

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



Office of Government Ethics

In Re: T [REDACTED] Thomas
Case No.: 1215-001

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 ("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, T. Thomas. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

I. FINDINGS OF FACT

Respondent is a Case Management Coordinator in the Locate Unit of the Child Support Services Division of the D.C. Office of the Attorney General ("OAG"). In early August 2014, Respondent collected signatures for a D.C. Board of Elections ("BOE") petition for a candidate for Attorney General of the District of Columbia in the November 2014 election. Respondent admits that three of the signatures he collected for the petition were collected in OAG's offices during his tour of duty.

After collecting the signatures in OAG's offices during his tour of duty, Respondent reached out to the General Counsel of the D.C. Democratic State Committee ("DSC") to confirm whether his conduct was permissible. The DSC General Counsel informed the Respondent that it was not permissible for him to collect signatures in OAG's offices nor was it permissible for him to collect signatures during his tour of duty. Respondent then ceased collecting signatures in OAG's offices during his tour of duty and disposed of the petition form that contained the signatures he had collected in OAG's offices during his tour of duty.

II. NATURE OF VIOLATIONS

Respondent's conduct is in violation of two sections of the District Code of Conduct, as set forth below:

- ❖ **One:** Local Hatch Act, D.C. Official Code § 1-1171.03(a)(1) (Political activity while on duty), which states: "An employee shall not engage in political activity while the employee is on duty."
- ❖ **Two:** Local Hatch Act, D.C. Official Code § 1-1171.03(a)(2) (Political activity in a District building), which states: "An employee shall not engage in political activity in any room or building occupied in the discharge of official duties in the District government, including any agency or instrumentality thereof."

Respondent's conduct, collecting signatures for a candidate for Attorney General during his tour of duty and while in a District government building, was a violation of the Local Hatch Act, specifically, D.C. Official Code §§ 1-1171.03(a)(1) and (2).

¹ 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."

III. TERMS OF THE NEGOTIATED DISPOSITION²

Respondent acknowledges that his conduct was in violation of the District Code of Conduct and that he should be, and hereby is, "**Admonished**" for his 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 Admonishment 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, 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 his failure to comply with this agreement. Respondent agrees that BEGA will provide a copy of this Negotiated Disposition to OAG, which already is aware of this matter.

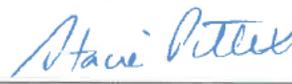
Respondent further understands that if he fails to adhere to this agreement, this Office may instead, at its sole option, recommend that the Ethics Board nullify this settlement and hold an open and adversarial hearing on this matter, after which the Ethics Board may impose sanctions up to the full statutory amount (\$5,000 per violation) as provided in the Ethics Act.³ 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.



Thomas
Respondent

10/08/2014
Date



Stacie Pittell
General Counsel, Board of Ethics and Government Accountability

10/8/14
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
Chairman, Board of Ethics and Government Accountability

10/15/14
Date

² Darrin Sobin, the Director of Government Ethics, recused himself from the above-titled action.
³ Section 221(a)(1) (D.C. Official Code § 1-1162.21(a)(1)).