

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

**MEETING MINUTES – October 2, 2025**

The District of Columbia Board of Ethics and Government Accountability held a hybrid meeting at the Board of Ethics and Government Accountability, 1030 15<sup>th</sup> Street, NW, Suite 700 West, and October 2, 2025, at 10:00 a.m. Chairperson Norma Hutcheson and Board members Felice Smith and Darrin Sobin attended the meeting. Board members Charles Nottingham and Melissa Tucker did not participate in the meeting.

Members of the public were welcome to attend, and a recording of the meeting is available on open-dc.gov and [BEGA's YouTube channel](#).

**I. Call to Order**

The meeting was called to order at 10:01 a.m.

**II. Ascertainment of Quorum**

Three Board members, Chairperson Norma Hutcheson and Board members Felice Smith and Darrin Sobin were present for the meeting.

**III. Adoption of the Agenda/Approval of Minutes**

The Board voted unanimously to adopt the agenda for the meeting and approve the agenda for the September 2025 meeting.

**IV. Report by the Director of Open Government**

Good morning, Chairperson Hutcheson, and Members of the Board. I am Niquelle Allen, Director of Open Government. I am pleased to present this report on the activities of the Office of Open Government (“OOG”). Our mission is to ensure that all persons receive full and complete information concerning the affairs of the District of Columbia government and the actions of its officials. Since the last Board meeting, OOG has continued its work to ensure that the District of Columbia government’s operations are transparent, open to the public, and promote civic engagement. To that end, OOG has enforced the Open Meetings Act, advised on the Freedom of Information Act’s requirements, and provided training on those transparency laws. OOG has proudly served as advocates for an open and transparent government.

**A. Open Meetings Act (“OMA”) and Freedom of Information Act (“FOIA”) Advice**

**1. Advisory Opinions**

**a. OMA Advisory Opinion – Board of Trustees for SEED Public Charter School, #OOG-2025-0052**

On October 1, 2025, I issued an Advisory Opinion #OOG-2025-0052, in response to a complaint which alleged that SEED Public Charter School Board (“SEED PCSB,” or the “Board”) failed to provide the public with access to an emergency meeting held by the Board on May 31, 2025.

I found that SEED PCSB violated the OMA by failing to provide a complete meeting notice for its emergency meeting held on May 31, 2025. The Board failed to provide a valid dial in number and access code or valid weblink and login information as required by D.C. Official Code § 2–576(5) and 3 DCMR § 10409.7. The Board also did not provide a meeting location. D.C. Official Code § 2–576(4) extends this notice requirement to a public body’s emergency meetings. Furthermore, considering SEED PCSB did not respond to the Complaint and the draft agenda of the meeting in issue has “Emergency Closed Meeting” as a part of the subject heading, I informed the Board of the procedure for entering closed or executive session of public body meetings. Pursuant to D.C. Official Code § 2- 575(c), a public body must start its meeting in an open session where a meeting or a portion of a meeting will be held in closure.

Since SEED PCSB is in violation of the OMA Notice of meetings and Open meetings requirements, the Board must take OMA training within sixty (60) days of receipt of my Advisory Opinion to avoid further corrective action. The Complaint and Advisory Opinion have been added to Dropbox.

2. Informal Advice

Since the last Board meeting, OOG has responded informally, via e-mail, telephone, or teleconference to requests for assistance as follows:

3 requests for OMA advice;  
11 requests for FOIA advice; and  
14 requests for technical assistance with open-dc.gov.

**B. Meeting Monitoring**

OOG’s staff attends public bodies’ meetings, in person and remotely, to ensure compliance with the OMA. They also inspect public bodies’ websites and OOG’s Central Meeting Calendar for public meeting notices and records. OOG’s attorneys provide legal advice on OMA compliance and take corrective action, if necessary.

Since the last Board meeting, OOG’s legal staff have attended nine (9) public body meetings. No corrective measure was communicated.

**C. Training/Outreach**

1. Office of Attorney General for the District of Columbia (“OAG”) “Supreme Court Review Training”

On September 10, 2025, I, along with OOG's staff attended Office of Attorney General for the District of Columbia ("OAG") "Supreme Court Review Training," presented by Caroline Van Zile, Solicitor General for the District of Columbia, and Ashwin Phatak, Principal Deputy Solicitor General for the District. The training provided a general overview of the October Term 2024 to September 10, 2025, Supreme Court cases. The presenters discussed certain First Amendment, antidiscrimination, employment, Fourth Amendment, and Civil Procedure cases.

