

106 ETHICS

Employees of the Division of Criminal Justice (“DCJ” or “Division”) 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 obtain, preserve, and promote public confidence in this agency and the State of Connecticut’s criminal justice system, employees are expected to act at all times in an ethical manner and avoid even the appearance of impropriety.

All employees are required to become aware of and follow the Code of Ethics for Public Officials and State Employees, Connecticut General Statutes §§ 1-79 through 1-90a, and other DCJ policies. DCJ prosecutors are also separately guided by the Connecticut Prosecution Standards and bound by the Rules of Professional Conduct. This ethics statement is intended to serve as a general guide in determining what conduct is prohibited so that such prohibited conduct may be avoided. It does not supersede the Code of Ethics or, where applicable, the Rules of Professional Conduct. Where DCJ has adopted a stricter policy than that provided by statute or rule, employees must comply with the Division’s policy.

I. GENERAL CONDUCT

- Employees shall treat members of the public and fellow employees with dignity, courtesy, and respect.
- Employees shall always act in a professional manner to all persons with whom such employees deal in their official capacities.
- Employees are prohibited from using their position with DCJ for any improper purpose, including securing private gain or preferential treatment for themselves or their family members.
- Employees shall avoid any action that may adversely affect the public’s confidence in the criminal justice system.
- Employees shall not disclose or use confidential information gained in state service except as permitted by law. “Confidential information” is information not generally available to the public.
- Employees shall utilize state equipment for state purposes only and shall follow state regulations and procedures regarding maintenance and use of state property.

- Employees shall not use or possess illegal or dangerous drugs or violate the laws of this State, any other state, or the federal government. DCJ Policy No. 109 (Drug-Free Workplace)
- Employees shall report to work on time, in appropriate attire, and ready to perform their required duties.

II. PROHIBITED ACTIVITIES

A. Bribes

Employees are prohibited from soliciting or accepting anything of value, including a gift, loan, political contribution, reward, or promise of future employment, based on any understanding that any action, inaction, or judgment would be influenced. Gen. Stat. § 1-84(g).

B. Business Interests / Conflicts

No DCJ 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. See Gen. Stat. § 1-84(d).

C. Criminal Arrests

Any DCJ employee who is arrested on a criminal charge in this state, any other state or territory of the United States, or in any foreign country or territory shall, within twenty-four hours, report the arrest to the Chief State's Attorney, a Deputy Chief State's Attorney or a State's Attorney, unless extenuating circumstances render compliance with the reporting requirement impossible. An employee arrested on a criminal charge is subject to administrative investigation as set forth by Division policy. See DCJ Policy No. 334 (Administrative Investigations).

D. Civil Suits, Bar Grievances, and Subpoenas

Any DCJ employee who is named as a defendant in any state or federal civil suit seeking injunctive relief and/or monetary damages shall, within two days of being served with the complaint or summons, forward the same to the Deputy Chief State's Attorney for Personnel, Finance and Administration with a brief written explanation of the facts and circumstances to which the claim relates. DCJ Policy No. 333 (Bar Grievances, Civil Suits, & Subpoenas).

Any DCJ employee who is named as a defendant in any bar grievance complaint must timely respond to the grievance in accordance with Division policy and provide a copy of

the response to the Deputy Chief State's Attorney for Personnel, Finance and Administration. DCJ Policy No. 333.

Any DCJ employee who is subpoenaed to testify or produce documents shall immediately forward a copy of the subpoena to the Deputy Chief State's Attorney for Personnel, Finance and Administration along with a written explanation of the circumstances which led to the issuance of the subpoena. DCJ Policy No. 333.

Employees are required to comply in all other respects with Division policy and procedures relating to civil suits, bar grievances, and subpoenas. See DCJ Policy No. 333.

E. Dual Employment, Outside Employment, and Outside Activities

Employees shall not have any financial interest or engage in any business, employment, transaction or professional activity that substantially conflicts with the employee's public duties. Gen. Stat. § 1-84(a).

