

\*

\*

In the Matter of Before the Washington Suburban

\*

Carlnetta Curry, Respondent Sanitary Commission Ethics Board

\*

Complaint No. 19-09

\*

\*\*\*\*\*

**FINAL REPORT AND ORDER**

This case was commenced by the Washington Suburban Sanitary Commission Ethics Board (hereafter, the Board) by a Complaint issued by the Board on October 18, 2019 alleging that Respondent failed to file a properly completed Financial Disclosure Statement for the appropriate portion of calendar year 2018 within 60 days of terminating her WSSC employment in violation of WSSC Code of Ethics Chapter 1.70.340(c).

On January 13, 2020, the Board considered a preliminary report submitted pursuant to WSSC Chapter 1.70.080(c) and WSSC Chapter 1.65.070, and subsequently issued a notice setting forth its intention to hold a hearing on August 12, 2020, to determine whether Respondent failed to properly file a Financial Disclosure Statement within 60 days of leaving WSSC service in violation of WSSC Chapter 1.70.340(c).

A confidential hearing was held on August 12, 2020. The hearing was conducted virtually via video and audio conference in accordance with WSSC Chapter 2.35, Procedure for Adjudicatory Hearings, and the Maryland Administrative Procedure Act. Respondent appeared at the hearing.

In accordance with WSSC Chapter 1.65.070(d) and Chapter 2.34.050, evidence was presented by Staff Counsel. No witnesses were called by Staff Counsel and several Exhibits were entered into evidence. These included, copies of the Acknowledgment of the Code of Ethics signed by Respondent and copies of notices sent to Respondent. Respondent testified on her own behalf.

**FINDINGS OF FACT**

From the evidence produced at the hearing, the Board finds as follows:

1. Respondent was an employee of WSSC beginning April 25, 2016 through April 24, 2019. She was employed as a Group Leader, Contracting Officer Representative, at a level of GS.15.

2. Respondent was identified as a WSSC employee required to file an annual Financial Disclosure and did file such disclosures for the periods falling within her employment.

3. Respondent had notice of the requirement to file a post-employment Financial Disclosure within 60 days of separating from WSSC.

4. As of the date of the Hearing, Respondent has failed to file a Financial Disclosure Statement covering the period of January 1, 2018 to April 24, 2019. Respondent stated that she would not file the post-employment financial disclosure at any time.

### **APPLICABLE STATUTES**

The Board of Ethics Complaint charged Respondent with violations of WSSC Chapter 1.70.340(c). The WSSC Code of Ethics Chapter 1.70.330(a)(2) requires “all persons holding merit or nonmerit positions on level of Grade 12 or above” to file a financial disclosure statement under oath. WSSC Chapter 1.70.340(a) defines the reporting period and requires Statements to be filed on or before April 30<sup>th</sup> of each year “for the period commencing January 1<sup>st</sup> and ending December 31<sup>st</sup> of the preceding year.” The Code of Ethics Chapter 1.70.340(c) provides that “a person who leaves a position for which a disclosure statement is required shall file the statement within 60 days after leaving the position.” The requirements of subsection (c) cover the preceding calendar year (if not already filed) and the portion of the current calendar year during which the individual held the office. Code of Ethics Chapter 1.70.350 sets forth detailed requirements as to the information to be included in the disclosure statements.

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board reaches the following conclusions of law:

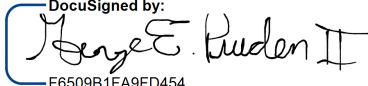
1. Respondent last filed a financial disclosure statement with WSSC on April 12, 2018, covering the time-period of January 1, 2017 to December 31, 2017.

2. Respondent was between April 25, 2016 and April 24, 2019, a WSSC employee of grade GS.15 and was, therefore, required to file a post-employment Financial Disclosure Statement covering the period of January 1, 2018 to April 24, 2019.

3. Respondent’s failure to file a post-employment Financial Disclosure Statement for the period of January 1, 2018 to April 24, 2019, within 60 days of her termination of WSSC service constitutes a violation of WSSC Code of Ethics Chapter 1.70.340(c).

**ORDER**

Based upon the evidentiary hearing and the Findings of Fact and Conclusions of Law contained herein, the Washington Suburban Sanitary Commission Board of Ethics finds that Respondent, Carlnetta Curry, violated WSSC Chapter 1.70.340(c). Respondent is hereby ordered to submit the required Statement properly and for the proper period, not later than thirty days from the date this Order becomes final. If Respondent fails to submit the statement as required, then the Board Staff is directed to publish Respondent's name and violation on the WSSC website.

DocuSigned by:  
  
F6509B1FA9FD454...

---

George E. Pruden, II  
Chair