



LEGAL & ETHICS

CONFERENCE

WELCOME

12th ANNUAL



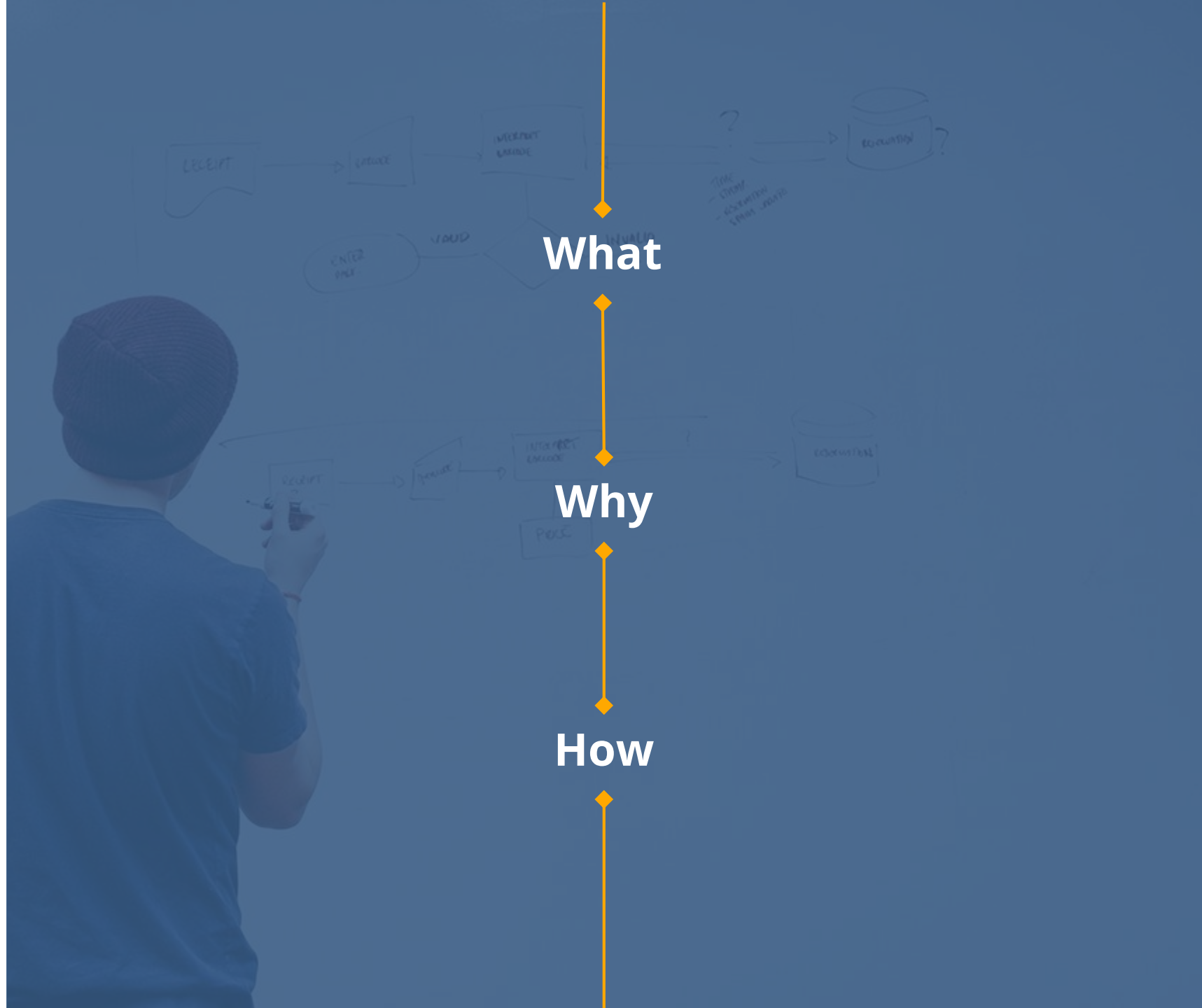
NOVEMBER 14, 2019

The background of the slide features the Indiana State Seal, which includes a central torch with a flame, surrounded by a wreath. Above the torch, the word "INDIANA" is written in an arc. The seal is set against a golden-yellow background with a pattern of stars and rays. A dark blue vertical bar is on the left side of the slide.

BACK TO BASICS

The Role of the Inspector General in Promoting Public Integrity

WHAT



What

Why

How

The background of the slide is a faded, blue-tinted image of the Indiana State Capitol building, featuring a large central dome and several smaller domes on either side. The building is set against a light blue sky.

WHAT is the Indiana Inspector General?

STATE

EXECUTIVE

05-03

EXECUTIVE ORDER

FOR: CREATION OF THE OFFICE

TO ALL WHOM THESE PRESENTS MAY COME

WHEREAS, Hoosiers deserve to know the truth about the state government because of gifts, political contributions, and other improper influences;

WHEREAS, it is imperative that clear ethical guidelines be established so that state employees meet the high standards of public service;

WHEREAS, the federal government and the

In the Beginning. . . Executive Order 05-03

•Governor Daniels' vision – "Hoosiers deserve to know that **government decisions are being made in the public interest. . .**"

•Modeled after federal offices of Inspectors General, which are agency specific at the federal level

•Serve as a public watchdog on behalf of taxpayers and citizens for state government

•Root out fraud and ethical misconduct

•Clear guidelines, the highest standards of ethical conduct and they should be rigorously enforced

IC § 4-2-7

Indiana Code 4-2-7-2 Creation of IG

- There is established the office of the Inspector General
- Consists of the Inspector General and staff
- Responsible for addressing **fraud, waste, abuse, and wrongdoing** in agencies
- Governor appoints the Inspector General

2005 HB 1002

IC § 4-2-7

Jurisdiction of the Inspector General

- Employees of state agencies
 - includes bodies corporate and politic
 - includes public universities
- Elected state officers
- Special state appointees
 - includes every conceivable board, commission, authority, etc.
- Persons with a business relationship with the State

IC § 4-2-7

Jurisdiction of the Inspector General does NOT include:

- The judicial department of state government
- The legislative department of state government
- A political subdivision
 - county, city, town, township, school district, etc.

IC § 4-2-6

Indiana Code 4-2-6-2 Creation of the State Ethics Commission in 1974

- There is established the State Ethics Commission
- 5 members
- Appointed by the Governor for 4 year terms
- Role is to:
 - act as an advisory body
 - receive and hear complaints filed by IG
- Ultimate Authority on interpretation of the Code
 - No appeal, no judicial review

IC § 4-2-6

Jurisdiction of the State Ethics Commission

- Employees of state agencies
 - includes bodies corporate and politic
- Elected state officers
- Special state appointees
 - includes every conceivable board, commission, authority, etc.
- Persons with or seeking a business relationship with the State

IC § 4-2-6

Jurisdiction of the State Ethics Commission does NOT include:

- The judicial department of state government
- The legislative department of state government
- A political subdivision
 - county, city, town, township, school district, etc.
- A state educational institution****

