

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



IN RE: Trayon White,

Respondent

Case No. 25-0002-F

FINAL DECISION

I. Introduction

The Office of Government Ethics (OGE) charged Trayon White (Respondent) with three violations of the District’s Code of Conduct.¹ Count 1 of the Amended Notice of Violation (NOV) alleges that Respondent violated D.C. Official Code § 1-1162.24(a)(1) by failing to submit a full and complete Public Financial Disclosure Statement due November 2024.² Count 2 of the Amended NOV) alleges that Respondent violated D.C. Official Code § 1-1162.24(a)(1) by failing to submit a full and complete Public Financial Disclosure Statement due May 2025. Count 3 of the Amended NOV alleges that Respondent violated D.C. Official Code § 1-1162.24(a)(1) by failing to submit a full and complete Public Financial Disclosure Statement due November 2025.

Pursuant to notice, an evidentiary hearing was held on February 5, 2026, and continued March 5, 2025. At the hearing, OGE presented testimony, introduced exhibits, and offered argument. Respondent questioned the witness and offered argument but did not present any testimony or introduce evidence at the hearing. At the conclusion of the hearing on March 5, 2026, the Board directed OGE and Respondent to submit post-hearing briefing and proposed findings of fact and sanctions.

The Board has had an opportunity to review the record in its entirety and, after careful consideration of the parties’ arguments, finds substantial evidence that Respondent committed

¹ The Board has the power to, among other things, “[a]dminister and enforce the Code of Conduct”. Section 202(a)(1) of the Governmental 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 § 1-1162.02(a)(1)). The Code of Conduct is defined by section 101(7)(E) and (F) of the Ethics Act (D.C. Official Code § 1-1161.01(7)(E) and (F)) to include the “Code of Official Conduct of the Council of the District of Columbia, as adopted by the Council” and “Parts C, D, and E of subchapter II” which includes the statutes and regulations that form the bases of the charges against Respondent.

² The first two counts were included in the initial NOV approved by the Board on July 10, 2025, while the third count was added when the Board approved the Amended NOV on December 4, 2025.

three separate violations of the Code of Conduct as alleged in the Amended NOV. Accordingly, the Board assesses a civil penalty of \$300 for each count for a total civil penalty of \$900 and directs the Respondent to file the required reports consistent with this opinion. The Board also finds that the violations by Respondent undermines the public's trust and hereby publicly **"Censures"** Respondent for his conduct.³

As required by 3 DCMR § 5512.2, the Board's findings of fact, conclusions of law, and analysis are set forth below.

II. Findings of Fact

The facts in this case can be summarized as follows:

Respondent served as a Councilmember for Ward 8 from January 2017 to February 2025.⁴

Respondent does not dispute that, at all relevant times, due to his position as a Councilmember, he was a public official as defined in the Ethics Act and was required to file a Public Financial Disclosure Statement (PFDS) twice a year in May and November.⁵

It is also undisputed that Respondent was required to file three separate PFDS reports that are at issue in this matter: (1) a PFDS reporting on the period between January 1, 2024, and June 30, 2024, on or before November 15, 2024; (2) a PFDS reporting on the period between July 1, 2024, and December 1, 2024, on or before May 15, 2025; and (3) a PFDS reporting on the period between January 1, 2024, and June 30, 2025, on or before November 15, 2025.⁶

In connection with the PFDS due November 15, 2024, OGE sent emails on October 13, 2024; October 29, 2024; November 7, 2024; and November 13, 2024 to Respondent at his official email, twhite@dccouncil.gov.⁷ The November 13, 2024 email from OGE was sent to both the official email address for Respondent and to his Chief of Staff, Wanda Lockridge, reminding them of the November 15, 2024 deadline as he had not filed by the date of the notice.⁸

For the PFDS due May 15, 2025, OGE sent notices to trayonwhite2011@gmail.com, a personal email address for Respondent that was provided by staff for Council Chairman Mendelson, since Respondent was no longer serving as a Councilmember at the time the notices were sent.⁹ OGE

³ D.C. Official Code § 1-1162.21(a)(4)(A)(ii) provides that, in addition to assessing a civil penalty of up to \$5,000 per violation, the Board may also impose a public censure for violations of the Code of Conduct. D.C. Official Code § 1-1162.21(e) provides that "[n]otwithstanding any other provision...all equitable remedies at law shall be available for violations of the Code of Conduct".

⁴ Amended Joint Pre-Hearing Statement at 1-2 (Stipulated Fact #1).

