



ETHICALLY SPEAKING

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A Message from the Director

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Greetings Ethics Counselors and BEGA Friends! The fall season is here which means the weather is changing and the leaves are turning into beautiful fall colors. It's a great time to fall into ethical leadership!

Acting as an ethical leader can have a positive impact on your agency's ethics, culture, and success.

Leaders are people who know how to achieve goals by setting and sharing a vision and enlisting others to help achieve that vision, but ethical leadership involves even more. As an ethical leader, you need to apply an ethical lens to every decision you make.

The first step is to think ahead by focusing on long term effects rather than short term fixes for ethics issues. The second step is to apply values-based decision making. That



Ashley D. Cooks
Director of Government Ethics

means considering integrity, transparency, and honesty before making a decision. The third step is to act as a steward by displaying

values, sharing them with others, and mentoring others who have the same interests. The final step is committing to a daily practice of serving as an ethical leader. This step requires a willingness to self-reflect, an openness to feedback, and the ability to listen.

The more employees who commit to becoming an ethical leader, the more ethical our government will be. We are here to help you along the way. Join us for Ethics Week starting on October 23rd. "Everyday Ethics CANTGOADAYWITHOUTIT"

Upcoming Events

Ethics Week 2023

10/23/23 - 10/27/23

See page 2 for more details and [click here to join BEGA for Ethics Week 2023](#)

General Ethics Training

11/8/23 - 1 pm
[Register here](#)

12/13/23 - 1 pm
[Register here](#)

Quarterly Boards and Commissions Training

10/25/23 - 11 am
[Register here](#)

Ethics Counselor Brown Bag

10/30/23 - 1 pm
Ethics Scary Stories

11/27/23 - 1 pm
Gifts

New and Notable

Ethics Week 2023



Have you registered for Ethics Week 2023? Ms. Ethics will be there along with a range of programs about how we can incorporate ethics into our lives every day.

Click on the logo to register and come join us for a fun and informative week!

Financial Disclosure

Public Financial Disclosure Statements for Councilmembers are due November 15th.

BEGA is continuing the enforcement process for late and non-filers for reports that were due May 15th. We appreciate the assistance of ethics counselors as we wrap up the 2023 Financial Disclosure season and start preparations for the 2024 season.

Welcome Courtney Walker

Please join BEGA in welcoming our new auditor, Courtney Walker, to the team.

Courtney is an experienced audit professional and joins BEGA from the Office of Inspector General. She earned both her undergraduate and Master's degree in Business Administration from Hampton University.

Enforcement Updates

23-0006-F In re David Deboer

The Board approved a notice of violation for two counts of failure to file full and complete Financial Disclosure Statements under D.C. Official Code § 1-1162. 24(a)(1) and 37 counts of violating DPM § 1807 for engaging in outside employment that conflicts with official duties. The notice of violation charges Respondent with providing services to a District contractor during his official tour of duty and failing to report his outside employment. Read the Notice of Violation [here](#).

23-0075-P In re R Broadnax

The Board approved a negotiated disposition with Respondent, a Board Administrator at the Board of Barber and Cosmetology at the Department of Licensing and Consumer Protection, for three counts of violating DPM § 1807. Respondent used his official title, position, and email account and information he obtained in his official capacity to solicit clients for his business. The agreement includes a \$5,000 civil penalty and required ethics training. Read the agreement [here](#).

23-0074-P In re D Neal

The Board approved a negotiated disposition with Respondent, the principal at Alice Deal Middle School, for one count of violating DPM § 1803.2(a), accepting gifts from a prohibited source. Respondent accepted a free trip from parents whose children she had official authority over in her capacity as principal. The agreement includes an \$800 civil penalty and required ethics training. Read the agreement [here](#).

Ethics in the News



A former employee of the Fire and Emergency Medical Services Department (FEMS) was sentenced to 12 months in prison for accepting kickbacks from a contractor for directing orders to the contractor and falsely certifying that FEMS received the goods that it paid for. This is the second former FEMS employee charged and sentenced in connection with the bribery scheme. Read more about the charges [here](#) and [here](#).