IG Office Structure



IG Independence

Appointed by the Governor

Not subject to removal except for

- Malfeasance
- Misfeasance
- Nonfeasance or Neglect of Duty

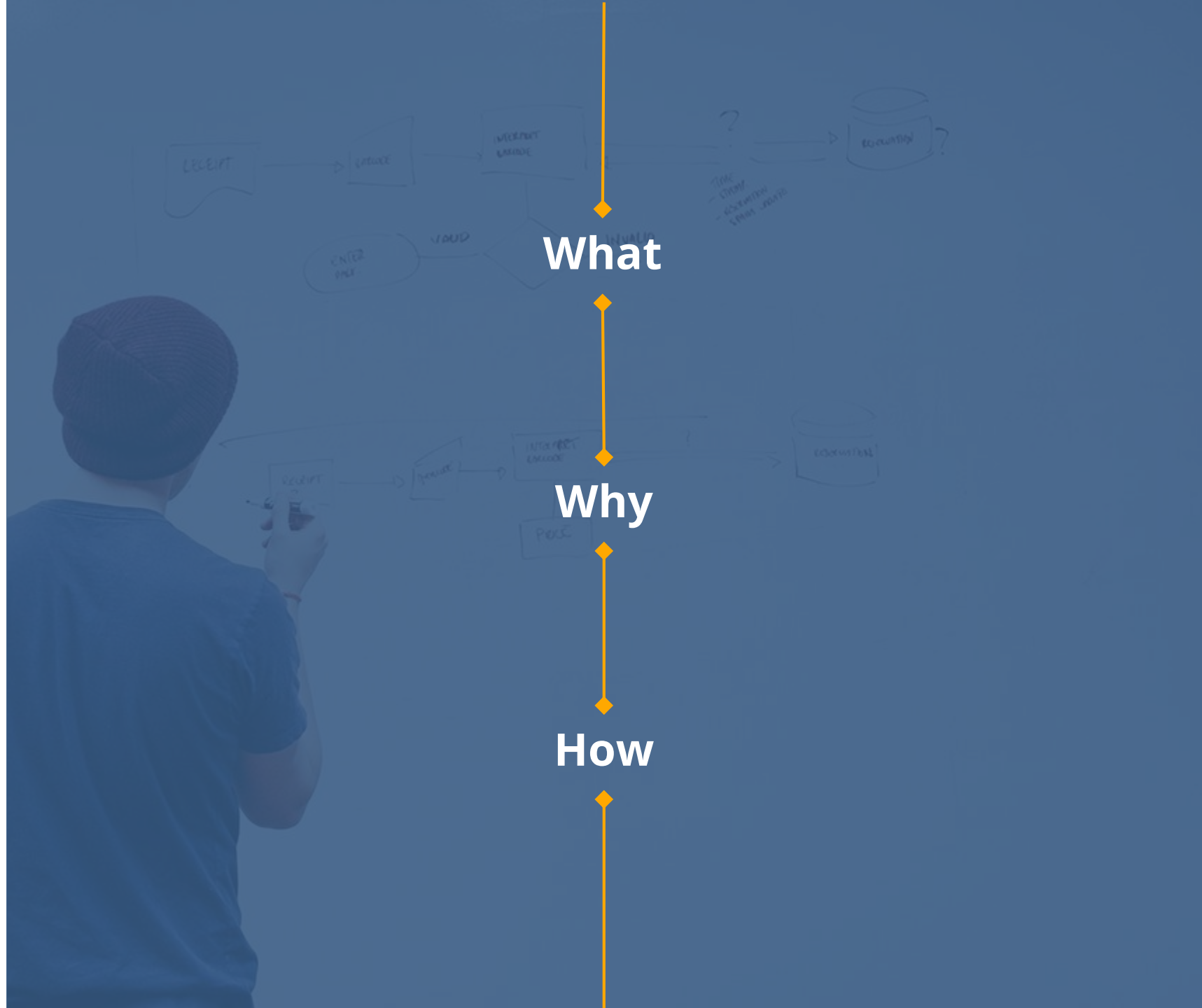
Compensation can't be reduced

MISSION

MISSION

The mission of the Inspector General and staff is to reduce fraud, waste, abuse, mismanagement and wrongdoing in state executive branch agencies. Through education, advice, investigations, prosecutions and legislative recommendations, the Inspector General fosters a culture of integrity that contributes to public confidence in state government.

WHY



What

Why

How



WHY was the Office of Inspector General created?

Hoosiers deserve to know that government decisions are being made in the public interest, not because of gifts, political contributions, or undue influence;

...

It is imperative that clear ethics guidelines be developed and rigorously enforced to ensure that all state employees meet the highest standards of conduct;

- Executive Order 05-03



Economists have long studied the effects of corruption. In dozens of studies across different times and place the same sorts of findings emerge. Corrupt places grow more slowly than honest ones. Corruption reduces employment and investment as businesses see greater risk from dishonest dealings. Corruption siphons off tax dollars, leaving infrastructure in disrepair.

Corrupt places have schools with fewer resources and students suffer as a result.

Prof. Michael Hicks, Ball State University
May 2017. Photo by
<https://apgovernmentmidterm.wikispaces.com/Federalism-+Sidlauskas>

In short, abundant economic research confirms the common sense notion that corruption robs a place of its economic vitality while condemning its residents to poor public services and dismal opportunities. In the end, public corruption steals from innocent residents the chance to build wealth in their homes, educate their children and work towards the American dream.



“High levels of public debt can threaten the fiscal health of a government by placing a long-term claim on the resources available ... and reducing the scope for supporting other important service demands.”

—Corruption and State and Local
Government Debt Expansion
Liu, Moldogaziev and Mikesell, January 2017

Let's Define Corruption

Misuse

Public Office

For Private Gain



Crimes involving abuses of public trust by government officials.

-U.S. DOJ

Accepting bribes

Awarding government contracts to vendors without competitive bidding

Accepting kickbacks from private vendors for government business

Overstating travel expenses or hours worked

Selling confidential information

Using government credit cards for personal purchases

Falsifying official documents

Theft of government property like computers, fuel, equipment, furnishings, supplies

Mail or Wire fraud

Extortion

Robbery

Soliciting bribes by police officers

Narcotics offenses

Smuggling illegal aliens

Sexual misconduct

Image by Pixabay.com



Impacts of Corruption on a Community's Economic Vitality

States with greater instances of public corruption have higher aggregate levels of state and local debt.

