

DOCKET NUMBER 2004-01) OFFICE OF STATE ETHICS
)
IN THE MATTER OF A) 18-20 TRINITY STREET
)
COMPLAINT AGAINST) HARTFORD, CT 06106
)
THEODORE ANSON) NOVEMBER 2, 2007

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes §§ 1-79, et seq., the State Ethics Commission issued a complaint (“Complaint”) against the respondent Theodore Anson (“Anson” or “Respondent”) for a violation of the Code of Ethics, Connecticut General Statutes § 1-84(i). Based on the findings of an investigation by the State Ethics Commission, and its successor agency, the Office of State Ethics, the Ethics Enforcement Officer believes that the Respondent received a gift from a person who had contracted with, and was seeking to enter into a contract with, the agency that the Respondent oversaw, and failed to report the gift on his 2000 statement of financial interest. The Respondent disputes the Commission’s findings.

The Parties have entered into this Stipulation and Consent Order, but without any adjudication of any issue of fact or law herein. This Stipulation and Consent Order relates to, and resolves, all claims relating to the conduct that gave rise to the Complaint in this matter.

I. BACKGROUND

Based upon the Ethics Enforcement Officer’s investigation, the Ethics Enforcement Officer was prepared to establish at a probable cause hearing that there was probable cause to believe the following:

1. At all times relevant hereto, the Respondent was employed by the State of Connecticut as the Commissioner of the Department of Public Works.
2. At all times relevant hereto, the Respondent was a "Public Official" as is defined in General Statutes § 1-79(k).
3. In or about June of 2000, the Respondent received a gift from a state contractor with a value in excess of \$1,000.
4. Pursuant to General Statutes § 1-83, the Respondent was required to annually file a Statement of Financial Interests (hereinafter "SFI") with the State Ethics Commission disclosing, under penalty of false statement, among other things, all sources of earned and unearned income in excess of \$1000 per year.
5. The gift received by the Respondent was unearned income, and he was therefore required to disclose the gift on his SFI for the calendar year of 2000.
6. Respondent timely filed his 2000 SFI prior to the May 1, 2001 deadline, but did not disclose the gift.
7. By failing to disclose the gift, the Respondent failed to report the receipt of income in violation of General Statutes §§ 1-83(a)(1) and 1-83(b)(1)(B).
8. Respondent knowingly accepted a gift known to amount to ten dollars or more from a person known by the Respondent to be doing business with the department or agency in which Respondent was employed, all in violation of General Statutes § 1-84(m).
9. By receiving and retaining the gift, Respondent knowingly received a financial advantage of more than \$1000 in violation of General Statutes § 1-88(d).

The Respondent disputes the claims set forth above and he denies any violation of the Code of Ethics. In particular, the Respondent:

10. Disputes the suggested findings and maintains that, on several bases, the gift was exempt from the Prohibited Activities enumerated in Conn. Gen. Stat. § 1-84 and 88 (d).

11. Disputes the valuation of the gift and therefore disputes the claimed violations of General Statutes §§ 1-83(a)(1) and 1-83(b)(1)(B).

12. Has raised disputed defenses to the jurisdiction and authority of the Commission to proceed on its complaint on the basis of the Separation of Powers and Ex Post Facto doctrines.

13. Is settling this matter solely to avoid the expense and burden of further litigation.

NOW THEREFORE, the Connecticut Office of State Ethics and the Respondent hereby enter into this Stipulation and Consent Officer and hereby agree as follows:

II. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the conduct alleged in the Complaint, to issue a Complaint against the Respondent, and to enter into this Stipulation and Consent Order on behalf of the Office of State Ethics.

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

3. The Respondent hereby waives all objection and defenses to the jurisdiction of the Ethics Enforcement Officer, Office of State Ethics, and the former State Ethics Commission over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights he may have under General Statutes §§ §§ 1-82, 1-82a, 1-87 and 1-80, 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.

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.

III. REPRESENTATION

The Respondent understands that he has the right to counsel and has been represented by counsel of his choice throughout.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177(c), the Office of State Ethics and Anson agree to settle the matter by stipulating to a Consent Order as described below:

1. The Office of State Ethics orders, and the Respondent agrees, that the Respondent will cease and desist from any future violation of the Connecticut Code of Ethics. The

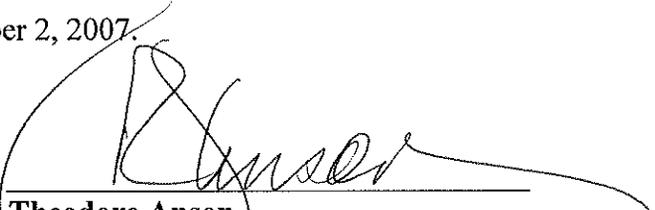
Respondent stipulates that this provision of the Consent Order may be enforced through contempt proceedings.

2. The Office of State Ethics orders, and the Respondent agrees, that the Respondent shall pay a civil penalty to the State in the amount of ten thousand dollars (\$10,000.00).

3. The Office of State Ethics orders, and the Respondent agrees, that the Respondent shall pay damages to the State in an amount of five thousand dollars (\$5,000.00).

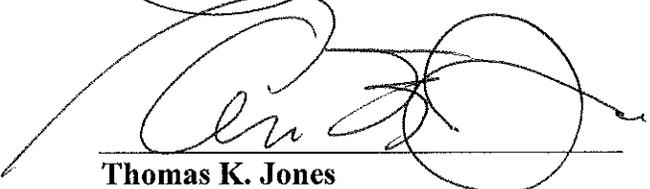
WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated November 2, 2007.

Dated: Nov. 2, 2007



Theodore Anson
Respondent

Dated: Nov. 5, 2007



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