

OFFICE OF STATE ETHICS

DOCKET NUMBER 2010-08 : OFFICE OF STATE ETHICS
: :
IN THE MATTER OF A : 18-20 TRINITY STREET
: :
COMPLAINT AGAINST : HARTFORD, CT 06106
: :
JEFFREY REYNOLDS : NOVEMBER 19, 2010

CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes sections 1-79, et seq., Thomas K. Jones, Ethics Enforcement Officer of the Office of State Ethics (“OSE”), issued a Complaint against the Respondent Jeffrey Reynolds (“Reynolds” or “Respondent”) alleging violations of the Code of Ethics, Connecticut General Statutes section 1-84(c). Based upon the investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer finds there is probable cause to believe that the Respondent, who was Director, Capitol Projects and Contract Administration Services and then Interim Vice President, Administration and Operations at the University of Connecticut, used state resources for his own benefit, in violation of General Statutes section 1-84(c).

The Parties have entered into this Stipulation and Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein.

I. STATE’S POSITION

Based upon the preliminary investigation of this matter, the Ethics Enforcement Officer was prepared to establish the following at a probable cause hearing:

1. At all times relevant hereto, the Respondent was Director, Capitol Projects and Contract Administration and/or Interim Vice President, Administration and Operations at the University of Connecticut.

2. At all times relevant hereto, the Respondent was a state employee, as defined in General Statutes section 1-79(m).
3. As Director, Capitol Projects and Contract Administration Services and as Interim Vice President, Administration and Operations, the Respondent had administrative control over the budget of the Capitol Projects and Contract Administration Services Division.
4. Beginning on or about September, 2008, and continuing until on or about December, 2009, the Respondent stayed at, and/or made reservations to stay at the Nathan Hale Inn on campus in Storrs, Connecticut on no less than twenty-three occasions.
5. On each of the twenty-three occasions on which the Respondent stayed at, or made reservations to stay at, the Nathan Hale Inn, the Respondent charged his stay to the budget of Capital Projects and Contract Administration at the University of Connecticut, over which he had administrative control.
6. While staying at the Nathan Hale Inn, the Respondent charged his extraneous expenses, including meals, alcoholic beverages, parking and entertainment, to the budget of Capital Projects and Contract Administration.
7. The University of Connecticut did not authorize the Respondent's stays at the Nathan Hale Inn as set forth herein.
8. The University of Connecticut did not authorize the Respondent to use state funds to pay for his stays and expenses at the Nathan Hale Inn as set forth herein.
9. Although the University of Connecticut, in May 2008, authorized Respondent to stay at the Nathan Hale Inn, such authorization was based on treatment that Respondent stated that he was then receiving as a result of a medical condition. Further, Respondent received express written notice that the authorization was based on an expectation that

there would be up to one stay per week while his treatment was taking place and that the authorization expired in mid-August, 2008. Nevertheless, all of Respondent's twenty three stays took place from September 2008 until the University of Connecticut confronted him in December 2009 – well after the express written authorization had expired.

10. At least a majority of the twenty three unauthorized stays that Respondent had at the Nathan Hale Inn were unrelated to any medical condition suffered by the Respondent and were taken primarily for Respondent's convenience and/or for his personal use.
11. All of the extraneous expenditures for meals, parking, alcoholic beverages, and entertainment were made by Respondent for his own convenience and/or personal use.
12. General Statutes section 1-84(c) states in pertinent part:

[N]o public official or state employee shall use his public office or position ...to obtain financial gain for himself.

13. By using state resources to stay at the Nathan Hale Inn without authorization, the Respondent used his public office or position to obtain financial gain for himself, in violation of General Statutes section 1-84(c).

II. RESPONDENT'S POSITION

1. Respondent denies that his actions violated the Code of Ethics but, in order to avoid what he believes would be lengthy and costly legal proceedings, agrees to settle the matter.
2. Respondent states that he did not willfully or knowingly use his public position to obtain financial gain for himself in violation of General Statutes section 1-84(c).
3. Respondent states that he believed at the time his employer had authorized all stays at the

Nathan Hale Inn as a reasonable accommodation to a medical condition of which the Respondent had previously made his employer aware.