Corruption affects bond pricing

Corruption affects government credit risk

Corruption impacts long term debt more so than short term debt

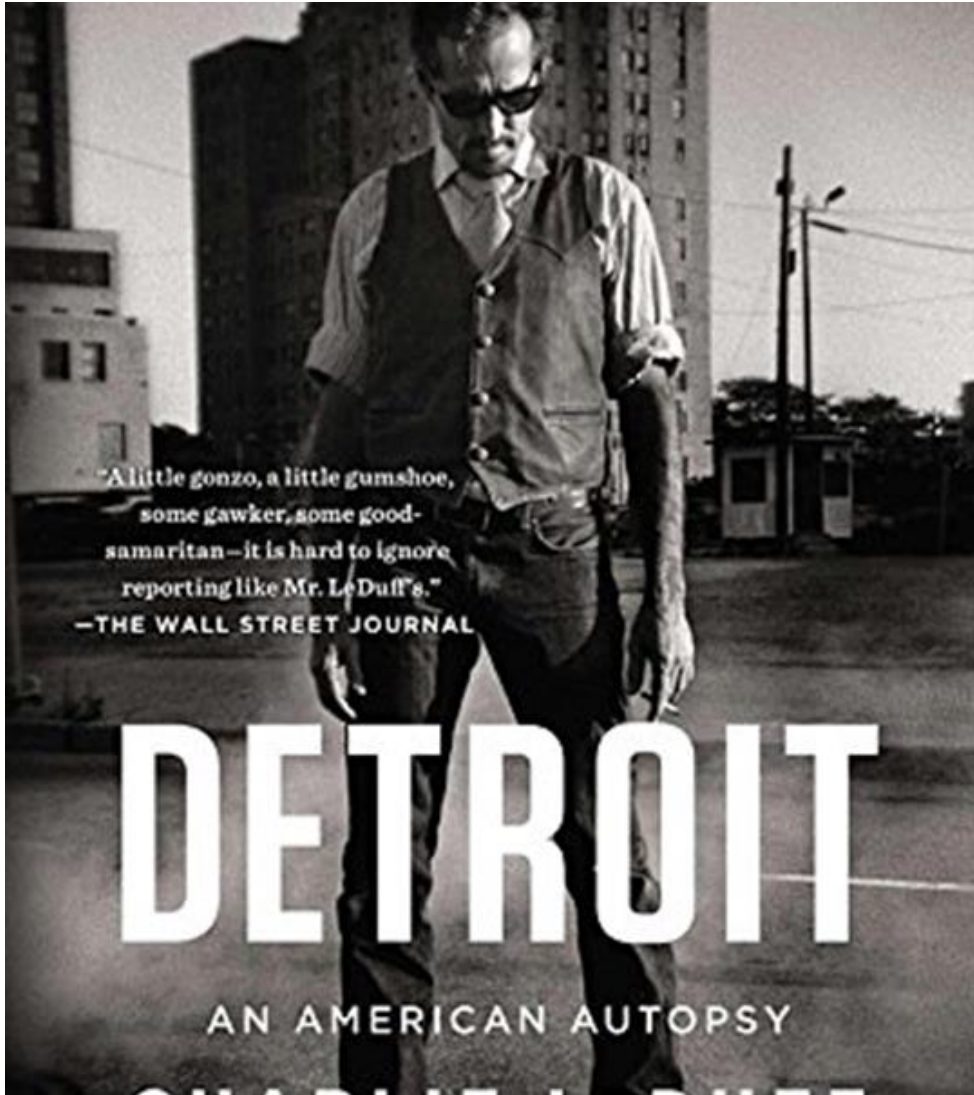
Private purpose debt is more susceptible to public corruption

Impacts of Corruption on a Community's Economic Vitality

Misuse of public office for private gain

From Clerk Treasurers to Building Commissioners to Sheriffs to Mayors and Legislators and beyond





Detroit, An American Autopsy By Charlie LeDuff

A story about the fall of the
Motor City



Real Issues in Indiana Communities

Sullivan Utility Clerk took customer payments and posted to her own utility account. \$686
Prosecutor has case.

Centerville Utility Clerk recorded customers' overpayments to family accounts \$950.
Prosecutor has case.

Guthrie Township Trustee paid himself > \$10,000 of undocumented reimbursements. Felony charges of Theft & Official Misconduct pending.



Real Issues in Indiana Communities

Chief of the Patriot VFD charged with Theft and Official Misconduct – 40 personal elec bills, satellite bills, groceries, restaurants - \$50K 2014 - 2018

Martinsville Chief of Police arrested for submitting false vouchers for unearned sick and overtime pay - \$8,000

Wolcott Clerk Treasurer – Theft \$7,000 paid personal expenses

Evansville State Hospital business administrator stole patient funds \$12,000. Convicted of Theft and Official Misconduct

Whiteland VFD Sec/Treas stole \$60K in public funds for personal expenses

Yorktown Utility Clerk failed to deposit \$1,770 of utility collections



Real Issues in Indiana Communities

Clerk of Olive Township
– paid her elec bills with
Twshp \$

Wabash City Waste
Water billing clerk who
stole \$152,000 over 4 yrs

Wayne Twshp Fire Dept.
Treasurer cash w/d 226
times over 4 yrs

Greene County
Solid Waste
Mangmt \$2400 cash
w/d or not deposited

Clerk Treasurer of
Town of Kennard
paid her utility bills
from town \$ and did
not deposit cash
over 5 years

Marion County Treas.
employee in 1 month
collected and did not
report or deposit \$3,155

Fayette and Hendricks
Co. elementary schools
– book fair money and
other receipts never
deposited \$3800 and
\$17,000 respectfully

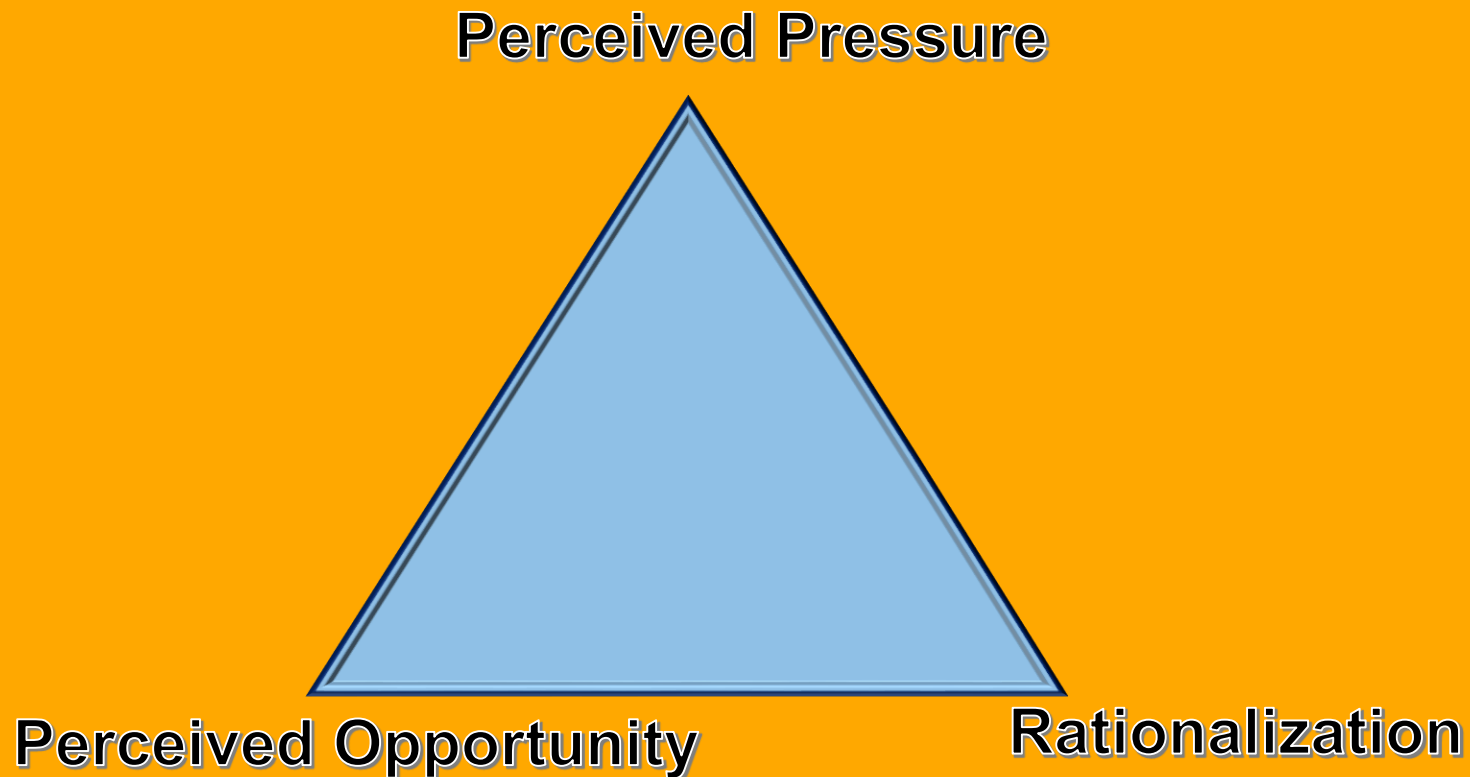
Yorktown Clerk
removed from
office for neglect of
duties (failure to
perform critical,
official, mandatory
duties prescribed
by law) Decided on
appeal on
May 11, 2018

The Slippery Slope of Fraud

1. It doesn't start out as dishonest.
2. It starts with pressure.
3. It starts small.
4. It starts with gray areas.
5. It grows over time until.....
6. There is no way out.



