

Prohibitions

The Code of Ethics and other applicable laws include detailed provisions outlining the types of activities that are prohibited for state officials and employees as well as former employees. Since this policy cannot summarize each and every provision, OAG employees should read the relevant statutes, regulations and materials for guidance (see website link below).

Current Employees

- **Gifts.** The term “gift” is defined in the Code of Ethics as: “anything of value, which is directly and personally received, unless consideration of equal or greater value is given in return.” C.G.S. § 1-79(e). OAG employees are prohibited from accepting gifts from regulated donors, namely, registered lobbyists, persons doing business with the OAG, persons seeking to do business with the OAG, persons regulated by the OAG and contractors pre-qualified by the Department of Administrative Services.

However, by statute, certain items are excluded from the definition of gift, including: (1) food and drink totaling less than \$50 per person in a calendar year if consumed on occasions at which the individual providing the food or drink is present; (2) items valued at \$10 or less (not to exceed an aggregate of \$50 per year); (3) in some limited circumstances, presents from individuals for “major life events,” which “include: a ceremony commemorating an individual’s induction into religious adulthood such as a confirmation or bar mitzvah; a wedding; a funeral; the birth or adoption of a child; and retirement from public service or state employment, *Ethics Reg.* 1-92-53 (employees should confer with the OAG’s Ethics Liaison or Ethics Committee prior to accepting any such gifts, which are capped at \$1,000, C.G.S. § 1-79(e)(12)) and (4) ceremonial awards costing less than \$100.

Gifts to the State. The OAG may accept any “Gifts to the State,” which include ““goods or services . . . (i) for use on state agency property, or (ii) that support an event and which facilitate state . . . agency action or functions.”” C.G.S. § 1-79(e)(5). However, “Gifts to the State” do not include a regulated donor’s payment or reimbursement of expenses for OAG employees to attend (rather than participate in) a conference that is relevant to their state positions. Only non-regulated donors may pay or reimburse such expenses.

- **Gifts to and from Subordinates and Supervisors.** Gifts to and from subordinates and supervisors, including supervisors and subordinates up and down the chain of command, are limited to \$99.99 per gift, except where the gift is for a “major life event.” Where the gift is given to celebrate a major life event, there is a limit of \$1,000.
- **Appearance Fees.** No OAG employee may accept any fee or honorarium given in return for a speech or appearance made or article written in the employee’s official capacity.
- **Necessary Expenses.** OAG employees may receive necessary expenses from regulated or non-regulated donors only if the employee attends an event in his or her official capacity and is an active participant in the event (i.e. giving a speech or presentation). Necessary expenses include: (1) travel (standard or coach, not first class); (2) lodging (standard cost of room) for the nights before, during and immediately following the event only; (3) meals; and (4) related

conference expenses. Necessary expenses do *not* include payment for family members or guests or entertainment expenses. Expenses for lodging and/or out of state travel must be reported to the OSE within 30 days of payment or reimbursement, unless it is provided by the federal government or another state government.

- Outside Activities and Employment. No OAG employee may have a financial interest in or engage in any business, employment, transaction or professional activity which is in substantial conflict with the proper discharge of his or her duties. In addition, no OAG employee may accept outside employment that: (1) would impair the employee's independence of judgment with regard to his/her official duties; (2) could result in the disclosure of confidential information gained in state service; or (3) would interfere with the employee's ability to perform his/her responsibilities. In addition, OAG employees are subject to the requirements set forth in the Office Manual and attorneys are subject to the Code of Professional Conduct.
- Financial Benefit. OAG employees shall not use their official positions or confidential information they obtained at the OAG for personal financial benefit or to financially benefit the employee or the employee's family members, as defined in the Code of Ethics, or a business with which the employee or a family member is associated.
- Bribes. OAG employees are prohibited from soliciting or accepting anything of value, including the promise of future employment, based on an understanding that one's official action will be influenced. *See, e.g.*, C.G.S. § 1-84(g).
- Business Interests/Conflicts. No OAG employee shall have, directly or indirectly, an interest in any business or enterprise doing business with the State that could cause or create the appearance of a conflict with, or influence the performance of, the employee's duties with the agency.
- Contracts. OAG employees, their family members, as defined by the Code of Ethics, and businesses owned or controlled by an OAG employee or his/her family member may not enter into a contract with the State valued at \$100 or more unless the contract has been awarded through an open and public process.
- Political Activity. OAG employees may not campaign for a candidate for political office or engage in political activity while on duty at the OAG; use state funds, supplies, equipment, vehicles or facilities to promote a candidate or party; or use their state position to directly or indirectly influence any political process for such purposes.

Post-State Employment.

- **Confidential Information.** OAG employees shall not disclose or use confidential information gained in state service for anyone's financial gain except as permitted by law. This is a lifetime prohibition. "Confidential information" is information not generally available to the public.
- **Acting as a Representative.** OAG employees shall not represent anyone (other than the State) concerning any particular matter in which (1) they participated personally and substantially while in state service; and (2) the State has a substantial interest. This is a lifetime prohibition, and applies whether or not compensation is involved. OAG employees shall not, for one year after leaving state service, represent anyone before the OAG (other than the State), for compensation, concerning a matter in which the State has a substantial interest.
- **Employment with State Vendors.** OAG employees who participated substantially in, or supervised, the negotiation or award of a state contract valued at \$50,000 or more shall not accept employment with a party to the contract (other than the State) for one year after leaving state service if the resignation occurs within one year after the contract was signed.

Enforcement

All employees must comply with all laws and policies regarding ethical conduct. Violations of this policy or the Code of Ethics may result in disciplinary action, up to and including dismissal from state service and/or may subject employees to discipline and/or sanctions from agencies or authorities outside of the OAG.

Ethics Liaison

The OAG has an Ethics Liaison Officer, who is responsible for coordinating appropriate training programs, monitoring agency policies relevant to ethics compliance, serving on the OAG internal Ethics Committee, and serving as a resource to employees for ethics guidance and information. In this role, the Ethics Liaison will be available to discuss ethics issues and will disseminate information to keep employees apprised of new ethics rules, opinions and policies effecting state employees.

While the Ethics Liaison will be available to discuss issues regarding compliance with the State Code of Ethics for state employees and to provide information generally, he/she will not provide individual employees with advice on any specific ethics issue. If such advice is required, employees will be referred to our internal Ethics Committee or to the Office of State Ethics. The Office of State Ethics' telephone number is (860) 263-2400.

Ethics Committee

There is an Ethics Committee, comprised of the Deputy Attorney General, one or more Associate Attorneys General, the Ethics Liaison, one or more Department Heads and an Assistant Attorney General. One member of the Ethics Committee shall be the office's Ethics Liaison. The Deputy Attorney General shall appoint the members of the Ethics Committee.

Posting and Employee Education

A copy of this policy will be posted on the OAG website, and in a prominent location in each Department. The policy will also be provided to all individuals who interview for a position at the OAG, and will be incorporated into the orientation package for all new employees. Those leaving OAG employment will also receive a written summary of the post-state employment rules regarding ethics.

Important Ethics Reference Materials

The OSE website has been updated to include relevant statutes and regulations, as well as decisions of the Citizen's Ethics Advisory Board. The link is:
<http://www.ct.gov/ethics/site/default.asp>