

DOCKET NUMBER 2008-35	)	OFFICE OF STATE ETHICS
	)	
IN THE MATTER OF A	)	18-20 TRINITY STREET
	)	
COMPLAINT AGAINST	)	HARTFORD, CT 06106
	)	
JAMES BARONE	)	MAY 26, 2009

**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 James Barone (“Barone” or “Respondent”) for violations of the Code of Ethics, Connecticut General Statutes section 1-84(c). 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, used confidential information acquired in the course of his employment for personal financial gain, including restaurant gift certificates and \$200 in cash, thereby violating the Code of Ethics for Public Officials.

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. This Stipulation and Consent Order relates solely to the specific allegations of the Complaint.

**I. STIPULATION**

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

1. From on or about November 1982 to on or about January 2008, and at all times relevant hereto, the Respondent was employed by the state of Connecticut in the Department of Correction.

2. From on or about November 1982 to on or about January 2008, and at all times relevant hereto, the Respondent was a "State Employee" as that term is defined in General Statutes §1-79(m).

3. Beginning no later than 2005 and continuing until on or about March 2007, the Respondent, as a result of his state employment, had access to state information regarding state prisoners, persons with criminal records, and persons who had been arrested but who had been released on bail bonds pending trial. As a result of his state employment, the Respondent had access to, *inter alia*, confidential state databases regarding the status of inmates and former inmates in Connecticut; federal criminal databases; and, pictures of individuals who had failed to appear in state Superior Court.

4. The Respondent, on at least one occasion, provided confidential information obtained during the course of his employment to certain bail bondsmen.

5. In December of 2006, a bail bondsman gave a family member of the Respondent \$200 in cash as a Christmas gift. Sometime thereafter, the bail bondsman indicated that the gift was a thank you for assistance that the Respondent provided over time. Respondent acknowledges using poor judgment in keeping the money.

6. The Respondent exceeded authorized use of a state computer by doing two background checks for a bail bondsman. After performing each of the background checks, the Respondent informed the bail bondsman that the inmate was not arrested.

7. The Respondent admits all facts set forth in the Stipulation and Consent Order in this matter and admits that, by engaging in the conduct set forth herein, he violated General Statutes § 1-84(c).

### **III. RESPONDENT'S POSITION**

1. The Respondent states that he had a long standing, personal relationship with certain bail bondsmen.

2. The Respondent states that he socialized with these bail bondsmen during off-work hours.

3. The Respondent states that gifts were exchanged at Christmas by the Respondent and these bail bondsmen.

4. The Respondent states that he has accepted no more than \$200 as a thank you for assisting the bail bondsmen.

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

### **IV. JURISDICTION**

1. The Ethics Enforcement Officer is authorized 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 Respondent agrees that the provisions of this Stipulation and 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 Stipulation and 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 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 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.

#### **V. 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(c).

2. The Respondent shall not seek state employment or a contract from the state for a period of two years following the date of the execution of this Stipulation and Consent Order.

3. The Respondent shall not enter into, or seek, any state contract for services for a period of two years following the date of the execution of this Stipulation and Consent Order.

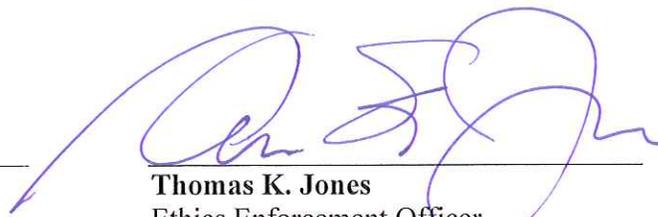
4. The Respondent shall pay a civil penalty to the State in the amount of five hundred dollars (\$500.00) for his violations of General Statutes section 1-84(c).

**WHEREFORE**, the Ethics Enforcement Officer and the Respondent hereby execute this Consent Order dated May 26, 2009.

Dated: 5-29-09

  
\_\_\_\_\_  
**James Barone**  
Respondent

Dated: 6/2/09

  
\_\_\_\_\_  
**Thomas K. Jones**  
Ethics Enforcement Officer,  
Office of State Ethics  
18-20 Trinity Street  
Hartford, CT 06106  
(860) 263-2390