DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY
MEETING MINUTES – September 3, 2026

The District of Columbia Board of Ethics and Government Accountability held a hybrid meeting at the Board of Ethics and Government Accountability, 1030 15th Street, NW, Suite 700 West, and virtually on September 3, 2026 at 10:00 a.m. Chairperson Norma Hutcheson and Board members Charles Nottingham, Felice Smith, Darrin Sobin, and Melissa Tucker attended the meeting.

Members of the public were welcome to attend, and a recording of the meeting is available on open-dc.gov and BEGA's YouTube channel.

I. Call to Order

The meeting was called to order at 10:01 a.m.

II. Ascertainment of Quorum

All Board members were present at the start of the meeting.

III. Adoption of the Agenda/Approval of Minutes

The Board voted unanimously to adopt the agenda and approve the minutes for the August meeting.

IV. Report by the Director of Open Government

Good morning, Chairperson Hutcheson, and Members of the Board. I am Niquelle Allen, Director of Open Government. I am pleased to present this report on the activities of the Office of Open Government ("OOG"). Our mission is to ensure that all persons receive full and complete information concerning the affairs of the District of Columbia government and the actions of its officials. Since the last Board meeting, OOG has continued its work to ensure that the District of Columbia government's operations are transparent, open to the public, and promote civic engagement. To that end, OOG has enforced the Open Meetings Act, advised on the Freedom of Information Act's requirements, and provided training on those transparency laws. OOG has proudly served as advocates for an open and transparent government.

A. <u>Open Meetings Act ("OMA") and Freedom of Information Act ("FOIA") Advice</u>

1. <u>Advisory Opinions</u>

   a. <u>OMA Advisory Opinion – Board of Trustees for Monument Academy Public Charter School, #OOG-2025-0036</u>

On August 24, 2026, I issued an Advisory Opinion #OOG-2025-0036, in response to a complaint which alleged that Monument Academy Public Charter School Board ("Monument Academy PCSB") failed to post an annual schedule of its meetings, meeting links, dates, times, and location, and specific meeting minutes.

I found that Monument Academy PCSB violated the Open Meetings Act (D.C. Official Code §§ 2-575, 2-576) by failing to publish its meeting notices on the Public Charter School's website and/or the District's Central Meeting Calendar. I also found that the Board violated the OMA for failing to publish draft and final meeting minutes or (access to) recordings on Monument Academy Public Charter School's website and/or the Central Meeting Calendar as required by the OMA (D.C. Official Code § 2-578(b)).

I directed that the Monument Academy PCSB members who have not attended any of the Office of Open Government's OMA training sessions in 2026 must complete OMA training within sixty (60) days of receipt of the Advisory Opinion to avoid further corrective action. A copy of the Complaint and Advisory Opinion are in Dropbox.

b. Dismissal of OMA Complaint – Advisory Neighborhood Commission, #OOG-2026-0014

On August 26, 2026, I dismissed Complaint #OOG-2026-0014, which concerned Advisory Neighborhood Commission ("ANC") meetings, for lack of jurisdiction pursuant to 3 DCMR § 10403.1(a). The OMA excludes ANCs from the definition of public bodies subject to the OMA pursuant to D.C. Official Code § 2-574(3)(F).

I advised the Complainant that the Advisory Neighborhood Councils Act of 1975 (D.C. Official Code § 1-309.01 *et seq.*) governs ANC meetings. The Complainant was also advised that the Sunshine Act (D.C. Official Code § 1-207.42) provides a private right of action in D.C. Superior Court. A copy of the Complaint and Dismissal Letter are in Dropbox.

c. OMA Advisory Opinion – District of Columbia Pedestrian Advisory Council, #OOG-2026-0006

On August 27, 2026, I issued an Advisory Opinion #OOG-2026-0006, in response to a complaint which alleged that the Complainant was questioned by a District of Columbia Pedestrian Advisory Council ("DC PAC") representative about the reason for attending DC PAC-related events and was explicitly asked by the representative not to attend future events.

