Citizen’s Guide:
Filing an Ethics Complaint

Office of State Ethics
Carol Carson, Executive Director
Agency Address: Connecticut Office of State Ethics  
18-20 Trinity Street  
Suite 205  
Hartford, CT  06106  

Telephone: 860-263-2400  
Facsimile: 860-263-2402  
Website: www.ct.gov/ethics  

Business Hours: 8:00 am to 5:00 pm  

Visitors must enter the building through the door next to the Bushnell Memorial Theater.  

Specific E-mail Contacts: For the timeliest responses, please be sure to direct your questions to the appropriate e-mail address; for example, with a question such as, "Can I accept this outside position with a vendor?" please be sure to send your query to ethics.code@ct.gov  

- Legal Advice Regarding Code of Ethics  
- Lobbyist Filing/Reporting Questions  
- Public Official Filing/Reporting Questions  
- Enforcement/Filing a Complaint  
- All Other Inquiries  

Staff Phone Number Listing
# Citizen’s Guide to Filing an Ethics Complaint

## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of State Ethics</td>
<td>2</td>
</tr>
<tr>
<td>Mission</td>
<td>2</td>
</tr>
<tr>
<td>Statutory Responsibility</td>
<td>2</td>
</tr>
<tr>
<td>Filing a Complaint</td>
<td>3</td>
</tr>
<tr>
<td>What Constitutes a Formal Complaint?</td>
<td>3</td>
</tr>
<tr>
<td>Office of State Ethics Jurisdiction</td>
<td>4</td>
</tr>
<tr>
<td>Proper Complaint Form</td>
<td>4</td>
</tr>
<tr>
<td>Complaint: Process and Stages</td>
<td>4</td>
</tr>
<tr>
<td>Complaint Procedures</td>
<td>4</td>
</tr>
<tr>
<td>Complaint Timeframes</td>
<td>5</td>
</tr>
<tr>
<td>Penalties and Other Actions</td>
<td>6</td>
</tr>
<tr>
<td>Statute of Limitation</td>
<td>6</td>
</tr>
<tr>
<td>Confidentiality</td>
<td>6</td>
</tr>
<tr>
<td>Overview</td>
<td>6</td>
</tr>
<tr>
<td>Publication of Findings</td>
<td>7</td>
</tr>
<tr>
<td>No Probable Cause</td>
<td>7</td>
</tr>
<tr>
<td>Probable Cause</td>
<td>7</td>
</tr>
<tr>
<td>Complaint Form</td>
<td>8</td>
</tr>
</tbody>
</table>
OFFICE OF STATE ETHICS

Created on July 1, 2005, under Public Act 05-183, the Office of State Ethics (“OSE”) is an independent regulatory division of the Office of Governmental Accountability charged with administering and enforcing the Connecticut Codes of Ethics (“Ethics Codes”), which are found in Chapter 10 of the Connecticut General Statutes.

The OSE’s duties include educating all those covered by the Ethics Codes; interpreting and applying the Ethics Codes; investigating violations of, and otherwise enforcing, the Ethics Codes; and providing information to the public.

The OSE’s jurisdiction:

**Part I**  
Code of Ethics for Public Officials  
General Statutes §§ 1-79 to 1-90a

**Part II**  
Code of Ethics for Lobbyists  
General Statutes §§ 1-91 to 1-101a

**Part III**  
Lobbying: Miscellaneous Provisions  
General Statutes §§ 1-101aa and 1-101bb

**Part IV**  
Ethical Considerations Concerning Bidding and State Contracts  
General Statutes §§ 1-101mm to 1-101rr

**Mission**

_The mission of the Office of State Ethics is to practice and promote the highest ethical standards and accountability in state government by providing education and legal advice, ensuring disclosure, and impartially enforcing the Codes of Ethics._

**Statutory Responsibility**

The statutory responsibilities of the Office of State Ethics are broken down into four main categories: education, interpretation, enforcement and disclosure. Investigation and prosecution of complaints are the responsibility of the Ethics Enforcement Officer, who heads up the Enforcement Division of the Office of State Ethics.
Citizen’s Guide to Filing an Ethics Complaint

FILING A COMPLAINT

What Constitutes a Formal Complaint?

