

A RESOLUTION

23-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2019

To formally reprimand Councilmember Jack Evans for violations of the Council of the District of Columbia Code of Official Conduct.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Council Reprimand of Councilmember Jack Evans Resolution of 2019”.

Sec. 2. (a) Inherent in the position of member of the Council of the District of Columbia is the responsibility to act, at all times, with the highest standards of ethical conduct. A Councilmember must act in the public interest. A Councilmember must perform the duties of the office to which he or she is elected in a manner that maintains the confidence of the public and must take no action that violates or threatens the public trust. These governing principles are embodied in the Council of the District of Columbia Code of Official Conduct and are fundamental to holding elected office.

(b) Section VI(a) of the Council of District of Columbia Code of Official Conduct, Council Period 23, adopted pursuant to the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), (“Code of Official Conduct”) provides, in part, that:

“GENERALLY, Employees shall not:

(1) Use Council time or government resources for purposes other than official business or other government-approved or sponsored activities . . .

(2) Order, direct, or request an employee to perform during regular working hours any personal services not related to official Council functions and activities . . .”

(c) Section VI(c)(1) of the Code of Official Conduct provides that “An employee may not knowingly use the prestige of office or public position for that employee’s private gain or that of another.”

Sec. 3. On several occasions, including in 2015 and 2018, Councilmember Jack Evans directed a Council employee to use government resources to email business proposals seeking employment. The business proposals outlined how Councilmember Evans could use his tenure,

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accomplishments, and stature as Councilmember and Chairman of the Committee on Finance and Revenue, and as the Council's appointee to the Board of Directors of the Washington Metropolitan Area Transit Authority, to generate business for the law firms.

Sec. 4. Councilmember Jack Evans's actions constitute a violation of section VI of the Code of Official Conduct, in that he directed a Council employee to use government time and resources for purposes other than official Council business, and, further, he knowingly used the prestige of his office and public position seeking private gain.

Sec. 5. This reprimand does not concern other allegations that have been reported in the public press as those allegations are under investigation by both the Board of Ethics and Government Accountability and the United States Attorney's Office and may or may not lead to other sanctions.

Sec. 6. To maintain the public trust in the integrity of the legislative branch of government, the Council expresses disapproval of the conduct of Councilmember Jack Evans as detailed in this resolution, and hereby reprimands Councilmember Jack Evans for conduct in violation of section VI of the Code of Official Conduct.

Sec. 7. In addition, the Chairman shall refer or re-refer legislation not of general applicability and effect such as tax abatements for specific properties to a committee other than the Committee on Finance and Revenue pending the aforementioned investigations. Further, the Council recommends that jurisdiction over the Commission on Arts and Humanities and also over the Washington Convention and Sports Authority/Events DC be removed from the Committee on Finance and Revenue.

Sec. 8. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to Councilmember Jack Evans.

Sec. 9. This resolution shall take effect immediately.