

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

OFFICE OF GOVERNMENT ETHICS



In Re: M. Briggs
Case No.: 24-0019-P

NEGOTIATED DISPOSITION

Pursuant to section 221 (a)(4)(E)¹ of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012, D.C. Law 19-124, D.C. Code § 1-1161.01 et seq., (“Ethics Act”), the Office of Government Ethics (the “Office” or “OGE”) hereby enters into this public negotiated settlement agreement with the Respondent, M. Briggs. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

FINDINGS OF FACT

The Respondent has been a District employee since September 29, 2002, and is currently a Records and Information Management Specialist with the District of Columbia Public Service Commission (“PSC”). Respondent is also the owner of Project Briggs, Inc., (“Project Briggs”) a 501(c)(3) non-profit public charity foundation.

The Respondent is the President and CEO of Project Briggs and is responsible for the overall organizational strategy and execution. His Project Briggs duties include implementing outreach and program initiatives, translating the organization's vision into day-to-day operations, building collaborative partnerships with community stakeholders, non-profit organizations, and government entities, and managing the organization's overall direction. On August 11, 2023, Respondent applied for a \$50,000 grant DC Mayor's Office of LGBTQ Affairs on behalf of Project Briggs. Respondent was awarded a grant of \$10,000, which has not been issued. On December 14, 2023, at 11:53 AM, the Respondent sent an email to the Mayor’s Office on Community Affairs (“MOCA”), Office of Lesbian, Gay, Bisexual, Transgender and Questioning (“LGBTQ”) Affairs, regarding a grant that had been awarded to his non-profit organization Project Briggs from his District government email address during his tour of duty.

Respondent asserted during the BEGA investigation that neither he nor any Project Briggs members benefited financially from the grants, and that all funds were used to benefit residents of the District. All Project Briggs board members hold non-paid volunteer positions, and the organization operates based on belief in the organization’s mission.

NATURE OF MISCONDUCT

¹ Section 221(a)(4)(E) of the Ethics Act provides, “[i]n addition to any civil penalty imposed under this title, a violation of the Code of Conduct may result in the following: . . . [a] negotiated disposition of a matter offered by the Director of Government Ethics, and accepted by the respondent, subject to approval by the Ethics Board.”

Respondent violated the following provisions of the District Personnel Manual (“DPM”) and District of Columbia Code of Conduct:

- ❖ **Count One:** A District government employee shall not engage in any outside employment or other activity incompatible with the full and proper discharge of his or her duties and responsibilities, including serving in a representative capacity or as an agent or attorney for any outside entity involving any matter before the District of Columbia, in violation of DPM § 1807.1(h).

The Respondent violated this rule by serving in a representative capacity for his non-profit organization, Project Briggs, Inc., during its grant application process before the District of Columbia.

- ❖ **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 he sent an email regarding a Project Briggs matter using his work email address.

In mitigation, the Respondent has demonstrated full cooperation with OGE and has accepted full responsibility for his actions. It is noteworthy that the Respondent did not derive any financial benefit from the grants in question, as Project Briggs operates on a non-profit basis. Furthermore, upon becoming aware of the violation, the Respondent promptly completed BEGA Ethics Training on February 14, 2024. The Respondent has expressed a commitment to further educate himself to ensure clarity regarding appropriate future conduct. To this end, he has pledged to seek guidance from BEGA should he intend to engage in business activities with the District in the future.

TERMS OF THE NEGOTIATED SETTLEMENT

Respondent acknowledges that his conduct was a violation of the Code of Conduct. Respondent agrees never to act as a representative of a third party before the District in the future. Respondent agrees to assign a Project Briggs employee, other than himself, to represent Project Briggs before the District should the organization do business with the District in the future. Respondent agrees to use his District government email address and other District government property and resources for official District government business only. Respondent agrees to pay a fine in the amount of **\$700.00**. Respondent agrees to pay the total **SEVEN HUNDRED DOLLARS** as outlined below.

1. Respondent agrees to pay a fine in the amount of \$700.00 by April 7, 2024, by certified check or money order, made out to the D.C. Treasurer, delivered to and received by OGE at 1030 15th Street NW, Suite 700, Washington, DC 20005 or by electronic payment at <https://dcwebforms.dc.gov/pay/bega1/> using transaction ID 24-0019-P;
2. In the event that Respondent’s employment with the District government ceases prior to complete satisfaction of the fine amount, Respondent agrees that any outstanding fine amount will be satisfied by deduction in full from Respondent’s final District government paycheck and/or any payment to the Respondent from the District government for unused annual leave.

In consideration of Respondent's acknowledgement and agreement, OGE will seek no further remedy and will take no further action related to the above misconduct. By agreeing to settle this matter via a negotiated disposition, Respondent will allow OGE to avoid expending significant time and resources to litigate this matter through a contested hearing, and to focus its finite resources on this investigation.

Respondent understands that if he fails to pay the full **\$700.00 fine** in accordance with the terms set forth here, pursuant to section 221(a)(5)(A) of the Ethics Act (D.C. Official Code § 1-1162.21(a)(5)(A)), the Ethics Board may file a petition in the Superior Court of the District of Columbia for enforcement of this Negotiated Disposition and the accompanying Board Order assessing the fine. Respondent agrees that failure to pay the fine amount will result in collection action. Respondent further understands that if she fails to adhere to this agreement, OGE may instead, at its sole option, recommend that the Ethics Board nullify this settlement and hold an open and adversarial hearing on this matter, after which the Ethics Board may impose sanctions up to the full statutory amount (\$5,000.00 per violation) as provided in the Ethics Act for each violation.² Because the Office is, at this time, foregoing requesting that the Ethics Board hold an open and adversarial hearing on this matter, Respondent waives any statute of limitation defenses should the Ethics Board decide to proceed in that matter as a result of Respondent's breach of this agreement.

The mutual promises outlined herein constitute the entire agreement in this case. Failure to adhere to any provision of this agreement is a breach rendering the entire agreement void. By our signatures, we agree to the terms outlined above.

 *Briggs*

3/6/2024

 **Briggs**
Respondent

Date

Ashley D. Cooks

3/6/2024

Ashley D. Cooks
Director of Government Ethics

Date

This agreement shall not be deemed effective unless and until it is approved by the Board of Ethics and Government Accountability, as demonstrated by the signature of the Chairperson below.

APPROVED:

Norma B. Hutcheson

3/7/2024

Norma Hutcheson
Chairperson,
Board of Ethics and Government Accountability
#24-0019-P
AC/ASM/MJ

Date

² Section 221(a)(1) (D.C. Official Code § 1-1162.21(a)(1)).

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

OFFICE OF GOVERNMENT ETHICS



IN RE: [REDACTED] Briggs
Respondent

CASE No.: 24-0019-P

ORDER

Based upon the mutual representations and promises contained in the Negotiated Disposition approved by the Board herein on March 7, 2024, and upon the entire record in this case; it is, therefore

ORDERED that Respondent pay a civil penalty in the amount of **SEVEN HUNDRED DOLLARS (\$700.00)**.

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

Norma Hutcheson
Chairperson, Board of Ethics and Government
Accountability

3/7/2024

Date