The Fraud Triangle



Donald R. Cressey, Indiana University Graduate Student and famed Professor and Pioneer Fraud Expert

Common Rationalizations

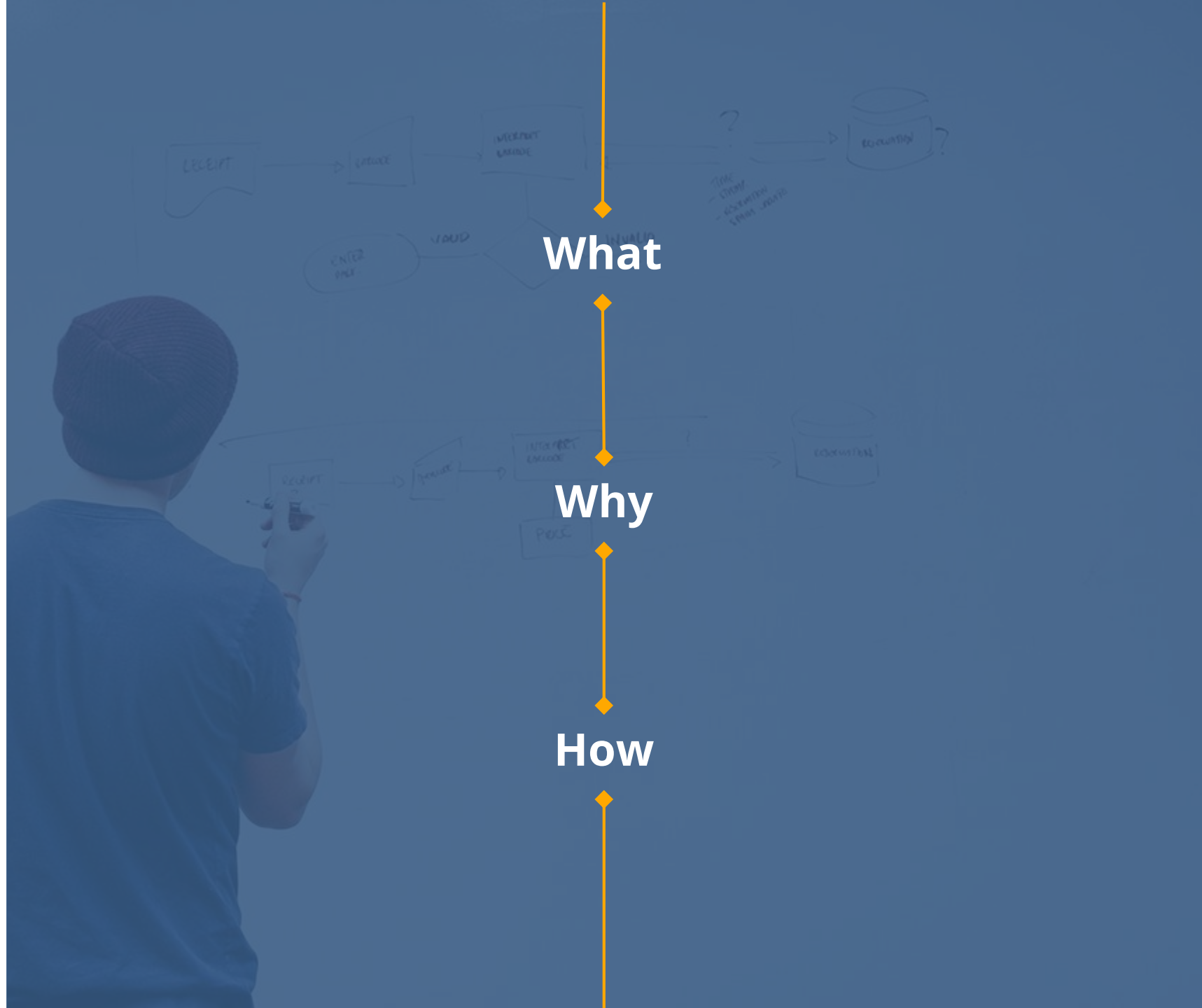
1. I'll pay it back.
2. It's for a good purpose.
3. I deserve it.
4. They can afford it.
5. Nobody will get hurt.
6. I'm not a crook.
7. Everyone does business this way.



Why People Don't Come Forward

- Fear of Retaliation
- It will not be confidential
- Fear of being labeled as a “tattletale”
- Nothing will happen
- It has no personal impact
- Don't know how or who to contact

HOW



What

Why

How

The background of the slide is a dark blue silhouette of the Indiana State Capitol building, featuring a large central dome and several smaller domes on either side. The building is set against a lighter blue sky. The entire slide is framed by a bright orange border.

HOW does the Indiana Inspector General
fulfill its role?

Code of Ethics

- Indiana Code § 4-2-6-1 to 17
- 42 IAC § 1-1-1 to 1-11-1

THE CODE OF ETHICS

Gifts - Donor and Donee
Restrictions

Honoraria

Political Activity

Moonlighting

Conflicts of Interests;
Decisions/Votes

Conflicts of Interests; Contracts

Additional Compensation

Bribery

Benefiting from Confidential
Information

Divulging Confidential Information

Use of State Property

Ghost Employment

Post-employment Restrictions

Nepotism

SEC Tools

- Impose a civil penalty 3X value of benefit received
 - Cancel a contract
 - Bar a person from entering into a contract with an agency for a specified period
 - Order restitution or disgorement
 - Reprimand, suspend or terminate an employee or SSA
- Reprimand or recommend impeachment of a state officer
 - Bar a person from future state employment or appointment
 - Revoke a license or permit issued by an agency
 - Bar a person from obtaining a license or permit issued by an agency
 - Revoke the registration of a lobbyist
 - Bar a person from future lobbying activity with a state officer or agency

OIG Tools

- Law Enforcement Office with subpoena and arrest powers
- Confidentiality for reporting parties and investigations
- Protections against retaliation for reporting parties
- Ability to prosecute cases if local prosecutor won't accept
- Ability to intervene in all false claims cases
- Informal Advisory Opinions
300 + per year
- Educational offerings
voluntary and mandatory

You are our Greatest Tool

Who will tell the truth if
not the lawyers?

Justice Massa quoting Hon. Larry McKinney

Hoosiers deserve to
know that government
decisions are being
made in the public
interest not self interest

Credits

Special thanks to the following resources :

- Presentation template by SlidesCarnival
- Photographs by Startup Stock Photos, FreeFoto.com, Wikispaces.com, Pixabay.com and by Lori Torres.

The background of the slide is a blue-tinted image of the Indiana State Capitol building, featuring a large central dome and several smaller domes on either side. The building is set against a clear sky.

Lori Torres
Indiana Inspector General

Thank you

Confidentiality and the Government Lawyer

**Office of the Inspector General
12th Annual Legal and Ethics Conference**

November 14, 2019

Hon. Gary L. Miller

Marion Superior Court

CAVEAT:

**Don't confuse discipline
with rule violations**

In the beginning...

