

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



Office of Government Ethics



IN THE MATTER OF:

Yeolman Owens
[REDACTED]

Respondent

Date: August 25, 2022

CASE No.: 22-0040-P

AMENDED ORDER

Pursuant to the authority conferred by D.C. Official Code § 1-1162.12 and pursuant to authorization by the Board of Ethics and Government Accountability (“the Board” or “BEGA”), the Director of Government Ethics conducted a preliminary investigation into allegations that the Respondent, Yeolman Owens, violated the District’s Code of Conduct¹ by allowing the use of a government purchase card to purchase personal gifts for another employee. According to the investigation, Respondent violated District Personnel Manual (“DPM”) § 1808.1, which provides, 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.

Pursuant to 3 DCMR § 5530, an informal hearing was conducted on June 28, 2022, for which the Respondent was present. **Based on the evidence, it is determined that the allegations against Respondent are substantiated, and that the Respondent’s actions violated the District’s Code of Conduct. A ministerial fine in the amount of one thousand dollars (\$1,000) is assessed against the Respondent and is due by September 19, 2022.**²

Findings of Fact

1. Respondent served as the Deputy Director of Operations for the Department of Health (DOH).

¹ See D.C. Official Code § 1-1161.01 (7) (Defining statutes and rules that comprise the Code of Conduct).

² This Amended Order supersedes the Order that was issued on July 29, 2022.

2. Respondent was responsible for approving purchase card (p-card)³ transactions.
3. Mr. Brown serves as the Program Manager for the Department of Health in the Rodent and Vector Control Unit.
4. Mr. Brown served as a p-card holder for his unit. The process for purchasing items within the Rodent and Vector Control Unit involved managers preparing an order form which included the name of the vendor, requested item, and price, then the Deputy Director (Respondent) would instruct Mr. Brown to pay for the items using the p-card.
5. As the Deputy Director and approver of purchases, Respondent had access to Mr. Brown's p-card information.
6. On a monthly basis, to reconcile the p-card account Mr. Brown would print receipts, a bank statement, and invoices, then submit them to Respondent for approval. The bank statement contained the p-card account information.
7. On December 17, 2021, Respondent received an email from Awards Plus Sales, which included the subject line, "payment receipt #148854." The body of the email contained the following language: "Hello, Thank you for your order. Attached is a copy of your payment receipt. If you have any questions, please let us know. I hope you have a great day! Thank you". Also included in the email was an Awards Plus logo.
8. The payment receipt shows that on December 14, 2021, the p-card ending in 3815 was used to purchase a wine box, star crystal ornament, bell crystal ornament, and a teardrop ornament. The order also includes engraving fees. The total purchase amount was \$315.95. On the right side of the receipt it shows that the items were sold to "DC Government" and confirmed to "Yoelman Owens".
9. On that same day, Respondent forwarded the email containing the receipt to Mr. Brown, stating "FYI....".
10. The email was forwarded to Mr. Brown so that he could reconcile the p-card payments for that month.
11. On January 17, 2022, Respondent was copied on an email from a member of DOH's p-card review team. Recipients of the email were asked to review the attachments and note any finding that were to be corrected or marked okay. The subject line of the email read: "HAHSTA and HRLA Credit Card Statements for December 2021 Billing Cycle."
12. On January 19, 2022, a DOH employee, who was also included on that email, sent a response asking whether the Receipt for the Awards Plus ornaments were allowed or approved.

³ A purchase card is a government credit card that is used to make purchases that cost under \$5,000.

13. On January 21, 2022, Respondent replied “Yes, the items ordered from Awards Plus was an approved purchase.”
14. On January 21, 2022, in response to an email requesting the approval documents, Respondent stated, “I forwarded the invoice to Mr. Brown for him to purchase the items from Awards Plus.”
15. On January 24, 2022, Respondent sent an email stating that the gift was purchased to “thank Ms. Hubbard for her services that she has provided to the District of Columbia and DC Health.”
16. Subsequently, an employee of the Office of Contracting and Procurement responded that the Awards Plus items were “considered an item for personal use and is not allowed on the purchase card. Also, it exceeds the amount for an individual service awards/incentives that maybe allowed under DCHR guidelines. Gifts of this nature are purchased through employee donations.”
17. On February 1, 2022, Mr. Brown denied making the purchase and asserted that the Respondent purchased the gift with his P-card and did not tell him until after the purchase was completed.
18. During the course of the preliminary investigation, Respondent denied purchasing the items.

Conclusions of Law

Based on the evidence of record, I therefore conclude:

1. 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.*
2. Respondent violated DPM § 1808.1 when he authorized the purchase of the Awards Plus items as evident by the fact that Respondent served as the p-card approver and his January 21st emails in which he replied “[y]es, the items ordered from Awards Plus was an approved purchase” then subsequently replied “I forwarded the invoice to Mr. Brown for him to purchase the items from Awards Plus.”
3. Respondent’s January 24th email in which he provided the reason for the purchase, stating that the gifts were purchased to “thank Ms. Hubbard for her services that she has provided to the District of Columbia and DC Health” is also evidence that he allowed the use of the p-card for an unauthorized purpose.
4. Respondent’s emails support the conclusion that he allowed the use of the p-card to purchase the Awards Plus gifts.

5. Pursuant to 3 DCMR § 5535.2(qqq), a ministerial fine in the amount of one thousand dollars (\$1,000) is assessed against the Respondent.

WHEREFORE, pursuant to the authority conferred upon me by D.C. Official Code § 1–1162.21(a)(3), it is hereby ORDERED that a ministerial fine in the amount of one thousand dollars (\$1,000) is assessed against the Respondent and is due by September 19, 2022.

Payment by check or money order shall be payable to the D.C. Treasurer and directed to the Board of Ethics and Government Accountability, 441 4th Street N.W., Suite 830 South, Washington, D.C. 20001. Online payments can be made at <https://dcwebforms.dc.gov/pay/bega1/> using transaction ID 22-0040-P.

THIS ORDER SHALL BECOME EFFECTIVE ON SEPTEMBER 16, 2022.



Ashley D. Cooks
Director of Government Ethics
Board of Ethics and Government Accountability

8/25/2022

DATE

SERVICE OF ORDER

This is to certify I have served a true copy of the foregoing Order on Yeolman Owens via email at yeolmano@yahoo.com on this 25th day of August 25, 2022.



A handwritten signature in black ink, appearing to be 'A. Tran', is written above a horizontal line.

NOTICE

Any party adversely affected by any order of the Director may obtain review of the order by filing, with the Ethics Board, a request for a hearing in accordance with D.C. Official Code § 1-1162.21(a)(3). The request for a hearing shall be filed within fifteen (15) days from the Director's issuance of this order. The request must be sent to Lynn Tran, Senior Attorney Advisor, at lynn.tran@dc.gov.