Dual employment. Dual employment is when a DCJ employee works at another state agency while also employed by DCJ. Dual employment is permitted so long as certain statutory conditions are satisfied, namely, (1) the appointing authority of each agency or his or her designee certifies that the duties performed are outside the responsibility of the agency of principal employment; (2) the hours worked at each agency are documented and reviewed to ensure no duplicate payments; and (3) no conflicts of interest exist between services performed. Gen. Stat. § 5-208a. Employees seeking dual employment must submit a completed Dual Employment Form to the Chief State's Attorney for approval in advance. See DCJ Policy No. 326 (Dual Employment & Outside Employment).

Outside employment. Outside employment is when a DCJ employee is employed by an entity that is not a state agency while also employed at DCJ. Outside employment is permitted so long as such employment is not inconsistent, incompatible, or in substantial conflict with the proper discharge of the employee's duties and objectives of DCJ, does not impair the employee's independence of judgment with regard to his or her state duties, and does not encourage the disclosure of confidential information gained in state service. Gen. Stat. § 1-84(b); DCJ Policy Nos. 113 (Confidentiality) & 326. An employee who contemplates outside employment shall advise, in writing, his or her immediate supervisor and State's Attorney, with a copy to the Director of Human Resources and Director of the Office of Ethics and Professional Standards. DCJ Policy No. 326.

Outside Activities. Employees are encouraged to be active members of their communities; however, when engaging in activities outside of their official duties, employees shall not participate in activities that:

- will interfere with the proper performance of their DCJ duties;
- will lead to frequent disqualification of the employee from matters pending in their Judicial District; and
- would appear to a reasonable person to undermine the employee's independence, integrity, or impartiality.

In addition, employees shall not use DCJ premises, staff, stationary, equipment, or other resources, except for incidental use and activities that concern the law, the legal system, or the administration of justice, unless such additional use is permitted by law and has received the prior approval of the employee's supervisor.

F. Electronic Communications, Computers & Secure Databases

Employees shall comply at all times with DCJ and state policies governing state systems, electronic communications, equipment, and computer usage. See DCJ Policy Nos. 415 (Electronic Communications) & 416 (Telecommunication Usage Reports). Employees shall not use their computers for personal use or any illegal purpose. Employees shall also not use the computer system in any deliberately wasteful way, e.g., mass mailings or unnecessary printings. See, e.g., DCJ Policy No. 506 (Energy Conservation).

Employees shall not access secure databases or collections of information, including, but not limited to, NCIC/COLLECT and CLEAR, unless they have successfully completed any required background investigation and/or training, are certified and/or approved to access the database or collection of information, and any required certification or approval is current. See DCJ Policy No. 208 (Background Investigations). Employees with access to secure databases or collections of information shall utilize those resources only for lawful and authorized purposes.

G. Fees, Honoraria, and Necessary Expenses

Employees shall not accept any fee or honoraria given in return for an article, speech, appearance, or for participation at an event made in their official capacity. Gen. Stat. § 1-84(k). Employees who actively participate in an event (i.e., give a speech or presentation) may, however, be able to receive compensation for "necessary expenses".

"Necessary expenses" can include: (1) travel (not first class); (2) lodging for the nights before, of, and after the appearance, speech, or event; (3) meals (not lavish); and (4) related conference or seminar registration fees. Necessary expenses **do not** include payment for family members or guests or entertainment costs. Only a sponsor of the event in which the employee is participating may pay for or reimburse the employee's necessary expenses. Expenses for lodging and/or out-of-state travel must be reported to the Office of State Ethics within thirty days of receiving payment or reimbursement. Gen. Stat. § 1-84(k).

H. Gifts

DCJ employees and their immediate family members shall not knowingly accept any gift from a lobbyist or individual or entity doing business or seeking to do business with DCJ. Gen. Stat. §§ 1-84(j) & (m). A list of registered lobbyists can be found on the Office of State Ethics website (<https://portal.ct.gov/Ethics>).