2. Society for Corporate Compliance and Ethics ("SCCE") 24<sup>th</sup> Annual Compliance & Ethics Institute Conference

From September 14 - 17, 2025, the Society of Corporate Compliance and Ethics (SCCE) held its 24th Annual Compliance and Ethics Conference in Nashville, Tennessee. I, along with Chief Counsel Neal, and Attorneys Brandon Lewis and Joan Lelma attended the SCCE conference in-person. The conference included a variety of learning sessions on technology and innovation with a focus on the integration of Artificial Intelligence (AI) in the workspace, program management insights, professional skills for compliance and ethics practitioners, among others. OOG team members attended 37 training courses and a list of the courses, including details regarding which members attended, is included in Dropbox for your information.

3. District of Columbia Public Charter School Board ("DC PCSB") Webinar – "Recording, Submitting, and Posting Board Meeting Minutes"

On September 17, 2025, DC Public Charter School Board and OOG facilitated "Recording, Submitting, and Posting Board Meeting Minutes" webinar for chairs and members of the Boards of Trustees for DC Public Charter Schools. Attorney Advisor Anthony J. Scerbo discussed the OMA meeting minutes requirements concerning Boards of Trustees. Dr. Karlo Silbiger, Governance Specialist, DC PCSB provided guidance on specific aspects of Boards of Trustees meetings, such as roll call, quorum, and votes, and discussed DC PCSB's meeting minutes requirements.

4. Parliamentary Procedure Webinar – "Making Interventions: Tips for Dealing with Difficult Meeting Participants"

On September 25, 2025, OOG hosted Parliamentary Procedure webinar "Making Interventions: Tips for Dealing with Difficult Meeting Participants," facilitated by Susan Leahy, Founder of Robert's Rules Made Simple. The training covered how to create openness and navigate tension during meetings, and when and how to make general and procedural interventions, among other context, content, and chair-related key matters for successful meetings. Chief Counsel Neal and I assisted with the presentation. OOG's staff attended the training virtually.

## **D. Litigation and Legislative Update**

### **1. Litigation**

- a. Chicago Justice Project v. District (Case No. 2022-CA-001175-B (D.C. Super. Ct.))

I previously reported on this case in which the Chicago Justice Project (“CJP”) filed suit to compel the Metropolitan Police Department (“MPD”) to release certain records concerning the Gang Tracking and Analysis System, in a dispute regarding an advanced fee that MPD demanded for its FOIA review, and a similar amount that CJP demanded in attorney’s fees.

On July 11, 2025, the Plaintiff filed a Motion for *In Camera* Review. In its Motion, Plaintiff asked the Court for an order requiring the District to furnish copies of a representative subset of 37 records currently withheld pursuant to D.C. Official Code § 2-534(a)(3)(A) [investigatory records compiled for law enforcement purposes] to the Court for an *in camera* inspection to determine whether the asserted exemption has been lawfully applied and whether segregable, non-exempt information must be disclosed.

On August 8, 2025, the District filed an Opposition to Plaintiff’s Motion for *In Camera* Review and a Cross Motion for Enforcement of the Settlement Agreement. The Plaintiff filed a Reply Brief in Support of Plaintiff’s Motion for *In Camera* Review on August 22, 2025.

An oral motions hearing was held on September 25, 2025. The Court heard the parties’ arguments and has taken the Motion for *In Camera* Review under advisement. A written order will be issued from Chambers. The District’s Opposition and Cross Motion and the Plaintiff’s Reply Brief were added to Dropbox before the Board’s last meeting. OOG’s staff will continue to monitor this case.

### **2. Legislation**

- a. Legislative Action regarding the OMA: As I previously reported, Chairman Mendelson introduced B26-200, the “Open Meetings Clarification Temporary Amendment Act of 2025,” which was enacted on June 26, 2025, without the Mayor’s Signature, as Act Number A26-0086. It has now received Law Number L26-0024. It became effective August 16, 2025, and will expire on March 29, 2026.

