

OFFICE OF STATE ETHICS

DOCKET NUMBER 2007-16 : OFFICE OF STATE ETHICS
IN THE MATTER OF A : 18-20 TRINITY STREET
COMPLAINT AGAINST : HARTFORD, CT 06106
ERNEST E. NEWTON II : FEBRUARY 18, 2011

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 Ernest E. Newton II ("Newton" or "Respondent") for violations of the Code of Ethics, General Statutes sections 1-84(a), 1-84(g), 1-83(a)(1) and 1-83(b)(1)(B). 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 serving as an elected official of the state of Connecticut, solicited and accepted cash in the amount of \$5,000, in exchange for official action, and failed to disclose such income on his annual Statement of Financial Interests. Consequently, the Ethics Enforcement Officer finds there is probable cause to believe that the Respondent solicited and accepted cash based on the understanding that his official actions would be or had been influenced thereby, in violation of General Statutes section 1-84(g). In addition, the Ethics Enforcement Officer finds there is probable cause to believe that the Respondent failed to file an accurate Statement of Financial Interests ("SFI") as required

by law for the year 2004 and, in failing to do so, violated General Statutes sections 1-83(a)(1) and 1-83(b)(1) of the General Statutes.

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, the Respondent was a member of the Senate in the General Assembly.
2. At all times relevant hereto, the Respondent was a "Public Official" as that term is defined in General Statutes section 1-79(k).
3. At all times relevant hereto, Progressive Training Associates, Inc., (hereinafter "Progressive Training") of Bridgeport, Connecticut, was a non-profit organization assisting lower-income people in the City of Bridgeport and surrounding areas by providing vocational training and other services.
4. At all times relevant hereto, Warren Keith Godbolt ("Godbolt") was the Executive Director and Chief Operating Officer of Progressive Training.
5. On or about June 3, 2004, the Respondent learned that one hundred thousand dollars (\$100,000) in State of Connecticut Bond Commission (hereinafter the "Bond Commission") monies would be allocated to finance proposals relating to capital projects in Connecticut that the Respondent wished to support. The Respondent

understood that, in order for the monies to be allocated, the proposed recipient would need to file a written proposal.

6. In or about May or June of 2004, Godbolt and the Respondent made an agreement that, if Godbolt paid \$5,000 to the Respondent, the Respondent would secure the \$100,000 for Godbolt.

7. Beginning in or about May or June of 2004, and continuing after that time, the Respondent took action in his official capacity to secure and/or to help secure State of Connecticut bond monies for Progressive Training and Godbolt, including but not limited to discussing the status of bonding monies with legislative staff members, agreeing to work on the "write up" for \$100,000 in bonding money and requesting that Godbolt speak with the assistant chief of staff to the Senate President Pro Tem, regarding securing the bonding money.

8. In or about June of 2004 and July of 2004, Godbolt paid the Respondent \$5,000 for the Respondent's efforts in securing and/or helping to secure Bond Commission monies for Progressive Training.

9. On or about August 6, 2004, the Bond Commission approved \$100,000 in funding for building improvements and renovations to the Progressive Training facility located at 1027 Fairfield Avenue, Bridgeport, Connecticut.

10. By soliciting and/or accepting money from Godbolt based on the understanding that the Respondent would support, and ultimately did support, the awarding of Bond Commission funding to Progressive Training, the Respondent violated General Statutes section 1-84(g).

11. The Respondent admits that he engaged in the conduct as set forth in paragraphs 1-10 above, and admits that his conduct violated General Statutes section 1-84(g).

12. For the year 2004, the Respondent was required, pursuant to General Statutes section 1-83(a)(1), to file a SFI with the OSE (formerly the State Ethics Commission).

13. Pursuant to General Statutes section 1-83(b)(1), the Respondent was required to disclose in his 2004 SFI all sources of income in excess of one thousand dollars, with a description of each source.

14. In his SFI for year 2004, the Respondent failed to disclose that he had received \$5,000 from Godbolt.

15. By failing to disclose the \$5,000 that he received from Godbolt, the Respondent filed a SFI form for 2004 that was incomplete and inaccurate, in violation of General Statutes sections 1-83(a)(1) and 1-83(b)(1).

16. The Respondent admits that he engaged in the conduct as set forth in paragraphs 12-15 above, and admits that his conduct violated General Statutes sections 1-83(a)(1) and 1-83(b)(1).

17. The Respondent understands that he has the right to counsel and has expressly waived such right.

II. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's employment practices, to issue a Complaint against the Respondent, 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 undersigned Parties.

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 as authorized by General Statutes section 4-177(c).

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 award equitable relief.

5. 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.

III. ORDER

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

1. Pursuant to General Statutes section 1-88(a)(1), the Respondent will heretofore cease and desist from any future violation of General Statutes section 1-84(g).

2. Pursuant to General Statutes section 1-88(a)(1), the Respondent will heretofore cease and desist from any future violation of General Statutes sections 1-83(a)(1) and 1-83(b)(1).

3. The Respondent shall not hold state employment for six (6) months following the execution of this Stipulation and Consent Order.

4. The Respondent shall not seek or hold any contract for services with the state of Connecticut for six (6) months following the execution of this Stipulation and Consent Order.

5. If the Respondent should, in the future, become a public official or become employed as a state employee, the Respondent shall be subject to the filing requirements of General Statutes section 1-83 (Statement of Financial Interests) for each year in which he serves as a public official or state employee.

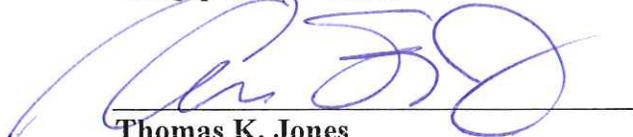
WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated February 18, 2011.

Dated: 2-21-11



Ernest E. Newton II
Respondent
190 Read Street
Bridgeport, CT 06607

Dated: 3/1/11



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