

# D.C. Board of Ethics and Government Accountability FY2021

**Agency** D.C. Board of Ethics and Government Accountability

**Agency Code** AGO

**Fiscal Year** 2021

**Mission** The Board of Ethics and Government Accountability (BEGA) is responsible to administer and enforce the District of Columbia Code of Conduct and enforce government-wide compliance with the D.C. Freedom of Information Act and the Open Meetings Act.

**Summary of Services** Specifically, BEGA is responsible for seven main areas. Investigating alleged violations of the Code of Conduct, holding adversarial hearings and, where appropriate, levying sanctions; Issuing Advisory Opinions, providing safe-harbor for good-faith reliance on these opinions; Issuing Advisory Opinions on its own initiative; Conducting mandatory ethics training for District government employees; Updating and maintaining the District Ethics Manual; Receiving and reviewing public financial disclosure statements from public officials, except Advisory Neighborhood Commissioners, and, as of January 1, 2015, candidates for nomination for election, or election, to public office; Receiving and reviewing public financial disclosure certifications from Advisory Neighborhood Commissioners, and as of January 1, 2015, from candidates for nomination for election, or election, to public office; Receiving and auditing lobbyist registration forms, termination forms, and lobbyist activity reports; Enforcing the Open Meetings Act; Monitoring the District's compliance with the Freedom of Information Act; and Assisting government agencies in the implementation of open government practices.

## 2021 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Our top accomplishment was answering over 500 inquires for ethics advice.	This accomplishment impacted the agency by reducing the number of ethics investigations because when employees are informed of the ethics rules they are less likely to engage in unethical conduct.	It positively impacted District residents because advising District employees and public officials on the ethics rules makes for a more ethical government.

## 2021 Key Performance Indicators

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
<b>1 - Issue ethics advice in an expeditious and consistent fashion. (3 Measures)</b>											
Percent of formal written Advisory Opinions issued within 30 days of receipt of complete information from requester	Quarterly	75%	25%	85%	100%	100%	100%	100%	100%	Met	No advisory requests were made.
Percent of advice queries received that were handled as informal rather than formal advice	Quarterly	99.4%	99.8%	10%	96%	96%	96%	96%	96%	Met	
Percent of formal written Advisory Opinions appealed to the Ethics Board	Quarterly	0%	0%	85%	0%	0%	0%	0%	0%	Unmet	No Formal Written Advisory Opinion were appealed.
<b>2 - Conduct timely and appropriate investigations and enforcement actions. (3 Measures)</b>											
Percent of investigations resolved by dismissal, negotiated disposition, or issuance of Notice of Violation within 120 days of initiation	Quarterly	56.2%	90.9%	80%	97%	97%	97%	97%	97%	Met	
Percent of enforcement actions that result in a sanction	Quarterly	100%	100%	85%	90%	95%	95%	95%	93.8%	Met	

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
Percent of final Ethics Board Orders issued within 45 days of close of hearing record	Quarterly	No Applicable Incidents	No Applicable Incidents	85%	90%	90%	90%	90%	90%	Met	
<b>3 - Conduct mandatory training on the Code of Conduct and produce ethics training materials. (3 Measures)</b>											
Percent of evaluations completed by attendees with an overall positive rating of "3" or higher on the BEGA training evaluation form	Quarterly	97.9%	100%	80%	90%	90%	90%	90%	90%	Met	
Percent of agency trainings held within 90 days of agency making the request	Quarterly	100%	100%	90%	100%	100%	100%	100%	100%	Met	
Percent of off site agency training requests granted	Quarterly	100%	Waiting on Data	90%	0%	0%	0%	0%	0%	Unmet	Due to Covid-19, BEGA was not facilitating in-person training. No requests were made.

## 2021 Workload Measures

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual
<b>1 - Render Timely Advice. Respond to requests for informal ethics advice in a substantive and useful manner. (3 Measures)</b>							
Number of requests for informal ethics advice	761	510	150	134	150	133	567
Number of formal written advisory opinions issued pursuant to a request	4	1	0	0	0	0	0
Number of formal written advisory opinions issued on the agency's own initiative	0	0	0	0	0	0	0
<b>2 - Monitor and support ongoing investigations to ensure timely completion. (11 Measures)</b>							
Number of complaints received	144	149	22	29	24	42	117
Number of preliminary investigations opened based on tips to the hotline	1	0	0	0	0	0	0
Number of preliminary investigations dismissed	31	67	10	12	8	3	33
Number of preliminary investigations opened based on information provided by means other than the hotline	56	0	10	25	16	29	80
Number of preliminary investigations converted to formal investigations	3	0	0	0	0	0	0
Number of preliminary investigations resolved with a negotiated disposition	14	7	2	0	0	0	2
Number of preliminary investigations resolved after an evidentiary hearing	0	0	0	2	0	0	2
Number of formal investigations initiated on intake	8	6	3	0	0	0	3
Number of formal investigations dismissed	4	0	0	0	2	0	2
Number of formal investigations resolved with a negotiated disposition	2	2	0	1	0	0	1

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual
Number of formal investigations resolved after an evidentiary hearing	0	0	0	0	0	0	0
<b>3 - Increase Training Sessions. Increase number of trainings available to District government employees. (1 Measure)</b>							
Number of trainings conducted	80	52	12	19	14	12	57
<b>4 - Ensure that every request for advice or information is acknowledged within 24 hours of receipt. (1 Measure)</b>							
Number of formal advisory opinions issued	3	1	0	0	0	0	0

## 2021 Operations

Operations Title	Operations Description	Type of Operations
<b>1 - Issue ethics advice in an expeditious and consistent fashion. (1 Activity)</b>		
Render Timely Advice. Respond to requests for informal ethics advice in a substantive and useful manner.	Work with staff to ensure that ethics guidance is provided to government employees who seek ethics guidance.	Daily Service
<b>2 - Conduct timely and appropriate investigations and enforcement actions. (1 Activity)</b>		
Monitor and support ongoing investigations to ensure timely completion.	Track progress throughout the year and work with staff to ensure movement.	Daily Service
<b>3 - Conduct mandatory training on the Code of Conduct and produce ethics training materials. (1 Activity)</b>		
Increase Training Sessions. Increase number of trainings available to District government employees.	Allocate staff time to ensure availability when requests are made from client agencies.	Daily Service
<b>4 - Create and maintain a highly efficient, transparent, and responsive District government. (1 Activity)</b>		
Ensure that every request for advice or information is acknowledged within 24 hours of receipt.	Work with staff to ensure that either a substantive response is provided or, where that is not possible, an acknowledgment that the request is under review.	Daily Service