No additional legislative action has been taken on Utah Senator Mike Lee’s U.S. Senate Bill 1450, with intent to repeal the Act, which was introduced in April and referred to the Senate Committee on Homeland Security and Governmental Affairs. A copy of the Act and U.S. Senate Bill remain in Dropbox.

- b. Legislative Action regarding the Boards of Trustees for DC Public Charter Schools: I have previously reported on Bill 26-0062, the “Board of Trustees Training Amendment Act of 2025,” introduced by Councilmember Christina Henderson, on January 17, 2025. The Bill would require members of a Board of Trustees of a public charter school to complete training programs on best practices for school board governance, which includes training on the Open Meetings Act. It had its second and final reading on July 1, 2025, and passed unanimously.

On July 10, 2025, the Bill was transmitted to the Mayor, signed by the Mayor on July 21, 2025, and enacted with Act Number A26-0112. On July 25, 2025, Act A26-0112 was published in DC Register (Vol 72 and Page 008156). On July 29, 2025, it was transmitted to Congress. The projected law date was changed from October 15, 2025, to September 17, 2025. The Act became law on September 19 and has received Law Number L26-0038. A copy of the Act was added to Dropbox before the Board’s penultimate meeting.

- c. Legislative Action regarding a government agency’s interpretation of its administering statutes and regulations: For the last four months I have reported on Bill 26-0048, the “Council Review of Agency Action Clarification Amendment Act of 2025,” which was introduced by Chairman Mendelson, on Jan. 13, 2025. On June 24, 2025, the Committee of the Whole filed its Committee Report, and on July 1, 2025, Chairman Mendelson introduced an “amendment in the nature of a substitute” concerning the Bill. It passed unanimously on final reading.

As I informed the Board for the last four months, the Bill codifies agency deference and clarifies that a reviewing court or tribunal shall defer to an agency’s reasonable interpretation of a statute or regulation the agency administers, providing that the interpretation is not plainly wrong or inconsistent with the statutory or regulatory language or the Council’s intent. The Bill is largely in response to the Supreme Court’s decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024).

It was enacted with Act Number A26-0111, published in DC Register on July 25, 2025, and transmitted to Congress on July 29, 2025. The projected law date was changed from Oct 15, 2025, to September 17, 2025. The Act became law on September 19 and has received Law Number L26-0037. A copy of the Act remains in Dropbox.

- d. Legislative Action regarding the Freedom of Information Act: I have previously reported on Bill 26-0340. On July 28, 2025, Chairman Mendelson introduced the “Fiscal Year 2026 Budget Support Emergency Act of 2025,” B26-0340, which included the “Freedom of Information Clarification Emergency Amendment Act of 2025.” This Bill amends DC FOIA to create a new exemption for particular data the Criminal Justice Coordinating

Council and District of Columbia Sentencing Commission receives from the “court, federal agency, or federally established agency.” The Bill passed by voice vote (10-2) on July 28, 2025. The Mayor signed the measure on September 3, 2025, and the Council retained it on September 17, 2025. A copy of the Bill was added to Dropbox before the Board’s penultimate meeting.

**E. Administrative**

I do not have any administrative matters to report.

**This concludes the Office of Open Government’s October 2, 2025, report. I am happy to answer any questions the Board may have.**

Board member Sobin commended OOG for taking a proactive approach to monitor meetings and advise on corrective actions prior to the receipt of a complaint. Chairperson Hutcheson asked about the what the possible corrective action could be in the SEED PCSB matter. Director Allen advised that the next step in the process could include taking the matter to superior court to impose a fine for continued non-compliance.

**V. Report by the Director of Government Ethics**

Good morning, Chairperson Hutcheson and Members of the Board. I am Ashley Cooks, the Director of Government Ethics. I am pleased to present this report on the activities of the Office of Government Ethics (“OGE”).

**A. Update on Status of OGE Investigations**

The information reported today regarding OGE’s cases will not reflect any status changes that may occur because of actions taken by the Board during today’s meeting.

