

REPORT OF INVESTIGATION OF COUNCILMEMBER TRAYON WHITE, SR.
PURSUANT TO SEPTEMBER 17, 2024 D.C. COUNCIL RESOLUTION 25-634

Latham & Watkins LLP
December 10, 2024

Table of Contents

- I. INTRODUCTION4
 - A. Events Leading to Investigation.....4
 - B. Establishment of the Ad Hoc Committee and Scope of Mandate5
- II. INVESTIGATIVE PROCESS.....6
 - A. Interviews.....7
 - B. Documentary Evidence.....9
- III. LEGAL STANDARD GOVERNING AD HOC COMMITTEE INVESTIGATION.....11
- IV. BRIBERY ALLEGATIONS13
 - A. Legal Framework.....13
 - 1. Relevant Provisions of the Code of Official Conduct of the D.C. Council.....14
 - a. Rule I – Conflicts of Interest.....14
 - b. Rule II – Outside Activities15
 - c. Rule III – Gifts from Outside Sources15
 - d. Rule VI – Use of Government Resources; Prestige of Office16
 - 2. Relevant Statutory Provisions.....16
 - 3. D.C. Code of Conduct Provisions Related to Financial Disclosure Forms17
 - 4. D.C. Council Rules18
 - B. Background Regarding Violence Intervention Efforts and Grantmaking Practices in the District of Columbia.....19
 - 1. DYRS.....19
 - 2. ONSE20
 - 3. OAG.....21
 - 4. Grantmaking in the District and 2024 Grant Announcements.....22
 - C. Factual Findings and Analysis23
 - 1. Federal Indictment24
 - a. Entities Identified in the Indictment24
 - b. Alleged Bribery Payments26
 - (1) Alleged Payment 1 – June 26, 2024.....26
 - (2) Alleged Payment 2 – July 17, 202427
 - (3) Alleged Payment 3 – July 25, 202429
 - (4) Alleged Payment 4 – August 8, 202430
 - 2. Councilmember White’s Interactions with DYRS and ONSE31
 - D. Conclusion Regarding Bribery Allegations34
- V. RESIDENCY ALLEGATIONS38

A.	Relevant Laws and Regulations Regarding Residency	39
B.	Factual Findings and Analysis	41
1.	Councilmember White’s Connections to Ward 8	42
2.	Councilmember White’s Connections to Ward 6	44
C.	Conclusion Regarding Residency Allegations.....	47
VI.	CONCLUSION.....	48

I. INTRODUCTION

This Report sets forth the factual findings of the investigation conducted by Latham & Watkins LLP on behalf of the Ad Hoc Committee of the Council of the District of Columbia established on August 23, 2024, for purposes of considering bribery- and residency-related allegations against Councilmember Trayon White, Sr. (“Councilmember White” or “White”).

As detailed below, this investigation was conducted pursuant to the procedures established in the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 25 (“Council Rules”) for investigating allegations of a violation of a law or rule by a Councilmember. While this investigation considered allegations of bribery against Councilmember White, this investigation is separate and distinct from the pending criminal case against Councilmember White, *United States v. Trayon White, Sr.*, No. 24-cr-00406 (D.D.C. filed Aug. 16, 2024) (“*United States v. White*”). Unlike the pending criminal matter, this investigation was not focused on whether there is proof beyond a reasonable doubt that Councilmember White violated federal law; rather, the Council Resolution authorizing this investigation and the Council Rules governing this investigation establish that the Ad Hoc Committee’s charge is to recommend to the Council of the District of Columbia (“D.C. Council”) an appropriate sanction, if any, based on an assessment of whether there exists substantial evidence that Councilmember White violated applicable D.C. law, the D.C. Code of Conduct, or Council Rules.

In accordance with Council Rules, this investigative Report summarizes the actions taken and evidence considered as part of this investigation, and summarizes the investigative findings, including the evidence supporting those findings.

A. Events Leading to Investigation

On August 18, 2024, the Federal Bureau of Investigation arrested Councilmember White pursuant to a federal criminal complaint charging him with one count of bribery in violation of 18 U.S.C. § 201(b)(2).¹ According to media reports on the arrest, White, who serves Ward 8, was arrested at 10K Hill South, a high-rise apartment building located in the Navy Yard neighborhood in Ward 6.² Councilmember White was indicted on September 5, 2024.³ He was arraigned on September 12, 2024, and entered a plea of not guilty.⁴ Those charges remain pending, with a scheduled trial date of January 2026.⁵

The criminal complaint, affidavit filed in support of the complaint, and indictment filed by the United States Attorney’s Office for the District of Columbia in the criminal case against

¹ Complaint, *United States v. White*, ECF No. 1.

² E.g., Emily Davies et al., *FBI Arrests D.C. Council Member Trayon White*, WASH. POST, (Aug. 18, 2024), <https://www.washingtonpost.com/dc-md-va/2024/08/18/trayon-white-dc-arrested-fbi/>; [REDACTED]

³ Indictment, *United States v. White*, ECF No. 12.

⁴ September 12, 2024 Minute Entry, *United States v. White*.

⁵ November 13, 2024 Minute Entry, *United States v. White*.

Councilmember White allege that, at least as early as June 2024, White corruptly agreed to accept cash payments in exchange for using his position as Councilmember to influence government employees at the Office of Neighborhood Safety and Engagement (“ONSE”) and the Department of Youth and Rehabilitation Services (“DYRS”) to take certain actions regarding government contracts related to the District’s violence intervention services.⁶ Specifically, both the affidavit and grand jury indictment describe four meetings in June, July, and August 2024 between White and an unnamed confidential informant who leads two organizations that hold violence intervention contracts administered by the District, during which White allegedly accepted cash payments in exchange for helping the informant extend or win government contracts or grants. As set forth in detail below, the indictment includes screenshots of text messages between Councilmember White and the informant, as well as images of White in the informant’s vehicle.

B. Establishment of the Ad Hoc Committee and Scope of Mandate

On August 23, 2024, D.C. Council Chairman Phil Mendelson issued a memorandum establishing the Ad Hoc Committee for purposes of considering allegations that Councilmember White engaged in bribery and did not reside in Ward 8, as required. Chairman Mendelson appointed Chairman Pro Tempore Kenyan McDuffie as chair of the Ad Hoc Committee.⁷

The Ad Hoc Committee was established pursuant to Council Rule 651, which authorizes the establishment of an ad hoc committee at the discretion of the Chairman of the Council “for the purposes of considering allegations of a violation of a law or rule by a Councilmember and making recommendations for further action.”⁸ Rule 652 provides that the Ad Hoc Committee may appoint outside counsel.⁹

On September 17, 2024, the D.C. Council adopted D.C. Council Resolution 25-634, the “Council Period 25 Rules of Organization and Procedure and Appointment of Committee Chairpersons and Membership Amendment Resolution of 2024” (“Resolution”).¹⁰ The Resolution authorized the Chairman to appoint Latham & Watkins LLP (“Latham”) to investigate the conduct of Councilmember White, describing the scope of the investigation as follows:

[W]hether Councilmember Trayon White violated the law by residing in a ward other than Ward 8 or violated the Code of Conduct, as that term is defined in section 101(7) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective

⁶ Complaint, *United States v. White*, ECF No. 1; Affidavit in Support of Criminal Complaint and Arrest Warrant, *United States v. White*, ECF No. 1-1; Indictment, *United States v. White*, ECF No. 12.

⁷ Exhibit 1 (Memorandum from Phil Mendelson, Chairman of the Council of the District of Columbia, to Members of the Council (Aug. 23, 2024).

⁸ Council Rule 651(a).

⁹ Council Rule 652(a)(5).

¹⁰ D.C. Council Resolution 25-634, “Council Period 25 Rules of Organization and Procedure and Appointment of Committee Chairpersons and Membership Amendment Resolution of 2024” 71 D.C. Reg. 0116563 (Sept. 17, 2024), https://legiscan.com/DC/text/PR25-0954/id/3022793/Washington_D_C_-2023-PR25-0954-Enrolled.pdf.

April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(7)), or Council Rules, including those provisions of the Code of Conduct or the Council Rules that relate to conflicts of interest, taking any action that adversely affects the confidence of the public in the integrity of District government, outside activities, use of government resources, or acting solely in the public interest.

The Resolution also delegated to Latham the Council's authority to issue subpoenas under Council Rule 611.

At the conclusion of its investigation, the Ad Hoc Committee is required by Council Rules to file a report containing its investigative findings with the Secretary.¹¹ Consistent with those Rules, this Report summarizes actions taken by the Ad Hoc Committee and describes the factual findings of the Ad Hoc Committee regarding the bribery and residency allegations within the scope of the investigation. Under the Council Rules, the Ad Hoc Committee must ultimately submit a report to the entire D.C. Council that also includes recommended sanctions, if any.¹²

II. INVESTIGATIVE PROCESS

Latham's investigation was informed by initial consultations with members of the Ad Hoc Committee, as well as the D.C. Council's Office of the General Counsel ("Council OGC"), the Mayor's Office of Legal Counsel, the governing law of the District of Columbia, and applicable rules and regulations, including the Council Rules and Code of Official Conduct of the District of Columbia. Throughout the course of the investigation, Latham took care to avoid impeding or interfering with the federal criminal case against Councilmember White, *United States v. White*.

The approximately 11-week investigation included interviews with individuals believed to have information related to the matters under investigation and the review of potentially relevant documents and other materials. The Latham team conducted interviews with officials from multiple D.C. agencies, including DYRS, ONSI, and the Office of Risk Management; current and former members of Councilmember White's staff; leaders in the violence intervention community; and other individuals believed to have information related to the allegations against Councilmember White. The investigation team also reviewed relevant documents, including publicly available materials; records obtained from DYRS, ONSI, and other D.C. agencies; records relating to Councilmember White's residency; and thousands of emails from the official accounts of Councilmember White and his staff. The investigation team is appreciative of those who assisted and cooperated with this investigation, including members of the D.C. Council, Council OGC, the Mayor's Office of Legal Counsel, members of Councilmember White's staff, officials from multiple D.C. agencies, and others.

¹¹ Council Rule 652(a)(7).

¹² Council Rule 652(c)(1).

A. Interviews

Over the course of the investigation, Latham conducted interviews with a total of 22 individuals. The individuals interviewed as part of the investigation are identified below; the abbreviations used to refer to these individual throughout the Report are also noted below.

Several interviews involved D.C. government officials, including representatives of DYRS, ONSE, the Office of the Attorney General for the District of Columbia (“OAG”), and the Office of Risk Management. Those officials included:

- [REDACTED], DYRS (“DYRS Official 1”);
- [REDACTED], DYRS (“DYRS Official 2”);
- [REDACTED], DYRS (“DYRS Official 3”);
- [REDACTED], DYRS (“DYRS Official 4”);
- [REDACTED] DYRS (“DYRS Official 5”);
- [REDACTED], OAG;
- [REDACTED], ONSE (“ONSE Official 1”);
- [REDACTED], ONSE (“ONSE Official 2”); and
- [REDACTED], Office of Risk Management.

Latham also contacted all current members of Councilmember White’s staff, as well as all former staff who have departed within the last two years. Former and current staff interviewed as part of the investigation included:

- [REDACTED] (“Staff Member 1”);
- [REDACTED] (“Staff Member 2”);
- [REDACTED] (“Staff Member 3”);
- [REDACTED] (“Staff Member 4”);
- [REDACTED] (“Staff Member 5”);
- [REDACTED] (“Staff Member 6”);
- [REDACTED] (“Former Staff Member 1”);

- [REDACTED] (“Former Staff Member 2”); and
- [REDACTED] (“Former Staff Member 3”).

The investigation also included interviews of additional individuals believed to have information related to the scope of the investigation, including:

- [REDACTED];
- [REDACTED] (“10K Hill South Employee 1”);
- [REDACTED] (“10K Hill South Employee 2”);
- [REDACTED] (“10K Hill South Employee 3”).

The following individuals did not respond to Latham’s request for an interview as of the date of this Report:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED] (“10K Hill South Tenant”).

Given the interviews conducted, as well as the other evidence gathered as part of this investigation, Latham concluded that issuing testimonial subpoenas for these individuals was not necessary to the investigation.

In addition, Latham sought to interview [REDACTED] (“DYRS Official 6”). Through counsel, DYRS Official 6 declined the investigation’s request for an interview. Counsel represented that DYRS Official 6 does not have any personal knowledge regarding the matters under investigation beyond what has been reported publicly. Further, counsel represented that even if issued a subpoena to provide testimony, DYRS Official 6 would invoke her Fifth Amendment right and refuse to provide testimony in light of a separate pending matter.

Latham also sought to interview [REDACTED] [REDACTED] “Confidential Human Source 1” or “CHS 1” in the criminal indictment in *United States v. White*, and who is referred to as such throughout this Report. Latham had two meetings with counsel for Confidential Human Source 1, who denied the investigation’s request to interview him, citing the pending criminal matter as precluding his participation in this investigation.

Finally, Latham twice requested an interview of Councilmember White as part of this investigation. Councilmember White, through counsel, declined both requests. Specifically, on October 29, 2024, Latham sent a letter to Councilmember White’s counsel requesting an interview to discuss the matters under investigation “and any information Councilmember White believes is relevant to the investigation.”¹³ On October 30, through counsel, Councilmember White declined to participate in an interview, citing the pending criminal matter as precluding his participation in this investigation. On November 18, 2024, Latham sent additional correspondence to Councilmember White’s counsel, once again requesting an interview.¹⁴ On November 22, 2024, counsel for Councilmember White declined this second interview request on behalf of his client.

Given the important Fifth Amendment and other legal considerations related to parallel criminal prosecutions, Latham concluded that attempting to compel testimony by issuing testimonial subpoenas to DYRS Official 6, Confidential Human Source 1, or Councilmember White would be an imprudent use of the Ad Hoc Committee’s subpoena authority and would ultimately have been ineffective.¹⁵

B. Documentary Evidence

Over the course of the investigation, Latham obtained documents from Councilmember White’s staff, officials within D.C. agencies, and representatives of other entities. Latham also collected and reviewed publicly available documents, including Councilmember White’s financial disclosures, tax records, and property records. In total, Latham collected and reviewed approximately 20,000 documents, amounting to more than 200,000 pages of materials.

D.C. government agencies fully cooperated with requests for documents and information, and produced a large volume of data, email correspondence, and other materials. These agencies included DYRS, ONSE, and OAG. Documents provided included information regarding relevant violence intervention programs, D.C. contracting rules and requirements, and information regarding specific violence intervention contracts at the center of the allegations against Councilmember White. The investigation also obtained and considered materials related to a review of ONSE’s processes for awarding and administering violence intervention contracts and grants being conducted by the D.C. Office of Risk Management.

