

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



Office of Government Ethics

In Re: C ██████ Wilkins  
Case No.: 1325-001

NEGOTIATED DISPOSITION

Pursuant to section 221(a)(4)(E)<sup>1</sup> of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (“Ethics Act”), effective April 27, 2012, D.C. Law 19-124, D.C. Official Code § 1-1161.01 et seq., the Office of Government Ethics (the “Office”) hereby enters into this Public Negotiated Disposition with the Respondent, C ██████ Wilkins. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

I. FINDINGS OF FACT

Respondent is currently a specialty cosmetologist member of the District of Columbia Board of Barber and Cosmetology (“the Board”). On January 5, 2015, the Board held its monthly meeting at 1100 4<sup>th</sup> Street, SW, Room E300, Washington, DC. Therein, the Board held its Public Meeting and Executive Session to discuss new business, applications for licensure, complaints, and investigations, and legal counsel recommendations. Respondent sat on the Board in this session.

During this session, Ms. ██████ ██████ came before the Board to express comments about the overall “waxing” industry and licensure process in the District of Columbia. At recess, Respondent obtained a business card from Ms. ██████. On January 6, 2015, Ms. ██████ received a phone call from Respondent informing her that she was a District of Columbia licensed manager and a Maryland licensed esthetician. During the phone call, Respondent stated that she was interested in ██████ model and would like a job. Later that day, Respondent sent an email with her resume attached to Ms. ██████ regarding a manager position at ██████. On January 8, 2015, Ms. ██████ emailed Respondent to inform her that she forwarded her resume to the owner of the salon.

On February 5, 2015, Respondent received an email from Ms. ██████ ██████ ██████ informing her she will be contacted once a manager position opened in the District of Columbia.

II. NATURE OF VIOLATIONS

Respondent’s conduct is in violation of three sections of the District Personnel Manual (“DPM”), as set forth below:

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<sup>1</sup> Section 221(a)(4)(E) of the Ethics Act provides, in pertinent part, that “[i]n addition to any civil penalty imposed under this title, a violation of the Code of Conduct may result in the following: . . . Any negotiated disposition of a matter offered by the Director of Government Ethics, and accepted by the respondent, subject to approval by the Ethics Board.”

- ❖ **One:** Chapter 18, § 1800.3(g), which states: “Employees shall not use public office or position for private gain.”
- ❖ **Two:** Chapter 18, § 1800.3(j), which states: “Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with their official government duties and responsibilities.”
- ❖ **Three:** Chapter 18, § 1800.3(n), which states: “Employees shall not take actions creating the appearance that they are violating the law or the ethical standards set forth in this chapter. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.”

Respondent’s conduct was in violation of the DPM when she used her official position to email her resume and actively sought employment from an entity that was represented before the Board on which she sat. Furthermore, as a member of the Board, Respondent had a responsibility to hold the public’s trust. Respondent’s actions created the appearance that she violated the ethical standards by putting her own needs above the public’s priorities.

### III. TERMS OF THE NEGOTIATED DISPOSITION

Respondent acknowledges that her conduct was in violation of the District Code of Conduct and that she should be, and hereby is, “**Censured**” for her conduct. Moreover, Respondent, as part of this agreement, agrees not to engage in such conduct in the future. In return for Respondent’s acknowledgement of this Censure and promise not to engage in such conduct in the future, this Office will not seek any further remedy or take any further action relating to the above-described misconduct.

Respondent agrees that this Negotiated Disposition is not just an admission of misconduct, but constitutes various factual admissions that may be used in any subsequent Board of Ethics and Government Accountability (“BEGA”) enforcement or BEGA-initiated judicial proceeding that may result from her failure to comply with this agreement. Respondent agrees that BEGA will provide a copy of this Negotiated Disposition to the Mayor’s Office of Talent and Appointments, which already is aware of this matter.

Respondent further understands that if she fails to adhere to this agreement, this Office may instead, at its sole option, 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 per violation) as provided in the Ethics Act.<sup>2</sup> Because the Office is, at this time, foregoing requesting that the Ethics Board hold an open and adversarial hearing on this matter, Respondent agrees to waive any statute of limitation defenses should the Ethics Board decide to proceed in that manner as a result of Respondent’s breach of this agreement.

The mutual promises outlined herein constitute the entire agreement in the above-titled action. By our signatures, we agree to the terms outlined herein.

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<sup>2</sup> Section 221(a)(1) (D.C. Official Code § 1-1162.21(a)(1)).

Mr. G. [redacted] Wilkins  
Respondent

June 5<sup>th</sup> 2015  
Date

Darrin Sobin  
Director of Government Ethics

June 5<sup>th</sup> 2015  
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 Chairman below.

APPROVED:  
Robert J. Spagnoletti  
Robert J. Spagnoletti  
Chairman, Board of Ethics and Government Accountability

6/18/2015  
Date