

In the Matter of a Complaint by

FINAL DECISION

Ethics Enforcement Officer,
Office of State Ethics,

Complainant

Docket # 2013-06UP

against

Patricia Randall,

Respondent

July 18, 2013

The above-captioned matter was heard as a contested case on June 27, 2013, with the complainant appearing and presenting testimony, exhibits and argument on the complaint. Although the Office of State Ethics' ("OSE") records reflect that the Notice of Hearing in this matter was signed as "received" at the respondent's known legal address, the respondent failed to appear.

After considering the entire record, the following facts are found and conclusions of law are made:

1. It is found that having failed to receive the respondent's Marshal Statement of Income ("SFI") filing by May 1, 2013, the complainant informed the respondent by letter dated May 3, 2013, that her 2012 SFI form, which was due to be filed on or before May 1, 2013, was delinquent, and that if such SFI form was not filed with the OSE by May 17, 2013, a hearing regarding this matter would be scheduled.
2. It is found that the May 3, 2013 letter further informed the respondent that "[b]y statute. . . [p]enalties can amount to up to \$10 for each day that the form is late, dating from May 1 until the date that the form is actually filed."
3. Having failed to receive the respondent's SFI filing by May 17, 2013, it is found that by letter dated May 20, 2013, the complainant informed the respondent that a hearing on this matter was scheduled for June 27, 2013. It is found that the May 20, 2013 letter was

accompanied by a formal Notice of Hearing, also dated May 20, 2013. Such notice was issued pursuant to the authority and jurisdiction vested in the OSE by General Statutes § 1-88 (b).

4. It is found that the issues presented are:

- a) whether the respondent violated § 1-83 (a) and § 1-83 (b) (2) by failing to file, on or before May 1, 2013, an SFI form for calendar year 2012;
- b) whether the Citizen's Ethics Advisory Board ("Board") should impose a civil penalty in this matter, if it finds that the respondent violated § 1-83 (a) (1) and § 1-83 (b) (2).

5. Section 1-83 (a) (1), provides, in relevant part:

All state-wide elected officers, members of the General Assembly . . . state marshals and such members of the Executive Department and such employees of quasi-public agencies as the Governor shall require, shall file, under penalty of false statement, a statement of financial interests for the preceding calendar year with the Office of State Ethics on or before the May first next in any year in which they hold such a position.

6. Section 1-83 (b) (2), provides, in relevant part:

The statement of financial interests filed by state marshals shall include only amounts and sources of income earned in their capacity as state marshals.

7. Section § 1-88 (b), provides, in relevant part:

[The Board] may, after a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, upon the concurring vote of six of its members present and voting, impose a civil penalty not to exceed ten dollars per day upon any individual who fails to file any report, statement or other information as required by this part In no event shall the aggregate penalty imposed for such failure to file exceed ten thousand dollars.

8. It is found that the respondent was a state marshal during calendar year 2012 and, as such, a required filer of the SFI for 2012, within the meaning of § 1-83 (a) (1) and § 1-83 (b) (2).

9. It is found that the respondent received notice of her designation as a required filer on March 26, 2013 by means of Administrative Bulletin 13-04, sent by the State Marshal Commission.
10. It is found that the respondent did not file the 2012 SFI form with the OSE on or before the first of May 2013 as required by § 1-83 (a) (1).
11. It is therefore concluded that the respondent violated § 1-83 (a) (1), by failing to file the required 2012 SFI form with the OSE on or before the first of May 2013.
12. It is concluded that, under § 1-88 (b), the Board may impose on the respondent a maximum civil penalty of ten dollars (\$10.00) per day for each day she failed to file the 2012 SFI, up to and including the date the form is filed.
13. It is further found that the respondent has failed to file her required SFI form in a timely manner in previous years. Specifically, the filings for calendar years 2009, 2010 and 2011 were all received after the first of May deadline.

The following order is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The respondent shall, within ten (10) days of the mailing of the notice of final decision in this case, file her 2012 SFI form with the OSE.
2. The respondent shall, within ten (10) days of the mailing of the notice of final decision in this case, remit to the OSE a civil penalty in the amount of five hundred seventy (\$570) dollars representing ten dollars per day for the period May 1 to June 27, 2013 plus an additional ten dollars (\$10.00) per day for each additional day that the SFI is not filed.

Henceforth, the respondent shall, if designated an SFI filer within the meaning of § 1-83 (a), file the SFI in a timely fashion.

Approved by Order of the Citizen's Ethics Advisory Board at its regular meeting of July 18, 2013.



Diane Buxo, Acting Clerk of the Board

PURSUANT TO CONNECTICUT GENERAL STATUTES § 4-180 (c), THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS PROVIDED TO THE OFFICE OF STATE ETHICS, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVES.

THE PARTIES TO THIS CONTESTED CASE ARE:

ETHICS ENFORCEMENT OFFICER
OFFICE OF STATE ETHICS
18-20 TRINITY STREET, SUITE 205
HARTFORD, CT 06106

PATRICIA RANDALL
58 BROWNSON DRIVE
SHELTON, CT 06484

A handwritten signature in cursive script that reads "Diane Buxo".

Diane Buxo, Acting Clerk of the Board