A “gift” is anything of value (i.e., money, tickets to a sporting event, meals, services, etc.) that the employee has directly or personally received unless:

- the employee has given something of equal or greater value (including, but not limited to money) in exchange for the item; or
- the item falls into one of the exceptions listed in Section 1-79(5) of the General Statutes. Examples of items that are not considered to be “gifts” under this law include:
 - a gift received from an immediate family member;
 - a certificate, plaque, or other ceremonial award that costs less than \$100;
 - a rebate, discount, or promotional item that is available to the general public;
 - food or beverages, provided that the gift-giver is in attendance when the food or beverages are consumed and that the total value of the food or beverages the employee receives from any single gift-giver is less than \$50 per year;
 - a token item, such as a pen, mug or inexpensive baseball cap that, in and of itself, costs less than \$10, provided that the total value or the token items you receive from any single gift-giver is less than \$50 per year;
 - a gift given to you or a family member for a “major life event,” i.e., the birth or adoption of a child, a wedding, a funeral, a ceremony commemorating induction into religious adulthood, or retirement from public service. The limit for gifts given in honor of one of these listed “major life events” is \$1,000.

Gen. Stat. § 1-79(5). Employees may accept gifts from individuals or entities who give gifts because of the employee’s public position only if the total value of any gifts from a single gift-giver is less than \$100 per year.

Gifts between supervisor and subordinate. Gifts between supervisors and subordinates whether or not they are in a direct reporting relationship must have a value of less than \$100 per gift. Gen. Stat. § 1-84(p). Supervisors and/or subordinates cannot pool their money to give a group gift that is valued in excess of \$99.99. The only exception to the \$99.99 limit for gifts is the “major life event” exception described above.

Gifts to the State. Gifts to the state are permissible where the goods or services facilitate state action, and are: (1) for use on state property (i.e., a computer), (2) support a state event, or (3) support the participation by a state employee at an event. Gen. Stat. § 1-79(5)(E). Employees must file any required disclosure statements prior to the acceptance of a gift to the state. See Gen. Stat. § 1-84c.

I. Motor Vehicles

State owned or leased vehicles shall be used only for official state business except where otherwise provided. DCJ Policy No. 407 (Vehicles – Assignment & Use) & 408 (Vehicles – Off-Duty Use By Inspectors). Employees who operate a state owned or leased vehicle are expected to obey highway laws and exercise good judgment, driving habits, and courtesy to other motorists. DCJ Policy Nos. 407 & 409b (Vehicles – Rules of Conduct).

Employees must comply with all Division policies related to vehicle assignment, use, and maintenance, including, but not limited to, holding a valid operator's license, submitting timely and accurate monthly usage reports, obtaining authorization prior to any official travel out-of-state, and reporting to the Chief Inspector any (1) damage to a state vehicle involving a state vehicle as soon as possible; and (2) accident involving a state vehicle immediately. DCJ Policy Nos. 407, 408, 409a (Vehicles – Reporting Requirements), 409b, 410 (Vehicles – Maintenance).

J. Political Activity

Employees retain the right to vote as they choose, express their opinions on political subjects and candidates, and shall be free to participate actively in political management and campaigns. Gen. Stat. § 5-266a; DCJ Policy No. 117 (Political Activity). Employees shall not, however,

- use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or purpose for political purpose;
- engage in any political activity within any period of time during which such employee is expected to perform services for which he or she receives compensation from the state; or
- use funds, supplies, vehicles, or facilities to secure support for or oppose any candidate, party, or issue in a political partisan election.

Gen. Stat. § 5-266a(b). Prosecutors are prohibited from serving as an elected officer of this state. Gen. Stat. § 51-278a.