¹³ Exhibit 2, Letter from Danielle Conley, Latham & Watkins, to Frederick Cooke & Lanet Scott, Counsel to Councilmember White (Oct. 29, 2024).

¹⁴ Exhibit 3, Letter from Danielle Conley, Latham & Watkins, to Frederick Cooke and Lanet Scott, Counsel to Councilmember White (Nov. 18, 2024).

¹⁵ The delegation of subpoena authority to the Ad Hoc Committee under Council Rule 611 extends to both a *subpoena ad testificandum*, which compels testimony, and a *subpoena duces tecum*, which compels the production of documents. See Council Rule 101(42) (defining subpoena for purposes of Council Rules).

In addition, Council OGC collected email data responsive to search terms developed by Latham regarding both the bribery and residency components of the investigation. Council OGC ran the search terms across all of Councilmember White's email data from January 1, 2019, to October 11, 2024, and across his staff's email data from January 1, 2023, to October 11, 2024. Council OGC then conducted a first-level review of the data responsive to those search terms. That review yielded roughly 18,000 emails and related attachments, which Council OGC provided to Latham, and which were reviewed as part of this investigation. Council OGC also collected emails sent by Councilmember White from June 1, 2024, to the present. That collection yielded 1,500 emails and related attachments, which Council OGC provided to Latham, and which were reviewed as part of this investigation. Council OGC also provided copies of materials produced by the Council in response to Freedom of Information Act requests from members of the public related to the federal bribery allegations against Councilmember White.

Latham also requested and obtained documents and materials from Related Management Company, L.P., the management company that operates the 10K Hill South apartment building where Councilmember White was arrested, located in Ward 6 at 10 K Street SE, Washington, D.C. 20003.

Near the outset of the investigation, Latham requested that the U.S. Attorney's Office share all materials, excluding grand jury materials, obtained in connection with the United States's prosecution of *United States v. White*.¹⁶ On November 7, 2024, the U.S. Attorney's Office responded to Latham's request, declining to provide any such materials, citing the potential impact on the pending criminal matter and the Department of Justice's *Touhy* regulations governing such disclosures.¹⁷

Finally, in its October 29, 2024 correspondence to Councilmember White's counsel, Latham requested that Councilmember White provide all relevant documents and materials in Councilmember White's possession related to the scope of this investigation, including "all materials related to Councilmember White's residency in Ward 8 or any other ward, and all materials related to the bribery allegations against Councilmember White."¹⁸ The letter also specifically requested the production of particular documents and materials, including all communications with DYRS and ONSE officials; all bank account statements for all accounts held by Councilmember White; all correspondence with and payments made to the District of Columbia Office of Campaign Finance; all documents concerning Councilmember White's residence in Ward 8, such as mortgage statements, tax statements, insurance statements, or utility bills; and all documents concerning Councilmember White's presence at the 10K Hill South apartment building. On October 30, 2024, Councilmember White, through counsel, declined to provide any materials to the Ad Hoc Committee.

¹⁶ Exhibit 4, Letter from Danielle Conley, Latham & Watkins, to Assistant United States Attorney Jonathan P. Hooks (Sept. 26, 2024).

¹⁷ Exhibit 5, Letter from Assistant United States Attorney Jonathan P. Hooks to Danielle Conley, Kevin Chambers, & Jude Volek, Latham & Watkins (Nov. 7, 2024) (citing 28 C.F.R. § 16.26(b)(4), (5)).

¹⁸ Exhibit 2, *supra* n.13.

On November 18, 2024, Latham sent additional correspondence to Councilmember White’s counsel, once again offering an interview or meeting and renewing the request for relevant documents.¹⁹ The November 18 letter also specifically requested additional documents in Councilmember White’s possession, including all records of communications between Councilmember White and Confidential Human Source 1; all documents related to the operations of two violence intervention organizations at the center of the allegations; all records related to Councilmember White’s occupancy at Apartment [REDACTED] at 10K Hill South; and all records of communications with 10K Hill South Tenant. On November 22, 2024, Councilmember White, through counsel, again declined to provide any documents or materials to the Ad Hoc Committee.

III. LEGAL STANDARD GOVERNING AD HOC COMMITTEE INVESTIGATION

As directed by the Council’s September 17, 2024 Resolution defining the scope of this investigation, Latham assessed whether there is substantial evidence that Councilmember White violated the D.C. Code of Conduct, as defined by the Board of Ethics and Government Accountability and Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (D.C. Law 19-124; D.C. Code § 1-1161.01(7)), or violated Council Rules. The investigation also assessed whether there is substantial evidence that Councilmember White violated applicable residency requirements for D.C. Councilmembers, as set forth in the Home Rule Act (D.C. Law 19-124A; D.C. Code § 1-204.02).

Under the Council Rules, the Ad Hoc Committee is required to file a report to the full D.C. Council by December 16, 2024, summarizing the investigative actions taken by the Ad Hoc Committee, describing the Ad Hoc Committee’s findings, and—based on the findings set forth herein—recommending appropriate sanctions, if any.²⁰ Three forms of sanctions are available: reprimand; censure; and expulsion.²¹

The Council Rules define “reprimand” as a “formal statement of the Council officially disapproving the conduct of one of its members.”²² The Council Rules do not identify any particular evidentiary standard that must be met to issue a reprimand. Rather, the Council “may adopt a resolution of reprimand in the same manner as provided for the adoption of any resolution.”²³ A reprimand is appropriate when it is “based on a particular action or set of actions that is determined to be in violation of the Council’s Rules, law, or policy, or otherwise inappropriate, but is considered to be not sufficiently serious to require censure or expulsion.”²⁴

Censure and expulsion, the more serious of the sanctions, each requires specific findings based on the substantial evidence standard.²⁵ “Censure” is defined as “a formal statement of the

¹⁹ Exhibit 3, *supra* n.14.

²⁰ Council Rule 652(a)(7), (c).

²¹ Council Rule 652(c).

²² Council Rule 654(a).

²³ Council Rule 654(b).

²⁴ Council Rule 654(a).

²⁵ Council Rule 655(a)(2), (b)(2), (d).

Council officially disciplining one of its members,” and constitutes a punitive action but carries no fine or suspension of a Councilmember’s rights.²⁶ The Council may, by a two-thirds vote of Councilmembers present and voting, adopt a resolution of censure if it finds, based on substantial evidence, “that the Councilmember committed a violation of a law or rule of a serious nature.”²⁷ “Expulsion” is “the most severe punitive action, serving as a penalty imposed for egregious wrongdoing,” and results in removal of the member from the Council.²⁸ The Council may, by a five-sixths vote of Councilmembers, adopt a resolution of expulsion if it finds, based on substantial evidence, “that the Councilmember committed a violation of law that amounts to a gross failure to meet the highest standards of personal and professional conduct.”²⁹

Thus, while the Council has broad latitude to adopt a resolution of reprimand, the sanctions of censure or expulsion must be supported by substantial evidence. The Council Rules provide that “substantial evidence” means “proof that a reasonable person would accept as adequate to support a conclusion or decision in favor of censure or expulsion.”³⁰ Courts considering the adequacy of evidence under the substantial evidence standard have treated the term similarly. The D.C. Court of Appeals has held that “[s]ubstantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.” *Charmed, LLC v. D.C. Dep’t of Health*, 263 A.3d 1028, 1033 (D.C. 2021) (quoting *Smallwood v. D.C. Metro. Police Dep’t*, 956 A.2d 705, 707 (D.C. 2008) (internal quotations omitted)). The D.C. Court of Appeals has further noted that evidence is not substantial “if it is so highly questionable in the light of common experience and knowledge that it is unworthy of belief.” *Id.* Additionally, findings can be supported by substantial evidence “even if there is substantial evidence in the record to support contrary findings.” *Walker v. D.C. Off. of Emp. Appeals*, 310 A.3d 597, 602 (D.C. 2022) (quoting *Hutchinson v. D.C. Off. of Emp. Appeals*, 710 A.2d 227, 230-31 (D.C. 1998) (internal citations and quotation marks omitted)).

The substantial evidence standard is different than the standard of proof governing the criminal case against Councilmember White, where conviction requires proof beyond a reasonable doubt. *See In re Winship*, 397 U.S. 358, 364 (1970) (holding the Due Process Clause “protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged”). In contrast to the substantial evidence standard, the reasonable doubt standard “requires the factfinder to reach a subjective state of near certitude of the guilt of the accused.” *James v. United States*, 39 A.3d 1262, 1269-70 (D.C. 2012) (internal quotation marks omitted) (quoting *Rivas v. United States*, 783 A.2d 125, 133 (D.C. 2001)).

Given that the D.C. Council’s ultimate determination of whether sanctions are appropriate must be supported by substantial evidence—at least with respect to the sanctions of censure or expulsion—this investigation considered the evidence gathered in light of the substantial evidence standard.

²⁶ Council Rule 655(a)(1).

²⁷ Council Rule 655(a)(2).

²⁸ Council Rule 655(b)(1).

²⁹ Council Rule 655(b)(2). *See also* D.C. Code § 1-204.01(e)(1).

³⁰ Council Rule 655(d).

IV. BRIBERY ALLEGATIONS

Through the adoption of D.C. Council Resolution 25-634, the D.C. Council directed the Ad Hoc Committee to consider whether Councilmember White violated the D.C. Code of Conduct (as defined in the Ethics Act³¹ and which includes the Council’s Code of Official Conduct) or Council Rules, including those provisions of the D.C. Code of Conduct or the Council Rules “that relate to conflicts of interest, taking any action that adversely affects the confidence of the public in the integrity of District government, outside activities, use of government resources, or acting solely in the public interest.”³²

Separately, Councilmember White faces a charge of bribery in violation of 18 U.S.C. § 201(b)(2) for allegations relating to events in or around June through August 2024, during which White allegedly received cash in exchange for using his official position to help organizations obtain or retain contracts or grants with District agencies. As discussed above, while this investigation considered evidence relating to these events, the investigation is distinct from the criminal matter—both because the Ad Hoc Committee was charged with assessing White’s conduct under the D.C. Code of Conduct and Council Rules, not federal law, and because the investigation is governed by the substantial evidence standard, not the reasonable doubt standard.

To clarify the legal framework, this section begins by summarizing the relevant D.C. Code of Conduct provisions and Council Rules considered as part of this investigation. Given that the allegations involve the violence intervention programs of two District agencies, the Report then provides background regarding violence intervention programs in the District. The Report then sets forth evidence obtained during the investigation relating to the bribery allegations against Councilmember White, as well as the investigation’s conclusions.

A. Legal Framework

Section 1-1161.01(7) of the Ethics Act defines the D.C. Code of Conduct as consisting of the following legal authorities:

- (A) the Code of Official Conduct of the Council of the District of Columbia, as adopted by the Council;
- (B) Sections 1-618.01 through 1-618.02 of the D.C. Code;
- (C) Chapter 7 of Title 2 of the D.C. Code, which sets rules for official correspondence;
- (D) Section 2-354.16 of the D.C. Code, which relates to contingent fees for District contracts;

³¹ 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. Code § 1-1161.01 *et seq.*).

³² D.C. Council Resolution 25-634, *supra* n.10.

- (E) Chapter 18 of Title 6B of the District of Columbia Municipal Regulations, which applies to employees and public officials who are not members or employees of the Council;
- (E-i) Chapter 11B of Title I of the Ethics Act, which governs government employee engagement in political activity;
- (F) Subtitles C, D, and E of Title II of the Ethics Act, which relate to conflicts of interest, financial disclosures, and lobbying; and components of Subtitle F of Title III of the Act, which relate to campaign finance; and
- (G) Section 1-329.01, concerning gifts to the District of Columbia.

Several of these provisions that make up the D.C. Code of Conduct are relevant to the scope of this investigation. These provisions are described in detail below.

1. **Relevant Provisions of the Code of Official Conduct of the D.C. Council**

The allegations against Councilmember White implicate at least three rules of the Code of Official Conduct of the D.C. Council.

a. ***Rule I – Conflicts of Interest***

Code of Official Conduct Rule I provides:

No employee shall use his or her official position or title, or personally and substantially participate, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter, or attempt to influence the outcome of a particular matter, in a manner that the employee knows is likely to have a direct and predictable effect on the employee’s financial interests or the financial interests of a person closely affiliated with the employee.³³

Rule I(f) provides definitions of key terms in the Rule:

- *Particular matter*: “‘Particular matter’ is limited to deliberation, decision, or action that is focused upon the interest of specific persons, or a discrete and identifiable class of persons.”³⁴
- *Direct and predictable effect*: “‘Direct and predictable effect’ means there is: (A) A close causal link between any decision or action to be taken in the matter and

³³ Code of Official Conduct Rule I(a).

³⁴ Code of Official Conduct Rule I(f)(4).

any expected effect of the matter on the financial interest; and (B) A real, as opposed to speculative possibility, that the matter will affect the financial interest.”³⁵

b. *Rule II – Outside Activities*

Code of Official Conduct Rule II prohibits employees from engaging in “outside employment or private activity that conflicts or would appear to conflict with the fair, impartial, and objective performance of the employee’s official duties and responsibilities or with the efficient operation of the Council.”³⁶

In addition, Rule II provides specific restrictions on representing particular parties, stating that employees shall not “[r]epresent another person, have a financial interest, or provide assistance in prosecuting a claim against the District of Columbia before any regulatory agency or court of the District,” and shall not “represent another person before any regulatory agency or court of the District of Columbia in a matter in which the District of Columbia is a party or has a direct and substantial interest.”³⁷ The Rule also identifies certain forms of outside activities that may be permissible—such as teaching, writing for publication, consulting, or speaking engagements—with certain restrictions.³⁸ But even for those activities, the Rule provides that “the information used by an employee engaging in outside employment or activities shall not draw on official data or ideas that are not public information, unless the employee has written authorization from the employee’s supervisor to use such information.”³⁹

c. *Rule III – Gifts from Outside Sources*

Code of Official Conduct Rule III(a) prohibits Councilmembers from soliciting or accepting, either directly or indirectly, any gift from a prohibited source.⁴⁰

In addition, Rule III(e) sets forth specific gift restrictions and provides:

[N]o employee shall [. . .] [d]irectly or indirectly demand, seek, receive, accept, or agree to receive or accept anything of value personally or for any other person or entity, in return for: . . . (A) Any official act performed or to be performed by the employee; (B) Being influenced in the performance of any official act; (C) Being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on

³⁵ Code of Official Conduct Rule I(f)(2).

³⁶ Code of Official Conduct Rule II(a)(1).

³⁷ Code of Official Conduct Rule II(c)(1).

³⁸ Code of Official Conduct Rule II(b)(1).