⁵ See *id* at 2 (Stipulated Fact #2 and #3).

⁶ See *id* (Stipulated Fact #4-6).

⁷ OGE Exhibit 1, 2, 3, 4; Testimony of Stanley Kosick.

⁸ OGE Exhibit 4; Testimony of Stanley Kosick.

⁹ Testimony of Stanley Kosick.

used the GovDelivery platform to send notices on April 15, 2025; April 28, 2025; May 2, 2025; May 12, 2025; May 15, 2025; and May 21, 2025.¹⁰ OGE sent an additional email to Respondent's twhite@dccouncil.gov email address on May 2, 2025, reminding him of the May 15, 2025 filing deadline.¹¹ The email was duplicative of the May 2, 2025 email sent using the Govdelivery system.¹²

On September 3, 2025, OGE sent a "Notice of Non-Compliance" to Respondent at his twhite@dccouncil.gov email address advising Respondent that he failed to file the required report on or before May 15, 2025, and incurred a \$300 fine stemming from the failure to file.¹³

Respondent resumed his position on the Council prior to OGE sending communications for the report due November 15, 2025. On October 14, 2025, OGE Program Specialist Kosick sent a notice to chiefs of staff for Councilmembers, including Respondent's chief of staff at sbunn@dccouncil.gov, advising recipients that he would be sending notices to Councilmembers for the upcoming November 15, 2025 filing deadline.¹⁴ OGE sent notices to Respondent at his twhite@dccouncil.gov email address on October 15, 2025 and October 28, 2025, prior to the filing deadline.¹⁵ OGE sent an additional email to twhite@dccouncil.gov on November 17, 2025 advising Respondent that his Fall 2025 disclosure was late.¹⁶

As of February 3, 2026, Respondent had not filed the PFDS reports due November 2024, May 2025, or November 2025.¹⁷

III. Conclusions of Law and Analysis

The question before the Board is whether OGE has met its burden of proving that Respondent violated the provisions of the Code of Conduct underlying the three counts of the NOV by substantial evidence.¹⁸

The Board finds that OGE satisfied the burden with respect to all three of the alleged violations of D.C. Official Code § 1-1162.24(a)(1).

¹⁰ OGE Exhibit 6; Testimony of Stanley Kosick.

¹¹ OGE Exhibit 12; Testimony of Stanley Kosick.

¹² OGE Exhibits 6 and 12; Testimony of Stanley Kosick.

¹³ OGE Exhibit 11; Testimony of Stanley Kosick.

¹⁴ OGE Exhibit 13; Testimony of Stanley Kosick.

¹⁵ OGE Exhibit 14 and 15; Testimony of Stanley Kosick.

¹⁶ OGE Exhibit 16; Testimony of Stanley Kosick.

¹⁷ OGE Exhibit 17; Testimony of Stanley Kosick.

¹⁸ See 3 DCMR § 5518.1 ("In all cases involving a notice of violation, the Director [of Government Ethics] has the burden of persuading the Board that a violation has occurred by substantial evidence."); see also *id.* at § 5521.4 ("A decision shall be supported by substantial evidence on the record. Pursuant to the substantial evidence rule, courts shall uphold an administrative determination of fact if on the entire record the determination is rationally supportable and could have been arrived at reasonably.").

A. Respondent was aware of his filing obligation

The District's financial disclosure system seeks to prevent conflicts of interest or the appearance of a conflict of interest by providing the information necessary to assess whether a District public official holds any financial interests that could be impacted by the performance of their official duties. By providing information on a public official's assets, income, and liabilities the public can identify and assess any potential or actual conflicts.

D.C. Official Code § 1-1162.24 (a)(1) requires a "public official" to file a full and complete public statement of financial interests.¹⁹ Each member of the Council of the District of Columbia is a "public official"²⁰ required to file full and complete public financial disclosure statements semiannually by 11:59 p.m. on May 15 and November 15.²¹

In passing the requirement for Councilmembers to file reports semiannually in May and November, the Council concluded that requiring semiannual disclosure "will make reports more current and therefore more relevant," noting its sense that "improved disclosure by Councilmembers provides greater transparency and encourages public confidence."²²

Respondent acknowledges that he was a public official required to file a Public Financial Disclosure Statement ("PFDS") twice a year in May and November.²³ Respondent further concedes that he was required to file a PFDS on or before November 15, 2024, May 15, 2025, and November 15, 2025.²⁴

Despite acknowledging that he was aware of the filing obligation and the deadlines for filing, Respondent nevertheless argues that OGE's communications to him regarding his filing obligations were constitutionally deficient, citing *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950), to suggest that the use of bulk GovDelivery email system fails to reach a majority of recipients and cannot be used to establish that he received or opened the communications sent by OGE.²⁵ Respondent argues that since OGE's primary notice method was not "reasonably calculated" to provide notice of filing obligations, OGE failed to establish that Respondent personally received notice of the filing requirements.²⁶

¹⁹ D.C. Official Code § 1-1162.24(a)(1).

