



**OFFICE OF STATE ETHICS**

**DOCKET NUMBER 2020-17** : **OFFICE OF STATE ETHICS**  
: **165 CAPITOL AVENUE, SUITE 1200**  
**IN THE MATTER OF A** : **HARTFORD, CT 06106**  
: **SEPTEMBER 14, 2022**  
**COMPLAINT AGAINST**  
**ANDREW LAVIGNE**

**STIPULATION AND CONSENT ORDER**

Pursuant to the Code of Ethics, Connecticut General Statutes §§ 1-79, *et seq.*, Mark Wasielewski, Ethics Enforcement Officer, filed a Complaint against Andrew Lavigne (“Lavigne” 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 the Respondent violated the Code of Ethics, General Statutes § 1-84 (m), 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 the Manager of Business Development and Special Projects at the Connecticut Port Authority ("CPA").
2. At all times relevant hereto, the CPA was a state "quasi-public agency", as that term is defined in Connecticut General Statutes § 1-79 (12).
3. At all times relevant hereto, the Respondent was a "state employee", as that term is defined in General Statutes § 1-79 (13).
4. At all times relevant hereto, a Delaware limited liability company with a principal place of business located in New York, New York ("New York Company") was doing business and/or was seeking to do business with the CPA.
5. On or around May 9, 2019, the Respondent accepted a ticket from the New York Company to a National Hockey League playoff game held on May 9, 2019 in Boston, Massachusetts ("NHL Game").
6. The NHL Game ticket accepted by the Respondent was valued at or around \$675.
7. On May 9, 2019, the Respondent also accepted food and/or drinks at a restaurant from the New York Company.
8. The food and/or drinks provided by the New York Company to the Respondent on May 9, 2019 were valued at \$50 or more.
9. Each of the items of value described above, provided by the New York Company to the Respondent in 2019, constitutes a "gift" as that term is defined in General Statutes § 1-79 (5).

10. In order to avoid attribution as a gift, the Respondent was required to either return the items of value or reimburse the New York Company within 30 days of receipt, pursuant to Regulations of Connecticut State Agencies § 1-92-54 (c).

11. The Respondent did not reimburse the New York Company for the items of value described above within 30 days of receipt.

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

No public official or state employee shall knowingly accept, directly or indirectly, any gift, as defined in subdivision (5) of section 1-79, from any person the public official or state employee knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the public official or state employee is employed[.]

13. By accepting the gifts from the New York Company at a time when the New York Company was doing business and/or seeking to do business with the CPA, without returning the items of value or reimbursing the New York Company within thirty days, the Respondent violated General Statutes § 1-84 (m).

14. Each instance where the Respondent accepted a gift from the New York Company constitutes a separate and distinct violation of General Statutes § 1-84 (m).

## II. RESPONDENT'S POSITION

1. The Respondent cooperated throughout the OSE's investigation.
2. The Respondent states that he became a CPA employee after the New York Company was hired by the CPA, and at no time had the authority to authorize payments to the New York Company.
3. The Respondent attended the dinner and hockey game with his supervisor.
4. The Respondent reimbursed the New York Company in August 2019, prior to the initiation, or his notification of, any investigation by the OSE.
5. The Respondent was unaware of the obligation to reimburse the New York Company

within 30 days, as set forth in Regulations of Connecticut State Agencies § 1-92-54 (c), prior to making reimbursement, and states that he had inquired with CPA attorneys regarding disclosure and reporting requirements.

6. Although the Respondent believed that the New York Company was seeking new business with the CPA in May of 2019, the Respondent avers that the New York Company did not obtain any new business.

7. The Respondent states that he received no training in the Code of Ethics for Public Officials as a part of his employee onboarding process, and that, to his knowledge, the CPA did not have an ethics policy in place in May of 2019.

8. The Respondent acknowledges that, after receiving ethics training in September of 2019, he understands that either declining the ticket and dinner or providing reimbursement to the New York Company within 30 days of receipt for the items would have avoided the violation. He believes that, had he had this ethics training prior to the items being offered by the New York Company, he would have sought advice from the OSE about the permissibility of their receipt.

9. The Respondent states that he served a two (2) day unpaid suspension as a part of a personnel matter related to the May 9, 2019 dinner and hockey game.

### **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 the Respondent may have under Connecticut 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 the Respondent 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 Connecticut General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent Andrew Lavigne agrees, that:

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

2. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay civil penalties to the State in the amount of seven hundred fifty dollars (\$750.00) for the violations of General Statutes § 1-84 (m), as set forth in the Complaint and herein.

**WHEREFORE**, the Ethics Enforcement Officer and Andrew Lavigne hereby execute this Stipulation and Consent Order dated September 14, 2022.

Dated: 9/15/22



Andrew Lavigne

Dated: 10/24/22



Mark E. Wasielewski, Esq.  
Ethics Enforcement Officer  
Office of State Ethics  
165 Capitol Avenue, Suite 1200  
Hartford, CT 06106  
Ph.: (860) 263-2398