I dismissed the Complaint pursuant to 3 DCMR §10403.1(a), because it does not raise issues within my authority under the OMA because the entity complained of is not a public body that is subject to the OMA. The entity complained of is not DC PAC, but is the Bike Walk and Bus PAC, a political action committee that has no affiliation with DC PAC. A copy of the Complaint and Advisory Opinion are in Dropbox.

d. OMA Advisory Opinion – Condominium Association Advisory Council, #OOG-2026-0007

On August 28, 2026, I issued an Advisory Opinion #OOG-2026-0007, in response to a complaint which alleged that the Complainant did not locate a website or any quarterly meetings for Condominium Association Advisory Council ("CAAC"). The Complainant also requested an operable weblink to CAAC's website, or alternatively, the contact information of the current CAAC members.

I determined that the action complained of does not violate the OMA because CAAC is an inactive public body that has not convened to consider, conduct, or advise on public business since its creation in 2017. I dismissed the Complaint pursuant to 3 DCMR §10403.1(b) because the OMA does impose an affirmative requirement for a public body to conduct meetings, it is triggered by the holding of a meeting. Also, OOG's enforcement authority under the OMA (D.C. Official Code § 2-579) does not extend to enforcing the meeting frequency mandate located in the CAAC's enabling legislation or the statutory obligation to appoint CAAC members. The Complainant's issues are most appropriately pursued through Department of Housing and Community Development (DHCD), the agency that administers the CAAC; the Mayor's Office of Talent and Appointments ("MOTA"), the executive branch administrator for appointing CAAC members; and the Council of the District of Columbia, Housing Committee, which has oversight over DHCD.

A copy of the Complaint and Advisory Opinion are in Dropbox.

2. Informal Advice

Since the last Board meeting, OOG has responded informally, via e-mail, telephone, or teleconference to requests for assistance as follows:

8 requests for OMA advice;
11 requests for FOIA advice; and
14 requests for technical assistance with open-dc.gov.

B. Meeting Monitoring

OOG's staff attends public bodies' meetings, in person and remotely, to ensure compliance with the OMA. They also inspect public bodies' websites and OOG's Central Meeting Calendar for public meeting notices and records. OOG's attorneys provide legal advice on OMA compliance and take corrective action, if necessary.

Since the last Board meeting, OOG's legal staff have attended eleven (11) public body meetings. As a result of the monitoring, one corrective measure was communicated. The public body failed to publish a complete meeting notice pursuant to the Open Meetings Act.

C. Training/Outreach

1. "Electronic Records, Text Messages, and AI: Modern FOIA Challenges" Training

   On August 7, 2026, I presented "Electronic Records, Text Messages, and AI: Modern FOIA Challenges" training, the fifth in OOG's FOIA Officers summer webinar series. The training covered how to process FOIA requests under the D.C. Freedom of Information Act ("D.C. FOIA") in the wake of new and emerging technologies. Among the areas examined were how to treat AI generated records under D.C. FOIA, the attendant risks of using AI, and FOIA-related artificial intelligence litigation. OOG's staff attended the training virtually.

2. "Preparing for a FOIA Civil Case/Defensive Litigation" Webinar

   On August 13, 2026, OOG hosted "Preparing for a FOIA Civil Case/Defensive Litigation," as part of its FOIA Officers summer webinar training series. The training session was facilitated by Brendan Heath and Adam Daniel, Assistant Attorneys General of the Civil Litigation Division, Office of the Attorney General for the District of Columbia ("OAG"), and I moderated the question-and-answer segment. The training provided instruction on how D.C. government agencies should prepare for FOIA litigation. Trial Attorney Brandon Lewis, Attorney Advisor Anthony J Scerbo, and Paralegal Specialist Kimberly Brown attended the training virtually.