²⁰ D.C. Official Code § 1-1161.01(47)(B).

²¹ D.C. Official Code § 1-1162.24(c)(2). Upon departing their position with the Council, members are required to file a termination financial disclosure report within three months of leaving the office or position. *See id.*

²² D.C. Law 21-0240, effective Apr. 7, 2017; *see* Report of the Committee of the Whole on Bill 21-332, the Council Financial Disclosure Amendment Act of 2016 (Council of the District of Columbia, Dec. 6, 2016) at 2.

²³ Amended Joint Pre-Hearing Statement at 1-2; Respondent's Proposed Findings of Fact and Conclusions of Law ("Resp. Post-Hearing Brief") at 1.

²⁴ *See id.*

²⁵ Resp. Post-Hearing Brief at 3-5.

²⁶ *See id.*

With respect to the notices for the May 2025 filing obligation, which were sent to a gmail address furnished by staff for Council Chairman Mendelson, Respondent argues that he did not provide or authorize the use of the personal gmail by OGE and that OGE cannot establish that he opened the communications sent to that address.²⁷ For the notices sent for the November 2025 filing requirement, Respondent argues that compelling the financial disclosure during the pending criminal proceeding violates his Fifth Amendment privilege against self-incrimination, noting that his Fifth Amendment objection was filed prior to the November 15, 2025, filing deadline.²⁸ Finally, Respondent cites *Jones v. Flowers*, 547 U.S. 220, 230 (2006) to argue that his history of filing disclosures did not establish constitutionally sufficient notice of a specific deadline.²⁹

Respondent's reliance on *Mullane* to support the position that OGE did not provide sufficient notice of his filing obligations is misplaced. Unlike this matter, *Mullane* and its successor cases address what notice is due to parties who had no reason to know about pending proceedings that could result in deprivation of their property interest.³⁰ This differs from cases where a party subjects itself to agency proceedings that may impact its property interests; in that instance, the burden is on the party to understand and comply with the agency's published regulations.³¹

As an initial matter, Respondent conflates the notice required of the government where a property interest is at stake with the requirement that parties comply with established statutory deadlines, arguing in his brief that "[g]eneral familiarity with a recurring obligation does not substitute for constitutionally adequate notice of a specific deadline. A property owner who has paid taxes for twenty years is still entitled to adequate notice before foreclosure."³² The court in *Jones*, however, clearly distinguishes between the requirement to comply with the law and the due process requirements when the government seeks to act against a party's property interest after they fail to comply with the law.³³

The requirement for District elected officials to file public financial disclosures is not a new one. As the Council noted upon passage of the Ethics Act, "the recognition that elected officials should be held to a higher standard" was established in the District in 1974 with the passage of the District of Columbia Campaign Finance Reform and Conflict of Interest Act which included public

²⁷ See *id* at 4.

²⁸ See *id*.

²⁹ See *id* at 5.

³⁰ *Mullane*, 339 U.S. at 306 (settlement of accounts held in common trust fund); see also *Mathews v. Eldridge*, 424 U.S. 319 (1976) (establishing three factor balancing test for assessing whether government met due process requirements).

³¹ See *Lakeshore Broad., Inc. v. FCC*, 199 F.3d 468, 474 (D.C. Cir. 1999) (party was not entitled to personal notice of existing published regulatory requirements that might affect its application).

³² Resp. Post-Hearing Brief at 5 (citing *Jones v. Flowers*, 547 U.S. 220, 230 (2006)).

