

PRESS RELEASE

Probable Cause Found in Alleged Ethics Violation by Former UCONN Health Center Employee James Martin

First Public Hearing of the Citizen's Ethics Advisory Board to Follow

March 2, 2009

Former UCONN Health Center Employee James Martin, of Centerbrook, CT, is facing a public hearing before the Citizen's Ethics Advisory Board following a confidential hearing at which a judge trial referee found probable cause to believe that Martin violated a revolving-door provision of the Code of Ethics. Allegedly, Martin, who served as an Assistant Director of Campus Planning at the University of Connecticut Health Center, participated in the award of two contracts valued at \$147,240 and \$88,000 to daSilva Architects of New York City. Martin left employment with the state on February 15, 2007 and almost immediately accepted employment with daSilva.

In his decision, Judge Trial Referee Jerry Wagner noted that the evidence made it "abundantly clear" that probable cause was established at the hearing because, despite Martin's position to the contrary, Martin had "substantially" participated in the negotiation and/or award of the daSilva contracts. Connecticut General Statutes § 1-84 b (f) prohibits officials who participate substantially in the negotiation or award of a state contract valued at \$50,000 or more from accepting employment with a party to the contract for a period of one year after leaving state service if the contract was signed during the employee's last year.

A public hearing is scheduled for March 26, 2009 and marks the first such hearing since the formation of the Office of State Ethics in 2005. A judge trial referee other than Judge Wagner will preside over the public hearing; the Citizen's Ethics Advisory Board (CEAB) will hear the matter and decide whether the Code of Ethics was violated. The maximum penalty for a violation of the Code of Ethics is \$10,000. Respondents may appeal decisions of the CEAB to the Superior Court.

"The upcoming hearing is an opportunity for the public to observe and better understand the ethics enforcement process," explained OSE Executive Director Carol Carson. "Unless there is a finding of probable cause, or a settlement occurs, the agency's enforcement activities are generally conducted under strict confidentiality."

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