

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



IN THE MATTER OF:

Date: May 23, 2019

Nadine Parker

CASE NO: 18-0016-P

ORDER

Pursuant to the authority conferred by D.C. Official Code § 1-1162.13 and pursuant to authorization by the Board of Ethics and Government Accountability ("BEGA"), the Director of Government Ethics has conducted a preliminary investigation into allegations that the Respondent, Nadine Parker, violated the District Code of Conduct by performing copy jobs for an unauthorized, outside entity at her District government work site over the course of several years. The Respondent had a duty to protect and conserve government property and was prohibited from using such property, or allowing its use, for other than authorized purposes pursuant to DPM § 1808.1.¹ Additionally, Respondent was prohibited from personally and substantially participating in work actions which she knew would have a direct and predictable effect on her financial interests.² **Based on the results of the preliminary investigation, the Director of Government Ethics has determined that the allegations are substantiated, and that the Respondent's actions violated the District Code of Conduct.**

¹ DPM § 1808.1 states that:

An employee has a duty to protect and conserve government property and shall not use such property, or allow its use, for other than authorized purposes.

DPM § 1808.2 states that:

For purposes of [section 1808] the following definitions apply:

(a) "Government property" includes any form of real or personal property in which a federal, District, state, or local government agency or entity has an ownership, leasehold, or other property interest as well as any right or other intangible interest that is purchased with government funds, including the services of contractor personnel. The term includes office supplies, telephone and other telecommunications equipment and services, the government mails, automated data processing capabilities, printing and reproduction facilities, government records, and government vehicles.

(b) "Authorized purposes" are those purposes for which government property is made available to members of the public or those purposes authorized by an agency head in accordance with law or regulation.

² See D.C. Official Code § 1-1162.23(a).

Statement of the Case

This matter is a preliminary investigation into allegations that Respondent performed copy jobs for an unauthorized, outside entity at her District government work site over the course of several years, thereby causing the District to incur the cost of those copies. Specifically, the Respondent, who was a Support Services Specialist at the time of the violations³, allegedly completed several copy requests for Kid First Daycare and gave those copies to someone named “Mike”. Respondent accepted a fee ranging from \$10 to \$50 for completing the copy jobs. This activity took place over the course of approximately three years.

Summary of Evidence

During its preliminary investigation, OGE received a confidential investigative report from the Department of Consumer and Regulatory Affairs (“DCRA”). The aforementioned report contained interviews from numerous DCRA employees who worked in close proximity with Respondent. The report also contained an interview with Respondent which took place on Friday, March 9, 2018. During her interview, Respondent admitted to “complet[ing] copy request jobs for Kid First Daycare during her official tour of duty hours”. Additionally, Respondent stated that she received between \$10 and \$50 for each copy job she completed.

Findings of Fact

1. From approximately July 2015 until approximately April 2018, Respondent completed copy requests for Kid First Daycare and gave those copies to someone named “Mike”.
2. Respondent was employed by the Department of Consumer and Regulatory Affairs when she processed these print requests.
3. Respondent received a fee per each copy request she completed ranging between \$10 and \$50.
4. Respondent was not authorized by the District of Columbia to complete copy requests for Kid First Daycare or any of its agents.
5. The District of Columbia incurred the cost of paper and ink for all of these unauthorized copies.

Conclusions of Law

Based on the evidence of record, I therefore conclude:

1. D.C. Official Code § 1-1162.23(a) prohibits employees from personally and substantially participating in work actions which the employee knows is likely to have a direct and predictable effect on the employee’s financial interests.

3

https://dchr.dc.gov/sites/default/files/dc/sites/dchr/publication/attachments/public_body_employee_information_180331.pdf

2. DPM § 1808.1 requires District employees to protect and conserve government property and prohibits District employees from using such property, or allowing its use, for other than authorized purposes.
3. Pursuant to D.C. Official Code § 1-1162.21(a)(3), BEGA has issued a schedule of fines that the Director of Government Ethics can impose ministerially for violations of the Code of Conduct.
4. Pursuant to the Schedule of Fines, the Director of Government Ethics can ministerially fine a District employee who participates personally and substantially in work actions which the employee knows is likely to have a direct and predictable effect on his or her financial interests not less than \$100 nor more than \$5,000.
5. Pursuant to the Schedule of Fines, the Director of Government Ethics can ministerially fine a District employee who misuses government property not less than \$100 nor more than \$2,000.
6. The Respondent violated D.C. Official Code § 1-1162.23(a) by participating personally and substantially in work actions which she knew would have a direct and predictable effect on her financial interests when she completed unauthorized copy jobs and accepted fees from an outside source for the completion of said copy jobs.
7. The Respondent violated DPM § 1808.1 by failing to protect and conserve government property and by using such property for other than authorized purposes when she used the District's equipment and supplies to complete unauthorized copy jobs.
8. Because D.C. Official Code § 1-1162.23(a) and DPM § 1808.1 are part of the District Code of Conduct, the Respondent's failure to protect and conserve government property and her personal and substantial participation in the work actions which she knew would likely have a direct and predictable effect on her financial interests, she violated the District Code of Conduct.

WHEREFORE, pursuant to the authority conferred upon me by D.C. Official Code §1-1162.21 (a)(3), it is hereby **ORDERED** that a ministerial fine in the amount of One Thousand Dollars (\$1,000.00) is assessed against the Respondent, Nadine Parker, due to her failure to protect and conserve government property and due to her use of such property for other than authorized purposes.



BRENT WOLFINGBARGER
Director of Government Ethics



DATE

SERVICE OF ORDER

This is to certify I have served a true copy of the foregoing Order on Nadine Parker at [REDACTED] via certified and regular mail on 5-23-2019.



NOTICE

Any party adversely affected by this Order may file an appeal with the Board of Ethics and Government Accountability at 441 4th Street NW, Suite 830 South, Washington, DC 20001. All such appeals must be received by the Board no later than ten (10) days from the date of this Order, excluding weekends and District government holidays.