³³ *Jones*, 547 U.S. at 234 (state should take reasonable steps to provide adequate notice required when it seeks to hold people responsible for tax delinquency by forcing a citizen to forfeit property to satisfy the obligation).

disclosure requirements for the Mayor, Councilmembers, and certain employees.³⁴ The May 15th annual filing requirement dates back to the 1974 legislation while the November filing requirement for Councilmembers was first approved in 2017, around the time Respondent joined the Council.³⁵

We need not guess whether Respondent was aware of his statutory obligation to file a public financial disclosure statement; Respondent acknowledges that he was required to file the statements as issue and does not suggest that he was not aware of the obligation at the time the reports were due.³⁶ Although Respondent argues as to whether he received or opened communications sent by OGE in connection with the report due May 15, 2025, when he was not serving on the Council, those same objections would not apply to communications sent directly to Respondent's official District email for the reports due November 2024 and November 2025. Whether he received or read the notices from OGE does not change his filing obligation.

Furthermore, as a Councilmember, Respondent voted on the Rules of Organization and Procedure for the Council at the beginning of each Council Period, which includes the Council Code of Official Conduct.³⁷ Council Code of Official Conduct Rule XI, explicitly incorporates the financial disclosure filings requirements at D.C. Official Code § 1-1162.24 at issue in this matter, providing:

An employee who is covered under section 224 or 225 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.24 or § 1-1162.25) ("Government Ethics Act"), shall file the required disclosures in accordance with the Government Ethics Act.³⁸

The rule defines "employee" to include "all Council staff and Councilmembers, unless specifically stated otherwise."³⁹ Unlike the notice cases Respondent relies on, the deadlines for filing these specific reports for Councilmembers are fixed and not triggered by any actions by Respondent or OGE and were deadlines that Respondent knew or should have known about.⁴⁰

³⁴ Report of the Committee on Government Operations on Bill 19-511, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Act of 2011 (Council of the District of Columbia, December 5, 2011) (Ethics Act Committee Report) at 5; *see also* District of Columbia Campaign Finance Reform and Conflict of Interest Act, 88 Stat. 462, Pub. L. 93-376, title VI, §602 (Aug. 14, 1974) ("the Mayor, and the Chairman and each member of the Council of the District of Columbia...shall file annually, with the Board a report containing a full and complete statement of" financial interests).

³⁵ *See supra* n. 21.

³⁶ Amended Joint-Pre-Hearing Statement at 1-2; Resp. Post-Hearing Brief at 1.

³⁷ R25-0001, Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 25, Resolution of 2023, effective Jan. 2, 2003; R26-0001, Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26, Resolution of 2025, effective Jan. 2, 2005. Respondent voted to approve the Council Rules in 2003 and against approval of the final rules in 2025.

³⁸ Council of the District of Columbia Code of Official Conduct Rule IX (b). The language is the same for both Council Period 25 and Council Period 26 covering the three reports at issue in this matter.

³⁹ Council of the District of Columbia Code of Official Conduct Rule IX (a)(1).

⁴⁰ OGE does not charge Respondent with failure to file a termination report within three months after leaving office, which is required by D.C. Official Code § 1-1162.24(c)(2). Unlike the federal financial disclosure requirements, the

A review of the public database of financial disclosure statements maintained by BEGA shows that prior to the hearing, Respondent last filed a PFDS on at 5:17:55 p.m. on May 14, 2024, reporting on the filing period January 1, 2023, through December 31, 2023.⁴¹ Subsequent to the adversarial hearing, Respondent filed a PFDS at 10:55:05 a.m. on May 20, 2026 reporting on January 1, 2025 through December 31, 2025 that included the following note: “A letter has been provided to BEGA for all questions pertaining to this form. Upon advice of Counsel Councilmember TWhite declines to answer unmarked questions.”⁴²

B. Fifth amendment privilege does not eliminate filing requirement

Respondent also argues that requiring him to file his financial disclosure reports while he is under criminal indictment stemming from alleged actions taken while he served on the Council implicates his Fifth Amendment privilege against self-incrimination, relying on *Lefkowitz v. Turley*, 414 U.S. 70 (1973).⁴³ The court in *Lefkowitz* concluded that the state could not compel public contractors to waive immunity and testify concerning state contracts or be disqualified as public contractors, reasoning that this would amount to compelling testimony that has not been immunized.⁴⁴ *Lefkowitz*, however, deals with the Fifth Amendment limits on when the government may compel testimony and cannot be used to support completely exempting Respondent from the financial disclosure requirements.

