



OFFICE OF STATE ETHICS

DOCKET NUMBER 2012-60 :
IN THE MATTER OF A : 18-20 TRINITY STREET
COMPLAINT AGAINST : HARTFORD, CT 06106
ROSA BAILEY : FEBRUARY 27, 2014

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes § 1-79, et seq., Thomas Jones, Ethics Enforcement Officer, filed a Complaint against the Respondent Rosa Bailey (“Bailey” or “Respondent”), alleging violations of the Code of Ethics, Connecticut General Statutes § 1-84 (c). Based on the investigation by the Enforcement Division of the OSE, the Office of State Ethics finds there is probable cause to believe that the Respondent violated the Code of Ethics as further set forth in herein.

The Parties have entered into this Stipulation and Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein.

I. STIPULATION

The Ethics Enforcement Officer and the Respondent stipulate to the following facts:

1. At all times relevant hereto, Rosa Bailey (hereinafter “Bailey” or “Respondent”) was employed as a clerk typist at the Department of Energy and Environmental Protection and/or its predecessor agency Department of Environmental Protection (hereinafter “DEEP”).

2. At all times relevant hereto, the Respondent was a “State Employee” as that term is defined in General Statutes § 1-79 (m).

3. During the years 2011-2012, the Respondent owned and operated several private businesses, including a jewelry retail business and a candle retail business.

4. The private businesses that the Respondent owned and operated were not related to her state job duties.

5. During the years 2011-2012, the Respondent used state resources to operate her private businesses, including her state-issued computer, e-mail account, copier, and telephone.

6. The Respondent used state resources to operate her private businesses while on state time, and was compensated by the state for such time.

7. The resources that the Respondent used to conduct her private businesses were provided by virtue of her state position.

8. General Statutes § 1-84 (c) states in pertinent part:

No public official or state employee...shall use his public office or position or any confidential information received through his holding such public office or position to obtain financial gain for himself . . .

9. The Respondent, by using the resources provided by virtue of her state position for private business purposes, used her public office or position to obtain financial gain for herself, in violation of General Statutes § 1-84 (c).

10. The Respondent understands that she has a right to counsel and has expressly and knowingly waived such right during the OSE’s investigation and in connection with this Stipulation and Consent Order.

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's acts as set forth herein, and to enter into this Stipulation and Consent Order.

2. The provisions of this Stipulation and Consent Order apply to and are binding upon the Respondent.

3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights she may have under General Statutes §§ 1-80, 1-82, 1-82a, 1-87 and 1-88, including the right to a hearing or appeal in this case, and agrees with the Ethics Enforcement Officer to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).

5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.

6. The terms set forth herein are in addition to, and not in lieu of, any other existing or future statutory, regulatory, or other legal obligation that may be applicable to the Respondent.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent agrees, that:

1. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay civil penalties to the State in the amount of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for her violation of General Statutes § 1-84 (c) as set forth in the Complaint and herein.

WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated February 27, 2014.

Dated: 3/14/14

Rosa M. Bailey
Rosa Bailey

Dated: 3/17/14


Thomas K. Jones
Ethics Enforcement Officer
Connecticut Office of State Ethics
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