³⁹ Code of Official Conduct Rule II(b)(2).

⁴⁰ Code of Official Conduct Rule III(a).

the District of Columbia; or (D) Being induced to do or omit to do any act in violation of the employee's official duty.⁴¹

Gift means "any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. Gifts may also consist of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has incurred."⁴²

Prohibited source means "any person or entity that:

- (A) Has or is seeking to obtain contractual or other business or financial relations with the District government;
- (B) Conducts operations or activities that are subject to regulation by the District government; or
- (C) Has an interest that may be favorably affected by the performance or non-performance of the employee's official responsibilities."⁴³

d. *Rule VI – Use of Government Resources; Prestige of Office*

Code of Official Conduct Rule VI, which governs employees' use of government resources, prohibits employees from knowingly using the "prestige of office or public position for that employee's private gain or that of another."⁴⁴ In addition, "Council employees shall not use or permit the use of their position or title or any authority associated with their public office in a manner that could reasonably be construed to imply that the Council sanctions or endorses the personal or business activities of another, unless the Council has officially sanctioned or endorsed the activities."⁴⁵

2. Relevant Statutory Provisions

In addition to the Council's Code of Official Conduct, the matters under investigation also potentially implicate several statutory provisions of the D.C. Code that are included in the D.C. Code of Conduct.

First, Section 1-618.01 of the D.C. Code establishes that public officials of the District government "must at all times maintain a high level of ethical conduct in connection with the performance of official duties" and that they shall "refrain from taking, ordering, or participating

⁴¹ Code of Official Conduct Rule III(e).

⁴² Code of Official Conduct Rule III(g)(1).

⁴³ Code of Official Conduct Rule III(g)(2).

⁴⁴ Code of Official Conduct Rule VI(b)(1).

⁴⁵ Code of Official Conduct Rule VI(b)(3).

in any official action which would adversely affect the confidence of the public in the integrity of the District government.”⁴⁶

Second, Section 2-354.16 of the D.C. Code addresses contingent fees related to District contracts and specifically provides that “a District employee shall not solicit or secure, or offer to solicit or secure, a contract for which the employee is paid or is to be paid any fee or other consideration contingent on the making of the contract between the employee and any other person.”⁴⁷

3. D.C. Code of Conduct Provisions Related to Financial Disclosure Forms

Pursuant to Part D of the Ethics Act and Code of Official Conduct Rule XI(b)—both of which are components of the D.C. Code of Conduct—Councilmembers must publicly disclose their financial interests through annual financial disclosure statements filed with the Board of Ethics and Government Accountability (“BEGA”).⁴⁸ Each May 15, Councilmembers must file their disclosures for the previous calendar year.⁴⁹ These disclosures require Councilmembers to answer questions about their sources of income, including questions about their non-District employment, their immediate family members’ employment, sales of property, and beneficial interests.⁵⁰ Relevant to the investigation, the disclosure forms also ask:

Did you receive any gift(s) from any person that has or is seeking to do business with the District, conducts operations or activities that are regulated by the District, or has an interest that may be favorably affected by the performance or nonperformance of your duties in the total amount or with a total value of \$100 or more during the previous calendar year?⁵¹

In submitting the disclosure, Councilmembers must also certify that they have:

- reported known illegal activity, including attempted bribes, to the appropriate authorities;⁵²

⁴⁶ D.C. Code § 1-618.01(a).

⁴⁷ D.C. Code § 2-354.16(c).

⁴⁸ D.C. Code § 1-1162.25; Code of Official Conduct Rule XI(b).

⁴⁹ D.C. Code § 1-1162.25(a).

⁵⁰ See, e.g., Exhibit 6, D.C. Board of Ethics and Government Accountability, *Public Financial Disclosure Statement: FDS Filing Details for 2023, Trayon White*. See also D.C. Code § 1-1162.24(a)(1)(E).

⁵¹ *Id.*

⁵² D.C. Official Code § 1-1162.24(a)(1)(G)(iii).

- not been offered nor accepted any bribes;⁵³
- not raised nor received funds in violation of federal or District law;⁵⁴ and
- not received nor been given anything of value based on any understanding that their official actions or judgment or vote would be influenced.⁵⁵

Filing a materially false financial disclosure form could constitute a violation of D.C. Code § 22–2405, which establishes the offense of making false statements.⁵⁶

4. D.C. Council Rules

In addition to considering whether Councilmember White violated the D.C. Code of Conduct, D.C. Council Resolution 25-634 also directed the Ad Hoc Committee to consider whether Councilmember White violated Council Rules.

The D.C. Council Rules explicitly incorporate the requirements of Section 1-618.01 of the D.C. Code, set forth above, that officials must “maintain a high level of ethical conduct in connection with the performance of official duties and shall refrain from taking, ordering, or participating in any official action that would adversely affect the confidence of the public in the integrity of the District government.”⁵⁷

The Council Rules further state that Councilmembers are required to “strive to act solely in the public interest and not for any direct and tangible personal gain.”⁵⁸ Councilmembers must also “take full responsibility for understanding and complying” with “all laws and regulations governing standards of conduct for District public officials and employees,” including those

⁵³ See Exhibit 6, *supra* n.50; see also D.C. Code § 1-1162.24(a)(1)(G)(iv). BEGA’s Ethics Manual also highlights this requirement, stating that reporting individuals must certify that they have not engaged in any improper activity, such as accepting bribes or receiving funds through improper means. BEGA Office of Government Ethics, *Ethics Manual: The Plain Language Guide to District Government Ethics*, at 74.

⁵⁴ D.C. Code § 1-1162.24(a)(1)(G)(vi).

⁵⁵ D.C. Code § 1-1162.24(a)(1)(G)(vii).

⁵⁶ D.C. Code § 22–2405 provides: “A person commits the offense of making false statements if that person wilfully makes a false statement that is in fact material, in writing, directly or indirectly, to any instrumentality of the District of Columbia government, under circumstances in which the statement could reasonably be expected to be relied upon as true; provided, that the writing indicates that the making of a false statement is punishable by criminal penalties or if that person makes an affirmation by signing an entity filing or other document under Title 29 of the District of Columbia Official Code, knowing that the facts stated in the filing are not true in any material respect or if that person makes an affirmation by signing a declaration under § 1-1061.13, knowing that the facts stated in the filing are not true in any material respect.” This provision carries potential penalties of imprisonment up to 180 days or fines as set forth in D.C. Code § 22-3571.01.

⁵⁷ Council Rule 202(a).

⁵⁸ *Id.*

“relating to conduct, conflicts of interest, gifts, disclosures, campaign finance, political activity, and freedom of information.”⁵⁹

B. Background Regarding Violence Intervention Efforts and Grantmaking Practices in the District of Columbia

The District has multiple community violence intervention programs.⁶⁰ Through these programs, District government agencies fund community-based organizations to deploy workers into District neighborhoods with the highest rates of violence. Two of these programs are housed under the Mayor’s Office. First, DYRS hosts a Credible Messenger Initiative, through which DYRS provides services to youth and families under DYRS supervision.⁶¹ Second, ONSE leads the Violence Intervention Initiative, which is a “collaborative community engagement strategy” designed to reduce gun-related violence by deploying outreach workers, known as violence interrupters, into high-risk neighborhoods.⁶² Separately, OAG oversees the Cure the Streets program, which is also a public safety program aimed at reducing gun violence in high-risk neighborhoods.⁶³ Below, this Report describes the relevant details regarding these programs, as set forth in agency records and as established through interviews with agency personnel.

1. DYRS

DYRS was established in 2004 to lead the reform of the District’s juvenile justice system, focusing on improving security, supervision, and rehabilitation services for juvenile offenders and other persons in need of supervision.⁶⁴ DYRS emphasizes a holistic, family-oriented approach to reduce juvenile crime, delinquency, and recidivism.⁶⁵ One of DYRS’s key initiatives, the Credible

⁵⁹ Council Rule 202(b).

⁶⁰ In February 2024, Councilmember Kenyan R. McDuffie introduced the Safe Neighborhoods Amendment Act of 2024, which proposes to consolidate all violence intervention work under a single organization independent of the Office of the Mayor. It aims to establish a fund to provide cash stipends to individuals at risk of violence and create a dedicated fund to strengthen the administration of violence prevention programs. The legislation also envisions increased training, higher wages, and housing assistance to violence intervention workers to address high levels of turnover in the prevention workforce. At the April 2024 hearing on this legislation, the Attorney General for the District of Columbia, organizations representing crime survivors, and reentry providers all expressed support for this plan. The Safe Neighborhoods Amendment Act of 2024 has yet to be enacted. Safe Neighborhoods Amendment Act of 2024, DC B25-0695, 25th D.C. Council (April 5, 2024).

⁶¹ *The Credible Messenger Initiative, Request for Proposals*, DEP’T OF YOUTH & REHAB. SERVS. (July 8, 2016), https://dyrs.dc.gov/sites/default/files/dc/sites/dyrs/page_content/attachments/Credible-Messenger-RFP_July-8-2016_Revised-2.pdf.

⁶² Violence Intervention Initiative, OFF. OF NEIGHBORHOOD SAFETY & ENGAGEMENT, <https://onse.dc.gov/service/violence-intervention-initiative>.

⁶³ *Cure the Streets: OAG’s Violence Interruption Program*, OFF. OF THE D.C. ATT’Y GEN., <https://oag.dc.gov/public-safety/cure-streets-oags-violence-interruption-program>; *“Cure the Streets” Pilot Expansion: Making DC Safer Through Violence Interruption*, OFFICE OF THE D.C. ATT’Y GEN. (Oct. 16, 2019), <https://oag.dc.gov/blog/cure-streets-pilot-expansion-making-dc-safer>.

⁶⁴ D.C. Law 15-335.

⁶⁵ D.C. Code § 2-1515.02.

Messenger Initiative, connects youth with mentors who share similar life experiences, supporting their transition to adulthood through mentorship, case planning, and care coordination.⁶⁶

To support these efforts, DYRS provides grants to nonprofit and faith-based organizations, educational institutions, private enterprises, and other organizations.⁶⁷ These grants, ranging from \$100,000 to \$500,000, are awarded for one year with the possibility of renewal for up to three years in some cases, depending on performance and funding availability.⁶⁸

DYRS's most recent Credible Messenger Request for Applications ("RFA") was released on May 31, 2024.⁶⁹ DYRS anticipated awarding multiple grants of up to \$500,000 each for a one-year period, with potential renewal for up to two years. The deadline for submissions was July 8, 2024. [REDACTED]

DYRS is overseen by the Deputy Mayor for Public Safety and Justice. Until September 17, 2024, the Council's Committee on Recreation, Libraries & Youth Affairs—chaired by Councilmember White—was also responsible for providing oversight of DYRS. The Council voted unanimously to dissolve that Committee on September 17, 2024.⁷⁰ DYRS is now subject to oversight from the newly formed Subcommittee on Libraries and Youth Affairs, chaired by Councilmember Zachary Parker.⁷¹

2. ONSE

In response to rising concerns about violent crime in the District, the Council enacted the Neighborhood Engagement Achieves Results Amendment Act of 2016, which established ONSE.⁷² ONSE was tasked with identifying, recruiting, and engaging with individuals determined to be at high risk of participating in, or being a victim of, violent crime.⁷³ Specific responsibilities include identifying neighborhoods with high levels of violent crime, fostering positive relationships with youth, and developing employment and job training programs.⁷⁴ To help meet these responsibilities, ONSE created its Violence Intervention Initiative, which partners with community-based organizations to intervene in the lives of high-risk individuals to reduce incidents of violence in District communities.⁷⁵ These organizations staff community-based

⁶⁶ See *supra* n.61.

⁶⁷ *Current Funding Opportunities: Notice of Funding Availability- Credible Messenger Initiative*, DEP'T OF YOUTH & REHAB. SERVS. (May 31, 2024), <https://dyrs.dc.gov/page/current-funding-opportunities#:~:text=DYRS%20encourages%20applicants%20with%20unique,the%20outside%20of%20the%20envelope>.

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ D.C. Council Resolution 25-634, *supra* n.10.

⁷¹ *Id.*

⁷² Effective June 30, 2016 (D.C. Law 21-125; D.C. Code § 7-2411 *et seq.*).

⁷³ D.C. Code § 7-2411(b).

⁷⁴ *Id.*

⁷⁵ *Violence Intervention Initiative*, *supra* n.62.

outreach workers, called Violence Interrupters, who mentor high-risk individuals, support the facilitation of ceasefires and mediations, and respond to critical incidents.⁷⁶

ONSE funds its Violence Interrupters through grants. Unlike DYRS, which directly issues grants to organizations supplying violence interrupters, ONSE uses a primary grantee to coordinate with violence interrupters for its Violence Intervention Initiative. Since fiscal year 2022, Progressive Life Center (“PLC”) has served as ONSE’s primary grantee.⁷⁷ To supply violence interrupters, PLC has sub-granted to other organizations including District Services Management (d/b/a Ward 5 Violence Prevention Network), J & J Monitoring, Life Deeds, and Together We Rise DC. The funding period for PLC’s most recent ONSE grant was set to end on September 30, 2024; ONSE extended that period through December 31, 2024. On October 16, 2024, ONSE released another RFA for a violence intervention grant, noting that it expected to award approximately \$5 million to organizations from January 1 through September 30, 2025.⁷⁸

[REDACTED] ONSE is overseen by the Deputy Mayor for Public Safety and Justice. The Council’s Committee on Judiciary and Public Safety, chaired by Councilmember Brooke Pinto, provides Council oversight for a variety of ONSE matters, including oversight of violence prevention and intervention.⁷⁹

3. OAG

OAG has its own violence intervention program, launching the Cure the Streets Program in August 2018.⁸⁰ The Council allocated \$360,000 to OAG to establish a pilot program, which initially operated in two sites – one in Ward 5 and another in Ward 8.⁸¹ In 2019, Attorney General Karl Racine and Mayor Muriel Bowser announced a \$6 million investment in strategies to reduce gun violence, with \$2 million allocated to fund the Cure the Streets Program through July 2020.⁸²

⁷⁶ *Id.*

⁷⁷ *J&PS Performance Oversight Questions (FY23-24): Office of Neighborhood and Safety Engagement Responses*; D.C. COUNCIL, https://dccouncil.gov/wp-content/uploads/2024/08/ONSE-FY23-24-Oversight-Pre-Hearing-Questions_2.10.24_FINAL.pdf.

⁷⁸ *Request for Application: Empowering Communities Through Innovative Violence Intervention Grant*, OFF. OF NEIGHBORHOOD SAFETY & ENGAGEMENT (Oct. 16, 2024), <https://communityaffairs.dc.gov/sites/moca/files/dc/sites/moca/publication/attachments/FY25%20Empowering%20Communities%20VI%20Grant.pdf>.

