

EXECUTIVE BRANCH ETHICS COMMISSION  
**ADVISORY OPINION 00-24**  
April 28, 2000

RE: May Office of the Attorney General include a statement in book written by an investigative reporter?

DECISION: Yes, within limitations.

This opinion is in response to your February 24, 2000, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the April 28, 2000, meeting of the Commission and the following opinion is issued.

You state the relevant facts as follows. An investigative reporter who has published several books to educate consumers on scams, and who has appeared on "EXTRA" and "The Oprah Winfrey Show", has requested that the Office of the Attorney General ("Attorney General") write a statement for inclusion in an upcoming book he plans to publish. The reporter has appeared in Kentucky on at least three occasions sponsored by the Attorney General and the Better Business Bureau. His presentations entitled, "Scam Jam", have won national recognition. You ask whether the Attorney General may submit a statement for inclusion in his upcoming book. You also ask whether the use of the book proceeds would make a difference as to whether such a statement may be included.

KRS 11A.005(1)(a) and (d) provide:

(1)(a) A public servant be independent and impartial;

...

(d) The public has confidence in the integrity of its government and public servants.

As reflected in Advisory Opinion 00-18 (copy enclosed), the Commission believes that state agencies should reflect high standards of ethical behavior, and they should not endorse or promote a specific company or product. Because this book is related to the mission of the

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Attorney General, and its sale will not benefit any employees or the agency itself, the Commission believes that the Attorney General may include a statement in the book reflecting the views of the Attorney General in this area. However, such a statement should not reflect that it is promoting the sale of the book, regardless as to how the book proceeds will be used.

The Commission assumes that the reporter is not doing business with, or subject to any regulation by, the Office of the Attorney General.

Sincerely,

EXECUTIVE BRANCH ETHICS COMMISSION

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BY CHAIR: Bertie Oldham Salyer, M.A., A.M.E.

Enclosure: Advisory Opinion 00-18

[www.state.ky.us/agencies/ethics/ETHICS.HTM](http://www.state.ky.us/agencies/ethics/ETHICS.HTM)

May 1, 2000

John Cubine, Director  
Division of Administrative Services  
Office of the Attorney General  
Capitol Building, Suite 118  
Frankfort, KY 40601

***Reference: 042800.5***

Dear Mr. Cubine:

At its April 28, 2000, meeting, the Executive Branch Ethics Commission took up your request, dated February 24, 2000, in which you ask whether the Office of the Attorney General may include a statement in a book written by an investigative reporter.

The enclosed Advisory Opinion 00-24 is issued in response to your inquiry.

Sincerely,

Jill LeMaster, Executive Director

Enclosure: Advisory Opinion 00-24