Enforcement of the Codes is initiated by a complaint, filed by the Ethics Enforcement Officer or by any member of the public. Where the Ethics Enforcement Officer files a complaint, it is typically preceded by a confidential staff evaluation conducted by the Enforcement Division of the Office of State Ethics.

A complaint from a member of the public must comply with certain requirements.

It must:

- Be filed on the proper Office of State Ethics complaint form, as prescribed by the Citizen’s Ethics Advisory Board;
- Contain an original signature (signed under penalty of false statement);
- Be delivered or mailed to the Office of State Ethics at 18-20 Trinity Street, Hartford, CT 06106;
- Clearly set forth facts that, if true, would constitute a violation of the Ethics Codes; and,
- Identify a respondent (the person who is the subject of the complaint) with enough particularity that the complaint may be served on him or her.

In filling out the complaint form, it is best to complete the requested information with as much detail as possible, so that the Enforcement Division of the Office of State Ethics may properly investigate. In other words, your complaint form should:

- If possible, cite to the specific statute or provision that is believed to have been violated;
- Clearly identify any known witness to the alleged violation or other persons with knowledge of the alleged violation;
- Include any documentation supporting the allegations, if available (listed and attached as “Exhibit 1,” “Exhibit 2,” and so on); and
- Identify the source of any statements made in the complaint that are not based on personal knowledge, when possible.

Note: The Enforcement Division receives many “tips” for review, but only a formal complaint initiates a formal action. A formal complaint is not an e-mail, a telephone call, a written statement on paper that is not the proper form, a form that is sent via fax or e-mail, an anonymous statement, or a form without the full name, address and phone number of the complainant (the person filing the complaint).

---

1 In addition to the complaint process described herein, the Office of State Ethics may enforce ethics filing requirements for lobbyists and public officials through an administrative hearing process. For these hearings, no complaint is filed and the action can only be initiated by the Office of State Ethics. For more information about the forms that must be filed by lobbyists and public officials, and the penalties for non-filing, the Office of State Ethics also publishes a number of guides relating to lobbyists and public officials.
Office of State Ethics Jurisdiction

All state officials and employees (except judges) are covered by Part I of the Code of Ethics for Public Officials. General Statutes §§ 1-79 – 1-90a. Certain provisions of the Code also apply to public officials and state employees after they leave state service. These laws were enacted to prevent individuals from using their public position or authority for personal financial benefit.

Lobbyists are covered by Part II of the Code of Ethics. General Statutes §§ 1-91 – 1-101a. Lobbying is generally defined as communicating directly, or soliciting others to communicate, with any official or his/her staff in the legislative or executive branch of government or in a quasi-public agency for the purpose of influencing any legislative or administrative action.

Current or potential state contractors are covered by Part IV of the Code of Ethics. General Statutes § 1-101nn specifically covers willful violation or attempts to circumvent state competitive bidding procedures and ethics laws. Consultants and independent contractors are covered by General Statutes § 1-86e.

Relevant statutes and regulations are available in hard copy by contacting the Office of State Ethics and are also available on our website at www.ct.gov/ethics.

Note: The Office of State Ethics does not have jurisdiction over local or municipal issues, or over individuals who are not state employees, public officials, registered lobbyists, or otherwise regulated by the Codes of Ethics.

Proper Complaint Form

A complaint must be received on the proper complaint form.

The form can be obtained:

- In person at the Office of State Ethics at 18-20 Trinity Street in Hartford, CT;
- by contacting us at 860-263-2400;
- from our website, www.ct.gov/ethics; or
- at the end of this publication.

COMPLAINT: PROCESS AND STAGES

Complaint Procedures

The filing of a complaint triggers the following three-step process:

1. Enforcement Division conducts a preliminary investigation, which may include informal interviews, documentary review, subpoenas for documents and testimony under oath, and legal analysis;
2. Upon completion of the preliminary investigation, if the Enforcement Division believes that a violation has occurred as alleged in the complaint, a probable cause hearing may be held before a judge trial referee. Both the Enforcement Division and the respondent have the right to ask for a probable cause hearing at any point during the preliminary investigation;

3. Following a probable cause hearing, if the judge trial referee finds there is probable cause to believe a violation has occurred, the case is presented for administrative trial, at which a different judge trial referee presides, with the Citizen’s Ethics Advisory Board serving as the jury. (If the Board decides after a hearing that a violation has occurred, the respondent may appeal the decision to the Superior Court.)