4. Respondent states that he believed at the time that there was no written policy at the University of Connecticut that prohibited his stays at the Nathan Hale Inn.
5. Respondent states that, based upon his informing the University of treatment he was receiving for the medical condition he had reported to it, the University of Connecticut had previously provided written authorization for him to stay at the Nathan Hale Inn up to ten previous occasions between May 2008 and mid-August 2008. Respondent further states that during this time of authorization, he had not opted not to stay at the Nathan Hale Inn.
6. Despite the express written terms of the authorization that Respondent received in May 2008, informing him that the authorization expired in mid-August 2008, Respondent states that he nonetheless believed that he continued to be authorized to stay at the Nathan Hale Inn after the authorization expired, at his sole election and discretion.
7. Respondent states that he has made full restitution of \$3,078.27 for the twenty-three stays at the Nathan Hale Inn. Respondent states that when he was authorized (from May 2008 to mid-August 2008) to stay up to ten nights at the Nathan Hale Inn for his stated medical treatment, he did not utilize any of the stays for which he had been authorized. Despite being informed that his authorization expired in mid-August 2008, Respondent states that he nonetheless continued to believe that he had authorization to stay at the Nathan Hale Inn for up to ten of the twenty three occasions on which he stayed at the Nathan Hale Inn subsequent to the expiration of the authorization. Respondent states that, despite his belief that he was entitled to stay at the Nathan Hale Inn for up to ten of the twenty three

unauthorized stays, he nevertheless paid restitution for these ten stays as well as the other thirteen stays.

7. Respondent states that he is no longer associated with the University of Connecticut.
8. At the time he sought authorization to stay at the Nathan Hale Inn in May 2008, Respondent states that he believed that The Americans with Disabilities Act (“ADA”), as amended, 42 U.S.C. §12101 et seq. and Connecticut General Statutes Section 46a-60(a)(1) entitled him to a reasonable accommodation for the treatment he states he was then receiving for his stated medical condition, and that he believed that staying at the Nathan Hale Inn was such a reasonable accommodation. Respondent acknowledges that, after his authorization to stay at the Nathan Hale Inn expired in mid-August 2008, Respondent never requested any additional accommodation from the University of Connecticut. Respondent states that, despite his lack of request for any reasonable accommodation after August 2008, he nonetheless believed that he was entitled to stay at the Nathan Hale Inn, at his own discretion and election, as a reasonable accommodation under the ADA, and he continued to do so until December 2009 without informing the University.
9. Respondent acknowledges that he did not believe that the meals, alcoholic beverages, and entertainment that he charged to the University were reasonable accommodations to his stated medical condition.

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent’s acts as set forth herein, to issue a Complaint against the Respondent, and to enter into this

Stipulation and Consent Order.

2. The provisions of this 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 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 section 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 Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this 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 the right to counsel and has been represented by counsel throughout the investigation of this matter and the negotiation of this Consent Order.

III. ORDER

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

1. Pursuant to General Statutes section 1-88(a)(1), the Respondent will heretofore cease and

desist from any future violation of General Statutes section 1-84(c).

2. Pursuant to General Statutes section 1-88(a)(3), the Respondent shall pay to the State four thousand dollars (\$4,000.00).

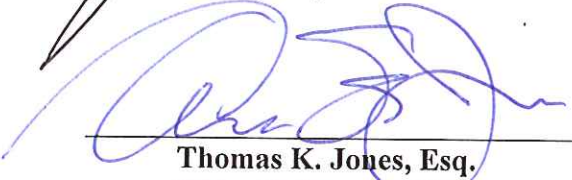
WHEREFORE, The Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated this 19th day of November, 2010.

Dated: 19 November 2010



Jeffrey Reynolds

Dated: November 29, 2010



Thomas K. Jones, Esq.
Ethics Enforcement Officer
Connecticut Office of State Ethics
18-20 Trinity Street
Hartford, CT 06106