3. Open Meetings Act ("OMA") Training for Commission on African American Affairs

   On August 14, 2026, Attorney Scerbo facilitated an Open Meetings Act ("OMA") training for Commission on African American Affairs ("CAAA"). The training provided an overview of OOG's functions and covered the application of the OMA to public bodies.

D. Litigation and Legislative Update

1. Litigation

a. *Federal FOIA Case (Privacy)*: Mid-Atlantic Innocence Project v. Federal Bureau of Investigation, et al. (Case No. 23-cv-2112 (D.D.C.)).

The U. S. District Court for the District of Columbia denied the Federal Bureau of Investigation's ("FBI") Motion for Reconsideration and granted Summary Judgment to the Mid-Atlantic Innocence Project (MAIP) in a federal FOIA action seeking FBI records relating to a 1994 murder conviction. The FBI used federal FOIA Exemption 6, which protects personnel, medical, and similar files on the basis of privacy, and federal Exemption 7(C), which allows the government to withhold law enforcement records if releasing them could reasonably be expected to cause an unwarranted invasion of personal privacy, to redact the names and identifying information of third-party witnesses who had already testified or whose identities were disclosed during the public trial. The Court ruled that the government could not withhold names and identifying details that were already a matter of public record from trial testimony, so the FBI's justification for redacting already-public information failed.

The Court rejected the FBI's reliance on *Kowal v. Department of Justice* (2024) to withhold information under Exemption 7(C). When evaluating personal privacy exemptions under FOIA, courts must use a balancing test and weigh an individual's right to personal privacy against the public's right to government transparency. In *Kowal,* the D.C. Circuit Court held that when a requester identifies no cognizable public interest in disclosure, even the government's expression of a slight privacy interest will prevail. The *Kowal* court further concluded that a witness' public trial testimony does not place all related investigative information in the public domain; the requester had to demonstrate the specific information being withheld was previously disclosed. The government in the *Kowal* case withheld records "to prevent 'possible harassment' or 'derogatory inferences and suspicion' against the personnel and witnesses for their involvement in a gang murder investigation" and that "[these explanations are sufficient to demonstrate that the disclosure of the withheld information would threaten privacy interests."

The Court distinguished *Kowal* because the Mid-Atlantic Innocence Project demonstrated a substantial public interest in assessing whether sentences were properly imposed. The request was also narrowly limited to records concerning individuals who had testified publicly or whose involvement was known because of public, government-elicited trial testimony.

Further, the *MIAP* court found the FBI's assertions of potential harassment, retaliation, and reputational harm to be speculative and unsupported, particularly where the witnesses had testified publicly more than 30 years earlier and the agency could not establish any concrete incremental privacy harm from disclosure. The Court ordered disclosure of records withheld solely under federal Exemptions 6 and 7(C), but the Court allowed continued withholding of information independently protected by Exemption 7(D), which protects the identity of confidential sources, and stayed the FBI's production for 60 days to permit an appeal.

A copy of the Court's decision is in Dropbox.

b. *Federal FOIA Case (Adequacy of Records Search)*: Jason Leopold, et al. v. Central Intelligence Agency (Case No. 16-cv-1833 (D.D.C.)).

This is a federal Freedom of Information Act (FOIA) case in which the Plaintiffs were seeking documents that were cited in the publicly released Executive Summary of the Senate Select Committee on Intelligence (SSCI) Report on the CIA's rendition, interrogation, and detention program. The Plaintiff's FOIA request was for specific records that were "discussed in the Executive Summary" and were "identified in the footnotes of the SSCI Report." The CIA failed to make a determination on the request by the statutory deadline and the Plaintiffs brought suit. The CIA eventually produced 378 documents in whole or in part and withheld 225 documents in full. The CIA stated that it was unable to locate 19 of the documents cited in the SSCI Report.