During all parts of the process, the respondent has the right to counsel and, in the course of any hearing, has the right to attend and challenge the evidence presented against him or her. At any stage of this process, the Enforcement Division and the respondent may attempt to negotiate the terms of an agreed order to settle the matter.

Complaint Timeframes

Complaint Hearing Chart

| After A Complaint Is Issued |
| Or Ethics Enforcement Officer Requests Probable Cause Hearing (CONFIDENTIAL) |
| Probable Cause Hearing Held Before Judge Trial Referee (JTR) (CONFIDENTIAL) |
| JTR Issues Decision On Probable Cause |
| If JTR Finds No Probable Cause Complaint Is Closed And Remains Confidential |
| If JTR Finds Probable Cause, Finding Is Made Public Within 5 Days |
| JTR Presides Over Board Hearing Board Must Complete Hearing in 90 Days |
| Board Issues Findings & Memo Of Reasons Within 15 Days |
| Respondent May Appeal Board Decision to Superior Court |

- Must begin within 120 days of respondent’s request.
- If noticed by OSE, respondent gets no less than 45 days’ notice.
- List of OSE witnesses due to respondent 10 days before hearing.
- List of Respondent’s witnesses due to OSE 3 days prior to hearing.
- OSE may postpone public finding for 14 days if negotiating settlement
- Board must begin hearing within 30 days of Probable Cause Finding
- List of OSE witnesses due to respondent 10 days before hearing.
- List of Respondent’s witnesses due to OSE 3 days prior to hearing.
PENALTIES AND OTHER ACTIONS

After a finding or admission of a violation, the Citizen's Ethics Advisory Board can order the respondent to:

1. **Comply** with the Code in the future;
2. **File** any required report or statement; and/or
3. **Pay** a civil penalty of up to $10,000 per violation.

The Citizen’s Ethics Advisory Board may also revoke a lobbyist’s registration for up to two years upon a finding that the lobbyist has violated the Code of Ethics for Lobbyists. In addition, a contractor who is found in violation of Part IV of the Code of Ethics may be banned from doing business with the state.

The Office of State Ethics may refer matters to the Chief State’s Attorney for criminal prosecution. An intentional violation of the Code is a misdemeanor for the first violation, unless the individual has derived a financial benefit of at least $1,000. In that case, the violation is a class D felony.

The Attorney General may sue to recover any financial gain received by the respondent through knowingly committing or knowingly profiting from certain violations of the Code.

*If a false complaint (without foundation in fact) is knowingly made, the respondent may have a cause of action against the complainant for double the amount of damage caused by the complaint. The respondent may also be awarded court costs and attorneys’ fees. General Statutes §§ 1-82 (c) and 1-93 (c).*

Statute of Limitations

A complaint cannot be prosecuted if it is filed **five years** or more after the violation alleged in the complaint has been committed.

CONFIDENTIALITY

Overview

Any complaint filed by or with the Office of State Ethics is **confidential** except:

- After a judge trial referee makes a finding of probable cause (a determination by a judge trial referee that there is probable cause to believe that a public official, state employee, or lobbyist has violated a provision of the Codes);
- Upon request of the respondent; or
- Upon an agreed resolution of the matter by consent order.
Likewise, any investigation conducted prior to finding of probable cause remains confidential except upon the request of the respondent. This means that the allegations in the complaint and any information supplied to or received from the Office of State Ethics during the investigation may not be disclosed to any third party.

**Note:** While the investigation is still confidential, no one – the complainant, respondent, witnesses, designated party, Citizen’s Ethics Advisory Board member, Office of State Ethics staff member – may disclose that a complaint has been filed, or any information related to the investigation of the complaint. Violation of the confidentiality statutes may be prosecuted as a violation of the Codes of Ethics.

(See [Advisory Opinion 2007-9](#), which details these confidentiality requirements while keeping a complainant’s right to disclose the facts that formed the basis of the complaint.)

