

98-6



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

June 8, 1998

PRESS RELEASE

On June 5, 1998, Ethics Commission Principal Attorney Brenda M. Bergeron filed a Complaint against David Holmes, an employee at the Department of Environmental Protection, alleging that Mr. Holmes used his state computer for a personal business purpose, by modifying, printing and storing documents relating to a rental property on the state computer, in violation of the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq.

On June 5, 1998, the Ethics Commission and the Respondent settled this matter by entering into a Stipulation and Order which requires the Respondent to pay a civil penalty of \$1000.

Copies of the Complaint and the Stipulation and Order are attached.

FOR MORE INFORMATION CALL:

Alan S. Plofsky
Executive Director and General Counsel

or

Brenda M. Bergeron
Principal Attorney

566-4472

holmpr



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

DOCKET NUMBER 98-6

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

DAVID HOLMES

JUNE 5, 1998

STIPULATION AND ORDER

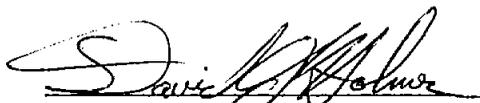
Pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

1. The Commission finds that the Respondent violated the Code of Ethics for Public Officials as alleged in the Complaint dated June 5, 1998.

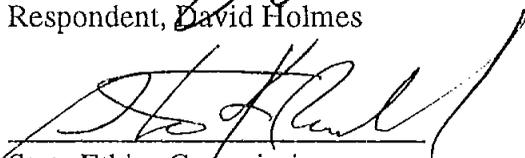
2. The Respondent waives any rights he may have under Conn. Gen. Stat. §§1-82, 1-82a, 1-87 and 1-80, including any right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. 4-177(c).

WHEREFORE, the State Ethics Commission enters and the Respondent agrees to the following order in lieu of any other action regarding this matter:

The Respondent agrees to pay \$2000.00 to the Ethics Commission: however, based on the Respondent's cooperation with the Commission, \$1000 of the fine is suspended provided that the Respondent henceforth comply with the Code of Ethics. The remaining \$1000 is to be paid by the Respondent in equal monthly installments of \$250 each, commencing within thirty days of the signing of this Stipulation and Order.


Respondent, David Holmes

6/5/98
Dated


State Ethics Commission
By: Stanley Burdick
Its Chairperson

6/5/98
Dated



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 98-6

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

DAVID HOLMES

JUNE 5, 1998

COMPLAINT

1. At all times relevant herein, the Respondent was a state employee as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq., employed by the Department of Environmental Protection ("DEP").
2. In 1988, the Respondent and two other individuals, one of whom is currently the Respondent's Bureau Chief at the DEP, purchased a three-family house at 44 Monroe Street, Hartford.
3. At all times relevant herein, the Respondent has resided in one apartment of the house while the other two apartments are treated as rental properties.
4. At various times in 1995, 1996, and 1997, the Respondent initially prepared at home, and then modified, stored and printed documents relating to 44 Monroe Street, including leases, correspondence and a spread sheet of the financial accounting of the property, on his computer at the DEP. At one time, 26 documents relating to the property were stored on the computer.
5. Connecticut General Statutes §1-84(c) prohibits a state employee from using his public office or position for personal financial gain. Use of public position includes use of state time and/or equipment for a private business purpose.
6. The Respondent's modification, storage and printing of documents relating to the rental properties at 44 Monroe Street on the DEP computer violated Conn. Gen. Stat. §1-84(c).


Brenda M. Bergeron
Ethics Commission Attorney

6-5-98
Dated