



TOWN OF ENFIELD
ETHICS COMMISSION

GENERAL INFORMATION
AND
FREQUENTLY ASKED QUESTIONS (FAQ)

Overview:

The Ethics Commission was established in accordance with the provisions of Section 7-148h of the CT General Statutes. The Commission is empowered to investigate allegations of unethical conduct, corrupting influence, illegal activities or other behavior that would reflect adversely against the Town of Enfield, levied against any municipal official, officer or employee.

Mission Statement:

The mission of the Ethics Commission is to promote the highest ethical standards and accountability in municipal government by providing information and advice, ensuring disclosure, and impartially enforcing the Town's Code of Ethics.

What is a Complaint?

Enforcement of the Code of Ethics is initiated by a Complaint, filed by any member of the public. All Complaints undergo due process procedures outlined in Section 2-125 of the Code of Ethics. A Complaint must comply with certain requirements including;

- *Contain an original signature and signed under penalty of false statement;*
- *Clearly set forth facts that, if true, would constitute a violation of the Ethics Codes;*
- *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.*

Are Complaint findings public record?

Filed Complaints are confidential pursuant to C.G.S. § 1-82a. This includes any subsequent investigation conducted by the Commission. Confidentiality may be waived by the Respondent at any time. Upon termination of an investigation with a finding of "no probable cause," there is no publication, posting or release of information. If the Commission votes on a finding of "probable cause," a Hearing is held in open session as per Section 2-125(c) of the Code of Ethics. During this session, the entire record of the investigation may become public.

What is an advisory opinion?

Where any public official or municipal employee has a doubt as to the applicability of any provisions of the Code of Ethics to a particular situation or as to the definition of terms used herein, they may request an advisory opinion as per Section 2-129(l). Such opinion until amended or revoked, shall be binding on the town, public officials and municipal employees in any subsequent actions concerning the public official or municipal employee who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the advisory opinion. Any advisory opinion issued by the Ethics Commission shall be made publicly available where such disclosure will not violate the law.

Does the Commission provide legal advice?

No. The Commission may provide Informal Ethics Opinions at its discretion when the ordinance is determined to be explicit or a precedent is available from a previous Complaint or advisory opinion. Public officials and town employees may be referred to the Town Attorney or Human Resources Department for other matters not deemed covered under the Code of Ethics.

What jurisdiction does this Commission have?

Section 2-123 of the town code grants the Commission general powers over any municipal official, officer or employee. This includes public officials and municipal employees, whether elected or appointed, paid or unpaid. Allegations or complaints concerning sworn police officers and animal control officers, excluding all officers above the rank of lieutenant, received by the commission will be referred to the Director of Public Safety for investigation and disposition in accordance with the procedures authorized in the Enfield Police Manual and Chapter V, Section 10 of the Town Charter. A record of such referrals will be maintained by the Commission. The Chief of Police will notify the Director of Public Safety and the Commission of the results of such investigation and final disposition of the matter.

Who sits on the Commission?

The Commission is comprised of seven resident electors, none of whom shall serve the town in any other capacity, either as an elected or appointed member of a commission or board or be town employees or employees of the town board of education. All appointments to the Commission shall be for overlapping terms of two years by majority vote of the town council. No member of the Commission shall (i) hold or seek any public office or any office in a political party or political committee or be a paid lobbyist or salaried employee of any organization or association organized primarily for the purpose of influencing legislation or decisions of public agencies, nor (ii) shall have been so employed or engaged for a one-year period prior to his appointment.

What is the requirement for quorum?

The establishment of the Commission specifies five (5) regular members and two (2) alternate members. No more than five members shall ever vote on any decision of the Commission. Three (3) is the absolute minimum to conduct any business other than a Hearing (Reference; Town Attorney ILO 2016-11). The ordinance requires that any Hearing shall be conducted with no less than four members of the commission in attendance.

When does the Commission meet?

The Commission holds Regular meetings on 4th Monday of alternating months. Meetings are held at Town Hall. Special and Emergency meetings may be conducted as determined by the Commission. Minutes and Agendas are public record and posted through the Town Clerk's office. Meetings are open to the public unless confidentiality requires executive session.

CONTACT US:

All written correspondence should be delivered or mailed to the address below.

Enfield Ethics Commission
C/O Town Manager's Office
820 Enfield Street
Enfield, CT 06082

Additional information or informal requests may be communicated via email.

EthicsCommission@Enfield.org

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