More relevant to the requirement to file financial disclosure reports is *United States v. Sullivan*, 274 U.S. 259 (1927), where the Supreme Court assessed whether the Fifth Amendment could support a party’s refusal to file a tax return. The court concluded in *Sullivan* that a party could not refuse to file a tax return because his income was derived from criminal activity; instead reasoning that Respondent could claim privilege as to certain answers on the return.⁴⁵

Ethics Act does not require that OGE establish a “knowing and willful” violation of the reporting requirement. *See* Ethics in Government Act, 5 U.S.C. app. 4 § 101*et seq.* (requiring the government establish that a public official’s failure to file a financial disclosure report was “knowing and willful”); *see also United States v. Manigault Newman*, 594 F. Supp. 3d 1, 6 (D.D.C. 2022) (finding knowing and willful EIGA violation where employee did not file required termination report until over a year after report was due); *United States v. Gant*, 268 F. Supp. 2d 29, 33 (D.D.C. 2003) (finding EIGA violation where “defendant at best was indifferent to the EIGA’s filing requirements”).

⁴¹ *See* <https://efiler.bega.dc.gov/FDSSearch/ViewFDsFiling/52373>, last checked June 1, 2026.

⁴² *See* <https://efiler.bega.dc.gov/FDSSearch/ViewFDsFiling/79541>, last checked June 1, 2026.

⁴³ Resp. Post-Hearing Brief at 4. Respondent objects to requiring filing of the disclosure report for all three periods at issue in this matter, although he notes that he filed a Fifth Amendment objection prior to the November 15, 2025, filing deadline. *See id.* Respondent was arrested pursuant to a federal criminal complaint charging him with one count of bribery in violation of 18 U.S.C. § 201(b)(2) on August 16, 2024. *See United States v. Trayon White, Sr.*, No. 24-cr-00606 (D.D.C filed Aug. 16, 2024).

⁴⁴ *See Lefkowitz*, 414 U.S. at 82-83.

⁴⁵ *See Sullivan*, 274 U.S. at 263-364 (“[I]f the form of return provided called for answers that the defendant was privileged from making he could have raised the objection in the return, but could not ... refuse to make any return at all”).

Applying the *Sullivan* line of cases in the financial disclosure context, it is clear that while Respondent can assert the privilege as to certain questions on the Public Financial Disclosure Statement, he cannot claim that the Fifth Amendment absolves him of the requirement to file a report.⁴⁶ While the Fifth Amendment privilege could support failure to file required disclosures where filing the disclosures would be self-incriminating,⁴⁷ that is not the case here where the disclosure requirement is applied to all public officials and there is no basis to conclude that the public officials are subject to criminal liability by virtue of their status as public officials. As with the public officials in New York City required to file financial disclosure reports in *Slevin*, to the extent that Respondent believes any question on the PFDS would elicit incriminating testimony, he can assert the privilege as to those questions.⁴⁸ Requiring that a public official file full and complete financial disclosure statement is not the same as compelling the official to disclose privileged information on those statements.

Accordingly, we conclude that Respondent's assertion of his Fifth Amendment privilege with respect to information he may be required to disclose on the PFDS does not override the requirement to file the reports. We therefore find there is substantial evidence that Respondent engaged in three separate violations of D.C. Official Code § 1-1162.24(a)(1) by failing to file required financial disclosure reports.

IV. Disposition

For the foregoing reasons, the Board finds that Respondent violated the Code of Conduct by failing to file required Public Financial Disclosure Statements due November 2024, May 2025, and November 2025 in violation of D.C. Official Code § 1-1162.24(a)(1).

In determining the appropriate civil penalty for Respondent's violations of the Code of Conduct, the Board considered prior matters which involved violations of the financial disclosure reporting statute. While OGE cites several cases stemming from failure to file full and complete financial disclosure reports, the matters all involved failure to disclose information on filed disclosure reports; none of the matters referenced by OGE dealt solely with the failure to file the reports.⁴⁹

⁴⁶ See *Slevin v. New York*, 551 F. Supp. 917, 926 (S.D.N.Y. 1982) (Fifth Amendment objection to information requested on financial disclosure form does not justify refusal to file the required form), *aff'd in part and rev'd in part sub nom. Barry v. New York*, 712 F.2d 1554 (2d Cir. 1983) (upheld financial disclosure law in its entirety).

⁴⁷ In considering disclosures of occupational and excise taxes related to gambling, the Supreme Court found that given the regulation of gambling, filers were likely to incriminate themselves by filing the reports. See *Marchetti v. United States*, 390 U.S. 39, 88 S. Ct. 697 (1968); *Grosso v. United States*, 390 U.S. 62, 88 S. Ct. 709 (1968).

⁴⁸ See *Slevin*, 551 F. Supp. at 926 ("the fact that the [Fifth Amendment] privilege might be available to individuals within the plaintiff class does not invalidate the law").