⁷⁹ *Rules of Organization and Procedure for Council Period 25*, D.C. COUNCIL: COMM. ON THE JUDICIARY & PUB. SAFETY (Jan. 19, 2023), <https://dccouncil.gov/wp-content/uploads/2017/06/Committee-Rules-for-JPS-CP-25.pdf>

⁸⁰ *See supra* n.63.

⁸¹ *Public Oversight Roundtable on The District’s Summer Public Safety and Crime Prevention Efforts*, D.C. Council (2018) (statement of Karl A. Racine, Att’y Gen. for the District of Columbia), <https://oag.dc.gov/sites/default/files/2018-09/Testimony-Cure-the-Streets-2018-Summer-Crime-Prevention.pdf>.

⁸² *Investing in OAG’s Violence Interruption Program*, OFF. OF THE ATT’Y GEN. (Feb. 7, 2019), <https://oag.dc.gov/blog/investing-oags-violence-interruption-program>.

By fall 2021, the program had expanded to ten sites across Wards 1, 4, 5, 6, 7, and 8.⁸³ Community-based organizations, such as the Alliance for Concerned Men and Father Factor Inc., contracted with OAG to manage these sites.⁸⁴

In June 2024, OAG solicited applications for Cure the Streets grants, seeking submissions from community-based organizations to deploy local, credible individuals as outreach workers in identified neighborhoods. The RFA explained that OAG would make up to \$814,000 in grant funding available, per program site.⁸⁵ Applications were due July 12, 2024.⁸⁶

4. Grantmaking in the District and 2024 Grant Announcements

The District’s violence intervention initiatives described above are funded through grants,⁸⁷ which are awarded pursuant to District regulations. The grantmaking process, as outlined in the Citywide Grants Manual and Sourcebook, involves several key stages:

- *Pre-Award Process.* Agencies must generally award grants on a competitive basis unless specific exceptions apply, such as sole source or earmark awards. Agencies must prepare a Notice of Funding Availability (NOFA) and a Request for Applications (RFA) to inform potential applicants about available funding and application requirements.
- *Application Process.* The NOFA and RFA provide details on the purpose of the grant, eligibility criteria, application deadlines, and submission requirements. Applicants must submit proposals that meet the outlined criteria and comply with all relevant statutes and regulations.
- *Review and Award Process.* A review panel evaluates applications based on established criteria. Review panels are composed of individuals outside of government with experience with grants and with the subjects of the particular grant and RFA. Panelists must affirm that they have no conflicts of interests.

⁸³ Those sites include Trinidad, Trenton Park, Bellevue, Eckington, Marshall Heights, Washington Highlands, Sursum Corda, Brightwood/Petworth, Anacostia, and Congress Heights. *Cure the Streets: OAG’s Violence Interruption Program*, OFF. OF THE D.C. ATT’Y GEN., <https://oag.dc.gov/public-safety/cure-streets-oags-violence-interruption-program>.

⁸⁴ *See supra* n.63.

⁸⁵ *FY25 Cure the Streets Grant Program: Pre-Solicitation Conference*, OFF. OF THE D.C. ATT’Y GEN., <https://oag.dc.gov/sites/default/files/2024-06/FY25-RFA-OAG-Community-Based-Grant-Programs-.pdf>.

⁸⁶ *Id.*

⁸⁷ The Cure the Streets, Credible Messenger, and Violence Intervention programs often use the terms “contract” and “grant” interchangeably. These grants are reimbursement-based, meaning that grantees must submit invoices to the relevant agency to receive funds. The Citywide Grant Manual provides criteria to determine whether a contract procurement or grant is the appropriate method for awarding funds. *See* D.C. OFFICE OF PARTNERSHIPS AND GRANT SERVICES, CITY-WIDE GRANTS MANUAL AND SOURCEBOOK, D.C. Internal Services, Section 4.0, *Distinction Between a Procurement, Grant and Subgrant*, <https://is.dc.gov/book/citywide-grant-manual-and-sourcebook>.

Importantly, while the panel makes recommendations for funding, the final decision rests with the head of the agency. The head of the agency makes the decision subject to the advice of any advisory body required by law or regulation for the funding grant. If the agency decides not to follow the panel's recommendation, the Director must provide a written justification in the grant records. Awards are made to organizations that demonstrate the ability to perform successfully under the grant terms.

- *Award Documentation.* Successful applicants receive a Notice of Grant Agreement (NOGA), which outlines the terms and conditions of the award, including reporting requirements and compliance obligations.
- *Post-Award Requirements.* Agencies must monitor grantees to ensure compliance with grant terms and effective use of funds. This includes regular reporting, audits, and addressing any disallowed costs.
- *Monitoring and Compliance.* Agencies are responsible for ensuring grantees adhere to all applicable federal and local regulations. This involves conducting monitoring activities, reviewing financial and programmatic reports, and ensuring corrective actions are taken if necessary.⁸⁸

During interviews, agency staff involved in the Credible Messenger, Violence Intervention, and Cure the Streets programs confirmed that each program follows the process above. Staff further described a panel review process involving panels made up of both agency staff and independent reviewers. However, ONSI and DYRS staff consistently explained that their agency directors have ultimate decision-making authority over grant awards and can override panel recommendations, and that they often consult with their programmatic teams regarding applications.

C. Factual Findings and Analysis

Councilmember White, in his capacity as the former Chair of the Council's Committee on Recreation, Libraries & Youth Affairs and as the representative of Ward 8—where all violence intervention programs outlined above operate—has played a significant role in shaping and overseeing the District's violence intervention initiatives. These initiatives are also at the center of the bribery allegations against Councilmember White. Below, this Report sets forth the evidence obtained during the investigation related to those allegations.

⁸⁸ D.C. OFFICE OF PARTNERSHIPS AND GRANT SERVICES, CITY-WIDE GRANTS MANUAL AND SOURCEBOOK, D.C. Internal Services, Section 11.0, *Post-Award Requirements*, <https://is.dc.gov/book/citywide-grant-manual-and-sourcebook>.

1. Federal Indictment

A Grand Jury for the District of Columbia returned an indictment⁸⁹ (the “Indictment”) charging Councilmember White violating 18 U.S.C. § 201(b)(2), which establishes criminal penalties for any public official who:

[D]irectly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for: (A) being influenced in the performance of any official act; (B) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or (C) being induced to do or omit to do any act in violation of the official duty of such official or person.

The statute carries potential monetary penalties of up to three times the monetary equivalent of the thing of value, imprisonment of up to fifteen years, and disqualification from holding any “office of honor, trust, or profit under the United States.”

In support of this charge, the Indictment alleges that Councilmember White received cash payments in exchange for using his official position as a Councilmember to help organizations obtain or retain contracts or grants with District agencies. Specifically, the Indictment alleges that White agreed to receive \$156,000 in undisclosed kickbacks and cash payments, including \$35,000 in cash bribe payments.⁹⁰ The cash payments are alleged to have occurred over four occasions in June, July, and August 2024.

a. *Entities Identified in the Indictment*

The Indictment references several organizations and individuals, including a confidential informant, that allegedly gave Councilmember White the cash payments, and several government officials allegedly referenced during the four meetings between White and the confidential informant.⁹¹ These individuals include:

- Confidential Human Source (“CHS”) 1, who operated businesses that provided services to the District of Columbia;⁹²

⁸⁹ Indictment, *United States v. White*, ECF No. 12. The Indictment describes much of the same alleged conduct as the affidavit to the Criminal Complaint against Councilmember White. *See id.*, ECF No. 1-1 (the “Affidavit”). The Report therefore refers to the allegations in the Indictment, but also includes relevant citations to the affidavit.

⁹⁰ *See* Indictment at 30; Affidavit at 9-10.

⁹¹

When summarizing the allegations in the Indictment, this Report refers to individuals by the pseudonyms used in the Indictment; when summarizing other evidence, the Report refers to the individuals by the pseudonyms used in Section II.A.

⁹² *See* Indictment at 4; Affidavit at 4.

- Government Employee 1, an official in the Office of the Attorney General;⁹³
- Government Employee 2, an appointed public official in the Executive Office of the Mayor;⁹⁴
- Government Employee 3, a high-ranking official in ONSE;⁹⁵
- Government Employee 4, a Supervisory Grants Management Specialist at DYRS;⁹⁶
- Company 1, a Washington, D.C. corporation, which holds itself out as a community-based initiative to serve high-risk youths and adults in D.C. and Maryland, including through ONSE’s Violence Intervention Initiative. CHS 1 owned and managed Company 1;⁹⁷ and
- Company 2, a Washington, D.C. corporation that provided services in Ward 5 through ONSE’s Violence Intervention Initiative. CHS 1 owned and managed Company 2.⁹⁸

Additional factual findings, including the review of recent contracts involving Company 1 and Company 2, provide substantial evidence that, combined, Company 1 and Company 2 have received millions of dollars in grants and contracts for providing a variety of different services to District agencies, [REDACTED]

[REDACTED]⁹⁹ The services provided to District agencies include managing group housing for youth transitioning from juvenile detention and for unhoused families, violence intervention services, transportation services, and janitorial services. Included in these grants were grants for providing services as part of the DYRS Credible Messenger program and the ONSE Violence Intervention Initiative. Company 1 held grants for providing services through the Credible Messenger program and for providing violence intervention services in Wards 1 and 4 in connection with the Violence Intervention Initiative. In addition, Company 1 also held a ONSE grant to provide “floating violence intervention services”

⁹³ See Indictment at 4; Affidavit at 5.

⁹⁴ See Indictment at 4; Affidavit at 5.

⁹⁵ See Indictment at 4; Affidavit at 5.

⁹⁶ See Indictment at 4; Affidavit at 5.

⁹⁷ See Indictment at 4; Affidavit at 5.

⁹⁸ See Indictment at 4; Affidavit at 5.

⁹⁹ [REDACTED]

to very high-risk individuals in all of ONSE’s priority communities across the District.¹⁰⁰ Company 2 provided violence intervention services for the Violence Intervention Initiative in Ward 5. Neither Company 1 nor Company 2 has held grants for OAG’s Cure the Streets program.

b. *Alleged Bribery Payments*

The charging documents in *United States v. White* allege the events surrounding the 2024 payments to Councilmember White occurred as follows:

(1) Alleged Payment 1 – June 26, 2024

On June 26, 2024, White met CHS 1 in CHS 1’s car, which was parked “outside the apartment building where White was living in Washington, D.C.,” to discuss the status of violence intervention contracts that CHS 1’s companies held with ONSE.¹⁰¹ The Indictment included an image of White in CHS 1’s car.¹⁰² CHS 1 gave White \$15,000 in cash, which White put in his jacket pocket despite initially stating “what you need me to do, man? I don’t, I don’t wanna feel like you gotta gimme something to get something. We better than that.”¹⁰³ The Indictment included an image of White putting an envelope into his jacket pocket.¹⁰⁴ CHS 1 and White then discussed White meeting with Government Employee 2 to “get an idea” of what the next steps were for CHS 1’s companies’ contracts.¹⁰⁵ White stated: “So you trying to get an idea where they gonna go with the contracts?” CHS 1 confirmed and added “the biggest thing is just trying to figure out, are they keeping us this year with the contract.”¹⁰⁶ CHS 1 then said to White, “you know, we link up I guess another two weeks. But like I was telling you, I’m be able to keep hitting you off. You know what I mean?” White responded, “Yea.”¹⁰⁷

Before leaving the car, White mentioned that the D.C. Office of the Attorney General ran a different violence intervention program, which the D.C. Government was attempting to combine with ONSE’s program to consolidate violence intervention efforts.¹⁰⁸ White then told CHS 1 that Government Employee 3 was unlikely to remain in a high-ranking position at ONSE and CHS 1

¹⁰⁰ Indictment at 21; Affidavit at 28. *See also Request for Applications (RFA): Floating Violence Intervention Services Grant for Fiscal Year 2022*, OFF. OF NEIGHBORHOOD SAFETY & ENGAGEMENT, <https://communityaffairs.dc.gov/sites/moca/files/dc/sites/moca/publication/attachments/Floating%20VI%20%28RFA%29.pdf>

¹⁰¹ [REDACTED]. The Violence Intervention Initiative assigns grantees to certain wards of the District, while the Floating Violence Intervention Initiative focuses on at-risk individuals involved in conflicts in all of ONSE’s priority communities.

¹⁰² Indictment at 7, 10; Affidavit at 10, 14.

¹⁰³ Indictment at 7, 10; Affidavit at 11, 15.

¹⁰⁴ Indictment at 7-8; Affidavit at 11.

¹⁰⁵ Indictment at 8; Affidavit at 12.

¹⁰⁶ Indictment at 8; Affidavit at 12.

¹⁰⁷ Indictment at 8; Affidavit at 12.

¹⁰⁸ Indictment at 8-9; Affidavit at 13.

¹⁰⁹ Indictment at 9; Affidavit at 13.

asked White to “take care of the stuff for [Government Employee 3].”¹⁰⁹ CHS 1 asked White, “Are they going to give us a contract? Are they going to stay with the same vendors?”¹¹⁰ Then, CHS 1 told White “It’s cool, in two weeks, we can go over everything, go over your whole plan. But if you can, definitely man, that’s for you, so definitely please take, please, please use that to take care of the stuff for [Government Employee 3]. You know what I mean?”¹¹¹ White responded, “Yea.”¹¹² CHS 1 and White concluded their meeting by discussing other opportunities to work together, including by White helping CHS 1 secure further business with D.C. agencies. CHS 1 said that he would “do something like this twice a month . . . for the next 90 days,” and White reminded him that he [White] “[g]ot four more new years.”¹¹³

(2) Alleged Payment 2 – July 17, 2024

On July 17, 2024, CHS 1 and White again met in CHS 1’s car, parked in the same location as their prior meeting. The Indictment included an image of White in CHS 1’s car allegedly taken on this occasion.¹¹⁴ During this conversation, CHS 1 offered, and White accepted, a 3% kickback of each grant’s value in exchange for White’s efforts.¹¹⁵ White reported meeting with Government Employee 2, working to “build[] relationship[s]” with two DYRS employees who oversaw DYRS grants, and contacting Government Employee 4 at DYRS.¹¹⁶ White said: “I connected with two of the people that’s over top of giving out the grants... One of them... now this is the, this is where I am now, I don’t know all of them personal yet.”¹¹⁷ White also shared, “I been talking to [Government Employee 4] all week. Just kind of building relationship, just trying to feel [him/her] out... and I got a follow-up conversation with [him/her] today... So what I’m doing is I’m circumventing the head [Government Employee 2] and dealing with the relationships on the ground, you know what I’m saying... because I don’t know [Government Employee 2] that well to have a... (gestures hands back and forth) like we talk.”¹¹⁸ CHS 1 then produced a handwritten ledger with all grants of Company 1 and 2, their value, and White’s 3% cut.¹¹⁹ The pair discussed the individual violence intervention contracts.¹²⁰ The Indictment included an image of the ledger, which listed: “Floating Team” and “1,700,000”; “1 & 4 Team” and “1,300,000”, “Ward 5 VPN” and “1,700,000”; and finally, “Credible Messenger” and “500,000.”¹²¹ The ledger also included

¹⁰⁹ Indictment at 9; Affidavit at 13.

