

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**



Office of Government Ethics

IN RE: ARETHA CHAPMAN

Respondent

**Aretha Chapman
c/o Rita Grant Ndirika, Esq.**



CASE Nos.: 24-0009-F

NOTICE OF VIOLATION

Pursuant to the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (“Ethics Act”), effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01, et seq.), the Director of Government Ethics completed a preliminary investigation and has obtained evidence to present to the Board of Ethics and Government Accountability (the “Ethics Board”) that there is reason to believe the Respondent named above violated the District Code of Conduct.

The Office of Government Ethics (“OGE”) has reason to believe Respondent, Aretha Chapman, violated sections of the District government’s Code of Conduct based on the following facts and evidence uncovered during the preliminary investigation and submits evidence to the Ethics Board that:

1. Respondent was a District government employee for fifteen (15) years.

2. She served as a Paralegal Specialist with the Office of the General Counsel (“OGC”) for District of Columbia Public Schools (“DCPS”).
3. Her job responsibilities included providing legal support to attorneys with respect to civil litigation matters. She also supported various program areas related to special education.
4. Respondent worked an alternative work schedule and was required to work 9 hours for eight days and 8 hours for one day, with a day off per pay-period.
5. Respondent was also required to adhere to a telework agreement. The agreement dictated that Respondent was to work in-office two days per week and telework the remaining days.
6. One of Respondent’s supervisors noticed that Respondent had not been coming into the office because Respondent’s office supplies remained in the supervisor’s office for a month.
7. Respondent’s supervisor rarely saw the Respondent in the office on the days that they were both scheduled to be there.
8. Based on Respondent’s timesheets, Respondent reported that she worked 9 or 8 hours in the office; however, Respondent’s office badge scans showed that Respondent worked, at most, five (5) to six (6) hours in-office on her required days.
9. Respondent falsified her in-office hours on her timesheets from November 1, 2022, until July 25, 2023, which resulted in 126 hours of unearned hours of pay.
10. Furthermore, on or about December 4, 2023, Respondent misled a Datawatch¹ representative to obtain office badge scan information for fellow DCPS employees.

¹ Datawatch is the key-card system used by District government employees when entering and exiting their respective office buildings.

11. Respondent wished to obtain these documents in hopes of proving that her colleagues had not worked full nine (9) hour days in-office.
12. Respondent requested that the documents be sent to her personal Gmail account.
13. When the Datawatch representative asked for verification of her employment with DCPS using her District government email, Respondent informed the representative that she could provide a paystub instead because she was on medical leave due to a recent surgery.
14. Respondent was not on medical leave. Respondent was placed on paid administrative leave while awaiting a final decision about her termination.
15. Respondent was successful in obtaining the badge scans from Datawatch.
16. Respondent was not authorized to request documents or information on behalf of the District when she made the request.

CHARGES

Respondent violated the following provision of the District Personnel Manual (“DPM”):

Count One: Using government time or resources for other than official business, or government approved or sponsored activities, in violation of DPM § 1807.1(b).

- Respondent violated this rule by not working full 9 or 8 hour in-office days as required by her supervisors between the period of November 1, 2022 and July 25, 2023, but reporting that she worked those hours on her timesheets. At most, Respondent worked 5 or 6 hours in the office but claimed that she worked 9 or 8 hours on her timesheets. Respondent’s falsified timesheets resulted in her receiving pay for 126 hours of unearned hours.

Count Two: An employee has a duty to protect and conserve government property and shall not use such property, or allow its use, for other than authorized purposes in violation of DPM § 1808.1.

- Respondent violated this rule when she obtained Datawatch scans for DCPS employees under false pretenses. Respondent was not authorized to request documents or information on behalf of the District when she made the request.

Count Three: Employees shall not use public office or position for private gain, in violation of DPM § 1800.3(g).

- Respondent violated this rule when she misled the Datawatch representative to obtain entry and exit scans of all DCPS employees in hopes of using it as evidence for her upcoming personnel hearing. Respondent was not authorized to request documents or information on behalf of the District when she made the request.

Respondent shall file with the Ethics Board and serve a copy upon the Director of Government Ethics, a written response that states in short and plain terms her defenses to the violation alleged and shall admit or deny the averments, set forth in each numbered paragraph above, upon which the notice of violation relies. Respondent shall serve her response within (15) calendar days after the service of the Notice of Violation upon her. Accordingly, Respondent shall submit her response, either electronically or in hard copy, no later than the close of business on **Monday, April 22, 2024**. If submitted in hard copy via U.S. mail, Respondent must allow enough time for mailing delays in that the written response must be received by the Ethics Board and the Director of Government Ethics no later than close of business on **Monday, April 22, 2024**.

Responses submitted via U.S. mail or in person shall be separately addressed to Norma Hutcheson, BEGA Chairperson, and Ashley Cooks, Director of Government Ethics at 1030 15th Street, N.W., Suite 700, Washington, D.C. 20005. If submitted electronically, Respondent may email her response to lynn.tran@dc.gov, ashley.cooks@dc.gov and franshun.vann@dc.gov.

Once Respondent has submitted her response or failed to submit a response by the due date provided, the Board shall send a Notice of Hearing to Respondent. The Notice of Hearing will provide the time, date, and location of the hearing; reference applicable statutes, rules, or regulations, state the purpose of the hearing, advise Respondent that she may be represented by counsel or other representative of her choosing, and advise Respondent that she may bring witnesses. Evidence at the hearing shall be taken in conformity with D.C. Official Code § 2-509(b).

A copy of the Ethics Board's rules, 3 DCMR Section 5500 *et. seq.*, which provide a description of Respondent's right to a hearing, all procedural rights available to Respondent at the hearing, and a description of the applicable law and regulations that govern the disposition of the Notice of Violation should Respondent choose not to file a response or fail to appear at a scheduled hearing, is attached to this Notice of Violation and herein incorporated by reference.

This Notice of Violation is effective upon approval of the Board of Ethics and Government Accountability, as demonstrated by the signature of the Chairperson below, as of the date indicated below.

APPROVED:



4.4.24

Norma Hutcheson
Chair, Board of Ethics and Government Accountability

Date