⁴⁹ See Office of Government Ethics' Post-Hearing Brief ("OGE Post-Hearing Brief") at 4; see also Case No. 16-0043-P *In re A. Shakeri* (Board approved a \$1,000 civil penalty for two counts of failing to report outside business and income); Case No. 24-0141-P *In re B. Irving* (Board approved a \$2,000 civil penalty for four counts of failing to report outside employment and ownership of property); Case No. 22-0044-F *In re S. Diallo* (Board approved a \$1,000 civil penalty for one count of failing to disclose spousal employment and outside business income); Case No. 19-0011-F *In re J. Sumner* (Board approved a \$700 civil penalty for one count of failing to report outside business and income); and Case No. 19-0016-P *In re M. Foster* (Director of Government Ethics imposed a \$600 ministerial fine for violations of the Code of Conduct including failing to report outside business income).

OGE recommends a \$3,000 civil penalty for each disclosure report that Respondent failed to file along with public censure, noting that prior cases with lower civil penalties did not involve a sitting Councilmember or an adversarial hearing and arguing that Respondent's actions were egregious and erodes public trust in District government and supports a significant civil penalty.

Although the Board does not consider the failure to file the required reports to be a "paperwork omission" as suggested by Respondent,⁵⁰ we credit that Respondent had a good faith basis to assert his Fifth Amendment privilege as to information he may be required to disclose on the reports. In light of the particular circumstances in this case, including the fact that Respondent's criminal indictment occurred prior to his failure to file the three reports at issue and that Respondent made his Fifth Amendment arguments prior to the filing deadline for the third report, we conclude that although the Board could impose a penalty of up to \$5,000 per violation, the \$300 penalty per report that OGE assesses for failure to file required reports is appropriate at this time. Respondent, however, is on notice that the Board has determined that he needs to assert his Fifth Amendment privilege as to specific questions on the disclosure reports and not just refuse to file the reports. Continued failure to file required reports could result in additional civil penalties and findings that the violations were knowing and willful.

We agree with OGE that Respondent's failure to file a PFDS, given his position and responsibilities as a Councilmember and elected official, undermines the public's faith in District government and merits more than imposition of a civil penalty for late filing.⁵¹

Public service is a public trust. The requirement for elected officials to file public financial disclosures stems from the recognition that they should be held to a higher standard. The Council held themselves to that higher standard by requiring that Councilmembers file semiannual disclosure reports, instead of the annual reports required for other public officials, recognizing that the providing more current, relevant information on financial assets, liabilities, and interests promotes transparency and encourages public confidence in the Council. Respondent's failure to file the three reports at issue undermines that public confidence.

Accordingly, the Board assesses a \$300 civil penalty for each of the three non-filed reports, for a total civil penalty of \$900, directs the Respondent to file the required reports consistent with this opinion, and publicly "**Censures**" Respondent for his violations of the Code of Conduct.⁵²

⁵⁰ Resp. Post-Hearing Brief at 5

⁵¹ D.C. Official Code § 1-1162.22(a) provides additional penalties for violations of the Code of Conduct by public officials that substantially threatens the public trust. In addition to censuring the public official, the Board can also recommend that in the censure that the Council suspend or remove a Councilmember's committee chairmanship, committee membership, or vote in any committee. *See id.* at § 1-1162.22(b). For the purposes of this provision, violations of the financial conflicts of interest provisions at D.C. Official Code § 1-1162.23 and violations on the prohibition against contingent fees at D.C. Official Code § 2-354.16 substantially threaten the public trust. *See* D.C. Official Code § 1-1162.2(b)(3). Neither of these provisions are at issue in this matter. This differs from proceedings before the Council that resulted in Respondent's expulsion from the Council. *See* R26-0017, Expulsion of Councilmember Trayon White, St. Resolution of 2024, effective Feb. 4, 2025, 72 D.C. Reg. 1437.

⁵² *See supra* note 3.

An appropriate Final Order accompanies this Final Decision. Pursuant to D.C. Official Code § 1-1162.17 and 3 DCMR § 5404, Respondent may appeal the Final Order to the Superior Court of the District of Columbia within twenty (20) days of the date the Final Order is served upon him.

The foregoing is the Final Decision of the Board, as demonstrated by the signature of the Chairperson below.

A handwritten signature in black ink, reading "Norma B. Hutcheson", written over a horizontal line.

Norma Hutcheson
Chairperson, Board of Ethics and Government Accountability

June 4, 2026

Date