The U.S. District Court for the District of Columbia granted in part and denied in part Cross-Motions for Summary Judgment. The Court held that the CIA adequately described its search of the Rendition, Detention, and Interrogation Network (RDINet) database. This database was identified by the CIA as the location that was reasonably likely to contain responsive records. However, the Court found that the CIA failed to sufficiently explain supplemental searches conducted in other offices likely to contain responsive records, precluding summary judgment on the adequacy of the search.

The Court also found the record insufficient to determine whether the CIA should have consulted an unredacted version of the Senate Report's Executive Summary in searching for responsive documents. With respect to Exemption 5, which protects internal government documents and memos that would normally be shielded from civil discovery during a lawsuit, the Court upheld most of the CIA's withholdings under the deliberative process, attorney-client, and attorney work-product privileges, but ruled that additional declarations and a more detailed Vaughn index were required for numerous documents because the agency had not adequately demonstrated that the records were privileged or that disclosure would cause the foreseeable harm required by FOIA. The parties' Motions were denied without prejudice as to the disputed search issues and specified Exemption 5 withholdings, with leave for the CIA to supplement the record.

A copy of the Court's decision is in Dropbox.

c. *Open Meetings Case (Executive Session)*: Rosenhoffer v. Batavia (Case No. 2026-Ohio-3149) (Ohio Ct. App. Aug. 17, 2026).

This Ohio case stemmed from a Complaint filed against the Village of Batavia, Ohio and various Village officials. The Complainants alleged that members of the Village Council had violated or threatened to violate the Ohio Open Meetings Act (the "Act") by illegally entering into executive session during the Village Council meetings and discussed matters during the closed portion of the Village Council meetings that were beyond the scope of permissible matters to be discussed in executive session. Specifically, the Complainant alleged that at three separate meetings, the Village Council members and the Mayor improperly conducted parts of the Council meetings in violation of the Act.

The Ohio Twelfth District Court of Appeals held that discussions conducted during an executive session of a public meeting are not protected by an absolute evidentiary privilege merely because the executive session was closed to the public. The Court reasoned that a blanket privilege would undermine enforcement of the Ohio Open Meetings Act by preventing a complainant from determining whether a public body discussed matters beyond the subjects authorized for executive session. However, the Court recognized that information properly discussed under a statutory executive-session exception may remain confidential. It directed the Trial Court to review the disputed information and distinguish between authorized confidential discussions and matters falling outside the statutory exceptions. The Court also emphasized that the presence of an attorney does not automatically protect an entire executive session under the attorney-client privilege; the public body must establish that the particular communications satisfy the requirements of that privilege. This case is instructive for the District of Columbia.

A copy of the Court's decision is in Dropbox.

2. Legislation

   a. Open Meetings Clarification Amendment Act of 2026:

      I previously reported on B26-0208, the "Open Meetings Clarification Amendment Act of 2025," which establishes: (1) a meeting is open if a public body takes "reasonably calculated" steps to allow viewing or hearing the meeting during, or as soon as reasonably practicable, "if not technologically feasible;" (2) designates an 'appropriate officer of the Council' for "compiling and posting … Open Meetings documents" for the Council; (3) "eliminate[s] unnecessarily duplicative language" to describe the subject matter of … meetings; and (4) "explicitly exempt[s] text messages from constituting an electronic meeting … consistent with … email messages" under the OMA.

      The bill was enacted as Act 26-361, as of July 14, 2026. The 30-day Congressional review has ended, and the Act is now D.C. Law 26-167, effective August 20, 2026.

      A copy of the Act remains in Dropbox.

   b. Memorandum regarding D.C. Freedom of Information Act Implications of B26-0594, the Contracting and Procurement Reform Amendment Act of 2026 and B26-0621, the Procurement Reform Amendment Act of 2026:

      On August 4, 2026, the Office of Councilmember Brianne Nadeau, Council of the District of Columbia, contacted BEGA's Chief of Staff, Christina Mitchell, to request that BEGA provide advice on the D.C. FOIA implications of B26-0594, the "Contracting and Procurement Reform Act of 2026" and B26-0621, the "Procurement Reform Amendment Act of 2026" ("Procurement Reform Bills") that are currently under consideration.