### Publication of Findings

If, during the preliminary investigation of a complaint, the Enforcement Division finds no probable cause to believe there has been a violation of the Codes, the investigation will be terminated and the complaint dismissed. Within three days after an investigation has been terminated, the Enforcement Division will inform both complainant and respondent of its finding and provide each the summary of its reasons for making that finding. Upon the respondent's request only, the Office of State Ethics may publish the findings and the accompanying summary.

### No Probable Cause

If the Enforcement Division, following an investigation, believes that a violation of the ethics laws has occurred, the Division will bring the matter before a judge trial referee to conduct a confidential probable cause hearing. Following a probable cause hearing, if a judge trial referee makes a finding that there is no probable cause to believe that a violation has occurred, the initial complaint and all related Office of State Ethics records will remain confidential, except upon the request of the respondent. No party involved may disclose any details of the investigation, including knowledge of the existence of the complaint itself.

### Probable Cause

Following a probable cause hearing, a judge trial referee has thirty days to render a finding. If a judge trial referee makes a finding that there is probable cause to believe that a violation has occurred, that finding must be made public within five days. This means that the entire record of the investigation will become public, unless the Office of State Ethics postpones release of records for up to two weeks for the purpose of attempting to reach a consent order or settlement.

**Note:** While all parties must maintain confidentiality, the Enforcement Division of the Office of State Ethics is permitted by law to report, at any time, the possible commission of a crime to the Chief State’s Attorney or another prosecutorial authority.
CONFIDENTIAL

Office of State Ethics
18-20 Trinity Street, Suite 205
Hartford, Connecticut 06106-1660

COMPLAINT

I wish to register a complaint alleging a violation of:

[ ] The Code of Ethics for Public Officials and State Employees, Chapter 10, Part I, General Statutes
(if possible, please note the specific code section here: _______________________________

[ ] The Code of Ethics for Lobbyists, Chapter 10, Part II, General Statutes
(if possible, please note the specific code section here: _______________________________

[ ] The Code of Ethics for State Contractors, Chapter 10, Part IV, General Statutes
(if possible, please note the specific code section here: _______________________________

Name(s) and address(es) of respondent(s) (i.e., person(s) or organization(s) in alleged violation of the Code of
Ethics):

Name:
Street Address:
City: State: Zip:

Name:
Street Address:
City: State: Zip:

Name:
Street Address:
City: State: Zip:

The respondent(s) allegedly violated the Code of Ethics as follows (please be as specific as possible with regard to
time, place, actions, and other persons involved):

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

Page 1 of 2 (GV)
Complainant’s contact information:
Name: ________________________________________________________________
Street Address: __________________________________________________________
City:__________________________ State:______________ Zip:________________
E-mail:_________________________________________________________________
Phone:_________________________________________________________________

I hereby certify under penalty of false statement that the foregoing statement describing a possible violation of the designated Code of Ethics is true and accurate to the best of my knowledge and belief.

Signature:__________________________ Date:__________________________

NOTE:

1) This complaint will not be considered filed without the name, address, and original signature of the Complainant. Mail or hand-deliver this complaint to:

   Office of State Ethics
   18-20 Trinity Street, Suite 205
   Hartford, CT 06106

   Complaints will not be accepted electronically or by fax.

2) Once filed, this complaint may not be withdrawn by the Complainant except with permission of the Citizen’s Ethics Advisory Board.

3) In addition to the criminal penalties that may be imposed upon a Complainant who, under penalty of false statement, knowingly files a false complaint, the Code of Ethics provides that if any complaint is made with the knowledge that it is without foundation in fact, the person against whom the complaint is made (the Respondent) has a cause of action against the Complainant for double the amount of damages caused. If the Respondent prevails in the action, the cost of the action together with reasonable attorney fees may also be awarded to the Respondent by the court.

4) The Office of State Ethics’ preliminary investigation of a complaint is confidential unless the Respondent requests that it be open. Unless the Office of State Ethics advises you otherwise, the allegations in the complaint and any information supplied to or received from the Office of State Ethics may not be disclosed to any third party by the Complainant, Respondent, witness, designated party, Office of State Ethics staff member(s), or the Citizen’s Ethics Advisory Board.