

STATE OF INDIANA

Mike Braun, Governor

DEPARTMENT OF ADMINISTRATION Commissioner's Office

Indiana Government Center South
402 West Washington Street, Room W462
Indianapolis, IN 46204

August 8, 2026

Katherine Noel, Chair
Indiana State Ethics Commission
315 W. Ohio Street, Room 104
Indianapolis, IN 46204

FILED

AUG 13 2026

INDIANA STATE
ETHICS COMMISSION

Re: Indiana Code 4-2-6-11 post-employment waiver for Brandon Clifton

As the Appointing Authority of the Indiana Department of Administration ("IDOA"), I am filing this waiver of the application of the Code of Ethics' post-employment restriction of the Code of Ethics as it may apply to Brandon Clifton in his desired post-employment opportunity with the Hagerman Group ("Hagerman").

I understand that I must file and present this waiver to the State Ethics Commission at the next meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

Mr. Clifton is the Commissioner of IDOA. He has served in this capacity since January 2025. Mr. Clifton wishes to accept the position of Director of Government Affairs for Hagerman, which is a full-service construction solutions provider based in Fort Wayne, Fishers, and Louisville. This waiver pertains to one aspect of the "cooling off" period set forth in Indiana Code 4-2-6-11(b)(1), as further discussed herein. With respect to those post-employment restrictions for which a waiver is not sought here, Mr. Clifton confirms that he will comply with the same.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of
(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

- ☒ IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
 - ☐ IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
 - ☐ IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
 - ☐ IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. (Please provide a brief description of the specific particular matter(s) to which this waiver applies below):
- B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

As Commissioner, Mr. Clifton has general oversight of the agency, which includes decision-making authority over policies, rules, and contracts, particularly since one of IDOA's core statutory responsibilities is to review and approve state contracts. Responsibility for review and approval of contracts falls to IDOA's Legal Division. Mr. Clifton does not negotiate or administer contracts on behalf of the State, which are administered by the contracting agencies. Mr. Clifton has personally approved only one Indiana Department of Corrections contract in his tenure as Commissioner, which did not involve his prospective employer.

Moreover, Hagerman does not have an active contract with the State of Indiana. During Mr. Clifton's tenure as Commissioner, Hagerman entered into only one contract with the State (contract number ending in 100046). This contract, which provided for installation of a shooting range baffle at the Indiana Department of Natural Resources' Roush Lake location, was in effect from March 3, 2026 through June 30, 2026, and had a value of \$22,883. Mr. Clifton did not have any knowledge of this statement of work prior to the contract's execution, nor did he review or sign the contract on behalf of IDOA. The agency's Deputy Director of Professional Services, Carl Brown, signed this contract on behalf of IDOA's Director of Public Works, Robert Grossman, on March 9, 2026. Similarly, IDOA's Deputy General Counsel at the time, Tammy Glickman, prepared and reviewed the agreement. Notwithstanding the aforementioned agreement, IDOA is not aware of any contract Hagerman has held over the last several decades, as none are listed on the Indiana Transparency Portal.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

As Director of Government Affairs for Hagerman, Mr. Clifton will serve as the company's primary liaison to local government bodies, the Indiana General Assembly, and industry associations. In this capacity, the position is charged with leading efforts to monitor and influence developments, identify funding opportunities, and advocate for pro-construction policies, while also providing internal guidance on compliance and public-sector requirements. Additionally, the role drives local business development by identifying new public and private project opportunities, shaping pursuit strategies, participating in industry and community forums, supporting market research, and translating insights into opportunities that strengthen Hagerman's long-term growth and market position.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

The focus of this role will be on local government and informing the company of policy changes impacting the industry. Recognizing the prospective employer has not had any contracts with the State, it is unlikely that will change. While it is possible that Mr. Clifton may have contact with IDOA in his new position, none of these potential matters or contacts involve any matters in which he had knowledge or influence of during his time with the agency. As discussed above, Hagerman has had only one small contract with the State in recent years, and work on that contract has concluded.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

Mr. Clifton's prospective role as Director of Government Affairs for Hagerman will be designed to bring high-value vertical construction opportunities to local units of government. Drawing on his extensive experience in public service and his deep understanding of statewide operational needs and constraints, Mr. Clifton will help strengthen local government investments in critical infrastructure projects and provide informed guidance on financing, compliance, and best practices. By connecting local entities with quality construction solutions, Mr. Clifton will be well positioned to enhance the value of public resources and contribute directly to the long-term growth and resilience of Indiana communities. It is consistent with the public interest that he be permitted to engage with the General Assembly and local governments in this new capacity, where his expertise will help maximize the impact of public investments and bring experience and strategic insight to the industry, ultimately benefiting Hoosiers across the state.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

If the waiver request is denied, Mr. Clifton would face significant economic hardship, and the State of Indiana would lose the benefit of an experienced public sector professional. More plainly, comparable opportunities for someone with Mr. Clifton's experience would be exceedingly limited without a waiver, since he has contributed a significant portion of his career to public service. Denial would almost certainly force him to look outside the state to avoid unavoidable conflicts, creating substantial financial strain and significant personal and family disruption.

Furthermore, denying this waiver would deprive Indiana of the continued public benefit of Mr. Clifton's skillset. His prospective role with Hagerman would allow him to continue serving Indiana communities in a new capacity by bringing informed guidance, meaningful expertise, and a profound commitment to public value. Losing that opportunity would not only interrupt his career unnecessarily, but would also result in a loss to the state of a highly experienced professional whose contributions have consistently strengthened the effectiveness and integrity of Indiana's public institutions.

C. Signatures

1. Appointing authority/state officer of agency

By signing below, I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.



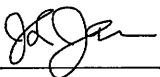
Lisa W. Hershman
Secretary
Office of Management and Budget

August 8, 2026

DATE

2. Ethics Officer of agency

By signing below, I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).



Jennifer L. Jansen
General Counsel and Ethics Officer
Indiana Department of Administration

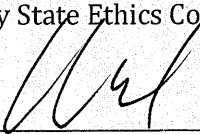
August 8, 2026

DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission



Katherine Noel, Chair, State Ethics Commission

8-13-26

Date