

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

Office of Government Ethics



In Re: C. Thornton
Case No. 21-0077-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, C. Thornton. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

FINDINGS OF FACT:

Respondent has been employed by the D.C. Office of Human Rights as a Special Assistant since September 11, 2016. Respondent is responsible for overseeing the enforcement of the Fair Criminal Record Screening Act as it relates to safer housing and employment of returning citizens. Respondent also inspects jails and prisons that house incarcerated D.C. residents. Although during an interview with BEGA, Respondent explained that he works a variety of hours depending on the need, Respondent’s official tour of duty is Monday through Friday from 8:30AM to 5PM.

In addition to his District employment, Respondent also owns a real estate company called C. Thornton Realty, LLC. On December 30, 2020, C. Thornton Realty, LLC entered into a consulting agreement with T.G. Management, LLC, to perform consulting work related to property located at 1614 Olive Street, NE, Washington, DC. One of the services that C. Thornton Realty, LLC agreed to perform was to represent T.G. Management, LLC in meetings concerning the property. On at least three separate occasions, Respondent appeared at Board of Zoning Adjustment (BZA) Hearings on behalf of T.G. Management including on October 13, 2021 at approximately 9:50AM, September 22, 2021 at approximately 5PM, and May 18, 2022 at approximately 11:45AM.

Respondent appeared on video seated in his District office for each of those hearings. During an interview with BEGA, Respondent admitted he appeared at those hearings in his capacity as a consultant for T.G. Management.

NATURE OF MISCONDUCT

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

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.”

Count One: Using government property for other than authorized purposes in violation of DPM § 1808.1.

- Respondent violated this rule when he utilized his District government office while appearing at BZA hearings for his consulting company, C.B. Thornton Realty, LLC, on October 13, 2021, September 22, 2021, and May 18, 2022.

Count Two: Serving in a representative capacity or as an agent or attorney for any outside entity involving any matter before the District of Columbia, except as permitted by Subsection 1807.6 or 1807.7, in violation of DPM § 1807.1(h).

- Respondent violated this rule when he represented T.G. Management, LLC, at BZA hearings on October 13, 2021, September 22, 2021, and May 18, 2022.

The Respondent's conduct as described above was not authorized by the District of Columbia. In mitigation, Respondent fully cooperated with this Office's investigation. 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.

TERMS OF THE NEGOTIATED SETTLEMENT

Respondent acknowledges that his conduct was a violation of the Code of Conduct. Respondent agrees to pay a fine in the amount of **\$3,000.00** to resolve this violation of the District Code of Conduct, in accordance with the following terms and conditions.

1. Respondent agrees to payments in the amount of **\$250.00** via automatic deduction from Respondent's paycheck, commencing on September 1, 2022, and continuing on the 1st day of every month until the entire fine amount is fully satisfied;
2. Respondent agrees that he is 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
3. The total fine amount shall be due in full on or before **September 1, 2023** (the "Maturity Date").

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.

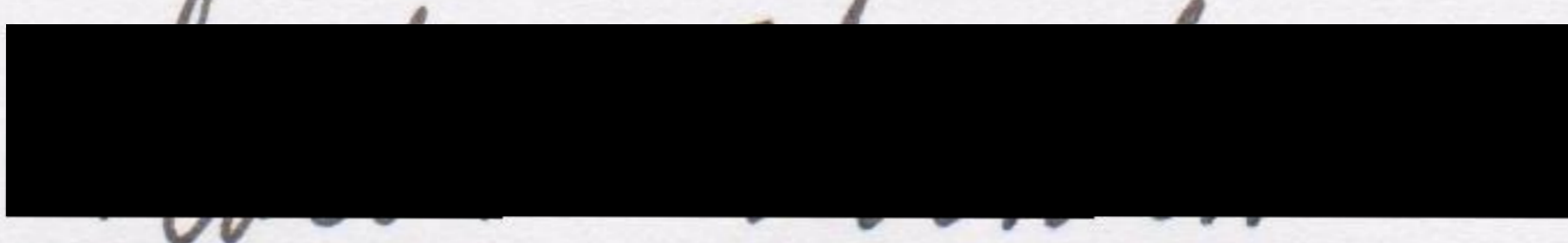
Respondent acknowledges that if Respondent fails to pay the \$3,000.00 fine in the manner and within the time limit provided above, pursuant to section 221(a)(5)(A) of the Ethics Act (D.C. Official Code § 1-1162.21(a)(5)(A)), the Ethics Board may file a petition in the Superior Court of

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.