¹¹⁰ Indictment at 9; Affidavit at 13.

¹¹¹ Indictment at 8-9 Affidavit at 13.

¹¹² Indictment at 9; Affidavit at 13.

¹¹³ Indictment at 9–10; Affidavit at 13-14.

¹¹⁴ Indictment at 10; Affidavit at 15.

¹¹⁵ Indictment at 10-11; Affidavit at 15.

¹¹⁶ Indictment at 11; Affidavit at 15-16.

¹¹⁷ Indictment at 11; Affidavit at 15-16.

¹¹⁸ Indictment at 11; Affidavit at 15-16.

¹¹⁹ Indictment at 11-12; Affidavit at 16.

¹²⁰ Indictment at 11-13; Affidavit at 16-17.

¹²¹ Indictment at 12; Affidavit at 16.

calculations of the 3% kickback to be paid to White.¹²² CHS 1 stated: “What I was thinking with you, is, if you are able to seal this up,” to which White responded: “Yea,” and CHS 1 continued: “I will give you 141[,000].”¹²³ White responded “Okay,” and CHS 1 explained “which is 3%.”¹²⁴

White and CHS 1 again discussed Government Employee 3 and the uncertainty about whether they would remain in their high-ranking position at ONSE.¹²⁵ White stated he planned to meet with Government Employee 3 the following day—stating about the meeting “I have been lining everything up”—and that “I am just going to tell [him/her] I don’t know how much I can be supportive if this don’t happen... I am just being real.”¹²⁶ White explained that he had scheduled the in-person meeting at ONSE so he could “get a feel for whose running what . . . because there’s people making decisions that may not have a high title.”¹²⁷ After discussing the ONSE meeting, White mentioned that he was going to meet with Government Employee 4, from DYRS.¹²⁸ White explained that he did not know Government Employee 4, but that he had been texting the employee and told them that he needed to meet with them that day.¹²⁹

White and CHS 1 returned to the ledger and CHS 1 asked if the calculations were “agreeable” to White.¹³⁰ He then offered to “meet [White] back in an hour” if he “need[ed] anything.”¹³¹ White accepted, saying he was “hurting,” and had “been hurting for a minute.”¹³² CHS 1 agreed to meet White an hour later to give him a cash payment.¹³³ Before ending the meeting, they discussed potential business opportunities in the mental healthcare space, where White estimated contracts had a value of \$15 to \$20 million, noting “[a]nd that shit federal . . . that shit ain’t never going nowhere . . . ever . . .” and “that shit a cash cow.”¹³⁴ White also suggested the housing sector could be another potentially lucrative sector because it works “around the clock, [] different than the DYRS shit.”¹³⁵

White and CHS 1 met again approximately an hour later, where CHS 1 provided White with another payment.¹³⁶ The Indictment included an image of White receiving an envelope “with

¹²² Indictment at 11–12; Affidavit at 16.

¹²³ Indictment at 12; Affidavit at 16–17.

¹²⁴ Indictment at 12; Affidavit at 16–17.

¹²⁵ Indictment at 13; Affidavit at 17–18.

¹²⁶ Indictment at 13; Affidavit at 17–18.

¹²⁷ Indictment at 13; Affidavit at 18.

¹²⁸ Indictment at 13–14; Affidavit at 18.

¹²⁹ Indictment at 14; Affidavit at 18.

¹³⁰ Indictment at 14; Affidavit at 19.

¹³¹ Indictment at 14; Affidavit at 19.

¹³² Indictment at 14; Affidavit at 19.

¹³³ Indictment at 15; Affidavit at 19.

¹³⁴ Indictment at 15; Affidavit at 20.

¹³⁵ Indictment at 15; Affidavit at 20.

¹³⁶ Indictment at 16, Affidavit at 20–21.

\$5,000 that White had requested.”¹³⁷ CHS 1 said, “that’s for, making sure you reach out to [Government Employee 3] and [Government Employee 4].”¹³⁸ White replied, “I am on top of all that . . . I can start making some shit happen.”¹³⁹ CHS 1 told White to let him know how much he needed in additional payments.¹⁴⁰

(3) Alleged Payment 3 – July 25, 2024

On July 19, 2024, White sent a text message to CHS 1, requesting an urgent meeting as he wanted to introduce CHS 1 to an individual in the mental healthcare space.¹⁴¹ White also wrote that he was meeting with two high-ranking government officials regarding CHS 1’s companies’ contracts.¹⁴² The Indictment included screenshots of these text messages between White and CHS 1.¹⁴³

On July 24, 2024, White texted CHS 1 again asking to meet to provide an update.¹⁴⁴ He asked CHS 1 to “bring 10.”¹⁴⁵ CHS 1 replied that he could give “5.” White replied: “Please do 10. I have to keep my word.”¹⁴⁶ The Indictment included screenshots of these text messages.

On July 25, 2024, CHS 1 and White again met in CHS 1’s car.¹⁴⁷ White informed CHS 1 that he had spoken with Government Employee 4 about renewing Company 2’s Credible Messenger contract with DYRS.¹⁴⁸ CHS 1 then produced the ledger with four contracts and White’s 3% cut, which the pair reviewed together.¹⁴⁹ The Indictment included an image of White in CHS 1’s car, reviewing the total amount of each contract and White’s 3% cut.¹⁵⁰

According to the Indictment, White then informed CHS 1 that he did not believe that Government Employee 3 would be appointed to a permanent role at ONSE.¹⁵¹ White told CHS

¹³⁷ Indictment at 16; Affidavit at 21.

¹³⁸ Indictment at 16; Affidavit at 21.

¹³⁹ Indictment at 16; Affidavit at 21.

¹⁴⁰ Indictment at 16; Affidavit at 21.

¹⁴¹ Indictment at 16; Affidavit at 21.

¹⁴² Indictment at 17-18; Affidavit at 22-23.

¹⁴³ Indictment at 17-18; Affidavit at 22-23 (“Okay. Later or tomorrow. This is urgent” and “Wanted to kill two birds with one stone after we meet me (sic) introduce you to [REDACTED] and get a feel if you want to go in that direction”).

¹⁴⁴ Indictment at 17; Affidavit at 22.

¹⁴⁵ Indictment at 19; Affidavit at 25.

¹⁴⁶ Indictment at 18; Affidavit at 24. The investigation did not find any evidence of Councilmember White transferring the funds in question to any other individual or entity.

¹⁴⁷ Indictment at 19; Affidavit at 25.

¹⁴⁸ Indictment at 19-20; Affidavit at 25-26.

¹⁴⁹ Indictment at 20; Affidavit at 27.

¹⁵⁰ Indictment at 21; Affidavit at 27.

¹⁵¹ Indictment at 22; Affidavit at 28.

1 that he informed Government Employee 3, “the only way I am gonna support you, if you support me. Because I have to sign off on [his/her] confirmation.”¹⁵² White then mentioned that he had “an inside person who [he was] working with” in ONSE.¹⁵³ CHS 1 handed White an envelope, which White accepted while confirming that he would “keep it going” while also starting to “think[] about other stuff.”¹⁵⁴ The Indictment included an image of White putting the envelope “containing the \$10,000 payment into his jacket pocket.”¹⁵⁵

(4) Alleged Payment 4 – August 8, 2024

On August 2, 2024, CHS 1 asked for an update on White’s progress securing contract renewals for his companies, to which White responded that he was working to secure a call that week.¹⁵⁶ The Indictment included screenshots of these text messages.¹⁵⁷

On August 8, 2024, CHS 1 texted White to set up a meeting for an update and asked whether White needed him to “bring anything.”¹⁵⁸ White replied, “Nothing is needed unless you’re feeling generous lol.”¹⁵⁹ CHS 1 replied he would be generous if his companies’ contracts with ONSE and DYRS were “on lock tomorrow” and later said “[i]f you knocked it out the park I got you.”¹⁶⁰ The following day, White responded: “Can you do half?” and CHS 1 agreed.¹⁶¹ The Indictment included screenshots of these text messages.¹⁶²

The pair met in CHS 1’s car later that morning.¹⁶³ The Indictment included an image of White in CHS 1’s car.¹⁶⁴ White mentioned talking to Government Employee 2, who White described as controlling ONSE, and Government Employee 3, regarding whom White said “I really told [him/her] that if [he/she] don’t support me and what I’m trying to do . . . I can’t support [his/her confirmation]”.¹⁶⁵ CHS 1 handed White an envelope with \$5,000 cash, stating, “I know you’ve been handling your business.” CHS 1 then confirmed a list of people with whom White

¹⁵² Indictment at 22; Affidavit at 28.

¹⁵³ Indictment at 22; Affidavit at 29.

¹⁵⁴ Indictment at 23; Affidavit at 30.

¹⁵⁵ Indictment at 23; Affidavit at 29.

¹⁵⁶ Indictment at 23-24; Affidavit at 25.

¹⁵⁷ Indictment at 24; Affidavit at 30 (“Definitely brother. Are we good to connect next week to discuss projects 1 and 2 or you need more time for updates brother”; “I’m here and working, just let me know” . . . “Yooooooo how we looking brother”; . . . “Waiting on one call. Heard it was this week. Pushing on Wednesday so I’m hoping it’s before Thursday”).

¹⁵⁸ Indictment at 24-25; Affidavit at 31.

¹⁵⁹ Indictment at 24-25; Affidavit at 31.

¹⁶⁰ Indictment at 24; Affidavit at 31.

¹⁶¹ Indictment at 25; Affidavit at 32.

¹⁶² Indictment at 25; Affidavit at 31.

¹⁶³ Indictment at 25; Affidavit at 32.

¹⁶⁴ Indictment at 26; Affidavit at 32.

¹⁶⁵ Indictment at 27; Affidavit at 33.

promised to meet. White then said, “Yeah man. I’m gonna do mines.”¹⁶⁶ The Indictment included an image of White holding an envelope.¹⁶⁷

Finally, CHS 1 and White discussed [REDACTED] contract for the Credible Messenger program. White said that he talked to Government Employee 4, “another lady . . . that got insight on what’s going on,” and the Director of DYRS.¹⁶⁸ White said he had been meeting with many people. CHS 1 told White to “keep moving,” then he and White discussed the timing of an additional payment before White left the car.¹⁶⁹

2. Councilmember White’s Interactions with DYRS and ONSÉ

The investigation identified evidence relating to CHS 1’s cash payments to Councilmember White and White’s efforts with respect to DYRS and ONSÉ that corroborate allegations in the Indictment. Most significantly, the investigation independently identified evidence that Councilmember White proactively sought, and conducted, meetings with DYRS and ONSÉ employees consistent with his agreement with CHS 1 and to engage with those agencies regarding contracts for the Credible Messenger and Violence Intervention Initiative programs discussed with CHS 1. These communications were consistent with White’s alleged representations to CHS 1 regarding his efforts to engage with DYRS and ONSÉ, as detailed in the Indictment.

The investigation found substantial evidence that Councilmember White engaged directly with multiple DYRS officials in the time between his meetings with CHS 1. On July 1, 2024—five days after the initial meeting detailed in the Indictment—White sent a text message to DYRS Official 1 regarding the link for submitting grant applications online.¹⁷⁰ Then, on July 9, White sent another message to DYRS Official 1, writing: “im getting a lot of calls about this grants. People think I work there! Lol who is the point person for this I can direct these questions to?”¹⁷¹ DYRS Official 1 provided White with the contact information for DYRS Official 2.¹⁷² DYRS Official 1 did not have other interactions with White about grants. [REDACTED] further denied White ever offering [REDACTED] anything of value, either in exchange for [REDACTED] work selecting Credible Messenger grantees or otherwise. Copies of text exchanges from this conversation show a phone number known to be used by Councilmember White.¹⁷³

¹⁶⁶ Indictment at 27; Affidavit at 34.

¹⁶⁷ Indictment at 28; Affidavit at 35.

¹⁶⁸ Indictment at 28-29; Affidavit at 26.

¹⁶⁹ Indictment at 29; Affidavit at 36.

¹⁷⁰ Exhibit 7, July 1, 2024 Text Message from White to DYRS Official 1.

¹⁷¹ Exhibit 8, July 9, 2024 Text Messages between White and DYRS Official 1..

¹⁷² *Id.*

¹⁷³ Councilmember White used this number on his Fair Elections Registration and Statements of Candidacy filed with the Office of Campaign Finance. See *Mr. Trayon A White / Trayon White 2024: Candidate Contact Information*, OFF. OF CAMPAIGN FIN., <https://fairelections.ocf.dc.gov/public/registrantDisclosureDetails/128> ; *Statement of Candidacy and of Organization, Trayon White; Re-Elect Trayon White 2024*, OFF. OF CAMPAIGN FIN., <https://efiling.ocf.dc.gov/Disclosure/FilingHistory/16324>. Interviewees also confirmed that this number was used by Councilmember White.

On July 10, 2024, Councilmember White also reached out to DYRS Official 2 directly via email.¹⁷⁴ White indicated he was writing regarding DYRS grants. DYRS Official 2 then directed White to DYRS Official 3. Like DYRS Official 1, DYRS Official 2 denied having any other interactions with White regarding grants.

Following his interaction with DYRS Official 2, Councilmember White was connected via email with DYRS Official 3 on July 10. White reached out to DYRS Official 3 multiple times over the course of July 15, 16, and 17, 2024, via both email and text message.¹⁷⁵ On both July 16, 2024, and July 17, 2024, White asked DYRS Official 3 to call him. White and DYRS Official 3 had a call lasting three minutes on July 17, 2024.¹⁷⁶ As set forth above, on the same day as this July 17 call with DYRS Official 3, White also met with CHS 1 and stated he had “been talking to [Government Employee 4] all week” and later that he had been texting the employee, telling the employee White needed to meet with him.¹⁷⁷

During the July 17 call with DYRS Official 3, White asked him whether he had heard from community members about the performance of Credible Messenger grantees, including Company 1. According to DYRS Official 3, he explained to Councilmember White that Company 1 was in good standing with DYRS and provided no further detail. From DYRS Official 3’s perspective, White’s call seemed like a routine inquiry into the Credible Messenger program, and he never heard from White again. DYRS Official 3 stated that White never offered him anything of value, either in exchange for his work selecting Credible Messenger grantees or otherwise.