      On August 14, 2026, I provided a memorandum regarding D.C. FOIA implications of the Procurement Reform Bills on behalf of BEGA. I advised that Bill 26-0594 advances an express transparency objective, but three portions of the introduced bill warrant clarification before enactment. First, transferring the Ombudsman's records from the Office of Contracting and Procurement ("OCP") to the Office of the City Administrator ("OCA") would create a custodial transition that could produce misdirected D.C. FOIA requests, incomplete searches, duplicative processing, and uncertainty concerning pending OCP requests. The legislation or its implementation plan should identify the responsible FOIA officer to preserve continuity during the transfer of records.

Second, the consolidated-portal provision would require information not legally restricted to a licensed user group to be publicly viewable without registration. That language may establish an affirmative publication duty broader than ordinary request-based access under D.C. FOIA.

Third, B26-0594 appears to contain a drafting error. Proposed § 401a(h) states that nothing shall "prevent the withholding" of information from the Council, language that could be read to preserve OCP's authority to deny the Council access. That result appears inconsistent with the bill's oversight purpose and D.C. Code § 2-534(c), which provides that FOIA exemptions do not themselves authorize withholding from the Council.

With respect to B26-0621, if the "covered proposal" language is imported into B26-0594, it would create a new, mandatory, categorical withholding rule through D.C. Official Code § 2-534(a)(6) (D.C. FOIA Exemption 6). It would replace the present record-specific inquiry into competitive harm with indefinite protection for nearly every technical or cost proposal submitted in response to an RFP, RFQ, or request for expressions of interest. The provision also does not clearly address segregability, partial incorporation into a successful contract, canceled procurements, pre-effective-date proposals, pending requests, or disclosure through B26-0594's portal.

A copy of the memorandum and the Councilmember office's request are in Dropbox.

E. Administrative

FY2026 Budget Close Out/FY2027 Budget Status: OOG continues to coordinate with the Office of the Chief Financial Officer (OCFO) to close out the FY26 budget and to plan for OOG-related expenses for FY27. The Local Budget Emergency Act is effective as D.C. Act 26-378 and provides immediate budget authority for the beginning of FY27 on October 1, 2026, but expires on October 27, 2026. As such, BEGA's Council-approved FY27 budget is the agency's operative spending plan. As of the date of this report, the FY27 budget permanent legislation is still completing congressional review.

This concludes the Office of Open Government's September 3, 2026, report. I am happy to answer any questions the Board may have.

V. Report by the Director of Government Ethics

Good morning, Chairperson Hutcheson and Members of the Board. I am Ashley Cooks, the Director of Government Ethics. I am pleased to present this report on the activities of the Office of Government Ethics ("OGE").

A. Update on Status of OGE Investigations

The information reported today regarding OGE's cases will not reflect any status changes that may occur because of actions taken by the Board during today's meeting.

OPEN INVESTIGATIONS BY STATUS	
Open	83
Open - Negotiations	0
Open - Show Cause Hearing	0
Grand Total	83

OPEN "UNDOCKETED MATTERS"	
Grand Total	7

PENDING/STAYED INVESTIGATIONS BY STATUS	
Closed - Pending Collection	33
Stayed - Pending DC Superior Court Case	2
Stayed - OAG False Claims Act Case	0
Stayed - OIG Investigation	0
Stayed - US District Court Case	2
Grand Total	37

REGULATORY MATTERS BY STATUS	
Closed - Pending Collection	60
Open	664
Grand Total	724

	Current	Last month	July
Investigations Open	83	71	73
Investigations Stayed	4	5	5

The number of open preliminary and formal investigations includes 19 new matters. The investigative team resolved 7 investigations since the Board last met. This total does not reflect the number of complaints that were dismissed for a lack of jurisdiction.

