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NEWSLETTER

Hickenlooper Guilty Verdict – A Cautionary Tale for Corporations

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On June 5, the Colorado Independent Ethics Commission found that John Hickenlooper violated state ethics law while in the governor's office in 2018, when he flew on a private plane provided by one corporation and when he accepted transportation and private security paid for by another corporation. Four other violations were dismissed. The now-Senate candidate was fined $2,750.

While legal liability falls on Hickenlooper for accepting the prohibited gifts, both corporate gift givers were contacted by the Ethics Commission in the course of the investigation, and their responses are a matter of public record.

This incident should serve as a cautionary reminder to all corporations to be aware of jurisdictional gift rules before giving a gift. In addition to potential fines, the public perception of a prohibited gift giving can be costly.

Corporations should establish a process in which all gifts of transportation, lodging, meals, etc., to any public official are vetted to ensure compliance with the gift bans or limits of the jurisdiction, along with any attendant reporting requirements. Having a clearly defined process is especially important when a company has multiple actors who interact with public officials but do not necessarily coordinate with one another.

Our Election Law & Government Ethics Practice frequently advises corporate clients on gift giving. We are available to assist your corporation with vetting gifts, as well as navigating gift bans and limits under both federal and state law.

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