

Sec. 1-92-24. Evaluations

(a) Prior to the filing of a complaint, the ethics enforcement officer may conduct an evaluation of any person or entity for the purpose of determining whether there is probable cause to believe that the person or entity has violated the Codes of Ethics. An evaluation may begin at any time that the enforcement division has reasonable suspicion that a violation of the Codes of Ethics has occurred, but in any event no later than the date on which the enforcement division contacts a third party for information regarding the subject of the investigation.

(b) During the course of an evaluation, the ethics enforcement officer may request information, including documents from any person believed to be in possession of information relevant to the evaluation. The ethics enforcement officer or his or her designee may, during the course of an evaluation, meet with any person believed to be in possession of relevant information, conduct investigative or research tasks as deemed necessary and appropriate, and may otherwise collect information and evidence from the potential respondent(s) and other potential witnesses.

(c) Within five business days after the enforcement division of the Office of State Ethics first has contact with a third party that involves the disclosure of information concerning the matter sufficient to permit identification of the subject, notice shall be given to the subject of the evaluation as required by section 1-82(a) or section 1-93(a) of the Connecticut General Statutes. The notice shall state the fact of the evaluation; advise that the evaluation is confidential unless the subject requests in writing that it be public; and, in general terms, identify the possible violation or violations of the Codes of Ethics under review.

(d) The ethics enforcement officer may terminate any evaluation upon his or her determination that there is not probable cause to believe that a violation of the Codes of Ethics has occurred. If, prior to such determination, a notice of evaluation has been given to the subject of the evaluation pursuant to subsection (c) of this section, the ethics enforcement officer shall, upon his or her determination of no probable cause, notify the subject that the evaluation has been terminated.

(e) Any investigation conducted as a result of reports received by the enforcement division pursuant to section 1-101pp of the Connecticut General Statutes shall be deemed to be an evaluation of the person or entity about whom the report is made. The enforcement division's receipt of information from a report filed pursuant to section 1-101pp of the Connecticut General Statutes shall not be deemed to be contact with a third party pursuant to sections 1-82(a) or 1-93(a). The confidentiality provisions of section 1-82a of the Connecticut General Statutes shall not apply to the reporting agency's subsequent disclosure of information to: (1) the Auditor of Public Accounts; (2) the Chief State's Attorney; (3) the Attorney General; (4) the United States Attorney; (5) to others within the reporting agency, where the failure to do so would substantially impair the agency's ability to operate; or (6) any other person that is entitled, by statute or court order, to receive such information. Nothing herein shall prohibit the reporting agency from conducting normal, legal business relations with the subject of a report.

(Effective February 27, 1986; Amended January 2, 2008; Amended June 24, 2009; Amended May 11, 2023)