

OFFICE OF STATE ETHICS

DOCKET NUMBER 2014-39 :
: **18-20 TRINITY STREET**
IN THE MATTER OF A :
: **HARTFORD, CT 06106**
COMPLAINT AGAINST :
: **JUNE 19, 2015**
THOMAS TRACEY :

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 Thomas Tracey (“Tracey” or “Respondent”), alleging violations of the Code of Ethics. 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 the Respondent violated § 1-84 (p) (2) of 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, Thomas Tracey (hereinafter “Respondent” or

“Tracey”) was employed as a Skilled Maintainer at the Connecticut Military Department (hereinafter “Military Department”).

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

3. In December 2013, Respondent assisted his immediate supervisor who sold state-owned copper and other scrap metal (“scrap metal”) from a Military Department facility to a Connecticut metal recycling center (“recycling center”).

4. The Respondent’s immediate supervisor sold the scrap metal to the recycling center for several hundred dollars.

5. After the Respondent’s immediate supervisor sold the scrap metal to the recycling center, he paid the Respondent a portion of the proceeds of the sale, in the amount of \$100.

6. The Respondent did not use the money he received from the sale of the scrap metal for any state purpose.

7. The Respondent’s immediate supervisor informed the Respondent that he provided the \$100 as a gift to the Respondent.

8. Pursuant to General Statutes § 1-84 (p) (2):

No public official or state employee or member of the immediate family of a public official or state employee shall knowingly accept, directly or indirectly, any gift costing one hundred dollars or more from a public official or state employee who is a supervisor of such public official or state employee.

9. By receiving a gift in the amount of \$100 from his immediate supervisor, the Respondent violated General Statutes § 1-84 (p) (2).

II. 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 that he has been represented by counsel during the OSE's investigation and in connection with this Stipulation and Consent Order.


III. ORDER

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

1. Pursuant to General Statutes § 1-88 (a) (3), Respondent will pay civil penalties to the State in the amount of Two Hundred Fifty Dollars (\$ 250.00) for his violation of General Statutes § 1-84 (p) (2) as set forth in the Complaint and herein.

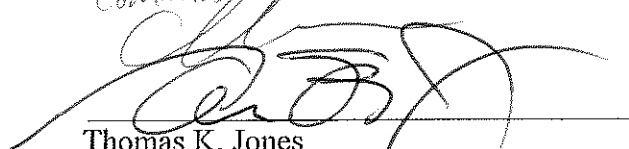
WHEREFORE, the Ethics Enforcement Officer and Respondent hereby execute this Stipulation and Consent Order dated June 19, 2015.

Dated: 6-30-2015



Thomas Tracey
Witnessed by Mark D. O'Hara
Commissioner of the Superior Court

Dated: July 6, 2015



Thomas K. Jones
Ethics Enforcement Officer
Connecticut Office of State Ethics
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Hartford, CT 06106
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