

STATE OF CONNECTICUT
DIVISION OF CRIMINAL JUSTICE
ADMINISTRATIVE POLICIES AND PROCEDURES
OFFICE OF THE CHIEF STATE'S ATTORNEY



POLICY SUBJECT:

ETHICS

POLICY NUMBER: 106

EFFECTIVE DATE: 6/14/19

AUTHORIZED:

Handwritten signature of Kevin T. Kane in blue ink.

Handwritten date "6/14/19" in blue ink.

Kevin T. Kane, Chief State's Attorney

106 ETHICS

Employees of the Division of Criminal Justice shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the Division of Criminal Justice and the State of Connecticut's Criminal Justice system. In an effort to promote that behavior, the Division hereby establishes the following Ethics Policy.

POLICY

All employees of the Division of Criminal Justice must comply with the Code of Ethics of Public Officials and State Employees (Code of Ethics) as set forth in the Connecticut General Statutes, Chapter 10, Part 1, and the Rules of Professional Conduct, except that if the Division of Criminal Justice has adopted a stricter standard, employees must comply with the Division's standard. For the purposes of this policy, gift is defined by Connecticut General Statutes §1-79(5).

In accordance with General Statutes §1-84 and this policy, no employee of the Division of Criminal Justice shall:

1. Use or attempt to use the authority of the office to advance the personal or economic interests of the employee or others or allow others to do so;
2. Have any financial interest in, or engage in, any business or employment, transaction or professional activity which is in substantial conflict with the proper discharge of his or her duties or employment in the public interest;

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3. Accept other employment which will either impair his or her independence of judgment as to official duties or employment or require or induce him or her to disclose confidential information acquired in the course of and by reason of his or her official duties;
4. Solicit or knowingly accept any gifts, loans, bequests, benefits or other things of value, including but not limited to, a gift, loan, reward or promise of future employment based on any understanding that the official action or judgment of the employee would be or had been influenced thereby;
5. Solicit or knowingly accept any gifts, loans, bequests, benefits, or other things of value, or promise of future employment if acceptance is prohibited by law or would appear to a reasonable person to undermine the employee's independence, integrity, or impartiality;
6. Willfully and knowingly interfere with, influence, direct or solicit agreements or business relationships for or on behalf of any person;
7. Engage in any personal or professional activity which creates the reasonable appearance of impropriety or conflict with the proper discharge of his or her duties or employment in the public interest;
8. Intentionally disclose or use confidential information acquired in an official capacity for any purpose unrelated to the employee's duties.
9. (a) Knowingly accept, directly or indirectly, any gift or gifts from a restricted donor. For the purposes of this Division policy, restricted donors include not only those individuals or entities set forth in state statute, but also those individuals employed in the bail/bond industry, and attorneys engaged in criminal defense practice of law within the Judicial District to which the employee is assigned;

(b) Knowingly accept any gift worth more than \$100 annually from a single non-restricted source who gives it because of the employee's position in state service.
10. Give and/or accept any gift worth more than \$100 from a supervisor or subordinate. The exception to this limit involves a "major life event" as defined by state statute.

Employees are encouraged to be active members of their communities. However, when engaging in activities outside of one's official duties, an employee shall not:

1. Participate in activities that will interfere with the proper performance of the employee's duties;
2. Participate in activities that will lead to frequent disqualification of the employee from matters pending in their Judicial District;

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3. Participate in activities that would appear to a reasonable person to undermine the employee's independence, integrity, or impartiality;
4. Make use of Division premises, staff, stationery, equipment, or other resources, except for incidental use or for activities that concern the law, the legal system, or the administration of justice, or unless such additional use is permitted by law and has received the prior approval of the employee's supervisor.

PROSECUTORS

Pursuant to Connecticut General Statute Section 51-278a(c) a full time prosecutor shall not engage in the private practice of law. A prosecutor may act as a self-represented party and may, without compensation, give legal advice to and draft or review documents for a member of the prosecutor's family but is prohibited from serving as the family member's lawyer in any forum.

Prosecutors must comply with the Rules of Professional Conduct, all constitutional and statutory obligations, and all obligations imposed upon them by the courts of the United States and the State of Connecticut.

Further guidance on these issues is provided to all prosecutors in the Division's *Ethical Guidelines for Prosecutors*.

ENFORCEMENT

All employees must comply with all laws and policies regarding ethical conduct. Violations of this policy or the Code of Ethics or the Rules of Professional Conduct may result in disciplinary action and/or may subject employees to discipline and/or sanctions from agencies or authorities outside of the Division.

ETHICS LIAISON

The Division has an Ethics Liaison Officer, who is responsible for coordinating appropriate training programs, monitoring agency policies relevant to ethics compliance, serving on the Division 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 Officer 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.

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ETHICS COMMITTEE

There is an Ethics Committee, comprised of the Chief State's Attorney, one or more State's Attorneys, the Ethics Liaison Officer and one or more officers from the Connecticut Association of Prosecutors. The Chief State's Attorney shall appoint the members of the Ethics Committee.

POSTING AND EMPLOYEE EDUCATION

A copy of this policy will be posted on the Division website, and in a prominent location in each office. The policy will be incorporated into the orientation package for all new employees. Those leaving Division employment will also receive a written summary of the post-state employment rules regarding ethics.

IMPORTANT ETHICS REFERENCE MATERIALS

The Office of State Ethics 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>

The Rules of Professional Conduct can be accessed through the Judicial Website using the following link: https://www.jud.ct.gov/stat_rules_orders.htm