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## CITY AND COUNTY OF DENVER

### **BOARD OF ETHICS**

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### **ETHICS IN DENVER CITY GOVERNMENT**

By Michael Henry, Staff Director, Denver Board of Ethics

Today, when a number of federal officials, governors, mayors, city council members and other government officials and employees around the United States are being indicted or forced to resign for various instances of corruption or malfeasance, the City and County of Denver is fortunate to have a reputation of clean and ethical government. Denver has not had a major government corruption scandal since the late 1950s (a police burglary ring). This record results partly from good fortune, but also from hard effort over many years by the voters of Denver, elected officials, city employees and Denver's Board of Ethics.

Denver has had a Code of Ethics for city officers, employees and officials since at least 1965. On several occasions, the City Council strengthened the Code of Ethics, most recently in 2001 and 2004. Both the Denver Charter and the Code of Ethics provide "it is the intent of the City and County of Denver that its officers, officials and employees adhere to high levels of ethical conduct so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public."

For many years Denver has had a Board of Ethics, which now consists of volunteer members, appointed in part by the Mayor and in part by City Council. In 2001, for the first time, the Board was given a budget to hire a staff director and establish an office. The Board meets monthly. The Board focuses on these priorities:

- Giving official advisory opinions to city employees, elected officers and board and commission members about ethical issues and considering whether waivers should be given if an action would violate the Code of Ethics but the action would be in the city's best interest
- Giving quick, unofficial advisory opinions by e-mail or telephone to city personnel or citizens
- Reviewing, investigating and, if necessary, conducting hearings on complaints filed by citizens or city personnel alleging violations of the Code of Ethics. (City employees who file complaints with the Board of Ethics in good faith are protected against retaliation by Career Service Rule 15-21.)
- Working in conjunction with Career Service Authority and trainers in city agencies to provide ethics training to city employees. Between 2002 and 2004, 99% of all city employees, including both Mayors Webb and Hickenlooper and their cabinets and all City Council members, had at least three hours of ethics training. All new city employees should receive ethics training during their first six months working for the city.
- Publishing and distributing an ethics handbook for all city personnel. An updated 2006 handbook will be distributed soon.

Anyone wishing to contact the Board of Ethics for any reason may contact the Board's Staff Director, Michael Henry at 720-865-8412 or [michael.henry@ci.denver.co.us](mailto:michael.henry@ci.denver.co.us). The Board's office is in Room

2 H 13 of the Webb Building at 201 West Colfax. The Board's website contains a copy of the Code of Ethics and digests of most of the Board's specific cases – [www.denvergov.org/ethics](http://www.denvergov.org/ethics).

The Board of Ethics, the Code of Ethics and the ethics training all assume that almost all city employees, elected officials and board and commission members are ethical and desire to serve the public. However, for various reasons, there are many situations in government where the most ethical path is not always clear. The Board, the Code and ethics training should shed more light on the different paths for the benefit of citizens, city employees and the city government.

Key sections of the Denver Code of Ethics are:

- City personnel should not hire or supervise members of their immediate family. This is to avoid the actuality or appearance of favoritism to family members.
- City personnel who have decision-making authority (for example, over contracts or enforcing laws or regulations) should not accept gifts, with limited exceptions, from those who have an existing or pending contract, business or regulatory relationship with the city. This is to avoid the actuality or appearance of special influence by those who give gifts to city personnel.
- City personnel who have decision-making authority should not participate in matters where they or an immediate family member or an outside employer or a business associate have a substantial conflict of interest (specifically defined in the Code). This is so that city personnel will not be influenced in their city actions by their private or family interests.
- City personnel should wait at least six months after joining the city before taking direct official action (defined in the Code) regarding a former employer. This is to avoid the

actuality or appearance of special advantage being given to city employees' former employers.

- Personnel who leave city government must wait at least six months before taking direct advantage in new employment, unavailable to others, of matters on which they took direct official action during their employment with the city. This is to avoid the actuality or appearance that employers who hire former city personnel may get special treatment.
- City employees must disclose and obtain written permission from their appointing authorities before engaging in outside employment or outside business activity. This is to avoid possible conflicts of interest and time-conflicts and to assure that supervisors are aware of other jobs in case of city emergencies. The permission must be renewed on an annual basis.
- City personnel may not use their public jobs in order to obtain private gain.

In 2005 Denver first formally began to evaluate ethics as part of each employee's annual performance evaluation. This reinforces the commitment that ethics is a core value of Denver city government. High standards of ethics increase public confidence and trust in city government and also improve loyalty, satisfaction and productivity for city personnel.