The investigation further found substantial evidence that Councilmember White met with ONSE employees in person, consistent with White’s transcribed statements in the Indictment. White sent a text message to ONSE Official 1 on July 11, 2024, asking [REDACTED] to meet the following week. The investigation also obtained a July 11 text message sent by Councilmember White on a text thread with Staff Member 6 and ONSE Official 1, asking Staff Member 6: “can you find me a time to meet [ONSE Official 1] next week please at the ONSE office?”¹⁷⁸ The investigation also obtained Councilmember White’s calendar entries, which indicate a scheduled meeting with ONSE Official 1 at ONSE’s 3400 9th Street Northeast location [REDACTED].¹⁷⁹ Latham also obtained security footage taken from the ONSE office located at 3400 9th Street Northeast, which shows White arriving at the building [REDACTED]; he departed approximately one hour later. As set forth above, the Indictment alleges that, during the July 17 meeting between Councilmember White and CHS 1, Councilmember White stated he planned to meet with Government Employee 3 the following day. And also on July 17, CHS 1 handed White

¹⁷⁴ Exhibit 9, July 10-16, 2024 emails between White, DYRS Official 2, and DYRS Official 3.

¹⁷⁵ Exhibit 9, *supra* n.174; Exhibit 10, July 15-17, 2024 text messages between White and DYRS Official 3.

¹⁷⁶ Exhibit 11, July 17, 2024 DYRS Official 3 Call Log with White.

¹⁷⁷ Indictment at 11, 14; Affidavit at 15, 19.

¹⁷⁸ Exhibit 12, July 11 and 15, 2024 Text Messages between Staff Member 6 and ONSE Official 1, copying White.

¹⁷⁹ Exhibit 13, White [REDACTED] calendar entry.

an envelope with cash, stating “that’s for making sure you reach out to [Government Employee 3] and [Government Employee 4],” which White stated he was “on top of.”¹⁸⁰

During the [REDACTED] meeting with ONSE Official 1, White asked ONSE Official 1 various questions about ONSE initiatives, before moving onto questions about violence intervention. According to ONSE Official 1, White also specifically asked how Company 1 was performing in its duties to provide services in connection with ONSE’s Violence Intervention Initiative. ONSE Official 1 asked White why he was asking about Company 1, given the company serves Wards 1 and 4, and would serve Ward 8—the Ward White represents— only through “floating services.”¹⁸¹ This account during Latham’s interview with ONSE Official 1 is consistent with the Indictment’s account of Councilmember White’s statement to CHS 1 during their subsequent meeting on July 25, detailed above, in which he reported that he had by then met with Government Employee 3, who was “confused” by his questions; White also reported to CHS 1 that Government Employee 3 stated “is [Company 1] even in your ward.”¹⁸²

During [REDACTED] interviews with the investigation team, ONSE Official 1 denied having ever discussed violence intervention efforts with White before that meeting, and [REDACTED] denied White pressured [REDACTED] to work to extend grants to any organization. [REDACTED] further stated White never offered [REDACTED] anything of value, either in exchange for [REDACTED] work selecting grantees or otherwise. Notably, the Indictment provides a transcript showing that, in reporting to CHS 1 on July 25 that he had met with Government Employee 3, Councilmember White stated he “wasn’t able to talk to [Government Employee 3] as direct as I need to be because there was another person in the room.”¹⁸³ Consistent with that account, ONSE Official 1 reported that ONSE official 2 also attended the [REDACTED] meeting with Councilmember White. During interviews with ONSE Official 2, [REDACTED] also confirmed [REDACTED] was present in the meeting.

Notably, although Councilmember White had served as Chair of the Council’s Committee on Recreation, Libraries & Youth Affairs—which had oversight responsibility for DYRS—the DYRS (and ONSE) officials interviewed as part of this investigation did not recall having similar conversations with Councilmember White regarding violence intervention programs or contracts prior to the July 2024 exchanges detailed above.

Over the course of our investigation, we also met with nine members of Councilmember White’s staff and asked about their awareness or involvement with any of the events above, or any direct engagements they had with DYRS or ONSE. While some reported engaging with DYRS or ONSE as part of their normal job responsibilities, none reported engaging directly with either DYRS or ONSE regarding particular grants or grantees at the direction of Councilmember White.

¹⁸⁰ Indictment at 13; Affidavit at 17-18.

¹⁸¹ *See supra* n.100.

¹⁸² Indictment at 21-22; Affidavit at 28.

¹⁸³ Indictment at 21; Affidavit at 28.

D. Conclusion Regarding Bribery Allegations

Based on the facts gathered and considered during the investigation, the investigation finds that there is substantial evidence that Councilmember White violated Council Rules and several provisions of the Code of Official Conduct. Specifically, substantial evidence supports the conclusion that Councilmember White:

- Accepted \$35,000 in cash from CHS 1;
- Knew at the time of accepting these cash payments that CHS 1 operated several businesses holding or seeking contracts/grants with the District of Columbia, or that he had received subcontracts/subgrants from businesses who contracted with the District of Columbia;
- Accepted those cash payments in exchange for agreeing to meet with and influence various government officials to ensure the contracts of CHS 1's organizations—Company 1 and Company 2—would be renewed;
- Reviewed a ledger with CHS 1 that outlined profits he expected to receive for his continued work, including a 3% cut for grant renewals he helped secure;
- Confirmed he had contacted Government Employees 2, 3, and 4, and at least two other DYRS employees to discuss contract renewal, and stated he discussed contracts over which CHS 1 had a direct interest;
- Did, in fact, meet with DYRS and ONSE officials within days of his multiple meetings with CHS 1 in July 2024 and his assertions to CHS 1 that he had held such meetings; and
- Did, in fact, discuss with those DYRS and ONSE officials matters over which CHS 1 had a direct interest.

The substantial evidence supporting these findings includes not only the Indictment returned against Councilmember White in *United States v. White*, but also other testimonial and documentary evidence. The Indictment itself establishes the grand jury had probable cause to believe that Councilmember White engaged in conduct violating 18 U.S.C. § 201(b)(2). *See Miles v. United States*, 483 A.2d 649, 653 (D.C. 1984) (establishing that the legal standard for issuing an indictment is probable cause); *see also United States v. Bethea*, 763 F. Supp. 2d 50, 52 (D.D.C. 2011) (citing grand jury indictment, “fair upon its face,” as evidence of probable cause that charged acts occurred). Importantly, whereas probable cause exists where the evidence is sufficient to warrant a reasonable belief that an offense has been or is being committed, *Brinegar v. United States*, 338 U.S. 160 (1949), substantial evidence requires sufficient evidence “as a reasonable mind might accept as adequate to support a conclusion.” *Charmed, LLC v. D.C. Dep’t of Health*, 263 A.3d 1028, 1033 (D.C. 2021) (quoting *Smallwood v. D.C. Metro. Police Dep’t*, 956 A.2d 705, 707 (D.C. 2008) (internal quotations omitted)). As the Report notes below, however, the indictment could—standing alone—constitute substantial evidence that Councilmember White engaged in conduct that violated the D.C. Code of Conduct or Council Rules in certain respects.

And courts have recognized that a grand jury indictment may provide a sufficient basis, on its own, to support actions requiring a higher standard than the probable cause standard required for an indictment. *See, e.g., District of Columbia v. Green*, 687 A.2d 220 (D.C. 1996) (holding that the arrest of an officer upon a warrant, together with consideration by police officials of the investigative documents underlying the warrant, provided enough cause for suspension requiring meeting the preponderance of the evidence standard); *D.C. Metro. Police Dep't v. Broadus*, 560 A.2d 501, 502 (D.C. 1989) (holding that the filing of an indictment against a police officer constituted sufficient evidence to establish cause for an adverse employment action requiring meeting the preponderance of the evidence standard).

Nonetheless, the findings set forth herein are based on the totality of the evidence. First, beyond the charges themselves, the criminal case against Councilmember White sets forth additional evidence, including within an affidavit from a Special Agent of the Federal Bureau of Investigation detailing the alleged conduct. This evidence includes images of Councilmember White with CHS 1 on the dates in question; images of Councilmember White accepting envelopes of cash from CHS 1; and transcripts of text messages and audio recordings made of their conversation detailing that the cash payments were made for impermissible purposes, namely to secure Councilmember White's assistance in official matters involving the D.C. government. Moreover, separate from the criminal case, our investigation has uncovered substantial evidence that Councilmember White proactively contacted both DYRS and ONSE officials within days of his meetings with CHS 1. Our investigation further found that, during those conversations, Councilmember White explicitly inquired regarding grant awards and the status of CHS 1's organizations specifically.

Based on the investigation's consideration of the totality of the evidence, the investigation has concluded that substantial evidence supports the conclusion that Councilmember White engaged in conduct in violation of the D.C. Code of Conduct and Council Rules:

First, substantial evidence supports the conclusion that Councilmember White violated the requirements of Section 1-618.01(a) of the D.C. Code (which is incorporated into the D.C. Code of Conduct through the Ethics Act) and D.C. Council Rule 202. Specifically, substantial evidence exists to conclude that Councilmember White violated the requirement of maintaining "a high level of ethical conduct in connection with the performance of his official duties," and similarly violated the requirement to "refrain from taking, ordering, or participating in any official action which would adversely affect the confidence of the public in the integrity of the District government."¹⁸⁴ Substantial evidence also exists to conclude that Councilmember White violated the requirement in the Council Rules that "Councilmembers and staff shall strive to act solely in the public interest and not for any direct and tangible personal gain."¹⁸⁵

While the investigation's conclusions with respect to these provisions are based on the totality of the evidence considered, the investigation also finds that the substantial evidence of Councilmember White accepting cash payments from CHS 1 would alone be sufficient—without regard to subsequent efforts made by Councilmember White—to support a violation of these

¹⁸⁴ D.C. Code § 1-618.01(a).

¹⁸⁵ Council Rule 202(a).

provisions. Further, while the investigation considered the totality of evidence, the Indictment alone would also provide substantial evidence that White violated these requirements. *Cf. Brown v. Dep't of Justice*, 715 F.2d 662, 668 (D.C. Cir. 1983) (finding that a grand jury indictment against an employee, though based on probable cause, provided a sufficient basis for determining that an employee's suspension was supported by substantial evidence, because the suspension was based on "the fact of indictment itself").

Second, substantial evidence supports the conclusion that Councilmember White violated Rule I of the Code of Official Conduct. Specifically, substantial evidence exists to conclude that Councilmember White both used his "official position or title," and did "personally and substantially participate" in an "application, request for a ruling or other determination, contract ... or other particular matter, or attempt to influence the outcome of a particular matter," namely the DYRS and ONSE grants to CHS 1's organizations.¹⁸⁶ Councilmember White personally met with CHS 1 and accepted cash payments in exchange for agreeing to assist CHS 1's contracts with the District, and, during the same time, did personally reach out to DYRS and ONSE officials to discuss matters affecting CHS 1's interests, namely DYRS and ONSE contracts. Further, substantial evidence exists to conclude that Councilmember White engaged in this conduct in a manner he knew was "likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee."¹⁸⁷

Third, substantial evidence supports the conclusion that Councilmember White violated Rule II of the Code of Official Conduct, which relates to outside employment or private activity, as well as restrictions on representing parties before regulatory agencies of the District.¹⁸⁸ The investigation has not resolved the question of whether Councilmember White's conduct constitutes the kind of private activity covered by Rule II(a), which prohibits outside employment or private activities that conflict or appear to conflict with the "fair, impartial, and objective performance of the employee's official duties and responsibilities or with the efficient operation of the Council."¹⁸⁹ Nonetheless, substantial evidence supports the conclusion that Councilmember White violated Rule II(c)'s restrictions on representation, including that Councilmembers shall not "represent another person before any regulatory agency or court of the District of Columbia in a matter in which the District of Columbia is a party or has a direct and substantial interest."¹⁹⁰ Substantial evidence suggests that Councilmember White sought and conducted engagements with DYRS and ONSE officials for the purpose of furthering CHS 1's interests.

Fourth, substantial evidence supports the conclusion that Councilmember White violated Rule III(a) of the Code of Official Conduct by accepting a gift from a prohibited source. Specifically, substantial evidence exists to conclude that Councilmember White accepted cash payments from CHS 1, which meet the Rule's definition of a gift. Further, substantial evidence supports that CHS 1 was a "prohibited source" at the time of the gift—and that Councilmember

¹⁸⁶ Code of Official Conduct Rule I(a) (emphasis added).

¹⁸⁷ *Id.*

¹⁸⁸ Code of Official Conduct Rule II.

¹⁸⁹ Code of Official Conduct Rule II(a)(1).

¹⁹⁰ Code of Official Conduct Rule II(c)(1)(B).

White knew so. At the times CHS 1 made cash gifts to Councilmember White, CHS 1 had or was seeking “to obtain contractual or other business or financial relations with the District government,” which renders him a prohibited source under Rule III(g)(2)(A); CHS 1 was also a person who “conducts operations or activities that are subject to regulation by the District government,” which renders him a prohibited source under Rule III(g)(2)(B). Given that, at the time of the cash payments from CHS 1 to Councilmember White, Councilmember White chaired the Committee on Recreation, Libraries & Youth Affairs with oversight authority of DYRS, CHS 1 also had “an interest that may be favorably affected by the performance or non-performance of the employee’s official responsibilities,” which would also render CHS 1 a prohibited source under Rule III(g)(2)(C).

While the investigation’s conclusions with respect to Rule III(a) are based on the totality of the evidence considered, the investigation also finds that the substantial evidence of Councilmember White accepting cash payments from CHS 1 would alone be sufficient to support a violation of these provisions, irrespective of the fact that Councilmember White also engaged in subsequent efforts on behalf of CHS 1. The cash payments constituted gifts from a prohibited source, which alone violates Rule III(a); absent exceptions set forth in Rules III(c) and IV(c) not applicable here, accepting gifts from a prohibited source is sufficient to constitute a violation of the rule, regardless of whether such gifts were made for the purpose of obtaining something in return.

Fifth, the investigation also found substantial evidence of a violation of Rule III(e), as Councilmember White accepted a thing “of value personally” in return for either (a) “any official act performed or to be performed by the employee,” (b) “being influenced in the performance of any official act,” (c) colluding or allowing fraud on the District of Columbia, or (d) being induced to an act in violation of Councilmember White’s official duty.¹⁹¹ Acceptance of cash payments for any of these purposes would alone constitute a violation of Rule III(e); substantial evidence supports that these payments implicated all of these prohibited purposes.