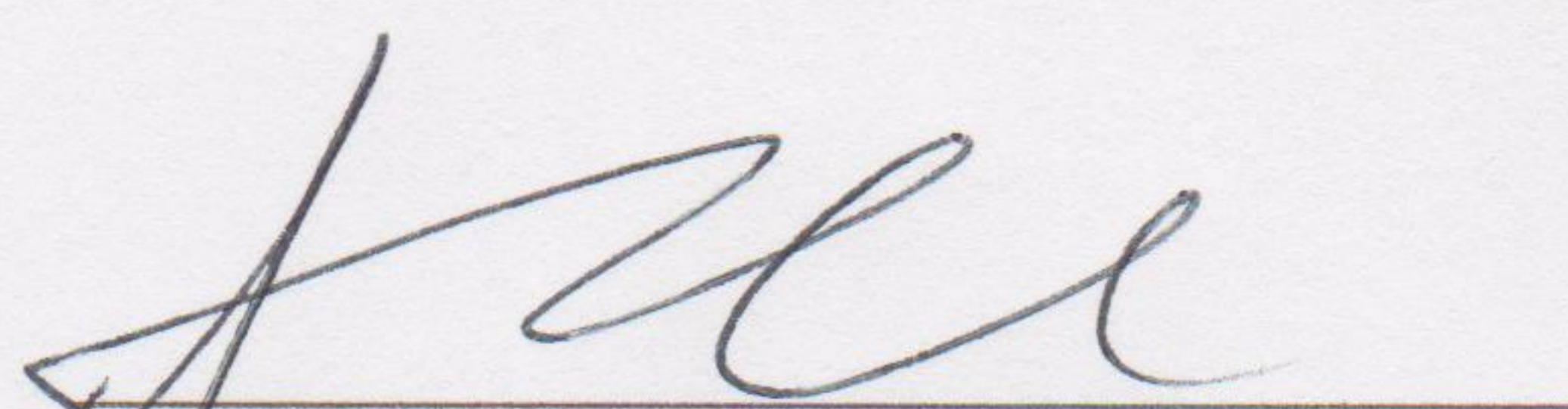
Respondent acknowledges and understands that this Negotiated Disposition is binding upon himself and OGE in resolution of his violations of the Code of Conduct that applies to District government employees and public officials. Respondent knowingly and willingly waives his right to appeal the accompanying Board Order imposing a fine in this matter in exchange for the concessions made by this Office in this Negotiated Disposition.

Respondent further understands that if he fails to adhere to this agreement, OGE may instead, at its sole option, send any unpaid fine amount to collections or 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 OGE 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. Respondent also understands that if he fails to pay the 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 settlement and the accompanying Board Order assessing the fine.

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.


C. Thornton
Respondent

8/29/2022
Date


Ashley D. Cooks
Director of Government Ethics

9-6-22
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.

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

APPROVED:



9/8/2022

Norma Hutcheson
Chairperson, BEGA
#22-0064-C
MJ/AC

Date

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

Office of Government Ethics

IN RE: Ch [REDACTED] Thornton
Respondent

CASE No.: 21-0077-P

ORDER

Based upon the mutual representations and promises contained in the Negotiated Disposition approved by the Board herein on September 8, 2022, and upon the entire record in this case; it is, therefore

ORDERED that Respondent pay a civil penalty in the amount of **THREE THOUSAND DOLLARS (\$3,000.00)**.

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
Chair, Board of Ethics and Government Accountability

9/8/2022

Date