

BEGA

Advisory Neighborhood Commissioners Ethics Training



What We Do



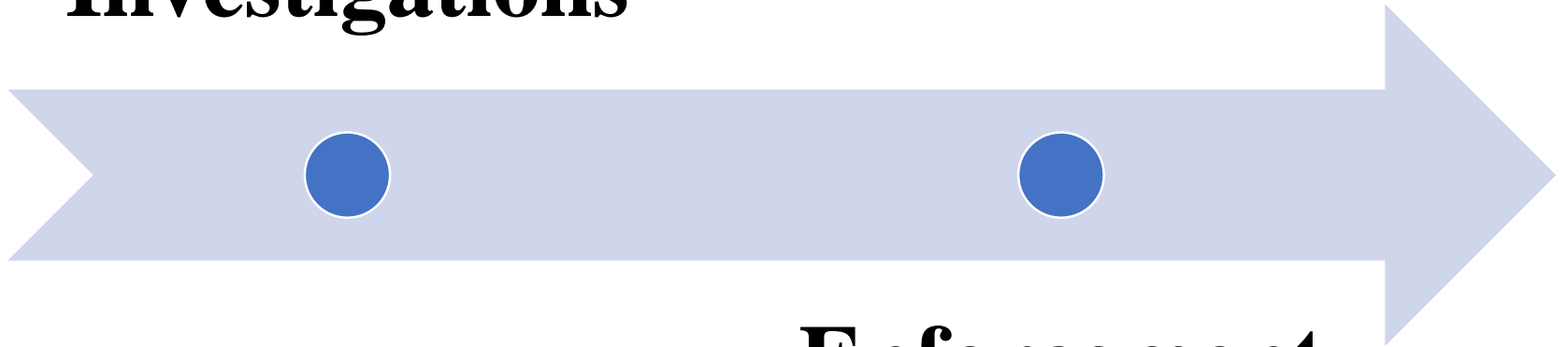
Ethics Training



Advice

What We Do

Investigations



Enforcement

Ten Principles of Ethical Conduct



1. Public office is a public trust

- Don't use title or position for personal gain of self or others.
 - When contacting a District agency about a personal matter, **do not say**: “This is Commissioner Wilson, do you know who I am and what I can do to you if you fail to cooperate with my request?”
 - Other considerations:
 - Do not send an email with your auto signature and government title to anyone if it involves a personal matter (i.e., mortgage company)
 - Fundraising for private nonprofit entities using your official title – **NOT ALLOWED**

2. Avoid gifts and payments from interested parties (also called bribery)

- This means don't accept gifts from prohibited sources:
 - Lobbyists
 - Vendors
 - Contractors
 - Developers
 - Licensing Applicants
 - Parties involved in Zoning Matters
 - Those who are regulated by the District
 - Anyone who wants to do business with the District.

Gifts

- A developer who is building a senior living center within your SMD offers you two tickets to the next Nationals game. The developer's zoning application is pending, and the ANC is considering whether to support his application.
- May the Commissioner accept the tickets?

Gifts

- No!

The developer is a prohibited source because he is seeking approval from the Board of Zoning and the seeking support from the ANC. It is highly likely that the developer is seeking to sway the Commissioner's decision to support his application. The Commissioner should not accept the gift even if the developer did not have a pending project within his SMD because the gift is still likely provided only because of the Commissioner's official title/position.

3. Avoid outside payment for government work

- The Salary Supplementation rule:
 - No one should pay you for your District work except for the District.
 - Federal Criminal law with criminal penalties.



4. Avoid financial conflicts of interest

- Do not take any action or participate in any manner that could financially benefit you or someone close to you!
- Participation = decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise
- Person closely affiliated = employer, family members, business partner or clients of ANC or family member
 - Federal criminal penalties apply as well.
 - Recusal is the proper recourse when something lands on your desk.

Financial Conflicts of Interest

- A client of a Commissioner's spouse has a pending matter for support before the Commissioner's ANC. The client informs the Commission that if he does not support the measure the client will terminate his business relationship with his spouse.
- The Commissioner should recuse from voting on the client's matter because the client is personal closely affiliated through the business relations he shares with the Commissioner's spouse. And the Commissioner's participation will have a direct and predictable effect on the client's financial interests.

Public Financial Disclosure Certification

- Statutory Authority:

- ▶ D.C. Official Code § 1-1162.25(a-1)(2) “Effective January 1, 2014, an Advisory Neighborhood Commissioner in office for at least 30 days shall be required to file a certification required by section 224(a)(1)(G) for the preceding year.”
- ▶ The Financial Disclosure Certification is submitted to the Board of Ethics and Government Accountability (“BEGA”).
 - ▶ The Financial Disclosure Certification is filed *publicly*.
- ▶ ANC Commissioners are required to file the certification, whether electronically or on paper, by May 15th of each year

5. Act impartially

- Don't give preferential treatment to:
 - friends
 - neighbors or acquaintances
 - or political donors/allies
 - family members (of course family and business associates would also fall under the financial conflict of interest provision).



6. Safeguard government resources

- Don't misuse government property.
 - Anything that costs the government money is a violation:
 - i.e., using printer toner for personal matters; improper appropriations expenditures (food and beverage); using the Government Credit Card for personal matters with intent to pay it back.
 - Email policy: Mayor's Order in place that says you must use official email account for all government business, not private email.

7. Avoid representational conflicts of interest

- **General Rule:** Do not represent anyone against the District.
- **Exception:** Special Government Employees (130 days or less) may engage in representation against the District – **BUT NOT IN FRONT OF THE SAME COMMISSION ON WHICH THE INDIVIDUAL SERVES.**

8. Safeguard confidential non-public information

- Don't leak non-public information.
- This includes talking about your Commission on Social media.



9. Abide by revolving door restrictions

- Once you leave government, you must abide by certain restrictions for differing periods of time, i.e., 1 year, 2 years and in some cases permanently.
- Complicated – Call BEGA before and after you leave.
- Free safe-harbor Post-Employment advice for life.



10. Disclose waste or illegal conduct by government officials to the appropriate authorities

- Affirmative obligation to report to BEGA and/or the IG “credible” violations of the Code of Conduct.
 - Failure to do so is itself a violation.
 - Cooperation is mandatory.
 - Retaliation is a separate ethics violation.

Contact Us

For advice or to make a complaint

- **BEGA Hotline: (202) 535-1002**
- **BEGA Email: BEGA@dc.gov**
- **Main Number: (202) 481-3411**
- **Address: 441 4th Street, NW, Suite 830 South**