K. Social Media

Employees shall not comment on any case handled by the Division, whether pending or closed, on any social media site, without advance approval from the State's Attorney, the Chief State's Attorney or their designee. DCJ Policy No. 118 (Social Media). DCJ employees shall not post, transmit, or otherwise disseminate on social media sites any information to which they have access as a result of their employment at the Division. DCJ Policy No. 118. Employees are required to comply with all other aspects of the Division's social media policy.

L. State Contracts

Employees, immediate members of their families, or associated businesses shall not enter into contracts with the state valued over \$100, unless the contract is awarded through an open and public process. Gen. Stat. § 1-84(i). Employees are also prohibited from willfully or knowingly interfering with existing lobbying contracts or soliciting new lobbying contracts for or on behalf of any person. Gen. Stat. § 1-84(l).

M. Telework

Employees who are eligible to work remotely are responsible for knowing and abiding by all DCJ rules and policies governing the granting and use of a telework schedule and/or remote work arrangement. See DCJ Policy No. 309 (Division of Criminal Justice Remote Work Policy). While working remotely, employees are bound by all state and Division policies and practices as if they were working at their official duty station.

N. Use of Position / Financial Benefit

Employees shall not disclose confidential information obtained through the course of state employment to any other person for the financial benefit of themselves or any other person. Gen. Stat. § 1-84(c); DCJ Policy No. 113.

Employees shall not use his or her public office or position or any confidential information received through his holding such public office or position to obtain personal gain or for the financial gain of family members. Gen. Stat. § 1-84(c); DCJ Policy No. 113.

O. Workplace Relationships

An employee, volunteer, or intern must not supervise or be supervised by a family member or anyone with whom the individual has a dating relationship. DCJ Policy No. 110 (Workplace Relationships). Employees are required to promptly disclose certain familial and dating relationships set forth by agency policy so that the Division can take appropriate action to prevent or eliminate conflicts of interests and any actual or perceived impropriety or unethical conduct. DCJ Policy No. 110. Any relationship that

an employee is concerned might involve a conflict of interest or be improper should also be disclosed to the employee's supervisor. DCJ Policy No. 110.

III. PROSECUTORS

Prosecutors are not just advocates, but public servants bound to seek justice. In addition to the conduct set forth in Section I, therefore, prosecutors are required to comply with the Rules of Professional Conduct, the Connecticut Prosecution Standards, the Connecticut General Statutes, the Connecticut and United States Constitutions, and all obligations imposed upon them by the courts of the United States and the State of Connecticut.

IV. INSPECTORS

DCJ inspectors, due to the nature of their job duties and as trained law enforcement officers, engage in activities that implicate ethical considerations distinct from those that relate to prosecutors and state employees generally. In addition to the conduct set forth in Section I above, therefore, DCJ Inspectors are required to comply with the following.

A. General Duties, Compensatory Time, and Restricted Duty

DCJ inspectors shall perform their duties, including background and other investigations, in a diligent, timely, and confidential manner. In all coordinated law enforcement efforts, DCJ inspectors shall act cooperatively and courteously with other law enforcement entities, court officials, and government actors.

Inspectors shall comply with all rules and policies governing the use and payout of compensatory time. DCJ Policy No. 305 (Compensatory Time). Any inspector who returns to work after an injury or illness under the temporary modified/restricted duty policy shall comply with all requirements of that program. See DCJ Policy No. 314 (Temporary Modified/Restricted Duty Program for Inspectors).

B. Off-Duty Use of Assigned Vehicles

In addition to the provisions set forth in Section II.I. relating to state-owned or leased motor vehicles, inspectors are subject to specific rules and policies governing the off-duty use of assigned vehicles. DCJ Policy No. 408. Inspectors must know and abide by the restrictions that apply to off-duty use, including, but not limited to, staying within authorized geographical limits, unless the inspector is required to use the vehicle for travel on official business or advance approved is obtained from the applicable State's Attorney, Deputy Chief State's Attorney, or Chief Inspector. DCJ Policy No. 408.

