



STATE ETHICS COMMISSION

PRESS RELEASES

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February 22, 2006

Westford Affordable Housing Committee Member Douglas Deschenes Fined \$5,000 by Ethics Commission for Representing Clients before the Committee

Deschenes also forfeits \$3,862

The Massachusetts State Ethics Commission issued a Disposition Agreement in which Westford Affordable Housing Committee (AHC) member Douglas C. Deschenes admitted violating the state's conflict of interest law and agreed to pay a civil penalty of \$5,000. Deschenes also agreed to forfeit \$3,862, the compensation he had received for work done in relation to matters involving the AHC.

According to the Disposition Agreement, Deschenes, an attorney, violated G.L. c. 268A, § 17(a) and (c) by representing clients for compensation on 11 different plans before the AHC. Deschenes presented their concept plans for affordable housing projects and answered questions about those projects. Deschenes did not participate as an AHC member in matters involving his clients.

Section 17(a) of the conflict law prohibits a municipal employee from receiving compensation from anyone other than the town in relation to particular matters in which the town has an interest. Section 17(c) prohibits a municipal employee from acting as an attorney for anyone other than the town in connection with a particular matter in which the town is a party or has a direct and substantial interest. By acting on behalf of his clients for compensation in matters before the AHC, Deschenes acted on behalf of his clients for compensation in connection with matters in which the town had an interest.

"A town official owes undivided loyalty to the town he serves and may not put private interests before public responsibilities," said Executive Director Peter Sturges. "An

attorney, who has a professional obligation to zealously represent his client, can't possibly comply with that professional obligation and, at the same time, meet his ethical responsibility to provide undivided loyalty to the town he serves. This is particularly true when an attorney appears before the very board on which he serves."