

DOCKET NUMBER 2009-6)	OFFICE OF STATE ETHICS
)	
IN THE MATTER OF A)	18-20 TRINITY STREET
)	
COMPLAINT AGAINST)	HARTFORD, CT 06106
)	
ALBENIE GAGNON)	NOVEMBER 5, 2009

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, Connecticut General Statutes §§ 1-79, *et seq.*, Rick Morneau, a member of the public, filed a complaint (“Complaint”) with the Office of State Ethics (“OSE”) naming state marshal Albenie Gagnon as respondent (“Gagnon” or “Respondent”), for a violation of the Code of Ethics, Connecticut General Statutes §1-83. Based on the findings of an investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer believes that the Respondent, a state marshal, did not accurately report on his Statement of Financial Interests (“SFI”) amounts and sources of income earned in his capacity as a state marshal.

The Parties have entered into this Stipulation and Consent Order following issue of the Complaint, but without adjudication of any issue of fact or law herein. This Stipulation and Consent Order relates solely to the specific allegations of the Complaint. With the Respondent’s stipulation to entry into this agreement, the Respondent admits to the allegations detailed below.

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I. STIPULATION

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

1. At all times relevant hereto, Gagnon was engaged in employment as a Connecticut state marshal.
2. Pursuant to General Statutes §§ 1-83 (a) (1) and (b) (2), on May 1, 2008, the Respondent was required to file a SFI reflecting the amounts and sources of income earned in his capacity as state marshal during calendar year 2007.
3. On or about April 11, 2008, the Respondent filed a SFI with the OSE for calendar year 2007.
4. Respondent filed his calendar year 2007 SFI under penalty of false statement.
5. The SFI filed by Respondent for calendar year 2007 did not accurately reflect the income he received in his capacity as state marshal.
6. By filing an inaccurate SFI for calendar year 2007, Respondent violated § 1-83 (a).
7. Respondent admits the foregoing facts are true and admits that his conduct violated General Statutes § 1-83.

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

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II. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's SFI reporting 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 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 §§ 1-82, 1-82a, 1-87 and 1-80, 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.

III. RESPONDENT'S POSITION

1. Respondent states that in preparing his filing he relied upon 1099's he had received in listing those persons or entities that paid him more than \$1,000.00 for services

in calendar year 2007 and, as a consequence, omitted one additional person who paid more than \$1,000.00 and who did not send him a 1099.

2. In addition, Respondent states that in preparing his 2007 return clerical errors were made by a third party preparer that were later discovered and corrected by the Respondent.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Ethics Enforcement Officer and Respondent agree to settle the matter in the manner described below:

1. Pursuant to General Statutes § 1-88 (a) (1), the Ethics Enforcement Officer orders and the Respondent agrees to cease and desist from any future violation of General Statutes § 1-83.

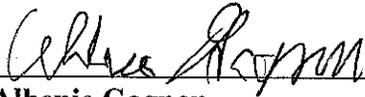
2. Pursuant to General Statutes § 1-88 (a) (3), the Ethics Enforcement Officer orders and the Respondent agrees that the Respondent pay civil penalties to the State in the amount of nine hundred, seventeen dollars and eighty five cents (\$917.85) for violation of General Statutes § 1-83.

4. The Ethics Enforcement Officer orders and the Respondent agrees to pay all damages and civil penalties to the Office of State Ethics within thirty (30) days of the signing of this Stipulation and Consent Order.

5. Respondent agrees to henceforth accurately file his SFI including all amounts and sources of income earned in his capacity as a state marshal.

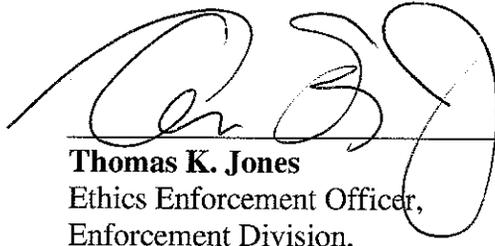
WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated November 5, 2009.

Dated: 11/5/09



Albenie Gagnon,
Respondent
16 Maxwell Drive
Rocky Hill, CT 06067

Dated: 11/9/09



Thomas K. Jones
Ethics Enforcement Officer,
Enforcement Division,
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