The Department of Justice charged New Jersey Senator Robert Menendez with accepting hundreds of thousands of dollars in bribes for taking official action. The Senator, his wife, and three business associates were charged with conspiracy to commit bribery and honest services fraud while the Senator and his wife were also charged with conspiracy to commit extortion under the color of official right. This is the second time that Senator Menendez has faced corruption charges. The prior charges ended in a hung jury. Read more about the charges [here](#).

The U.S. Office of Government Ethics has issued guidance on the treatment of digital assets under the financial conflicts of

interest provisions of 18 U.S.C. § 208. The legal advisory explains that an employee will have a disqualifying financial interest in a particular matter when there is a "real possibility" that the matter could result in the gain or loss of the employee's digital assets. District employees are subject to the provisions of 18 U.S.C. § 208 as well as the parallel financial conflict of interest provision at D.C. Official Code § 1-1162.23. Read the USOGE advisory [here](#).

USOGE also issued guidance on the use of professional networking platforms and employee's monetizing social media activity. This guidance expands on prior guidance on the use of personal social media accounts. Read the guidance [here](#).

State and Local Ethics

New York's Commission on Ethics and Lobbying in Government is in limbo after a New York State Supreme Court judge ruled that the commission was created unconstitutionally by removing enforcement powers from the governor. The ruling was a result of a lawsuit filed by former New York Governor Andrew Cuomo against the commission and its predecessor, the Joint Commission on Public Ethics (JCOPE). JCOPE found that Cuomo violated ethics laws by using state resources to write his pandemic memoir and ordered Cuomo to forfeit the proceeds of the \$5 million book deal. State officials have said they plan to appeal the decision. Read more [here](#).

The Port of Seattle's Board of Ethics found that a Port of Seattle Commissioner, Fred Felleman, violated the Port's code of ethics by using his official position to gain special privileges with a nonprofit organization. Felleman asked to join the leadership of Quiet Sound, a program of nonprofit Maritime Blues that receives funding from the Port, and then asked to attend meetings in his personal capacity when advised he could not join the leadership. After Quiet Sound denied his request to attend meetings, Felleman sought to reverse the decision through communications with Port officials and employees. Read more [here](#).

Closer to home, Baltimore's Mayor Brandon Scott is seeking guidance from the city's Ethics Board as he campaigns for reelection. Mayor Scott is seeking written guidance from the Ethics Board on how to keep his campaign separate from official city business as he enters a contested election cycle. Read more about his request [here](#).





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For more information about BEGA, you can find us at:



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Ask BEGA

Question: I am a Supervisory Electrician for DGS and the sole owner of a bakery in the District. My bakery specializes in healthy baked goods. Although I hold ownership, the day-to-day operations of the bakery are overseen by my Bakery Manager, who possesses the authority to manage all business affairs, including contracting. I am not directly involved in the store's daily activities. Recently, our Bakery Manager informed me that she applied for a Request for Proposal/Solicitation from the Office of Contracting and Procurement (OCP) seeking bake shops offering healthy options to supply baked goods to DCPS for FY24. I am pleased to share that our bakery has been selected for the contract. Is it ok for my company to accept the contract award from DCPS?

YES. Because you are not involved in the procurement process for your company, the work being performed is not a conflict of



interest, and the contracting is done by your manager, your company would be permitted to accept the contract award.

Generally, District government employees are prohibited from doing business with the District. Doing business with the District in your personal capacity potentially violates several ethics rules, including the prohibition against conflicts of interest, and the

prohibition against appearing as a representative before the District. You are, therefore, prohibited from contracting directly with the District while maintaining District government employment.

However, someone other than you (a business partner, an attorney hired to represent the company's interests) may contract with the District on behalf of your company. You must recuse yourself from the entire matter.

Your company can contract with the District but you should not participate in any representation of the company before the District.