B. Training/Outreach

1. Professional Development Trainings Attended by Staff

Since the last board meeting, myself and Administrative Officer Naquita Titus completed DSLBD's Annual Certified Business Entity Compliance Training; General Counsel Asia Stewart-Mitchell took DC Bar course "ADA Employment Law and Litigation for Beginners 2026"; and Senior Counsel Lynn Tran, Attorney Advisors Brenda Keels and Courtnae Brown attended two OAG trainings entitled "Supreme Court Review II" and "Ethics II Training Session". Attorney Advisors Brenda Keels and Courtnae Brown attended DC Bar courses "The Writing You Do Before You Start Writing" and "Now That You're Writing: Some Crucial Details". Program Coordinator Stan Kosick took a course entitled "Business Analyst Underlying Competencies" and HR Representative Megan Stoutamire took a course entitled "HR Training: HR in the District".

2. Conducted by staff

Since the last Board meeting, OGE conducted 4 training sessions: the monthly Hatch Act training, the Monthly Brown Bag session, and two New Employee Orientations.

In August one thousand nine hundred and seventy-nine employees took our Peoplesoft ethics training and 123 employees attended NEO and received information about the District's ethics rules.

Ethics Week 2026 is coming! Our annual conference will take place October 13th through the 16th, here at the Executive Building's fifth floor conference space. This year's theme is "Transitioning Ethically". We are excited for this year's offerings which include a full day of courses for managers and Ethics Counselors and the return of a popular guest speaker. The full course schedule will be posted to the BEGA website today. A copy of the course schedule is in the Dropbox.

C. Advisory Opinions/Advice

1. Informal Advice

OGE's legal staff provided advice for approximately 26 ethics inquiries, which is 1 less than the 27 reported at the August Board meeting. This number does not include responses we have provided to questions regarding the Lobbyist and FDS e-filing systems.

2. Formal Advisory Opinions

OGE has not issued any advisory opinions since the last board meeting. The comment period on the advisory opinion entitled "Outside Employment with a Third-Party Delivery Business" closed on August 31, 2026, with no comments and the advisory opinion is now final.

D. **Legislation and Rulemaking Updates**

1. Financial Disclosure Rulemaking

B26-0325 - Board of Ethics and Government Accountability Authority Clarification Amendment Act of 2025, which would repeal BEGA's authority to designate employees as public financial disclosure statement filers, is still pending.

2. Lobbying Rulemaking

BEGA is in the process of issuing a rulemaking which would incorporate upcoming legislative changes to the lobbyist section of the Ethics Act that will be effective on October 1st, per the passage of the FY27 Budget Support Act. The rulemaking includes: increases the registration fees by $150 for general and non-profit lobbyists, respectively $500 and $250; an increase to the late filing penalty from $100 to $200 per day, resulting in a $12,000 maximum penalty; removal of the exclusion of Saturdays, Sundays, and weekends from the late filing timeframe; repeals a lobbying registration exemption, thereby requiring 501(c)(4) organizations to register as lobbyists and submit quarterly activity reports. The rulemaking will be submitted to the D.C. Register after today's meeting for a 30-day comment period.

E. **OGE Administrative Matters**

1. Staffing

As of August 24, 2026, Courtnae Brown has filled one of OGE's Attorney Advisor vacancies. OGE has one Attorney Advisor vacancy and one Legal Assistant vacancy, which we plan to fill in the coming months.

F. **Financial Disclosure Statement (FDS)**

Pursuant to D.C. Official Code §§ 1-1162.24 and 1-1162.25, public officials and certain government employees must file a financial disclosure statement as a means of transparency and to prevent engaging in conduct that violates the financial conflicts of interest statute. BEGA is responsible for ensuring that employees and public officials, who meet the statutory requirement, file their annual financial disclosure statement.

The deadline to file financial disclosure statements was May 15, 2026. We have started 2026 financial disclosure enforcement. Fine notices were sent out on August 10, 2026, and we plan to begin the garnishment and collections processes in the first half of September.

