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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To adopt the findings, conclusions, and recommendations from the Committee Report of the Ad Hoc Committee In Re: Trayon White, Sr., and to expel Councilmember Trayon White, Sr. from the Council for the conduct referenced in the Committee Report that violated D.C. Official Code §1-1162.23 and D.C. Official Code §1-618.01, in addition to Council Rule 202(a) and several provisions of the Council’s Code of Official Conduct, and the District’s Ethics Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Expulsion of Councilmember Trayon White, Sr. Resolution of 2024”.

Sec. 2. On August 18, 2024, the Federal Bureau of Investigation (“FBI”) arrested Councilmember Trayon White, Sr. pursuant to a federal criminal complaint charging him with one count of bribery in violation of 18 U.S.C. § 201(b)(2). A Grand Jury for the District of Columbia returned an indictment charging Councilmember White with violating 18 U.S.C. § 201(b)(2) (bribery) on September 5, 2024. Councilmember White was arraigned on September 12, 2024, and entered a plea of not guilty. That charge remains pending, with a trial scheduled to commence in January 2026.

Sec. 3. (a) An ad hoc committee (the “Committee”) was established by memorandum of Council Chairman Phil Mendelson on August 23, 2024. Pursuant to Rule 651(c), the Committee was charged with: (1) investigating allegations that Councilmember Trayon White, Sr. engaged

37 in bribery and violated residency requirements, and (2) reporting its findings and penalty  
38 recommendations, if any, to the Council within 45 days of being convened. Resolution 25-634,  
39 the “Council Period 25 Rules of Organization and Procedure and Appointment of Committee  
40 Chairpersons and Membership Amendment Resolution of 2024” authorized the Committee to  
41 investigate “whether Councilmember Trayon White violated the law by residing in a ward other  
42 than Ward 8 or violated the Code of Conduct, as that term is defined in section 101(7) of the  
43 Board of Ethics and Government Accountability Establishment and Comprehensive Ethics  
44 Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official  
45 Code § 1-1161.01(7)), or Council Rules, including those provisions of the Code of Conduct or  
46 the Council Rules that relate to conflicts of interest, taking any action that adversely affects the  
47 confidence of the public in the integrity of the District government, outside activities, use of  
48 government resources, or acting solely in the public interest.”

49 (b) The Committee engaged outside counsel (“Latham and Watkins, LLP” or “Latham”)  
50 to conduct an investigation. Councilmember White declined through counsel to be interviewed  
51 by outside counsel. Councilmember White also declined through counsel to appear before the  
52 Committee, both prior to and after the completion of outside counsel’s investigative report.

53 Sec. 4. (a) On December 16, 2024, the Committee unanimously approved to recommend  
54 to the Council the sanction of expulsion of Councilmember Trayon White, Sr. and approved the  
55 Committee Report.

56 (b) The Committee adopted the findings of the report prepared by outside counsel  
57 retained in this matter, including the determination that substantial evidence in totality exists to  
58 support violations of D.C. Official Code §1-1162.23 and D.C. Official Code §1-618.01,  
59 magnified by violations of Rule 202(a) of the Rules of the Council for Council Period 25 and  
60 various rules of the Council’s Code of Conduct.

61           Sec. 5. D.C. Official Code Violations

62           (a)     D.C. Official Code §1-1162.23 prohibits an employee from using his or her  
63     official position or title, or personally and substantially participating, through decision, approval,  
64     disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial  
65     or other proceeding, application, request for a ruling or other determination, contract, claim,  
66     controversy, charge, accusation, arrest, or other particular matter, or attempting to influence the  
67     outcome of a particular matter, in a manner that the employee knows is likely to have a direct  
68     and predictable effect on the employee’s financial interests or the financial interests of a person  
69     closely affiliated with the employee. *See also Rule I(a) of the Council’s Code of Conduct for*  
70     *Period 25.*

71           (b)     D.C. Official Code §1-618.01 requires each employee, member of a board or  
72     commission, and public official of the District government to at all times maintain a high level of  
73     ethical conduct in connection with the performance of official duties, and to refrain from taking,  
74     ordering, or participating in any official action which would adversely affect the confidence of  
75     the public in the integrity of the District government.

