

DOCKET NUMBER 2007-1)	OFFICE OF STATE ETHICS
)	
IN THE MATTER OF A)	18-20 TRINITY STREET
)	
COMPLAINT AGAINST)	HARTFORD, CT 06106
)	
RAYMOND COX)	DECEMBER 30, 2008

STIPULATION AND 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 Raymond Cox ("Cox" or "Respondent") for violations of the Code of Ethics, Connecticut General Statutes sections 1-84(c) and (m). Based on the investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer finds there is probable cause to believe that the Respondent, while employed by the state of Connecticut, solicited and accepted a gift from a company known by the Respondent to be doing business with his agency the Department of Transportation ("DOT") and used his office for personal financial gain, thereby violating the Code of Ethics for Public Officials.

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.

I. STATE'S POSITION

Based upon the Ethics Enforcement Officer's investigation, the Ethics Enforcement Officer was prepared to demonstrate at a probable cause hearing:

1. At all times relevant hereto, the Respondent was employed by the State of Connecticut as an Assistant Rail Administrator for DOT.

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

3. At all times relevant hereto, Louis Testa (hereinafter "Testa") was the owner of a construction firm doing business as Merritt Builders, Inc. (hereinafter "Merritt").

4. At all times relevant hereto, Merritt was a Connecticut corporation doing business with or seeking to do business with the DOT.

5. Sometime in early 2003, the Respondent, on behalf of the DOT, awarded to Merritt a contract to perform certain renovation work at the DOT's offices located at Union Station in New Haven, CT.

6. Between June 1, 2003 and May 31, 2004, the Respondent received from Testa, either personally or on behalf of Merritt, gifts in the forms of a television and of several thousand dollars in cash.

7. Pursuant to General Statutes § 1-84(m):

No . . . state employee shall knowingly accept, directly or indirectly, any gift, as defined in subsection (e) of section 1-79, from any person the . . . employees knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the . . . employee is employed No person shall knowingly give, directly or indirectly, any gift or gifts in violation of this provision.

8. By accepting from Testa the gifts described in paragraph (6) above, the Respondent violated General Statutes § 1-84(m).

9. Pursuant to General Statutes § 1-84(c),

“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”

10. By awarding a state contract in exchange for gifts, the Respondent violated Connecticut General Statutes § 1-84(c).

II. RESPONDENT'S POSITION

1. The Respondent denies paragraphs 5 and 6 of the aforesaid State's Position and that the conduct alleged therein violated Connecticut General Statutes §§ 1-84(c) and (m). The Respondent is entering into this Stipulation and Consent Order solely to avoid the costs and uncertainty of litigation.

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 issue a Complaint against the Respondent, and to enter into this Consent Order on behalf of the Office of State Ethics.

2. The Respondent agrees that the provisions of this Consent Order apply to and are binding upon him and the Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer and the Office of State Ethics over matters addressed in this Consent Order.

3. The Respondent waives any rights he 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.

4. 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.

5. The Respondent understands that he has the right to counsel and has been represented by counsel of his choice throughout the OSE's investigation and in connection with this Stipulation and Consent Order.

IV. ORDER

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

1. The Respondent shall cease and desist from any future violations of General Statutes section 1-84(g), (c) and (m).

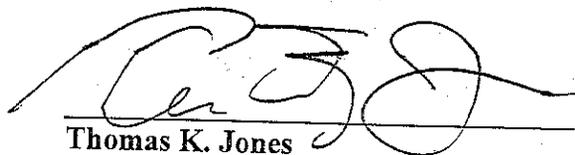
2. The Respondent shall pay a civil penalty to the State in the amount of five hundred dollars (\$500.00) for his alleged violations of General Statutes section 1-84(c) and (m).

WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Consent Order dated December 30, 2008.

Dated: Jan 9 2009


Raymond Cox
Respondent

Dated: Jan 14, 2009


Thomas K. Jones
Ethics Enforcement Officer,
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(860) 263-2390