C. Safety and Security

Ensuring and maintaining the physical safety and security of DCJ employees and the public is of paramount importance to the Division. DCJ inspectors shall discharge their

duties at all times safely and in a manner consistent with the law and DCJ policies. In addition, DCJ inspectors shall:

- comply with laws and Division policy governing the use of deadly and non-deadly physical force, including the reporting of incidents involving the use of force, and keep up to date on current law and DCJ policies concerning the same; DCJ Policy No. 501 (Use of Force);
- safely maintain, possess and store his or her firearms on and off-duty, and complete and keep current any and all required firearms trainings and qualification courses; DCJ Policy Nos. 501a (Firearms Training), 501b (Firearms Maintenance), and 501c (Possession & Security of Firearms);
- wear body armor in pre-planned operations, such as arrests and search warrant executions and portions of firearms training and other tactical training, and follow DCJ instruction on proper care and maintenance of body armor; maintain body armor in a secure place; and report any damage, theft or fit issue to the Chief Inspector within five working days; DCJ Policy No. 507 (Body Armor);
- comply with Division policy governing the use of force and oleoresin capsicum (O.C.) spray, including keeping up to date on current law concerning the use of force and O.C. spray, safely possessing and storing O.C. spray on and off-duty, and completing and maintaining any and all required trainings and qualification courses; DCJ Policy No. 508 (Use of Force and O.C. Spray);
- comply with Division policy related to the use, management, storage, and retrieval of video files generated from body worn cameras; DCJ Policy No. 519 (Body-Worn Recording Equipment Policy);
- respond in a safe manner to a report of an active shooter(s); DCJ Policy No. 513 (Active Shooter Response); and
- comply with any Division rules and manuals governing inspector travel for extradition and investigations.

Supervisory Inspectors. In addition to the above, supervisory inspectors shall ensure that:

- inspectors (1) receive and complete any required firearms and equipment training(s), including those related to the proper care and maintenance of the firearm(s) and equipment, and (2) maintain current qualifications; and
- DCJ employees who have access to and/or are certified to use secure criminal justice related databases and collections of information receive and complete all required trainings and maintain current certifications.

V. STATEMENTS OF FINANCIAL INTEREST

Certain DCJ employees are required to file an annual statement of financial interest (SFI) with the Office of State Ethics. See Gen. Stat. § 1-83. SFIs are due to the Office

of State Ethics on May 1st of each year and can be filed electronically through that agency's website. Gen. Stat. § 1-83(a).

Persons who may be required to file SFIs include "all persons in the Executive Branch and Quasi-Public Agencies who exercise (i) significant policy-making, regulatory or contractual authority; (ii) significant decision-making and/or supervisory responsibility for the review and/or award of State contracts; or (iii) significant decision-making and/or supervisory responsibility over staff that monitor State contracts." Each agency is responsible for designating which of its employees meets these standards. At DCJ, the Chief State's Attorney, Deputy Chief State's Attorneys, Executive Assistant State's Attorneys, Director of Financial Services, Director of Human Resources, Grants and Contracts Manager, and Director of Information Technology are required to file SFIs. Each person designated to file a SFI is personally responsible for accurately completing and timely filing his or her SFI with the Office of State Ethics.

The financial statement shall include: (A) the names of all businesses with which the employee is associated; (B) the category or type of all sources of income over one thousand dollars (specific amount not required); (C) the name of securities held by the employee or their family in excess of five thousand dollars; (D) the existence of any blind trust; (E) all real property and its location; (F) the names and addresses of creditors to whom the employee owes debts of more than ten thousand dollars (this information will not become public); (G) any leases or contracts with the state or quasi-public agencies; and (H) a description of any partnership, joint ownership or similar business affiliation between a business associated with the individual filing the statement, their spouse or dependent, and a lobbyist or a business associated with a lobbyist. Gen. Stat. § 1-83(b) & (c).

