

STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

**CONFIDENTIAL**

**CONNECTICUT STATE ETHICS COMMISSION  
20 TRINITY STREET  
HARTFORD, CONNECTICUT 06106-1660**

**COMPLAINT**

The State Ethics Commission issues a complaint alleging a violation of:

  X   The Code of Ethics For Public Officials and  
State Employees, Chapter 10, Part I, General Statutes

       The Code of Ethics for Lobbyists, Chapter 10, Part II,  
General Statutes

Time and date matters complained of occurred: March 2000 - January 2002

Place violation occurred: Connecticut

Persons involved: David S. Brown

Witnesses: To be identified 10 days prior to any hearing held in this matter, pursuant to  
Conn. Gen. Stat. § 1-82.

Circumstances which indicate that the Code of Ethics designated above was violated are  
as follows (a short, plain statement alleging a violation of Chapter 10, General Statutes):

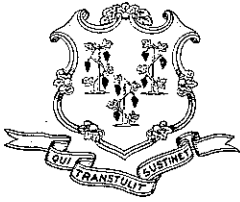
See the attached Complaint.

  *Denise A. Anderson*    
Signature

      7/12/02        
Date

Complainant's Name and Address: State Ethics Commission  
20 Trinity St., Suite 205  
Hartford, CT 06106-1660

Complainant's Telephone Number: (860)566-4472



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

DOCKET NUMBER 2002-4 ) STATE ETHICS COMMISSION  
IN THE MATTER OF A ) 20 TRINITY STREET  
COMPLAINT AGAINST ) HARTFORD, CT 06106  
DAVID S. BROWN ) JULY 12, 2002

COMPLAINT


COUNT ONE

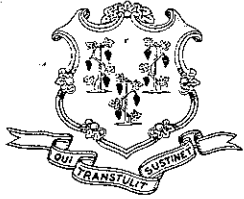
1. On January 19, 2001, David S. Brown (hereinafter "the Respondent") resigned from his position of Project and Customer Services Division Head for the Connecticut Resources Recovery Authority (hereinafter "CRRA").
2. CRRA is a quasi-public agency as defined in Conn. Gen. Stat. § 1-79(l).
3. As an employee of CRRA, the Respondent was a state employee as that term is defined in Conn. Gen. Stat. § 1-79(m).
4. In March of 2001, the Respondent was hired by TRC Environmental Corporation (hereinafter "TRC"), a private engineering and consulting firm.
5. Conn. Gen. Stat. § 1-84b(f) provides that no former state employee who participated substantially in the negotiation or award of a state contract obliging the state to pay \$50,000 or more, or who supervised the negotiation or award of such a contract shall accept employment with a party to the contract, other than the state, for a period of one year after his resignation from his state position if his resignation occurs less than one year after the contract is signed.
6. On more than one occasion in the year before he left CRRA, the Respondent substantially participated in contracts between CRRA and TRC with contract amounts of \$50,000 or more.
7. By virtue of the above, the Respondent violated Conn. Gen. Stat. § 1-84b(f).

COUNT TWO

1. Paragraphs 1 through 4 of Count One are hereby incorporated as if more fully set forth herein.
  
5. In April 2001, TRC submitted bidding documents in response to CRRA's requests for proposals for engineering services.
  
6. In responding to the requests for proposals identified in Paragraph 5 of this Count, the Respondent was identified as the "proposed program manager [who] will serve as the key TRC contact for the project." The Respondent's resume was included with each part of the proposal. The resume identified the Respondent as having worked for CRRA.
  
7. Pursuant to Conn. Gen. Stat. § 1-84b(b), no former state employee shall, for one year after leaving state service, represent anyone, other than the state, for compensation before the agency in which he served at the time of his termination of service, concerning any matter in which the state has a substantial interest.
  
8. The engineering services provided under the contract are matters in which the state has a substantial interest.
  
9. The submissions described in Paragraphs 5 and 6 of this Count constitute representation of TRC by the Respondent before CRRA, in violation of Conn. Gen. Stat. § 1-84b(b).

7/12/02  
Date

  
Denise Rodosevich  
Commission Attorney



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

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IN THE MATTER OF A ) 20 TRINITY STREET  
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**STIPULATION AND ORDER**

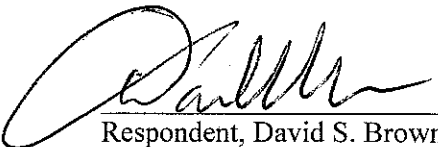
Pursuant to Conn. Gen. Stat. § 4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

1. The Commission finds that the Respondent violated §§ 1-84b(b) and 1-84b(f) of the Code of Ethics for Public Officials (hereinafter the "Code") as alleged in the Complaint dated July 12, 2002.
2. The Respondent acknowledges that he violated the Code as alleged, but states that the violations were not intentional. Furthermore, prior to accepting the position with TRC, the Respondent discussed whether his new position at TRC was permissible under the Code with officials from both CRRA and TRC, and each believed the employment was permissible, with recognition that the Code provided limitations on compensation for his services. The Respondent now concedes that this understanding was erroneous and any violations of the Code were inadvertent on his part. The Respondent also states that, at all times, his intentions were to advocate for and represent the best interests of CRRA. Additionally,
  - (a) with regard to Count One of the Complaint, the Respondent emphasizes that he did not believe his participation in the contracts to be substantial under the Code; and
  - (b) with regard to Count Two of the Complaint, the Respondent states that individuals at CRRA knew and concurred with his acceptance of, and were therefore fully aware of, his position at TRC. Therefore, they either knew or should logically have concluded that he would be available to work on projects for CRRA, regardless of whether his name was formally included in TRC's response. The Respondent further states that the request for proposals specifically required those responding to the request for proposals to disclose all staff who were available to work on CRRA matters. On that basis, the Respondent believed that it would have been a false submission to exclude his name from the response.

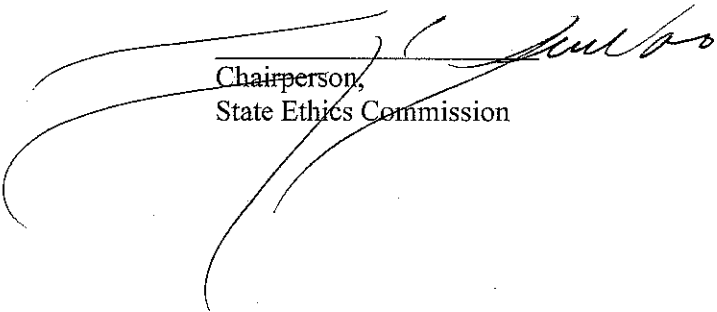
3. The Respondent waives any rights he may have under Conn. Gen. Stat. §§ 1-82, 1-82a, 1-80, and 1-87 including any right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. § 4-177(c), and the Commission agrees that this shall resolve all potential violations by Respondent under Conn. Gen. Stat. §§ 1-84b(b) and 1-84b(f).

WHEREFORE, the State Ethics Commission enters and the Respondent agrees to the following order in lieu of any other action regarding this matter.

The Respondent agrees to pay \$10,000 to the Commission within thirty days of the signing of this Stipulation and Order.

  
Respondent, David S. Brown

7/12/2002  
Date

  
Chairperson,  
State Ethics Commission

12 JULY 02  
Date