

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



Office of Government Ethics

In Re: A. Reitnauer
Case No. 21-0059-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, A. Reitnauer. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

I. FINDINGS OF FACT

Respondent has worked as a District government employee since December 12, 2016. Respondent is a Technical Lead Scientist-Fingerprints for the Department of Forensic Sciences (“DFS”). On May 13, 2021, Respondent conducted a virtual webinar training for the Chesapeake Bay Division of the International Association for Identification (“CBDIAI”), inside of a DFS laboratory. CBDIAI is a not-for-profit association dedicated to the advancement of identification and forensic sciences in the law enforcement and criminal justice communities. The training lasted for two hours. Respondent admitted that the training was not an agency training from DFS to the public, but instead was conducted by Respondent for CBDIAI. Respondent did not receive any funds for providing the training, it was a gratis offering to assist the forensic community.

II. NATURE OF VIOLATIONS

Respondent’s conduct is in violation of the District Code of Conduct, as set forth below:

- ❖ Count One: District Personnel Manual (“DPM”) § 1808.1 provides that 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. Respondent misused government property by conducting a private training for CBDIAI within a DFS facility.
- ❖ Count Two: DPM 1807.1(b) provides that employees are prohibited from engaging in outside employment or activities using government time or resources for other than official business, or government approved or sponsored activities. Respondent violated

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.”

this ethics rule when he conducted the training webinar while on duty and in a government facility.

None of the above-referenced actions were authorized by the District of Columbia.

Respondent accepted full responsibility for his actions when meeting with OGE employees to resolve this matter. Moreover, 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 other investigations.

III. TERMS OF THE NEGOTIATED DISPOSITION

Respondent acknowledges that his conduct violated the District Code of Conduct. Respondent agrees to pay a total fine in the amount of **\$2,000.00**, to resolve these violations of the District Code of Conduct, in accordance with the following terms and conditions:

1. Respondent agrees to satisfy his fine (**\$2,000.00**) by tendering bi-weekly payments of **\$100.00** to OGE, through automatic garnishment, beginning with his first pay period in January 2022, and continuing thereafter until the fine is satisfied;
2. Respondent agrees to authorize the District of Columbia Office of Pay and Retirement Services (“OPRS”) and/or the D.C. Treasurer to deduct payments of **\$100.00** from his bi-weekly paycheck and transfer such funds to the Board of Ethics and Government Accountability, commencing immediately and continuing until the entire fine amount is fully satisfied;
3. All outstanding amounts not paid against the fine will be due in full on or before November 1, 2022 (the “Maturity Date”);
4. Respondent agrees that, in the event that his employment with the District government ceases prior to complete satisfaction of the fine amount, any outstanding fine amount will be satisfied by deduction in full from Respondent’s final paycheck and/or any payment to the Respondent for unused annual leave;
5. Respondent agrees that, whether or not OPRS completes these deductions as described herein, Respondent is nonetheless solely responsible for satisfying the fine amount. Payment will be accepted by certified check or money order, made out to the D.C. Treasurer, delivered to and received by OGE at 441 4th Street NW, Suite 830 South, Washington, DC 20001; and
6. Respondent agrees to attend a full OGE ethics training which six months of execution of this agreement.

Additionally, Respondent promises not to engage in such conduct in the future. 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.

Respondent understands that if he fails to pay the full \$2,000.00 fine in accordance with the terms set forth hereinabove, 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 this Negotiated Disposition is not just an admission of wrongdoing but constitutes various factual admissions by him that may be used in any subsequent enforcement or judicial proceeding that may result from his failure to comply with this agreement. Nonetheless, Respondent knowingly and willingly waives his right to appeal the Board's Order.

Respondent further understands that if he 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 therein.




Respondent

12/1/21
Date



ASHLEY D. COOKS
Acting Director of Government Ethics

12/2/2021
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 Chairman below.



NORMA HUTCHESON
Chairperson, Board of Ethics and Government Accountability

12/2/2021
Date

#1634-001
MAE/AC

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] Reitnauer
Respondent

CASE No.: 21-0059-P

ORDER

Based upon the mutual representations and promises contained in the Negotiated Disposition approved by the Board herein on December 2, 2021, and upon the entire record in this case; it is, therefore

ORDERED that Respondent pay a civil penalty in the amount of TWO THOUSAND DOLLARS.

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

A handwritten signature in black ink that reads "Norma B. Hutcheson".

12/2/2021

NORMA HUTCHESON
Chair, Board of Ethics and Government Accountability

Date