



**OFFICE OF STATE ETHICS**

DOCKET NUMBER 2014-8 :  
IN THE MATTER OF A : 18-20 TRINITY STREET  
COMPLAINT AGAINST : HARTFORD, CT 06106  
MANUEL ROSALES : OCTOBER 13, 2015

**STIPULATION AND CONSENT ORDER**

Pursuant to the Code of Ethics, General Statutes §§ 1-79, *et seq.*, Thomas Jones, Ethics Enforcement Officer, filed a Complaint against Manuel Rosales (“Dr. Rosales” or “Respondent”), alleging violations of the Code of Ethics for Public Officials. Based on the investigation by the Enforcement Division of the Office of State Ethics (“OSE”), the OSE finds that there is probable cause to believe that Dr. Rosales violated the Code of Ethics as further set forth herein.

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. STIPULATION**

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

1. At all times relevant hereto, the Respondent was employed as a Supervising Psychologist II at the Greater Bridgeport Community Mental Health Center (“GBCMHC”) on 1635

Central Avenue, in Bridgeport, a state facility operated by the Department of Mental Health and Addiction Services (“DMHAS”).

2. At all times relevant hereto, the Respondent was a “State Employee” as that term is defined in General Statutes § 1-79 (13).

3. At all times relevant hereto, the Respondent owned and operated a private practice where the Respondent was paid fees for clinical services (“private practice”).

4. The private practice was not related to the Respondent’s state job duties.

5. From on or about 2010 through on or about 2014, the Respondent used state resources in the operation of his private practice, including but not limited to, state office space located at 1635 Central Avenue, in Bridgeport, state-issued computers and state e-mail accounts.

6. The Respondent used state resources in the operation of his private business while on state time, and was compensated by the state for such time.

7. The Respondent’s access to state resources he used in his private practice was solely by virtue of his state position.

8. General Statutes § 1-84 (c) states in pertinent part:

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 . . .

9. The Respondent, by using the resources provided by virtue of his state position for private practice purposes, used his public office or position to obtain financial gain for himself, in violation of General Statutes § 1-84 (c).

10. Each time the Respondent used the resources provided by virtue of his state position for private practice purposes constitutes a separate and distinct violation of General Statutes §1-84 (c).

11. On one or more occasions, from on or about 2010 through on or about 2014, the Respondent took on clients in his private practice who were referred to him by a DMHAS employee.

12. In addition, on one or more occasions, from on or about 2010 through on or about 2014, the Respondent, in his private practice, contracted with other state agencies to perform psychological evaluations of individuals, several of whom were also current DMHAS clients.

13. The psychological evaluations of current DMHAS clients performed by the Respondent in his private practice were used by the other state agencies to determine the eligibility of the individuals for the receipt of state benefits, including potential benefits from DMHAS.

14. On multiple occasions, beginning on or about 2010 through no later than 2014, the Respondent, in conducting his private practice, violated several DMHAS work rules.

15. General Statutes § 1-84 (b) states in pertinent part:

No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

16. By operating his private practice in the manner described above, the Respondent accepted other employment that impaired his independence of judgment as to his official duties, in violation of General Statutes § 1-84 (b).

17. Each time the Respondent accepted other employment that impaired his independence of judgment as to his official duties constitutes a separate and distinct violation of General Statutes §1-84 (b).

## **II. RESPONDENT'S POSITION**

1. The Respondent states that he did not utilize his state office to evaluate clients for whom he provided services in his private practice.

### III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's acts as set forth herein, 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 Respondent.

3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights he may have under General Statutes §§ 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 § 4-177 (c).

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.

6. 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.

7. The Respondent understands that he has a right to counsel and has been represented by counsel during the OSE's investigation and in connection with this Stipulation and Consent Order.

**IV. ORDER**

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby ORDERS, and Dr. Rosales agrees, that:

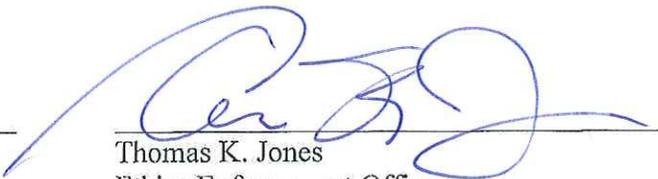
1. Pursuant to General Statutes § 1-88 (a) (1), Dr. Rosales will cease and desist from any future violation of § 1-84 (c).
2. Pursuant to General Statutes § 1-88 (a) (1), Dr. Rosales will cease and desist from any future violation of § 1-84 (b).
3. Pursuant to General Statutes § 1-88 (a) (3), Dr. Rosales will pay civil penalties to the State in the amount of three thousand five hundred dollars (\$ 3,500.00) for his violation of General Statutes § 1-84 (c) as set forth in the Complaint and herein.
4. Pursuant to General Statutes § 1-88 (a) (3), Dr. Rosales will pay civil penalties to the State in the amount of one thousand five hundred dollars (\$ 1,500.00) for his violation of General Statutes § 1-84 (b) as set forth in the Complaint and herein.

WHEREFORE, the Ethics Enforcement Officer and Dr. Rosales hereby execute this Stipulation and Consent Order dated October 13, 2015.

Dated: 10/19/2015

  
\_\_\_\_\_  
Dr. Manuel Rosales

Dated: 10/21/15

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