

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



Office of Government Ethics

In Re: H. Iida
Case No. 20-0003-F

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, H. Iida. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

FINDINGS OF FACT:

Respondent is a former employee of the DC Department of Health (“DOH”). In 2019, Respondent worked on a federal grant application for a DOH dental health initiative. At some point during her work on the grant application, she was instructed by her supervisor, to stop working on the application because the agency no longer wanted to pursue the project for which the grant funds would be used. Despite being instructed to stop working on the application, Respondent gave the application to Health Efficient, a not-for-profit organization that uses evidence-based data to support community health centers, with knowledge that Health Efficient would use the grant application as their own. During an interview with BEGA staff, Respondent admitted that she gave Health Efficient her DOH work product. Respondent admitted that, during her tour of duty and using her official government email account, she forwarded editorial and expert suggestions to a PowerPoint which were used at a Health Efficient kickoff meeting. Respondent further admitted that she was noted as DOH’s subject matter expert on the grant documents and that the grant application, as submitted, stated that DOH would have some participation in the project. Health Efficient was awarded the grant funds.

On October 4, 2019, Respondent resigned from DOH. At some point shortly thereafter, Respondent began employment with Health Efficient. As a Health Efficient employee, Respondent drafted documents for the program, for which she had drafted the grant application as a DOH employee.

NATURE OF MISCONDUCT

Respondent violated the following provisions of the District’s Code of Conduct:

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: Making unauthorized commitments or promises of any kind purporting to bind the government in violation of District Personnel Manual (“DPM”) § 1800.3(f)

- Respondent violated this rule when she gave DOH work product to an outside entity and was not authorized to do so. Respondent’s conduct misrepresented the District’s involvement in the grant project. The application was submitted with the appearance that DOH was a party to the grant.

Count Two: Using government time or resources for other than official business, or government approved or sponsored activities in violation of DPM § 1807.1(b).

- Respondent violated this rule when she forwarded editorial and expert suggestions to a PowerPoint which were used at a Health Efficient kickoff meeting during her tour of duty and using her government email account. Respondent engaged in this activity after she was instructed to cease working on the project.

Count Three: Engaging in any outside employment, private business activity, or interest which permits an employee, or others, to capitalize on her official title or position in violation of DPM 1807.1(e).

- Respondent violated this rule by using her official title when, during her tour of duty, and using her official government email account, she forwarded editorial and expert suggestions to a PowerPoint which were used at a Health Efficient kickoff meeting.
- Respondent violated this rule when she gave DOH work product to a third party. This action resulted in the award of grant funds to the said third party.

None of the above-referenced incidents were authorized by the District of Columbia. In mitigation of Respondent’s conduct, she fully cooperated with OGE’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 her conduct was a violation of the Code of Conduct. Respondent agrees to pay a fine in the amount of **\$4,000.00** to resolve these violations of the District Code of Conduct, in accordance with the following terms and conditions.

1. Respondent agrees to submit by certified check or money order \$4,000 on or before March 3, 2022;
2. Respondent agrees that she 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

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 and understands that this Negotiated Disposition is only binding upon herself and OGE in resolution of her violations of the Code of Conduct that applies to District government employees and public officials. Nonetheless, the Respondent knowingly and willingly waives her 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 she 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 she 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.



Lida
Respondent

1/13/2022
Date



Ashley D. Cooks
Acting Director of Government Ethics

2/2/2022
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.

APPROVED:



Norma Hutcheson
Chairperson, Board of Ethics and Government Accountability
#20-0003-F
AC/ASM

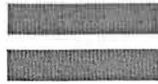
2/3/2022
Date

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: H [REDACTED] Iida
Respondent

CASE No.: 20-0003-F

ORDER

Based upon the mutual representations and promises contained in the Negotiated Disposition approved by the Board herein on February 3, 2022, and upon the entire record in this case; it is, therefore

ORDERED that Respondent pay a civil penalty in the amount of **FOUR THOUSAND DOLLARS** (\$4,000.00).

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

Handwritten signature of Norma B. Hutcheson in black ink.

NORMA HUTCHESON
Chair, Board of Ethics and Government Accountability

2/3/2022

Date