A&D Rule 22

“I do solemnly swear or affirm that: I will support the Constitution of the United States and the Constitution of the State of Indiana; I will maintain the respect due to courts of justice and judicial officers; I will not counsel or maintain any action, proceeding, or defense which shall appear to me to be unjust, but this obligation shall not prevent me from defending a person charged with crime in any case; I will employ for the purpose of maintaining the causes confided to me, such means only as are consistent with truth, and never seek to mislead the court or jury by any artifice or false statement of fact or law; I will maintain the confidence and preserve inviolate the secrets of my client at every peril to myself; I will abstain from offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will not encourage either the commencement or the continuance of any action or proceeding from any motive of passion or interest; I will never reject, from any consideration personal to myself, the cause of the defenseless, the oppressed or those who cannot afford adequate legal assistance; so help me God.”

A&D Rule 22

“I do solemnly swear or affirm that: I will support the Constitution of the United States and the Constitution of the State of Indiana; I will maintain the respect due to courts of justice and judicial officers; I will not counsel or maintain any action, proceeding, or defense which shall appear to me to be unjust, but this obligation shall not prevent me from defending a person charged with crime in any case; I will employ for the purpose of maintaining the causes confided to me, such means only as are consistent with truth, and never seek to mislead the court or jury by any artifice or false statement of fact or law; **I will maintain the confidence and preserve inviolate the secrets of my client at every peril to myself;** I will abstain from offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will not encourage either the commencement or the continuance of any action or proceeding from any motive of passion or interest; I will never reject, from any consideration personal to myself, the cause of the defenseless, the oppressed or those who cannot afford adequate legal assistance; so help me God.”

**I will maintain the
confidence and preserve
inviolable the secrets of my
client at every peril to
myself**

Confidences vs Secrets?

“confidence” means information protected by the attorney-client privilege under applicable law.

“secret” means other information gained in the professional relationship if the client has requested it be held confidential or if it is reasonably foreseeable that disclosure of the information would be embarrassing or detrimental to the client.

“confidence” means information protected by the *attorney-client privilege* under applicable law.

“secret” means *other information gained in the professional relationship* if the client has requested it be held confidential or if it is reasonably foreseeable that disclosure of the information would be embarrassing or detrimental to the client.

IRPC 1.6

A lawyer shall not reveal information relating to representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

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IRPC 1.6 (b)

- (1) to prevent reasonably certain death or substantial bodily harm;
- (2) to prevent the client from committing a crime or from committing fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
- (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;
- (4) to secure legal advice about the lawyer's compliance with these Rules;
- (5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client; or
- (6) to comply with other law or a court order.

IRPC 1.6 (b)

- (1) to prevent reasonably certain **death or substantial bodily harm**;
- (2) to prevent the client from **committing a crime or from committing fraud** that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
- (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a **crime or fraud** in furtherance of which the client has used the lawyer's services;
- (4) to secure legal advice about the **lawyer's compliance** with these Rules;
- (5) to establish a **claim or defense on behalf of the lawyer** in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client; or
- (6) to **comply with other law or a court order**.

**You are out having a cocktail with
your friends after a long day.**

You say “I had a client from hell.”

What did you do wrong?

IRPC 1.6

A lawyer **shall not** reveal information relating to representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

You are at a cocktail party with friends.

You say, “Hey, I just filed a financial declaration with the Court in a huge case and let me tell you what’s in it”.

Did you violate IRPC 1.6?

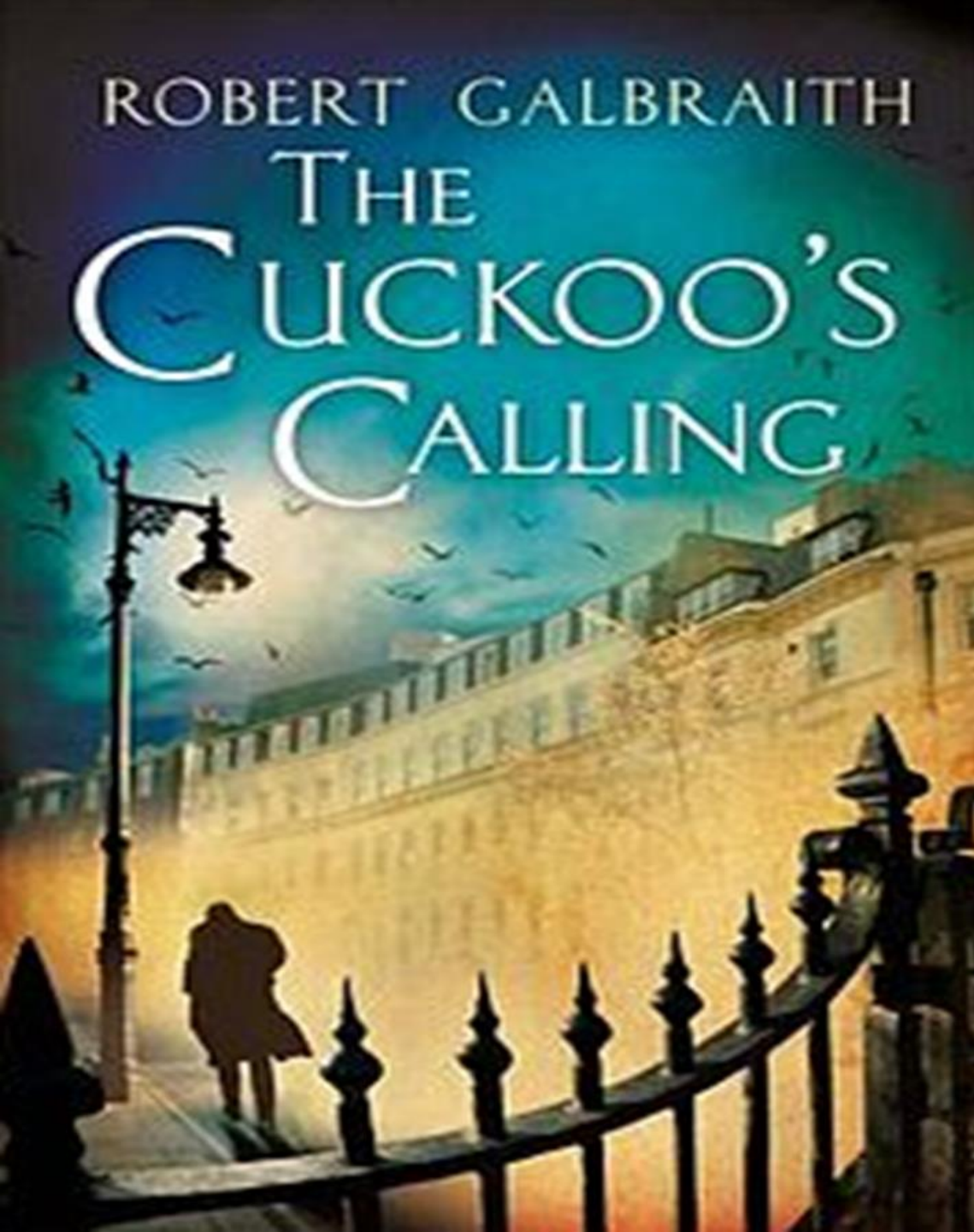
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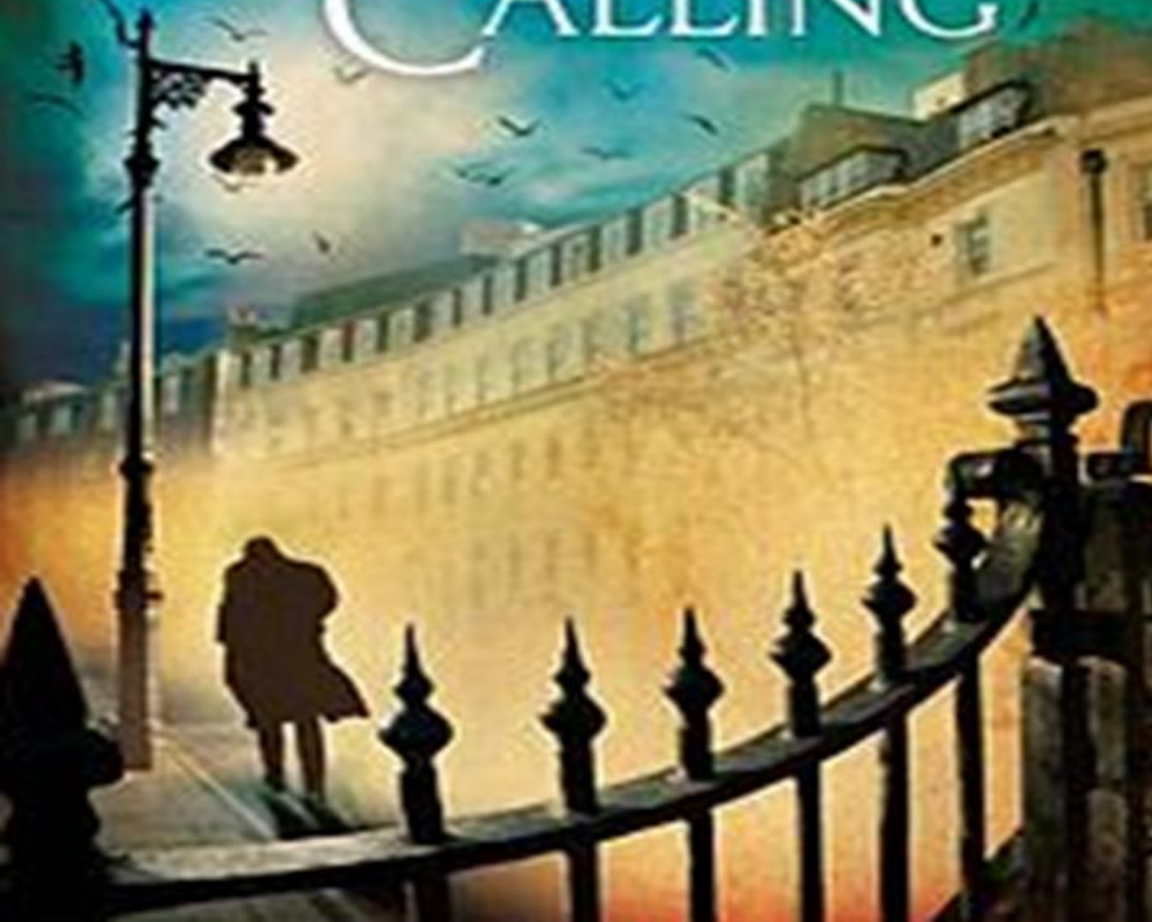
Lessons?