OPEN INVESTIGATIONS BY STATUS	
Open	66
Open - Negotiations	0
Open - Show Cause Hearing	1
Grand Total	67

OPEN "UNDOCKETED MATTERS"	
Grand Total	9

PENDING/STAYED INVESTIGATIONS BY STATUS	
Closed - Pending Collection	34
Stayed - Pending DC Superior Court Case	3
Stayed - OAG False Claims Act Case	0
Stayed - OIG Investigation	3
Stayed - US District Court Case	2

Grand Total	42
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REGULATORY MATTERS BY STATUS	
Closed - Pending Collection	49
Open	848
Grand Total	897

	Current	Last month	July
Investigations Open	67	56	44
Investigations Stayed	8	8	8

The number of open preliminary and formal investigations includes 18 new matters. The investigative team resolved 7 investigations since the Board last met. This total does not reflect the number of complaints that were dismissed for a lack of jurisdiction.

The Quarterly Complaint Report for Quarter 4 of Fiscal Year 2025, covering the period from July 1, 2025, through September 30, 2025, is expected to be published by mid-month to the BEGA website with a press release and heatmap. Copies will be placed in the DropBox for the next meeting.

## **B. Training/Outreach**

### **1. Professional Development Trainings Attended by Staff**

Human Resources Specialist Megan Stoutamire took Worker's Compensation Training. Senior Board Attorney Lynn Tran attended The Efforts to Dismantle Watergate Reforms & Potential Impacts. Supervisory OGE Attorney Asia Stewart Mitchell took Advancing Racial Equity. Auditor Courtney Walker and General Counsel Rashee Raj attended the 24th annual Compliance & Ethics Institute hosted by the Society of Corporate Compliance and Ethics ("SCCE") in Nashville, TN. Attorney Advisor Shannon Monk, Investigator Illeana Corrales, and Investigator Rhoda Glasgow attended the SCCE Experienced Investigator Workshop also in Nashville, TN. One hundred percent of OGE's staff have completed DC Government's annual Cybersecurity Awareness Training.

### **2. Conducted by staff**

Since the last Board meeting, OGE conducted 5 training sessions: the September Monthly Ethics Training, two New Employee Orientation Ethics Segments, the Board and Commission training for Board of Dentistry, and a Lobbyist Reporting and Registration Training.

In September, 69 users viewed the recently published Outside Employment Course on the LMS. The Training Team has been meeting with LRN to discuss creating new courses and updating existing courses to make them more accessible to users. We are preparing to launch a lobbyist training course in the LMS.

3. Outreach

OGE is in the final stages of coordinating Ethics Week 2025! This year's conference will take place on October 14-17, 2025, and will include 2 in person days at the BEGA office and 2 virtual days. This year's theme is "Keeping Government Transparent and Ethical" and includes sessions that are designed to encourage employees to comply with the ethics, open meeting, and FOIA laws. I am sure that this program will garner the same success as previous years. On October 10<sup>th</sup>, OGE will issue its bi-monthly newsletter, Ethically Speaking.

C. **Advisory Opinions/Advice**

1. Informal Advice

OGE's legal staff provided advice for approximately 23 ethics inquiries, which is 12 less than the 35 reported at the September Board meeting. This number does not include responses we have provided to questions regarding the Lobbyist and FDS e-filing systems.

2. Formal Advisory Opinions

OGE has two advisory opinions in the works on Widely Attended Gatherings and an edited Advisory Neighborhood Commissioner Sign-on Letter opinion.

D. **Legislation and Rulemaking Updates**

1. Lobbyist Registration and Reporting

OGE published a Notice of Proposed Rulemaking for the Lobbyist section of BEGA's regulations last Friday, September 26<sup>th</sup>. The proposed amendments to Title 3 DCMR clarifies the date which each Activity Report is due from the 10<sup>th</sup> to the 15<sup>th</sup> of January, April, July, and October (Section 5803.2). The notice will be published to the D.C. Register for a 30-day comment period, which I will report back on next month.

E. **OGE Administrative Matters**

1. OGE is in the process of filling its vacancies for the Program Support Assistant, Legal Assistant, General Counsel, and Investigator.

F. **Financial Disclosure Statement (FDS)**

Pursuant to D.C. Official Code §§ 1-1162.24 and 1-1162.25, public officials and certain government employees must file a financial disclosure statement as a means of transparency and to prevent engaging in conduct that violates the financial conflicts of interest statute. BEGA is responsible for ensuring that employees and public



officials, who meet the statutory requirement, file their annual financial disclosure statement.