Sixth, the investigation found substantial evidence that Councilmember White violated Rule VI, which prohibits employees from knowingly using the prestige of office or public position for that employee’s private gain or that of another.¹⁹² As discussed above, substantial evidence exists to conclude that Councilmember White used his position to secure meetings with DYRS and ONSE employees, including high-ranking officials of those agencies, in order to fulfill his promises to CHS 1 in exchange for receiving cash gifts.

The investigation also considered two other potential violations. First, the investigation considered but did not ultimately reach a conclusion regarding whether Councilmember White violated Section 2-354.16 of the D.C. Code, which is included in the D.C. Code of Conduct and which prohibits the solicitation of contingent fees. This Section provides in relevant part that an employee shall not “offer to solicit or secure . . . a contract for which the employee is paid or is to be paid any fee or other consideration contingent on the making of the contract between the

¹⁹¹ Code of Official Conduct Rule III(e)(2).

¹⁹² Code of Official Conduct Rule VI(b)(1).

employee and any other person.”¹⁹³ As set forth above, the investigation identified substantial evidence that Councilmember White and CHS 1 agreed to a 3% kickback of each grant’s value in exchange for White’s efforts, which amounts to a contingent fee. But there are questions surrounding whether this agreement satisfied the other elements of the statutory prohibition; namely, whether the agreement was for contracts made directly “between the employee” and CHS 1 or his companies, as the statutory language seems to envision.¹⁹⁴ In light of the investigation’s conclusions regarding other violations and the lack of existing authority regarding this statutory provision, the investigation did not resolve these questions.

Finally, the investigation also considered whether Councilmember White violated D.C. Code § 22–2405, which provides that a person commits the offense of “making false statements if that person wilfully makes a false statement that is in fact material, in writing, directly or indirectly, to any instrumentality of the District of Columbia government, under circumstances in which the statement could reasonably be expected to be relied upon as true.”¹⁹⁵ As noted above, all councilmembers must file annual financial disclosure statements with BEGA, which involve the kind of written affirmation that could violate Section 22-2405 if Councilmember White knew “the facts stated in the filing are not true in any material respect.”¹⁹⁶

The investigation found substantial evidence that Councilmember White engaged in conduct that must be disclosed on the annual financial disclosure statement. The financial disclosure statement requires a filer to state whether they have received any gifts “from any person that has or is seeking to do business with the District, conducts operations or activities that are regulated by the district, or has an interest that may be favorably affected by the performance or nonperformance” of the filer’s official duties in the previous calendar year.¹⁹⁷ The disclosure statement also requires a filer to confirm they have complied with their “duty to report known illegal activity, including attempted bribes,” have not been offered or accepted bribes, and have “not received or been given anything of value . . . based on any understanding that [their] official actions or judgment or vote would be influenced.”¹⁹⁸ The investigation identified substantial evidence that Councilmember White’s conduct implicates each of these disclosure requirements, and the failure to disclose could constitute making a false statement in violation of D.C. Code § 22–2405. Nonetheless, because disclosure forms are filed for the previous calendar year by May 15, Councilmember White has not yet filed a financial disclosure covering June, July, or August 2024.¹⁹⁹ As a result, the investigation did not find substantial evidence that Councilmember White violated Section 22–2405.

V. RESIDENCY ALLEGATIONS

¹⁹³ D.C. Code § 2-354.16.

¹⁹⁴ *See id.*

¹⁹⁵ D.C. Code § 22–2405(a).

¹⁹⁶ *Id.*

¹⁹⁷ *See* Exhibit 6, *supra* n.50; *see also* D.C. Code § 1-1162.24(a)(1)(E).

¹⁹⁸ *See* Exhibit 6, *supra* n.50; *see also* D.C. Official Code § 1-1162.24(a)(1)(G).

¹⁹⁹ D.C. Official Code § 1-1162.25.

Through the adoption of D.C. Council Resolution 25-634, the D.C. Council also directed the Ad Hoc Committee to consider whether “Councilmember Trayon White violated the law by residing in a ward other than Ward 8.”²⁰⁰

A. Relevant Laws and Regulations Regarding Residency

The District of Columbia Home Rule Act (“Home Rule Act”), enacted by Congress in 1973, delegated certain congressional powers relating to the District of Columbia to local government. The Home Rule Act, last amended in December 2013, established the Council of the District of Columbia, which is comprised of 13 members.²⁰¹ The Chairman of the Council and four other members are elected at large, while the remaining eight members are elected one each from the eight election wards established under the District of Columbia Election Act.²⁰² Councilmembers who are elected to represent a particular ward of the District are required to reside in the ward from which they are nominated. Specifically, the Home Rule Act provides in relevant part that “[n]o person shall hold the office of member of the Council . . . unless he . . . is domiciled in the District and if he is nominated for election from a particular ward, resides in the ward from which he is nominated.”²⁰³

While the Home Rule Act requires that such Councilmembers reside in the wards they represent, it does not provide a definition of residency. At the outset though, it bears noting that the Home Rule Act uses the term “resides” with respect to the ward-level requirement at issue here, as opposed to the term “is domiciled” with respect to the District-level requirement. While courts have not directly addressed this distinction made in the Home Rule Act, in other contexts, such as with respect to taxation, the D.C. Court of Appeals has noted that “residency requires far less than domicile” and “even though some of the same underlying facts are considered for residency as for domicile . . . a person may simultaneously be a resident of multiple places, but may only be legally domiciled in one.” *Bartholomew v. D.C. Off. of Tax & Revenue*, 78 A.3d 309, 321 (D.C. 2013) (internal quotations omitted) (internal citations omitted).

Courts have analyzed this provision of the Home Rule Act just once.²⁰⁴ In that case—which involved the question of whether former D.C. Mayor and Councilmember Marion Barry met the Home Rule Act’s requirement of residing in the District for one year before election despite

²⁰⁰ D.C. Council Resolution 25-634, *supra* n.10.

²⁰¹ D.C. Code § 1-204.01(b)(1).

²⁰² *Id.*

²⁰³ Code of the District of Columbia § 1-204.02.

²⁰⁴ In *Williams-Godfrey v. D.C. Bd. of Elections & Ethics*, 570 A.2d 737 (D.C. 1990), the D.C. Court of Appeals considered a similar statutory provision requiring residency in a particular district to be elected to a D.C. Advisory Neighborhood Commission. Although the D.C. Board of Elections had deemed the candidate’s “nomadic” lifestyle to be inconsistent with this requirement, the court expressed concern over this restrictive approach and remanded to the Board of Elections for further consideration.

having been in prison outside of the District²⁰⁵—the D.C. Court of Appeals explained that, “in a general sense, a residence must be a fixed and permanent abode or dwelling place for the time being and not a mere ‘temporary locality of existence.’ It does not have to be permanent in the strict sense of the word since permanency of abode cannot be known without the gift of prophecy; but it must be more than a place of mere sojourning or transient visiting.” *Lawrence v. Bd. of Elections Ethics*, 611 A.2d 529, 532 (D.C. 1992) (internal citations omitted).

More broadly, in finding Mr. Barry met the residency requirement, the Court in *Lawrence* emphasized the importance of defining residency “according to the context in which it is found.” *Id.* at 533. In the elections context, the Court noted that it was “mindful of the fact that any decision in this area affects not only the prospective candidate but also the voters as a whole, since a meaningful part of the right to vote is to vote for a candidate of one’s choice.” *Id.* at 532. Accordingly, “construction of the statute in favor of the franchise is the course that we must follow since there is no compelling reason to do otherwise,” and this “suggest[s] that qualifications for candidacy be interpreted in an inclusive spirit.” *Id.* (internal citations omitted). Other District rules and regulations establish District residency requirements for different purposes—though these other provisions require residency in the District, not in a particular ward of the District. Nonetheless, how these other rules and regulations determine whether a person is a resident of the District helps inform the question of whether a Councilmember has met the requirement of residing in the ward they represent.

The District of Columbia tax code, for example, uses a bright-line test for District residency, defining a “resident” as “an individual domiciled in the District at any time during the taxable year, and every other individual who maintains a place of abode within the District for an aggregate of 183 days or more during the taxable year.”²⁰⁶ As noted above, in the tax context “residency requires far less than domicile” and “even though some of the same underlying facts are considered for residency as for domicile,” to establish residency in a place “does not require ‘an intent to make a fixed and permanent home’ as a person may simultaneously be a resident of multiple places, but may only be legally domiciled in one.” *Bartholomew*, 78 A.3d at 321.

Other parts of the D.C. Code apply more flexible standards for residency. For example, for purposes of eligibility for certain D.C. benefits, such as Temporary Assistance for Needy Families (“TANF”) or Emergency Shelter Family Services, a “resident of the District of Columbia is one who is living in the District of Columbia voluntarily and not for a temporary purpose; that is, one with no intention of presently removing himself or herself therefrom Temporary absence from the District, with subsequent returns to the District, or intent to return when the purposes of the absence have been accomplished, shall not interrupt continuity of residence.”²⁰⁷

²⁰⁵ Although the provision of the Home Rule Act at issue in *Lawrence* requires *both* that a candidate “has resided and been domiciled in the District for one year” immediately preceding election, only Barry’s residency was at issue. While the test for being domiciled is generally stricter, the plaintiff conceded that Barry was domiciled in the District and that this status was not disturbed by Barry’s prison term out of the District, as that did not establish a new legal domicile.

²⁰⁶ D.C. Code § 47–1801.04(42).

²⁰⁷ D.C. Code § 4-205.03.

The Electronic District Personnel Manual (“EDPM”) details a process for determining residency for District jobs with a residency preference or requirement.²⁰⁸ In relevant part, the EDPM provides that residency shall be verified by reviewing identification issued by the Department of Motor Vehicles (“DMV”) and by verifying that the appointee has elected the District for purposes of income tax withholding.²⁰⁹ If an appointee does not have a DMV-issued identification card, the appointee may provide substitute documentation, such as a voter registration card, certified deed or current lease for real property, evidence of mortgage payments, or a sworn affidavit.²¹⁰

In sum, while the Home Rule Act itself does not provide a precise definition of residency, other legal authorities provide helpful context regarding the purpose of the requirement and the requirement’s scope.

B. Factual Findings and Analysis

Councilmember White was initially elected to the D.C. Council in 2016 and has served continuously as a representative of Ward 8 since January 2, 2017.

Consistent with the Home Rule Act’s residency requirement, Councilmember White’s statements of candidacy for the 2024 election identify his address as a location in Ward 8: 16 Atlantic Street SE, Washington D.C., 20032.²¹¹ Councilmember White’s statements of candidacy for earlier elections similarly identify his address as within Ward 8, but they list a different address in Ward 8.²¹²

On August 18, 2024, the Federal Bureau of Investigation arrested Councilmember White in a high-rise apartment building in the Navy Yard neighborhood—a location that sits within Ward 6.²¹³ Specifically, White was arrested at a building referred to as “10K Hill South,” an apartment building managed by Related Management Company, L.P., which is located at 10 K Street SE, Washington, D.C. 20003.²¹⁴

²⁰⁸ See D.C. Electronic District Personnel Manual, GOV’T OF D.C., <https://edpm.dc.gov/>.

²⁰⁹ *Id.* § 303.3.

²¹⁰ *Id.* § 303.4.

²¹¹ *2024 Statement of Candidacy and of Organization*, *supra* n.173.

²¹² *Statement of Candidacy and of Organization: Trayon White; Trayon White for Ward 8 2016*, OFF. CAMPAIGN FIN., <https://efiling.ocf.dc.gov/Disclosure/FilingHistory/3795>.

²¹³ Emily Davies et al., *FBI Arrests D.C. Council Member Trayon White*, WASH. POST, (Aug. 18, 2024), <https://www.washingtonpost.com/dc-md-va/2024/08/18/trayon-white-dc-arrested-fbi/>; see Indictment at 7, 10 (describing the apartment as the apartment building where White “was living”); Affidavit at 10, 14 (describing the apartment as “the apartment building where WHITE was living in Washington, D.C.” and “the same apartment building as their prior meeting”).

²¹⁴ [REDACTED]

Below, this Report sets forth the evidence obtained during the investigation relating to Councilmember White's presence at both his purported home address in Ward 8 and the 10K Hill South building in Ward 6. In sum, although the Investigation identified evidence suggesting that Councilmember White spent significant time at the apartment in Ward 6, it also identified significant evidence that White owns a property in Ward 8 and treats that property as his residence in multiple respects.

1. Councilmember White's Connections to Ward 8

At the time of Councilmember White's election to the D.C. Council as a Ward 8 representative, White's Office of Campaign Finance Disclosures listed his address as 1109 Wahler Place SE, Washington, D.C. 20032, which is consistent with public records, including a deed recorded on August 24, 2010,²¹⁵ and an October 11, 2011 Deed of Trust listing Councilmember White as the owner of this property.²¹⁶ According to a deed recorded on May 17, 2021, Councilmember White sold the 1109 Wahler Place residence in April 2021.²¹⁷

In July 2020, Councilmember White purchased 16 Atlantic Street, also located in the bounds of Ward 8. The investigation identified the following documents establishing White's ownership of the Atlantic Street residence:

- July 10, 2020 Purchase Money Deed of Trust;²¹⁸
- July 10, 2020 Real Property deed between Rainman Capital LLC and Councilmember White;²¹⁹
- February 25, 2022 Subordinate Deed of Trust;²²⁰
- February 6, 2023 publicly available water sewer lien, which identifies Trayon White as the account holder and sets a lien for past due service charges at the property;²²¹ and
- December 18, 2023 Subordinate Mortgage document.²²²

In addition to these materials, Latham reviewed public tax records maintained by the D.C. Office of Tax and Revenue. These records show that Councilmember White has remained the sole owner of the property and is current on owed property taxes. These records also show that

²¹⁵ Exhibit 14, August 24, 2010, Deed of Trust.

²¹⁶ Exhibit 15, October 11, 2011, Deed of Trust.

²¹⁷ Exhibit 16, April 29, 2021, Deed of Trust.

²¹⁸ Exhibit 17, July 10, 2020, Purchase Money Deed of Trust (recorded July 14, 2020).

²¹⁹ Exhibit 18, July 14, 2020, Real Property Deed.

²²⁰ Exhibit 19, February 25, 2022, Subordinate Deed of Trust.

²²¹ Exhibit 20, February 2023, D.C. Water Sewer lien.

²²² Exhibit 21, Subordinate Mortgage.