Violations of 1.6 occur all the time

ROBERT GALBRAITH
THE
CUCKOO'S
CALLING



ROBERT GALBRAITH
THE
CUCKOO'S
CALLING



JK Rowling 'anger' at legal firm over pseudonym leak

JK Rowling has said she feels "very angry" after finding out her pseudonym Robert Galbraith was leaked by a legal firm.

The Harry Potter author was revealed as the writer of crime novel *The Cuckoo's Calling* in the **Sunday Times**.

She found out the leak came from law firm Russells, whom she had assumed she "could expect total confidentiality from".

"I feel very angry that my trust turned out to be misplaced.



Loose lawyer lips give NYT reporter a scoop: confidentiality lessons

By Karen Rubin & Tom Feher on September 28, 2017

POSTED IN CONFIDENTIALITY

You've probably read about the New York Times reporter who says that he overheard lawyers for President Donald Trump discuss the ongoing Russia investigation at a Washington, D.C. restaurant, and then reported on the talk — which revealed details of a strategy debate, the alleged existence of documents “locked in a safe,” and other purported insight on the internal workings of the President's legal team.



Lessons?

Violations of 1.6 occur all the time

Many are not harmful

Some are harmful

KNOW the rule so your internal moral compass points you in the right direction



Special Issues for the Government Lawyer

When representing a government entity, who is the client?

Who gets the protection of 1.6?

**Who speaks for the government client, i.e.,
who exercises the usual authority of a client?**

**Who may consent to the disclosure of
confidential information?**

the “public interest”

the public at large

the entire government

the branch of government employing the lawyer

the particular agency employing the lawyer

a particular government official (e.g head of a gov organization) in her official individual capacity

Indiana RPC 1.13 Organization as Client

(a) A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents.

Indiana RPC 1.13 **Organization as Client**

(b) If a lawyer for an organization knows that an officer, employee or other person associated with the organization is engaged in action, intends to act or refuses to act in a matter related to the representation that is a violation of a legal obligation to the organization, or a violation of law which reasonably might be imputed to the organization, and that is likely to result in substantial injury to the organization, then the lawyer shall proceed as is reasonably necessary in the best interest of the organization. Unless the lawyer reasonably believes that it is not necessary in the best interest of the organization to do so, the lawyer shall refer the matter to higher authority in the organization, including, if warranted by the circumstances to the highest authority that can act on behalf of the organization as determined by applicable law.

Indiana RPC 1.13 Organization as Client

(b) If a lawyer for an organization knows that an officer, employee or other person associated with the organization is engaged in action, **intends to act or refuses to act in a matter related to the representation that is a violation of a legal obligation to the organization, or a violation of law which reasonably might be imputed to the organization, and that is likely to result in substantial injury to the organization,** then the lawyer shall proceed as is reasonably necessary in the **best interest of the organization.** Unless the lawyer reasonably believes that it is not necessary in the best interest of the organization to do so, the lawyer shall refer the matter to higher authority in the organization, including, if warranted by the circumstances to the highest authority that can act on behalf of the organization as determined by applicable law.

Indiana RPC 1.13 **Organization as Client**

(c) Except as provided in paragraph (d), if

(1) despite the lawyer's efforts in accordance with paragraph (b) the highest authority that can act on behalf of the organization insists upon or fails to address in a timely and appropriate manner an action, or a refusal to act, that is clearly a violation of law and

(2) the lawyer reasonably believes that the violation is reasonably certain to result in substantial injury to the organization, then the lawyer may reveal information relating to the representation whether or not Rule 1.6 permits such disclosure, but only if and to the extent the lawyer reasonably believes necessary to prevent substantial injury to the organization.

Indiana RPC 1.13 **Organization as Client**

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(1) despite the lawyer's efforts in accordance with paragraph (b) the highest authority that can act on behalf of the organization insists upon or fails to address in a timely and appropriate manner an action, or a refusal to act, that is clearly a violation of law and

(2) the lawyer reasonably believes that the violation is reasonably certain to result in substantial injury to the organization, then the lawyer may reveal information relating to the representation whether or not Rule 1.6 permits such disclosure, but only if and to the extent the lawyer reasonably believes necessary to prevent substantial injury to the organization.

The Checklist

1. 'person' intends to act or refuses to act in a matter related to the representation that is a violation of a legal obligation to the organization
2. violation of law which reasonably might be imputed to the organization
3. likely to result in substantial injury to the organization

THEN

proceed as is reasonably necessary in the best interest of the organization

IF...

