

DOCKET NUMBER 2007-22) OFFICE OF STATE ETHICS
)
IN THE MATTER OF A) 18-20 TRINITY STREET
)
COMPLAINT AGAINST) HARTFORD, CT 06106
)
ROBYN DANAHY) NOVEMBER 26 2007

CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes sections 1-79, et seq., Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics ("OSE"), issued a Complaint against the respondent Robyn Danahy ("Danahy" or "Respondent") for a violation of the Code of Ethics, Connecticut General Statutes section 1-86(a). Based on the investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer believes that the Respondent was a member of a committee evaluating responses to a Request for Proposal (hereinafter "RFP") at the same time that the Respondent was seeking employment with an applicant who was vying for the same RFP contract, and that Respondent failed to report this conflict of interest.

The Parties have entered into this Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein. The execution of this Consent Order by the OSE and Respondent resolve all claims that were asserted in connection with the above referenced Complaint.

I. STATE'S POSITION

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. Beginning on or about August 2003, and continuing until on or about February 2, 2007, the Respondent was employed by the State of Connecticut as a program assistant for the University of Connecticut, Department of Athletics (hereinafter "UConn Athletics").

2. On or about August 2006, UConn Athletics issued a RFP to seek a vendor to provide software to assist athletic recruiting. The number for the RFP was "RFP PG081006."

3. From on or about October 2006, until on or about February 2, 2007 Danahy served on the evaluation committee for RFP PG081006 (hereinafter "the evaluation committee") that evaluated the two bids and ultimately selected the recruitment software vendor.

4. At all times relevant hereto, Scoutware, LLC (hereinafter "Scoutware") was a bidder or recipient of the contract awarded by the evaluation committee through the RFP process.

5. Between November 18, 2005 and January 4, 2007, Respondent engaged in discussions with Scoutware with the expressed intention of gaining employment with Scoutware.

6. On or about January 4, 2007, Scoutware offered a job to Respondent and on or about January 10, 2007, Danahy accepted the job offered to her by Scoutware.

7. On or about February 2, 2007, Danahy resigned from state service.

8. On or about April 2007, RFP PG081006 was awarded to Scoutware and a contract was executed between UConn Athletics and Scoutware.

9. By sitting on the evaluation committee and taking official action regarding a business with which the Respondent was actively perusing a particular job opportunity, the OSE believes it could establish probable cause that the Respondent had a potential or actual conflict of interest.

10. The OSE believes it could establish probable cause that, by sitting on the evaluation committee and taking official action regarding a business with which the Respondent was actively perusing a particular job opportunity, the Respondent was required to report the potential or actual conflict pursuant to General Statutes § 1-86(a), but failed to do so.

11. At no time did the Respondent prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the conflict and deliver a copy of the statement to her immediate supervisor as required by General Statutes § 1-86(a).

12. Based on the above facts, the OSE believes it could establish probable cause that, by failing to disclose her potential or actual conflict of interest as required by statute, the Respondent violated General Statutes § 1-86(a).

II. RESPONDENT'S POSITION

1. The Respondent disputes the claims set forth above and believes that there is not probable cause to believe that she violated the Code of Ethics.

2. Respondent contends that, during the time she participated in the RFP committee, she did not have any job offer or even any promise of a job offer, from Scoutware.

3. Respondent contends that she was first offered a position at Scoutware in late December, more than a month after she had completed her work on the RFP committee.

4. Respondent contends that she did not use her position at UConn to improperly provide any benefit to Scoutware or to improperly influence the RFP process in any way.

5. Based on the above facts, Respondent contends that she did not have any actual or potential conflict of interest and therefore did not violate General Statutes § 1-86(a).

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

III. 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 Consent Order on behalf of the Office of State Ethics.

2. The provisions of this 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 and the Office of State Ethics over matters addressed in this Consent Order.

4. The Respondent waives any rights she may have under General Statutes sections §§ 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.

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 Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Consent Order, including the authority to impose sanctions, issue contempt citations, and award equitable relief.

IV. REPRESENTATION

The Respondent understands that she has the right to counsel and has been represented by counsel of her choice throughout the OSE's investigation.

V. ORDER

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

1. The Office of State Ethics orders that the Respondent cease and desist from any future violation of General Statutes section 1-86(a).

2. The Office of State Ethics orders that the Respondent cease and desist from serving on any committee at any state agency in Connecticut that is issuing, evaluating or considering any RFP or any responses thereto, for a period of three years following the date of the entry of this Consent Order.

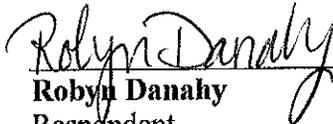
3. The Office of State Ethics orders that the Respondent cease and desist from acting as a lobbyist related to any Connecticut state contract held, pursued, bid upon, received, or billed by Scoutware, for a period of three years following the date of

the entry of this Consent Order, provided, however, that Respondent is not prohibited from engaging in communications in which Respondent acts as a salesperson, or as a representative of a vendor.

4. The Office of State Ethics orders that the Respondent shall pay a civil penalty to the State in the amount of five thousand dollars (\$5,000.00) for her alleged violation of General Statutes section 1-86(a).

WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Consent Order dated November 14, 2007.

Dated: 11/14/07



Robyn Danahy
Respondent

Dated: 11/26/07



Thomas K. Jones
Ethics Enforcement Officer,
Office of State Ethics
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(860) 566-4472