G. Lobbying Registration and Reporting (LRR)

Pursuant to D.C. Official Code § 1–1162.27(a), a person who receives compensation or expends funds in an amount of $250 or more in any 3-consecutive-calendar-month period for lobbying shall register with the Director of Government Ethics and pay the required registration fee. According to D.C. Official Code § 1–1162.30, each registrant shall file a quarterly report concerning the registrant's lobbying activities during the previous quarter.

On September 1st, we launched our FY 2027 Lobbyist initiative in an effort to provide information regarding the legislative changes to the program. We have created banners and posting on the BEGA website, issued a press release, updated informational and training materials, and sent notice to currently registered lobbyists and 501(c)(4)s that do business in the District. As I previously stated, changes to the lobbyist regulations will be submitted to the register. Lobbyists will also receive notice of the changes during the quarterly training on September 23, 2026.

Lastly, enforcement proceedings are underway for Registrants who filed their 2026 Quarter 2 Activity Reports late or did not file Activity Reports.

H. Public Investigations

26-0005-F In re Phil Mendelson – this is a formal investigation based on allegations that the Respondent, Chairman of the D.C. Council, misused government property and resources to oppose a political candidate's declaration of candidacy with the Board of Elections.

Thank you. This concludes the Office of Government Ethics' September 3, 2026, report.

Board member Sobin asked Director Cooks to describe the FDS and Lobbyist enforcement process for the public. Director Cooks advised that for FDS, BEGA sends notices prior to the May 15 deadline and again after the deadline if the individual fails to timely file. OGE then issues a fine notice and filers can self-pay and file the required report of be subject to garnishment through the Office of Pay and Retirement Services or collection through the Central Collections Unit. For lobbyists required to file annual registration and quarterly reports due 15 days after the end of each quarter, BEGA sends reminder notices before the filings are due. If lobbyists fail to timely file they will receive notice that they are late and have incurred a fine. These notices sent when filers are 15 and 30 days late. Filers are also advised they may submit a waiver request to the Board to determine if they meet the good cause factors.

Board member Nottingham asked if there was any public update to share on the Mendelson matter. Director Cooks advised that OGE expects to have a disposition of the matter in the coming months.

VI. Public Comment

There was one public comment from Charlotte Brookins-Hudson, a lobbyist who a spoke about her fine waiver request to the Board. Ms. Brookins Hudson noted that she filed a response to the Director's opposition to her waiver request, wanted to know if there would be any discussion of the request, and that she was attending to advise the Board she was available to answers questions about her request. She noted that the cited factors 1 and 8 in support of her request and noted that she was away from her lobbying records and was not able to file the report on time due to the lack of records and filed as soon as she was able upon her return to DC. She also cited her record of timely filing and the fact that this was her first request for a waiver in support of her request.

VII. Executive Session

The Board voted unanimously to enter into Executive Session to discuss ongoing, confidential investigations pursuant to D.C. Official Code § 2-575(b)(14), to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body pursuant to D.C. Official Code § 2-575(b)(4)(A), to discuss personnel matters including the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials pursuant to D.C. Official Code § 2-575(b)(10), and to deliberate on a decision in which the Ethics Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13).

VIII. Resumption of Public Meeting

The meeting resumed at

The Board opened investigations in **26-0007-F In re F. Fulcher; 26-0008-F In re T. Kremenec; 26-0009-F In re B. Richardson; 26-0010-F In re P. Sheldon; 26-0011-F In re J. Dyer; 26-0012-F In re D. Smith-Cleere** and stayed the matters pending resolution of related criminal proceedings.

The Board dismissed **25-0008-F In re Terria Clark.**

The next monthly Board meeting will be held at the Board of Ethics and Government Accountability, 1030 15th Street NW, Suite 700 West, and virtually on October 1, 2026 at 10:00 a.m.

The meeting adjourned at 12:18 a.m.