Councilmember White has applied for, and benefited from, the Homestead deduction, which reduces the real property's assessed value by \$87,050 each year. Notably, to qualify for the deduction, the property "must be occupied by the owner/applicant" and "must be the principal residence (domicile) of the owner/applicant."²²³

Councilmember White also holds out the 16 Atlantic Street SE address as his residence and has consistently represented in official documents that he resides there. As noted, Councilmember White has listed that address in his Office of Campaign Finance disclosures—both his personal and campaign committee disclosures—as well as in his Fair Elections Registration.²²⁴ Further, the investigation identified email correspondence from Councilmember White's staff's official accounts showing the consistent use of White's 16 Atlantic Street SE address in the normal course. By contrast, the investigation did not find any representations in which Councilmember White identified a different address as his residence. And despite searching all emails sent or received by Councilmember White for a period of more than five years, and all emails sent or received by White's staff for a period of almost two years—and conducting a targeted review of approximately 7,600 emails following searches for terms related to or associated with the 10K Hill South property—the investigation did not find any instances in which Councilmember White identified that property as his residence.

The investigation also did not find any evidence that Councilmember White leases the property at 16 Atlantic Street SE to others. Staff members stated they believed the current residents are Councilmember White and his family. Our searches for records of the address did not uncover any current or historical rental documents. Additionally, our searches on both short- and long-term rental websites did not produce any relevant results for 16 Atlantic Street SE.

In addition to the public records indicating White owns and maintains the property at 16 Atlantic Street SE and treats that property as his residence, interviews with Councilmember White's current and former staff also support his connection to the property.

For example, Staff Member 2 stated that she has visited White at 16 Atlantic Street "too many times to count," including within the last year. She further stated that her child is friends with Councilmember White's child and has spent the night at the home many times, where she said White lives with his family. Staff Member 2 also stated that Councilmember White had discussed his neighbors several times, including that he described a crime at a building across the street and his interactions with the owners of a tire shop on the block regarding how they were maintaining their yard.²²⁵

²²³ *Homestead/Senior Citizen Deduction*, OFF. TAX & REVENUE (effective Oct. 1, 2021), <https://otr.cfo.dc.gov/page/homesteadsenior-citizen-deduction>.

²²⁴ *Report of Receipts and Expenditures for Candidates, Principle Campaign or Political Committees, Political Action Committees, Independent Expenditure Committees: Re-Elect Trayon White 2024*, OFF. CAMPAIGN FIN. (Oct. 29, 2024) https://wjla.com/resources/pdf/95e5febc-2e31-48ab-b1ad-130cd42861e4-TrayonWhite_2024PreGeneralElectionReport.pdf; *Mr. Trayon A White / Trayon White 2024: Candidate Contact Information*, OFF. CAMPAIGN FIN., <https://fairelections.ocf.dc.gov/public/registrantDisclosureDetails/128>.

²²⁵ Smitty's Used Tires, sometimes advertised as Freddy's Used Tires, is located at 13 Mississippi Avenue SE. The rear of the property includes a yard that is adjacent to Atlantic Street and that adjoins the property at 16 Atlantic Street.

Other individuals interviewed also confirmed White’s connection to the property. Staff Member 4 stated she lives less than one mile from 16 Atlantic Street SE and reported seeing White at the residence and his vehicle parked outside. She also reported visiting White on the porch of the property, and that she knows the woman who lives across the street from the property who watches Councilmember White’s daughter. Similarly, Staff Member 1 stated that she lives about two blocks away from 16 Atlantic Street SE and reported that she has visited that home several times and often sees White’s car parked outside of it. In addition, Staff Member 5 stated with certainty that White lived on Atlantic Street SE, citing the fact that he has seen Councilmember White entering the house with his daughter. He also recalled delivering documents to White at this address more than once. For instance, he first delivered to Councilmember White a letter about a funeral, and he reported that Staff Member 1 provided him with the Atlantic Street address for delivery. Finally, Staff Member 6 stated that she too delivered items to White at the Atlantic Street address, and ordered deliveries to be sent there from Amazon at the Councilmember’s request. The investigation also obtained a screenshot of a receipt for an October 3, 2024 Amazon delivery made to 16 Atlantic Street SE, directed to Councilmember White.²²⁶

These accounts, all of which the investigation found to be credible, collectively provide substantial evidence of White’s ongoing presence at this location.

2. Councilmember White’s Connections to Ward 6

The investigation identified both documentary and testimonial evidence establishing Councilmember White’s connections to Ward 6, including that he was listed as an occupant of the 10K Hill South apartment building in Ward 6 since July 2022.

The investigation obtained from Related Management Company, L.P. a “Residential Application” completed by Councilmember White on July 18, 2022.²²⁷ Substantial evidence supports that this application was completed by Councilmember White directly. The application lists the applicant’s full name as “Trayon Antonio White Sr.,” lists Councilmember White’s actual date of birth, and lists the applicant’s address as 16 Atlantic Street SE—the same address listed on Councilmember White’s statement of candidacy for the D.C. City Council Ward 8 seat. The application also states that the applicant’s profession is “DC Councilmember,” identifies his employer as “DC Government,” and lists the employer’s address as “1350 Pennsylvania Ave,” which is the location of Councilmember White’s Council office. The application also provides a phone number that matches a phone number witnesses have confirmed belongs to Councilmember White. Finally, the signature on the application appears to match Councilmember White’s signature on official D.C. Council documents. The application identifies the “desired apartment” as [REDACTED] a one-bedroom, one-bathroom penthouse unit within the 10K Hill South apartment building. Further, the acting manager of the 10K Hill South building confirmed that this application “was intended for him to be added as an occupant” to [REDACTED]

The evidence also shows that on August 2, 2022—15 days after the July 18, 2022 rental application by Councilmember White—Councilmember White signed a “Lease Amendment”

²²⁶ Exhibit 22, Screenshot of Amazon mobile application showing October 3, 2024 delivery to Councilmember White at 16 Atlantic Street SE.

²²⁷ Exhibit 23, July 18, 2022, White 10K Hill South Residential Application.

adding him as an occupant to ██████²²⁸ The Lease Amendment states that the “Parties to the Lease and this Amendment hereby agree that the following Incoming Occupant(s) is/are ADDED to the Lease as an Occupant and not as a Tenant, (“Incoming Occupant(s)”: Trayon White, Occupant #1.” The Amendment further stated that White was “added to the Lease, and shall have the right to possession and quiet enjoyment of the Premises for the term of the Lease and any renewal term(s).” The Amendment was signed by the 10K Hill South Tenant, as well as an agent of the building owner. Councilmember White’s signature on the Amendment, dated August 2, 2022, appears to match both the July 18, 2022 rental application signature and Councilmember White’s signature on official D.C. Council documents.

In addition to these materials, the investigation obtained a copy of the original lease for ██████ which is dated November 16, 2021.²²⁹ The lease was executed by the 10K Hill South Tenant identified on the August 2022 Lease Amendment for ██████ adding Councilmember White as an occupant.²³⁰ Councilmember White is not named as an occupant on the original lease, nor did the investigation identify any other evidence linking Councilmember White to 10K Hill South prior to his rental application in July 2022.

The investigation also identified substantial evidence that Councilmember White was present at ██████ and regularly made use of the facilities at the 10K Hill South building. The investigation obtained a series of shift notes and incident reports made by building staff at 10K Hill South that evidence Councilmember White’s interactions with staff.²³¹ For example:

- Shift notes recorded and circulated by 10K Hill South building staff on December 28, 2023 state that Councilmember White “called to reserve the bowling alley.”
- Shift notes recorded and circulated by 10K Hill South building staff on January 8, 2024 state: “██████ Trayon locked out had to use hard key to let him in.”
- Shift notes recorded and circulated by 10K Hill South building staff on May 9, 2024 state that Councilmember White called to request that staff let a guest up to ██████ when the guest arrived.

These records span the period from December 28, 2023 to June 25, 2024.

In addition to these incident reports, the investigation also obtained records of maintenance requests for ██████ including requests made directly by Councilmember White. One record documents a July 31, 2023 work order regarding the ██████ air conditioning unit, with “Trayon

²²⁸ Exhibit 24, August 2, 2022, 10K Hill South ██████ Lease Amendment for Addition of Occupant.

²²⁹ Exhibit 25, November 16, 2021, 10K Hill South ██████ Lease Agreement.

²³⁰ While the original lease and the lease amendment spell the 10K Hill South Tenant’s last name differently, substantial evidence suggests this is the same individual.

²³¹ Exhibit 26, 10K Hill South Incident Reports, and Exhibit 27, 10K Hill South Shift Notes.

White” listed as the caller. Another record documents a similar request made a year later, on August 5, 2024, similarly showing “Trayon White” as the caller.²³²

Further, substantial evidence shows that Councilmember White requested to have his name removed from the lease for [REDACTED] on September 6, 2024—two weeks after the Ad Hoc Committee was established to consider allegations of residency violations against Councilmember White. Specifically, the 10K Hill acting general manager reported that, on or around that date, both Councilmember White and the 10K Hill South Tenant made a request to the leasing agent to remove Councilmember White’s name from being a listed occupant and have his key fob deactivated.

The investigation also obtained key fob records associated with [REDACTED] for the period of January 1, 2024 to December 6, 2024. Those records show three keys associated with [REDACTED]. Although the records do not indicate the individuals to whom each key was assigned, one of the keys—the key coded “Unit [REDACTED] #2”—was last successfully used to unlock the [REDACTED] apartment on August 17, 2024—the day before Councilmember White’s arrest. There was also an attempt to use this key on September 30, 2024, but records show an entry stating “Access denied: key cancelled”; this September 30 attempt to use the key was made several weeks after the request to remove Councilmember White as an occupant and deactivate his key fob, noted above. This same key was successfully used to open [REDACTED] 181 times between January 1, 2024 and December 6, 2024. While the key was used regularly, it was not used daily.²³³

Councilmember White’s connection to [REDACTED] is further supported by interviews conducted during this investigation. First, the investigation included interviews with several employees of Related Management Company, L.P., the company that manages the 10K Hill South apartment building. 10K Hill South Employee 2, the current lead concierge at 10K Hill South, documented several of the incident reports noted above, and confirmed during the interview that she recalled these incidents and accurately recorded all events. 10K Hill South Employee 3, the former lead concierge at 10K Hill South for most of 2023 and early 2024, also documented several of the incident reports noted above. Employee 3 stated that she typically was stationed at the front desk on weekday mornings and saw Councilmember White approximately once per week. Employee 3 also recalled several additional exchanges with Councilmember White. For example, she reported that Councilmember White frequently parked his vehicle in front of the building improperly in front of a fire hydrant, and that she often spoke with him to request that he move it. She estimated this occurred twice per month.

Other interviews also provided substantial evidence of Councilmember White’s connection to 10K Hill South. At least three of White’s staff members stated they were aware that White maintained an apartment in the Navy Yard neighborhood well before White’s arrest at that location, and that it was their understanding he spent at least some nights there. Two of these

²³² Exhibit 28, 10K Hill South [REDACTED] Maintenance Records.

²³³ Exhibit 29, Key Fob Log Records show the other two keys associated with [REDACTED] were also used throughout 2024. The key coded as “Unit [REDACTED] #1”—which building staff reported is typically assigned to the leaseholder—was used 137 times. The key coded as “Unit [REDACTED] KT” was used 1482 times.

individuals expressed that, prior to media reports regarding White's arrest, they believed this apartment was within the Ward 8 boundaries in Navy Yard.²³⁴

Finally, as noted above, Latham sent a request for an interview to the 10K Hill South Tenant and called phone numbers associated with him on multiple occasions, but ultimately received no response. Substantial evidence suggests the 10K Hill South Tenant served as [REDACTED], an organization focusing on violence intervention issues.

C. Conclusion Regarding Residency Allegations

The Home Rule Act mandates that councilmembers reside in the wards they represent, yet it does not explicitly define "residency." The D.C. Court of Appeals has interpreted the Home Rule Act's residency requirement to mean a "fixed and permanent abode," which implies more than a temporary or transient presence. *Lawrence*, 611 A.2d at 532. Thus, a councilmember must have a substantial and ongoing connection to their ward.

Applying these standards and principles, the investigation has not identified substantial evidence that Councilmember White violated the Home Rule Act's residency requirement. As set forth above, Latham identified substantial evidence supporting Councilmember White's ongoing connection to the 16 Atlantic Street SE residence, in Ward 8. Councilmember White's ownership of 16 Atlantic Street SE is well-documented through property records and staff interviews, which the investigation found is sufficient to meet the Home Rule Act's requirement that a Councilmember "resides in the ward from which he is nominated."²³⁵ Specifically, Councilmember White's ownership and connection to 16 Atlantic Street SE constitutes having a "fixed and permanent abode" that is "more than a place of mere sojourning or transient visiting." *Lawrence*, 611 A.2d at 532.

To be clear, the investigation also identified substantial evidence demonstrating a connection between Councilmember White and Apartment [REDACTED] at 10K Hill South, a residence in Ward 6. Nonetheless, in light of the investigation's findings with respect to Councilmember White's residence in Ward 8, the evidence regarding his connection to the property in Ward 6 is insufficient to establish a violation of the Home Rule Act by the substantial evidence standard. This is the case even if the scope of the Home Rule Act's residency requirement is interpreted mindful of the various other definitions of residency used by other D.C. regulations; under any definition, the substantial evidence connecting Councilmember White to Ward 6 does not appear sufficient to conclude that White has violated the requirement of residency within Ward 8.

²³⁴ The Navy Yard neighborhood is split into two wards: Ward 6 and Ward 8. The 10K Hill South building lies approximately two blocks north of M Street SE and three blocks west of New Jersey Avenue SE, just outside the Ward 8 boundary. Prior to the enactment of the Ward Redistricting Amendment Act of 2021, made effective January 1, 2022, the entirety of the Navy Yard neighborhood was within Ward 6, while the entirety of Ward 8 lay east of the Anacostia River. D.C. Law 24-74. As noted, the Investigation found that White applied as an occupant of 10K Hill South after the wards were redistricted.

²³⁵ Code of the District of Columbia § 1-204.02.

VI. CONCLUSION

This investigation included a comprehensive assessment of evidence relevant to the scope of the Ad Hoc Committee's investigation, as established by Chairman Mendelson's August 23, 2024 memorandum and D.C. Council Resolution 25-634.

With respect to the bribery allegations, Latham concludes that there is substantial evidence that Councilmember White has engaged in conduct that violated several provisions of the D.C. Code of Conduct, including several rules of the D.C. Council's Code of Official Conduct.

With respect to residency, while the investigation identified substantial evidence connecting Councilmember White to the 10K Hill South apartments, located in Ward 6, the investigation also obtained substantial evidence connecting Councilmember White to his identified residence of 16 Atlantic Street SE, located in Ward 8. In light of this evidence, as well as the standard for establishing residency, Latham concludes that there is not substantial evidence that Councilmember White has violated the residency requirement for Councilmembers, as set forth in the Home Rule Act.