

92-1



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

March 3, 1992

P R E S S R E L E A S E

On January 6, 1992, State Ethics Commission Staff Attorney Marianne D. Smith filed a complaint (Docket No. 92-1) against John J. Lepore, who held the office of Deputy Comptroller of the State of Connecticut from January, 1991 to March, 1991. The complaint alleged that the Respondent Mr. Lepore violated §1-83(a) of the Code of Ethics for Public Officials by failing to file a Statement of Financial Interests (SFI) for the portion of 1991 during which he held office. A copy of the complaint is attached.

Following a preliminary confidential hearing held on March 2, 1992, the Ethics Commission, by unanimous vote, found probable cause to believe that the Respondent Mr. Lepore's failure to file an SFI violated the Code of Ethics for Public Officials. The Commission considered and rejected the Respondent's claim that the fifth amendment privilege against self-incrimination protected him from providing the requested information. A copy of the Commission's specific findings is attached.

FOR FURTHER INFORMATION CALL:

Alan S. Plofsky, Esq.
Executive Director and General Counsel

or

Marianne D. Smith
Staff Attorney

State Ethics Commission
(203) 566-4472



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

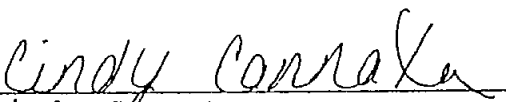
ETHICS COMMISSION PROBABLE CAUSE FINDINGS

DOCKET NO. 92-1

The Commission unanimously finds that there exists probable cause to believe that:

1. From January, 1991 to March, 1991, John J. Lepore (hereinafter "Respondent") was the Deputy Comptroller of the State of Connecticut.
2. Subsequent to the Respondent's departure from office, the Ethics Commission notified him of his responsibility, pursuant to Conn. Gen. Stat. §1-83(a), to file a Statement of Financial Interests covering the portion of 1991 during which he held office.
3. On October 25, 1991 the Ethics Commission received a Statement from the Respondent which contained only his name, the names of his spouse and dependent child, and his state position.
4. The Respondent claimed that the information requested by the form, other than his title and his and his dependents' names, was protected by "his rights and privileges against self-incrimination."
5. The Commission considered and rejected the Respondent's claim that the fifth amendment privilege against self-incrimination permitted him to refuse to comply with the administrative filing requirement of Conn. Gen. Stat. §1-83(a).
6. The Commission concludes that the Respondent's failure to file a Statement of Financial Interests covering the portion of 1991 during which he held office violated Conn. Gen. Stat. §1-83(a).

By order of the Commission


Cindy Cannata
Clerk of the Commission

C O N F I D E N T I A L

DOCKET NO. 92-1) STATE ETHICS COMMISSION
IN THE MATTER OF A) 97 ELM STREET (REAR)
COMPLAINT AGAINST) HARTFORD, CT 06106
JOHN J. LEPORE) JANUARY 6, 1992

COMPLAINT

1. On or about January 6, 1991, John J. Lepore (hereinafter "Respondent") took office as the Deputy Comptroller of the State of Connecticut. The Respondent resigned the office of Deputy Comptroller in March, 1991.

2. Pursuant to Conn. Gen. Stat. §1-83(a), a deputy comptroller who leaves office must file a Statement of Financial Interests covering the portion of the year during which he held his office. Such Statement must be filed within sixty days after receipt of notice, from the Ethics Commission, of such requirement.

3. Subsequent to the Respondent's departure from office, the Ethics Commission notified him of his responsibility, pursuant to Conn. Gen. Stat. §1-83(a), to file a Statement of Financial Interests covering the portion of 1991 during which he held his office.

4. The Respondent having failed to file his Statement within sixty days of notification, the Ethics Commission, on September 3, 1991, notified him that if the Statement was not received by September 18, 1991, a Notice of Hearing would be issued and he would be subject to the possibility of a civil penalty of up to one thousand dollars.

5. The Respondent having failed to file his Statement by September 18, 1991, the Ethics Commission, on September 20, 1991, issued a Notice of Hearing to be held October 7, 1991.

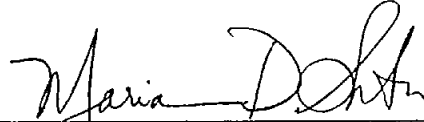
6. As the result of subsequent representations by the Respondent, the October 7, 1991 hearing was postponed pending receipt of the Respondent's Statement.

7. On October 25, 1991 the Ethics Commission received a Statement from the Respondent which contained only his name, the names of his spouse and dependent child, and his state position. Along with his Statement the Respondent submitted a claim that any other information requested by the form was protected by "his rights and privileges against self-incrimination."

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8. Neither the United States Constitution nor the Connecticut Constitution supports the Respondent's claim of blanket immunity from the requirements of Conn. Gen. Stat. §1-83(a).

9. The Respondent's refusal to file a completed Statement of Financial Interests constitutes a violation of Conn. Gen. Stat. §1-83(a)



Marianne D. Smith

1/6/92

Date