- highest authority that can act on behalf of the organization insists upon or fails to address in a timely and appropriate manner an action, or a refusal to act, that is clearly a violation of law
- the lawyer reasonably believes
- the violation is reasonably certain to result in substantial injury to the organization,

THEN

the lawyer may reveal 1.6 information

ONLY

relating to the representation, and

ONLY

to the extent the lawyer reasonably believes necessary to prevent substantial injury to the organization.

the “public interest”

the public at large

the entire government

the branch of government employing the lawyer

the particular agency employing the lawyer

a particular government official (such as the head of a government organization) in her official or individual capacity

Indiana RPC 1.13 Comment [2]

When one of the constituents of an organizational client communicates with the organization's lawyer in that person's organizational capacity, the communication is protected by Rule 1.6. Thus, by way of example, if an organizational client requests its lawyer to investigate allegations of wrongdoing, interviews made in the course of that investigation between the lawyer and the client's employees or other constituents are covered by Rule 1.6.

Indiana RPC 1.13 Comment [2]

This does not mean, however, that constituents of an organizational client are the clients of the lawyer. The lawyer may not disclose to such constituents information relating to the representation except for disclosures explicitly or impliedly authorized by the organizational client in order to carry out the representation or as otherwise permitted by Rule 1.6.

Indiana RPC 1.13 **Comment [2]**

This does not mean, however, that constituents of an organizational client are the clients of the lawyer. **The lawyer may not disclose to such constituents information relating to the representation except for disclosures explicitly or impliedly authorized by the organizational client in order to carry out the representation or as otherwise permitted by Rule 1.6.**

Indiana RPC 1.13 **Comment [9]**

The duty defined in this Rule applies to governmental organizations. Defining precisely the identity of the client and prescribing the resulting obligations of such lawyers may be more difficult in the government context and is a matter beyond the scope of these Rules.

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Indiana RPC 1.13 **Comment [9]**

Although in some circumstances the client may be a specific agency, it may also be a branch of government, such as the executive branch, or the government as a whole. For example, if the action or failure to act involves the head of a bureau, either the department of which the bureau is a part or the relevant branch of government may be the client for purposes of this Rule.

Indiana RPC 1.13 **Comment [9]**

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Indiana RPC 1.13 Comment [9]

Moreover, in a matter involving the conduct of government officials, a government lawyer may have authority under applicable law to question such conduct more extensively than that of a lawyer for a private organization in similar circumstances.

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Indiana RPC 1.13 **Comment [9]**

Thus, when the client is a governmental organization, a different balance may be appropriate between maintaining confidentiality and assuring that the wrongful act is prevented or rectified, for public business is involved.

HOME

NEWS

IN THIS ISSUE

BAR ASSOCS.

CORP. COUNSEL

ANNOUNCEMENTS

OPINIONS

CLE/EVEN

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Indiana to consider creating a government corruption hotline

October 28, 2019 | [Associated Press](#)

KEYWORDS [CITY GOVERNMENT](#) / [CORRUPTION](#) / [ETHICS & PROFESSIONAL RESPONSIBILITY](#) / [GOVERNMENT](#) / [INDIANA GENERAL ASSEMBLY](#) / [LOCAL GOVERNMENT](#) / [OFFICIAL MISCONDUCT](#) / [STATE AGENCIES](#) / [STATE GOVERNMENT](#)

Trend towards disclosure:

FOIA, Privacy Acts, Presidential Records Act

**How do we harmonize lawyer/
client secrecy with
Governmental openness?**

The Weather
Continuable conditions today and tonight with chance of showers tonight. High today, 80; low tonight, 66 to 67. Yesterday's high, 78; low, 56.
(Details and Map: Page C2)

Vol. 273—No. 73—F

THE



SUN

FINAL

BALTIMORE, FRIDAY, AUGUST 9, 1974

10 Cents

NIXON RESIGNS

Ford will become president at noon

No deal made on prosecution, Jaworski says

By JERRY V. HORNBERGER
Baltimore Times of the Sun

Washington—Lawrence Jaworski, the Watergate special prosecutor, said last night there has been "no agreement or understanding of any sort" between his office and President Nixon.

Mr. Jaworski, as the man in charge of the Watergate criminal prosecutions, presumably would play a major role in deciding whether to press criminal charges against Mr. Nixon for his involvement in the Watergate scandal.

Ford's task is to break with past

By MARK S. BRAY

Washington Times of the Sun
Washington—Five days after he received the oath John F. Kennedy, President Lyndon B. Johnson left Congress and the American people. "Let us begin,"

that he became the nation's 35th president. Today Donald R. Ford can hardly say the same.

Once in an hour again, Mr. Ford's predicament is reminding the first President to fight in the struggle of the situation faced by the eight other vice-presidents who

Despite the uncertainties over his position, it appeared today to legal experts today that that as a private citizen Mr. Nixon will be authorized to appear as a witness at the trial of all former aides in the Watergate cover-up case scheduled to open next month.

Senator Edward W. Brooke (R., Mass.) said last night he will drop his quest in Congress to get immunity for the President unless Mr. Nixon makes a "full confession" of his involvement in Watergate and related incidents.

"I believe that the President owes it to the American people to make full disclosure of his personal involvement in Watergate and related incidents," said Mr. Brooke, who earlier yesterday had introduced a resolution calling for immunity. "There has been no agree-



Decision is laid to weakness of political base

By MARK S. BRAY
Washington Times of the Sun

Washington—President Nixon, with his resignation, abandoned his fight against impeachment and announced last night that he was resigning at noon today.

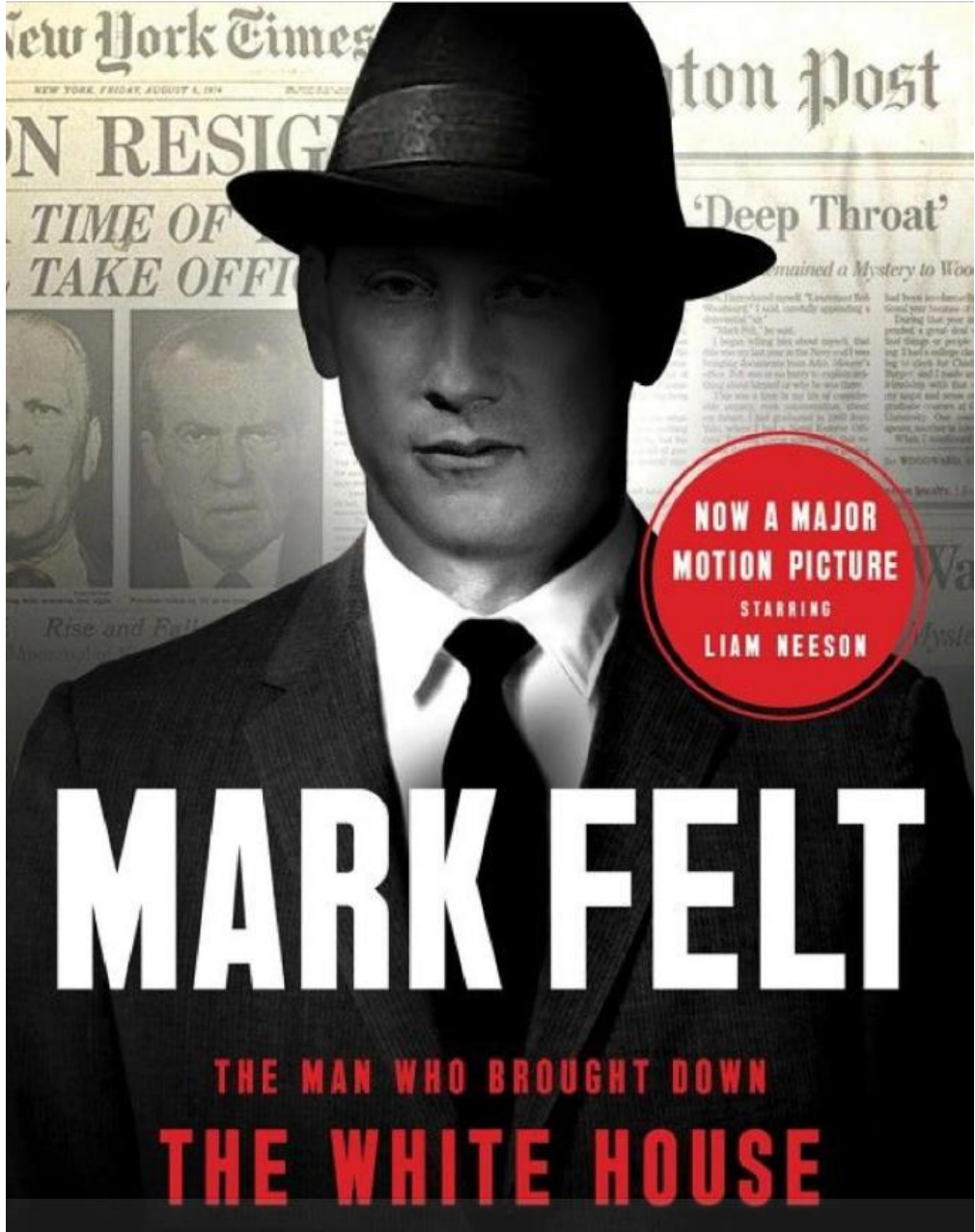
Vice President Ford will be sworn in as the nation's 38th president then, and Mr. Nixon, who often has in the wake of J. Edgar Hoover's scandalous resignation, asked the country to "put the bitterness and divisions of the recent past behind us" and rally behind Mr. Ford.

