



OFFICE OF STATE ETHICS

DOCKET NUMBER 2020-12	:	
	:	
IN THE MATTER OF A	:	18-20 TRINITY STREET
	:	
COMPLAINT AGAINST	:	HARTFORD, CT 06106
	:	
SEAN CONDON	:	FEBRUARY 16, 2021

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes §§ 1-79, *et seq.*, Mark Wasielewski, Ethics Enforcement Officer, filed a Complaint against Sean Condon (hereinafter “Condon” or “Respondent”), alleging violations of the Code of Ethics. 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 General Statutes §§ 1-84 (b) and (c) of the Code of Ethics, 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. The Respondent was employed by the State of Connecticut from on or about 1988

to March 2020. He held the position of Associate Research Analyst for the Department of Energy and Environmental Protection (hereinafter "DEEP") from 2011 to March 2020 and at all times relevant hereto.

2. At all times relevant hereto, the Respondent was a "state employee" as that term is defined in General Statutes § 1-79 (m).

3. During the years 2018 and 2019, the Respondent owned and/or operated several private businesses, including a retail men's hair and skin care product business and an internet marketing business (hereinafter, "private businesses").

4. The private businesses that the Respondent owned and/or operated were not related to his state job duties.

5. During the years 2018 and 2019, the Respondent used state resources, including but not limited to his workstation, his state-issued computer, his state-issued e-mail account, and his state-issued telephone to operate his private businesses.

6. The Respondent engaged in several activities unrelated to his state position including using his workstation and/or state-issued equipment to shoot videos and take photographs and to produce numerous marketing and advertising materials for the purpose of furthering his private businesses.

7. The Respondent used state resources to operate his private businesses while on state time and was compensated by the state for such time.

8. The Respondent took steps to evade the detection of his private business activities and his use of state resources as outlined above, which included the surreptitious installation of a motion sensor doorbell system on a separate workstation that alerted him when an individual was approaching his workstation.

9. The resources that the Respondent used to conduct his private businesses were provided solely by virtue of his state position.

10. General Statutes § 1-84 (c) states in pertinent part:

No public official or state employee... shall use his public office or position or any confidential information received through his holding such public office or position to obtain financial gain for himself, his spouse, child, child's spouse, parent, brother or sister or a business with which he is associated.

11. The Respondent, by using the resources provided by virtue of his state position for private business purposes, used his public office or position to obtain financial gain for himself, in violation of General Statutes § 1-84 (c).

12. On multiple occasions in 2018 and 2019, the Respondent, in operating his private businesses at his workstation, violated DEEP work rules.

13. General Statutes § 1-84 (b) states in pertinent part:

No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

14. By operating his private businesses in the manner described above, the Respondent accepted other employment that impaired his independence of judgment as to his official duties, in violation of General Statutes § 1-84 (b).

15. The Respondent admits to the foregoing facts and admits that the foregoing facts constitute violations of the Code of Ethics.

II. RESPONDENT'S POSITION

1. The Respondent states that he did not intend to violate the Code of Ethics.

2. In lieu of dismissal, the Respondent retired from state service, effective April 1, 2020, and signed a stipulated agreement with DEEP in which he agreed that he would not apply

for or accept employment with any State of Connecticut agency or department in the future.

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 he may have under 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 he has a right to counsel and has chosen not to be represented by counsel during the OSE's investigation and in connection with this Stipulation and Consent Order.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby ORDERS, and Condon agrees, that:

1. Pursuant to General Statutes § 1-88 (a) (1), Condon will cease and desist from any future violation of General Statutes § 1-84 (c).
2. Pursuant to General Statutes § 1-88 (a) (1), Condon will cease and desist from any future violation of General Statutes § 1-84 (b).
3. Pursuant to General Statutes § 1-88 (a) (3), Condon will pay a civil penalty to the State in the amount of four thousand dollars (\$4,000.00) for his violation of General Statutes § 1-84 (c) as set forth in the Complaint and herein.
4. Pursuant to General Statutes § 1-88 (a) (3), Condon will pay a civil penalty to the State in the amount of one thousand dollars (\$1,000.00) for his violation of General Statutes § 1-84 (b) as set forth in the Complaint and herein.

WHEREFORE, the Ethics Enforcement Officer and Condon hereby execute this Stipulation and Consent Order dated February 16, 2021

Dated: 2/19/21

Sean / Con
Sean Condon

Dated: 2/26/21

Mark E. Wasielewski
Mark E. Wasielewski
Ethics Enforcement Officer
Juris No. 423766
Office of State Ethics
18-20 Trinity Street, Suite 205
Hartford, CT 06106
Tel.: (860) 263-2398
Fax: (860) 263-2402