

# Scope of Study

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## CONNECTICUT'S WHISTLEBLOWER LAW

In effect since 1979, Connecticut's state whistleblower law sets out a process for a review of alleged misconduct occurring in a state or quasi-public agency or within any large state contract. Under C.G.S. § 4-61dd, anyone may "blow the whistle" or report information to the Auditors of Public Accounts about corruption, unethical practices, violations of state laws or regulations, mismanagement, gross waste of funds, abuse of authority, or danger to the public safety. The auditors are required to review the matter and report their findings and any recommendations to the Office of the Attorney General. After receiving the auditors' report, the attorney general shall investigate as he deems proper. The attorney general, where necessary, is to report any findings to the governor, or the chief state's attorney's office for matters involving criminal activity.

Recent public hearing testimony raised issues regarding the implementation of the whistleblower law and the statutory protections afforded to whistleblowers. By law, the identity of the whistleblower cannot be disclosed and employers are prohibited from taking or threatening to take any personnel action against an employee who discloses information pursuant to the whistleblower statute.

In their 2008 annual report, the auditors state that they received 151 whistleblower complaints during FY 2008 on matters such as misuse of state funds, harassment, conflicts of interest, and improper investigations. As of January 2009, 57 of these complaints had been reported to the attorney general. The auditors also noted a substantial increase in the number of claims filed regarding agency retaliation against whistleblowers during this same time period.

## AREA OF FOCUS

The study will focus on the process and structure currently in place to handle whistleblower complaints within state government. In particular, the study will evaluate the approach taken by the appointed agencies to review whistleblower complaints including statutory authority, timeframes, and reporting of outcomes.

## AREAS OF ANALYSIS

- Examine the roles, responsibilities, and activities of the Auditors of Public Accounts and the Office of the Attorney General in reviewing whistleblower complaints
- Perform trend analysis on the number, types, and outcomes of whistleblower complaints
- Assess current statutory protections against retaliation for whistleblowers
- Evaluate processing times for complaints and what, if any, impact they have on the whistleblower process
- Examine internal state or quasi-public agency mechanisms and policy for handling internal, external, or anonymous whistleblower complaints
- Identify and compare the whistleblower process and structure in other states and in the federal government