The 2025 Financial Disclosure season has closed, and the FDS filing deadline was May 15<sup>th</sup>. OGE opened the season with 10,147 names in the e-filing system. Enforcement measures are now underway, and Financial Disclosure Enforcement letters were sent to 698 designated filers who failed to file, and 50 Late Filers. Financial Disclosure fines are due on today per the fine letter. Those filers who do not pay by the deadline will be sent to the Office of Pay and Retirement Services for a wage garnishment or the Central Collections Unit for collection of payment. Finally, the DC Council's fall Financial Disclosure filings will be due in November, so filing will begin on October 15<sup>th</sup>.

#### **G. Lobbying Registration and Reporting (LRR)**

Pursuant to D.C. Official Code § 1-1162.27(a), a person who receives compensation or expends funds in an amount of \$250 or more in any 3-consecutive-calendar-month period for lobbying shall register with the Director of Government Ethics and pay the required registration fee. According to D.C. Official Code § 1-1162.30, each registrant shall file a quarterly report concerning the registrant's lobbying activities during the previous quarter.

On September 19, Program Coordinator Stan Kosick opened the e-filing system for 2025 Quarter 3 Reporting. This Activity Report covers July 1 to September 30, and those Reports are due October 15. Enforcement for the first and second quarters is underway. On September 24, Attorney Advisor Maurice Echols and Program Coordinator Stan Kosick provided Lobbyist Registration Training to 17 attendees.

#### **H. Public Investigations**

**24-0016-F and 25-0002-F In re Trayon White** – These are formal investigations based on: (1) the criminal indictment of the Ward 8 Council member for, allegedly agreeing to receive and accepting bribes and (2) allegations that he violated the Code of Conduct by failing to file a full and complete public financial disclosure statements. Last month, the Board issued a Notice of Hearing in 25-0002-F for a hearing on February 5, 2026.

**24-0007-F In re Marc Davis** – This is a formal investigation based on criminal information that the Respondent, a Metropolitan Police Officer, engaged in 1st Degree Fraud by billing MPD for working hours while he was on-duty and present at Giant Food Store on 193 occasions between August 2021 and June 2023 (\$46,356.14). Respondent was indicted on January 30, 2024. During his criminal trial, Respondent admitted to working at Giant while he was on-duty for MPD. On October 1, 2024, Respondent was found not guilty. The Board approved a Notice of Violation in this matter, and a hearing is scheduled for January 8, 2026.

**25-0008-F In re MaryAnn Stinson Green** – This is a formal investigation based on a complaint that Respondent, former Instructional Superintendent for D.C. Public

Schools pushed several schools and principals to purchase additional services from Relay Graduate School of Education resulting in a million-dollar contracted partnership. The complainant also alleges that Ms. Stinson also subcontracted with Relay and received over \$100,000 in pay but only declared around \$15,000.00 in outside pay on her financial disclosure statement. According to the evidence, Respondent maintained outside employment with Relay; under reported her income from Relay on two FDS; convinced a subordinate principal to purchase services from Relay; performed duties for Relay during her tour of duty; and misused government email to send and receive messages concerning her consulting business. The Board approved a Notice of Violation at the last meeting.

**Thank you. This concludes the Office of Government Ethics' October 2, 2025, report.**

Board member Sobin asked for an update on efforts to curb violations of the rules on outside employment given the number of cases that have been before the Board recently. Director Cooks noted that the office had increased training on this issue, including quarterly outside employment trainings, the addition of a new outside employment training course in the learning management system, increased efforts to alert ethics counselors to outside employment issues during monthly meetings, and issuing several newsletters and publications to address the outside employment rules.

## **VI. Public Comment**

There were no public comments.

## **VII. Executive Session (nonpublic)**

The Board voted unanimously to enter into Executive Session to discuss ongoing, confidential investigations pursuant to D.C. Official Code § 2-575(b)(14), to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body pursuant to D.C. Official Code § 2-575(b)(4)(A), to discuss personnel matters including the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials pursuant to D.C. Official Code § 2-575(b)(10), and to deliberate on a decision in which the Ethics Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13).

## **VIII. Resumption of Public Meeting**

The meeting resumed at 11:52 a.m.

The Board approved negotiated dispositions in **24-0007-F In re Marc Davis** and **25-0008-F In re In re Maryann Stinson**. The Board dismissed **25-0004-F In re Dana McDaniel**.

The Board will meet next on November 6, 2025 at 10:00 a.m.

The meeting adjourned at 11:53 a.m.