Mr. Ford then made a brief statement, praising Mr. Nixon's sacrifice, promising to keep Henry A. Kissinger as an Secretary of State in the pursuit of peace and pledging to work with Democrats and Republicans in Congress, whom he said, "I don't think I have a single enemy."

After saying farewell to the Cabinet and the White House staff, Mr. Nixon and his family will leave the White House at 10:30, and fly to California in Air Force One. He will leave Washington as President, but his formal leave of resignation will be declared by the White House's office before noon, and he will arrive at San Clemente as a former president.

Mr. Nixon, in his speech from the Oval Office, said he was resigning because his support in Congress had disappeared. He insisted, "I have never been a quitter" and said that resignation was personally "unpleasant" to him. However, his family "unanimously" supported the step, he said.

(Continued on Page C2)



New York Times

Washington Post

NEW YORK, FRIDAY, AUGUST 4, 1979

ON RESIGN

TIME OF
TAKE OFFI

'Deep Throat'

remained a Mystery to Woo



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What I realized...
WAGNER

NOW A MAJOR
MOTION PICTURE
STARRING
LIAM NEESON

Rise and Fall

Assassination

MARK FELT

THE MAN WHO BROUGHT DOWN
THE WHITE HOUSE

Felt had loyalty to FBI

**More accurately, to the executive
branch**

**Under 1.6, he had duty to go up the
chain before revealing, i.e., Director,
Atty Gen, President**

He didn't

Parallels with current administration?

Pay attention to how 1.6 is raised

LESSONS?

Understand IRPC 1.6

**Know your role in the
Organization**

There are no simple answers

BREAK



NOVEMBER 14, 2019



OIG PANEL:
**ETHICS CHALLENGES FOR A
CHANGING WORKFORCE**

Moderator: Britni Saunders, Executive Director, SPD

Panelists: Jen Cooper, State Ethics Director;
Kelly Elliott, Staff Attorney; &
Tiffany Mulligan, Chief Legal Counsel, OIG

The background is a blue-tinted seal of the University of Toronto. The seal features a central compass rose, the motto 'AEQUITAS EQUITAS' at the top, 'VERITAS' at the bottom, and the years '1827' and '2003' on the left and right sides respectively. The text 'Remote Work / Telecommuting' is overlaid in a bold, yellow, sans-serif font.

Remote Work / Telecommuting

The image shows a large, semi-transparent orange seal of the State of Ohio on the left side of the slide. The seal features the text "SEAL OF THE STATE OF OHIO" around the perimeter and a central figure of a Native American holding a bow and arrow.

Remote Work / Telecommuting



The Rules

- Ghost Employment (42 IAC 1-5-13)
- Confidential Information (42 IAC 1-5-10, 11)

The image features a large, semi-transparent orange seal of the State of New York on the left side. The seal includes the text "SEAL OF THE STATE OF NEW YORK" and a central emblem depicting a landscape with a sun, mountains, and a river. The main title "Remote Work / Telecommuting" is positioned to the right of the seal.

Remote Work / Telecommuting

Takeaways

- Policies
- Expectations/Tracking
- IOT approved devices/connections
- Extra care with confidential information



Side jobs / Moonlighting

The image shows a large, semi-transparent orange seal of the State of Indiana on the left side of the slide. The seal features the text "SEAL OF THE STATE OF INDIANA" around the perimeter and a central figure of a Native American holding a bow and arrow. The background of the slide is white.

Side Jobs / Moonlighting

The Rules

- Outside Employment (IC 4-2-6-5.5)
- Ghost Employment (42 IAC 1-5-13)
- Use of State Property (IC 4-2-6-17)
- Conflict of Interests – Contracts (IC 4-2-6-10.5)

The image shows a large, semi-transparent orange seal of the American Medical Association (AMA) on the left side of the slide. The seal features the text "SEAL OF THE AMERICAN MEDICAL ASSOCIATION" around the perimeter and a central emblem depicting a caduceus (a staff with two snakes and wings) and a figure holding a scale.

Side Jobs / Moonlighting

Takeaways

- Policies
- Keep records
- Clear separation
- Other ethics rules could be implicated



Political Activity

The image shows a large, semi-transparent orange seal of the State of Indiana on the left side of the slide. The seal features the text "SEAL OF THE STATE OF INDIANA" around the perimeter and a central figure of a Native American holding a bow and arrow. The background of the slide is white.

Political Activity

The Rules

- Political Activity (42 IAC 1-5-4)

The image shows a large, semi-circular seal on the left side of the slide. The seal is golden and features the text "SEAL OF THE U.S. HOUSE OF REPRESENTATIVES" around its perimeter. In the center of the seal is an eagle with its wings spread, perched on a globe. The seal is partially cut off by the edge of the slide.

Political Activity

Takeaways

- Hatch Act
- Dual Office Holding
- Other ethics rules could be implicated

The background features a large, semi-transparent watermark of the University of Toronto seal. The seal is circular and contains the Latin motto "AEQUITAS EQUITAS" at the top and "VERITAS" at the bottom. The year "1827" is on the left and "2003" is on the right. In the center is a compass rose. The seal is surrounded by a decorative border of dots and stylized leaves.

Questions?

Ethics Officer Achievement Awards



Award for Excellence: New Ethics Officer

Amber Nicole Ying

IN Department of Revenue



Award for Excellence: Veteran Ethics Officer

Christopher B. Serak

IN Department of Transportation



Thank you for attending

- Please turn in CLE Forms as you exit (CPE forms go to accrediting body);
- Look out for a survey in your inbox tomorrow morning; and
- See you next year!





LEGAL & ETHICS

CONFERENCE