An employee who has been designated as a SFI filer who leaves his or her position at DCJ during the course of the year also must file a SFI covering that portion of the year during which such individual held his or her office or position. The Office of State Ethics will notify such individuals of this requirement no later than sixty days after they leave their office or position, and the individuals must file the SFI within sixty days after they receive notification. Gen. Stat. § 1-83(a)(1).

VI. POST STATE EMPLOYMENT

Employees shall not disclose or use confidential information gained in state service for anyone's financial gain except as permitted by law. Gen. Stat. §§ 1-84(c) & 1-84a. This is a lifetime prohibition.

The one year prohibition on former executive branch employees precluding them from representing someone for compensation before the agency in which they served concerning any matter in which the state has a substantial interest does not apply to

attorneys who are former DCJ employees, with respect to any representation in a matter under the jurisdiction of a court. Gen. Stat. § 1-84b(b).

VII. REPORTING ETHICS VIOLATIONS

Certain state officials are required to report to the Office of State Ethics if they have reasonable cause to believe that a person has violated the Code of Ethics for Public Officials. The Chief State's Attorney, Deputy Chief State's Attorneys, State's Attorneys, and Director of the Office of Ethics and Professional Standards (DCJ's Ethics Liaison Officer) are mandatory reporters. Additionally, any "person in charge of state agency procurement, contracting or human resources" are also mandatory reporters. At DCJ, the following positions are considered to be in charge of state agency procurement, contracting, or human resources, and, therefore, are deemed mandatory reporters under this provision: Director of Financial Services, Director of Human Resources, Director of Information Technology, and Labor Relations Administrator.

If any other DCJ employee has questions or concerns about potentially unethical conduct by any person, he or she should immediately contact his or her supervisor, State's Attorney, or the Director of the Office of Ethics and Professional Standards.

Prosecutors have the additional responsibility to respond to professional misconduct that has, will, or has the potential to interfere with the proper administration of justice, and must know and abide by all DCJ reporting requirements. See Connecticut Prosecution Standards 1-1.6 (Duty to Report and Respond to Misconduct of Others). A prosecutor's failure to report known misconduct may itself constitute a violation of the prosecutor's professional duties and this policy.

VIII. 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 DCJ. Regardless of whether outside sanctions occur, DCJ retains the right to independently review and respond administratively to ethics violations. The conduct of the review and response will be in accordance with contractual and regulatory guidelines.

IX. ETHICS LIAISON

DCJ has an ethics liaison officer, the Director of the Office of Ethics and Professional Standards, who is responsible for coordinating appropriate training programs, monitoring agency policies relevant to ethics compliance, making referrals to and serving on DCJ's 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 affecting state employees.

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. If further advice is required, employees may be referred to the DCJ Ethics Committee or to the Office of State Ethics.

X. DISSEMINATION OF THE POLICY AND OTHER ETHICS MATERIALS

A copy of this policy will be provided to all current and newly hired DCJ employees. This policy will also be posted on the DCJ website, and in a prominent location in each office. Portions of the Code of Ethics addressing post-employment restrictions will be provided to each DCJ employee before he or she leaves state service.

XI. CONCLUSION

All DCJ employees should avoid situations that are ethically questionable or that may give the appearance of being ethically questionable.

Employees are strongly encouraged to contact their supervisor, State's Attorney, and/or the Director of the Office of Ethics and Professional Standards with any questions about this policy or state law governing ethical issues. Employees may also contact the Office of State Ethics directly at Office of State Ethics, 165 Capitol Avenue, Suite 1200, Hartford, CT 06106, (860)263-2400, ose@ct.gov.

All reports made to DCJ's Director of the Office of Ethics and Professional Standards will be kept confidential to the extent permitted by law, and only those with an absolute need to know will be notified of the identity of any individual reporting questionable behavior.

DCJ strictly forbids retaliation against employees who make reports or who participate in internal or external investigations of any kind.

Rev. 6/2023