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# STATE OF CONNECTICUT STATE ETHICS COMMISSION

April 4, 1997

## PRESS RELEASE

At the request of and in cooperation with the Commissioner of Revenue Services, Gene Gavin, the Ethics Commission has conducted a comprehensive review of Department of Revenue Services ("DRS") personnel to determine whether any employees were engaged in the preparation of federal or Connecticut state tax returns for outside clients in violation of Conn. Gen. Stat. §1-84(b). Section 1-84(b) prohibits the acceptance of employment that impairs a state employee's independence of judgment. The Ethics Commission discovered such activity in one instance. The Ethics Commission and Karl Witwicki settled the matter by entering into a stipulated agreement, a copy of which is attached. Under the settlement, Mr. Witwicki agreed to pay a civil penalty of \$1,000.

In the course of its investigation, the Ethics Commission also found that four DRS employees were concurrently employed by DRS and by outside tax preparation services. These individuals were not engaged in the preparation of Connecticut state or federal tax returns. Due to the employees' access to confidential information in their official capacities, however, the Ethics Commission has directed staff to review this practice of dual employment and to prepare an advisory opinion prohibiting such practice in the future.



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 97-5 ) STATE ETHICS COMMISSION
IN THE MATTER OF A ) 20 TRINITY STREET
COMPLAINT AGAINST ) HARTFORD, CT 06106
KARL WITWICKI ) MARCH 27, 1997

STIPULATION AND ORDER

1. The Commission finds that the Respondent, Karl Witwicki, violated Conn. Gen. Stat. §1-84(b), as alleged in the Complaint dated March 27, 1997.

2. For purposes of settling this matter, the Respondent does not contest the Commission's findings. Respondent states his actions were unintentional and that he believed that he could accept work preparing tax returns for H & R Block clients without impairing his independence of judgment as Revenue Examiner I for the Department of Revenue Services.

3. This finding is made solely on the basis of the Commission's staff investigation into this matter, and is not admissible in, nor shall it be deemed to prejudice, any subsequent civil or administrative proceeding against the Respondent or any other person.

4. The Respondent waives any rights he may have under Conn. Gen. Stat. §§1-80, 1-82, 1-82a, and 1-87, including the right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

NOW THEREFORE, pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent Karl Witwicki agree to settle this matter in the manner described below:

1. The Ethics Commission orders, and the Respondent agrees to pay to the Commission, a civil penalty of \$1,000.00, payable in equal monthly installments of \$200.00, the first of which monthly payments is due within thirty days of the signing of this Stipulation and Agreement; and (2) the Respondent agrees to henceforth comply with the Code of Ethics for Public Officials, Chapter 10, Part I, Connecticut General Statutes.

Karl Wittenick  
Respondent

3.27.97  
Date

Mamie J. Mason  
Chairperson, Ethics Commission

4/4/97  
Date

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COMPLAINT

1. At all times relevant to this complaint, the Respondent, Karl Witwicki, was a state employee as that term is defined in Conn. Gen. Stat. §1-79(m).
2. At all times relevant to this complaint, the Respondent was employed by the Department of Revenue Services ("DRS") as a Revenue Examiner I.
3. During 1994, 1995 and 1996, the Respondent also accepted payment from H & R Block, a private tax preparation service, for his assistance to its clients in the preparation of their state and federal tax returns.
4. Conn. Gen. Stat. §1-84(b) prohibits a state employee from accepting other employment which will either impair his independence of judgment as to his official duties or employment or induce him to disclose confidential information acquired by him in the course of and by reason of his official duties.
5. The Respondent's actions described in paragraph 3, above, constitute acceptance of outside employment which impairs his independence of judgment as to his official duties in violation of Conn. Gen. Stat. §1-84(b).
6. Each tax return preparation in which the Respondent participated, as described in paragraph 3, above, constitutes a separate violation of Conn. Gen. Stat. §1-84(b).

Catherine Nasto  
Staff Attorney

DATE: March 27, 1997

*Received in person from  
C. Nasto on 3/27/97*

*Karl Witwicki*

*Karl Witwicki*

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