

DeKalb County Board of Ethics

Thursday, August 17, 2017

4:00 p.m.

Emory Center for Ethics, Room 162

1531 Dickey Drive

Atlanta, Georgia 30322

Minutes

Members Present:

Robert Tatum
Dan DeWoskin
Edward Queen
Brian Deutsch
Shermanetta Carter

Board Affiliates Present:

Stacey Kalberman, Ethics Officer
LaTonya Nix Wiley, Deputy Ethics Officer
Suzanne Amato, Administrative Assistant
Gene Chapman, Board Counsel

Attendees:

Mark Niese
Stephen Binney
Shaheen Williams
John Greene
Rhea Johnson, Jr.
Charles McCorkle
Alecia Brooks
Viola Davis
Ruby Davis
Perry Tomlinson
Michelle Walldorff

I. **Call to order**

Dan DeWoskin called the meeting to order at 4:00 p.m.

II. **Welcome and Introductions**

Dan DeWoskin welcomed attendees.

III. **Adoption of the Agenda**

The members reviewed the agenda. Edward Queen made a motion to adopt the agenda and Robert Tatum seconded the motion. The motion passed unanimously with a vote of 4-0.

IV. Review and Approve Meeting Minutes from August 1, 2017

The members reviewed the minutes from the meeting held on August 1, 2017. Brian Deutsch made a motion to approve the minutes and Dan DeWoskin seconded the motion. The motion passed unanimously with a vote of 4-0.

The members reviewed the Open Meetings Act affidavit pertaining to the Executive Session entered during the meeting on August 1, 2017. Robert Tatum made a motion to approve the affidavit and Edward Queen seconded the motion. The motion passed unanimously with a vote of 4-0.

Shermanetta Carter joined the meeting at 4:04 p.m.

The members took up Item VI. B. out of order. Robert Tatum agreed to serve as Vice-Chair. Edward Queen nominated Robert Tatum to serve as Vice-Chair and Dan DeWoskin seconded the motion. The motion passed with a vote of 5-0.

V. Unfinished Business

A. Discussion – Business Pending Appeal – see below

B. Reports

1. Stacey Kalberman reported that items 1-3 are still tabled. Her office is still investigating items 4 and 5 and waiting on the District Attorney's Office to reply to the request for transcripts of grand jury testimony. The Ethics Officers are still investigating items 6 and 7.

Ms. Kalberman returned to the agenda item "Discussion – Business Pending Appeal." The Board discussed three options to proceeding while the Sutton litigation is on appeal to the Supreme Court. Each member commented. At the conclusion of the discussion, the Board agreed to move forward with investigating complaints, hearing probable cause recommendations, and convening final hearings. In the complaints against Ms. Sutton which are not included in the Court's Order, the Board will seek advice from Mr. Summerville before proceeding.

8. Ms. Kalberman discussed the complaint of Rhea Johnson against Burrell Ellis. The Board allowed Mr. Johnson to make remarks. After discussion, Dan DeWoskin made a motion to dismiss the complaint for lack of jurisdiction and Robert Tatum seconded the motion. The motion passed with a vote of 5-0.

9., 10., 12., and Item C.2. Dan DeWoskin discussed alternative methods to address the complaints which name the Ethics Officer and/or members of the Board. Dan DeWoskin made a motion to seek guidance from the Attorney General's Office on how to address the complaints and Robert Tatum seconded the motion. The motion passed with a vote of 5-0.

11. The Ethics Officers referred the complaint against the unknown police officer to the police department. The investigation by the Internal Investigation Unit did not reveal any meritorious information and it referred the complaint back to the Ethics Office. Ms. Kalberman will talk to the complainant and bring the matter back to the Board.

13. and 14. After discussing the process of investigating these complaints and reviewing the information gathered, Dan DeWoskin made a motion to dismiss both complaints and Edward Queen seconded the motion. The motion passed with a vote of 5-0.

C. New Business

1. Cynthia Houston against Michael Thurmond, Stephen Bradshaw, and Margaret Britton. After discussion, Robert Tatum made a motion to dismiss the complaint for lack of jurisdiction and Dan DeWoskin seconded the motion. The motion passed with a vote of 5-0.

2. Rhea Johnson against Stacey Kalberman, Shermanetta Carter, Brian Deutsch, Robert Tatum, and Darren Summerville. See above.

3. Presentation by University of North Georgia Center for Ethics. Perry Tomlinson presented information and data collected and analyzed by the Center of Ethics.

VI. Administrative

A. Expense approval. Stacey Kalberman informed the Board that the office's budget for investigation, education, and legal expenses needed adjusting. The Board asked Ms. Kalberman to bring the Board detailed information about the budget at the next meeting before it considered approving the adjustments.

Dan DeWoskin had to leave the meeting at 5:33 p.m.

B. Public comment. The Board heard remarks from John Evans, Viola Davis, Rhea Johnson, and Steve Binney.

VII. Adjournment

Brian Deutsch made a motion to adjourn and Shermanetta Carter seconded the motion. The motion passed with a vote of 4-0 and the meeting adjourned at 6:02 p.m.

Approved:



Chair

Date