76           (c)     Councilmember White’s June 26, 2024 and July 17, 2024 meetings with an FBI  
77     confidential human source (“CHS 1”) where Councilmember White accepted a \$15,000 cash  
78     payment from CHS 1, discussed plans to meet with District government employees based on  
79     CHS 1’s payment, discussed other opportunities to help CHS 1 secure further business with  
80     District agencies, accepted CHS 1’s offer of a 3% kickback of each contract or grant’s value that  
81     Councilmember White assisted in securing, and discussing potential expansion of his and CHS  
82     1’s enterprise into the mental healthcare and housing sectors are consistent with a violation of the  
83     statutes in subsections (a) and (b) of this section as established by the Latham report.

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85           Sec. 6. Council Rules and Code of Conduct Violations.

86           (a)     Rule I(e)(1) prohibits an employee from receiving any compensation, salary, or  
87     contribution to salary, gratuity, or any other thing of value from any source other than the  
88     District government for the employee's performance of official duties.

89           (b)     Rule II(a)(1) provides that no employee shall engage in outside employment or  
90     private activities that conflicts or would appear to conflict with the fair, impartial, and objective  
91     performance of the employee's official duties and responsibilities or with the efficient operation  
92     of the Council.

93           (c)     Rule II(c)(1)(A) and (B) prohibits an employee from representing another person,  
94     having a financial interest, or providing assistance in prosecuting a claim against the District of  
95     Columbia before any regulatory agency or court of the District of Columbia, or from  
96     representing another person before any regulatory agency or court of the District of Columbia in  
97     a matter in which the District of Columbia is a party or has a direct and substantial interest.

98           (d)     Rule III(e)(2) provides that, except as provided in Rule IV, no employee shall  
99     directly or indirectly demand, seek, receive, accept, or agree to receive or accept anything of  
100    value personally or for any other person or entity, in return for:

101           (1) Any official act performed or to be performed by the employee;

102           (2) Being influenced in the performance of any official act;

103           (3) Being influenced to commit or aid in committing, or to collude in, or allow, any  
104    fraud, or make opportunity for the commission of any fraud, on the District of Columbia; or

105           (4) Being induced to do or omit to do any act in violation of the employee's official  
106    duty.

107           (e)     Rule VI(b)(1) and (3) state that an employee may not knowingly use the prestige  
108    of office or public position for that employee's private gain or that of another, and that Council

109 employees shall not use or permit the use of their position or title or any authority associated  
110 with their public office in a manner that could reasonably be construed to imply that the Council  
111 sanctions or endorses the personal or business activities of another, unless the Council has  
112 officially sanctioned or endorsed the activities.

113 (f) (1) On 4 separate occasions between June 2024 and August 2024, Councilmember  
114 White accepted cash payments from CHS 1.

115 (2) The cash payments described in paragraph (1) of this subsection totaled  
116 \$35,000.

117 (3) Councilmember White knew at the time of accepting these cash payments that  
118 CHS 1 operated several businesses holding or seeking contracts or grants with the District of  
119 Columbia, or that CHS 1 had received subcontracts or subgrants from businesses that contracted  
120 with the District of Columbia.

121 (4) Councilmember White accepted those cash payments in exchange for agreeing  
122 to meet with and influence various government officials to ensure the contracts of CHS 1's  
123 organizations would be renewed.

124 (5) Councilmember White agreed to accept \$156,000 in undisclosed kickbacks  
125 and cash payments in exchange for using his official position as a Councilmember to help  
126 organizations obtain or retain contracts or grants with District agencies.

127 (6) Councilmember White reviewed a ledger with CHS 1 that outlined profits he  
128 expected to receive for his continued work, including a 3% cut for grant renewals he helped  
129 secure.

130 (7) Councilmember White confirmed that he had contacted government  
131 employees to discuss contract renewal, and stated he discussed contracts over which CHS 1 had  
132 a direct interest.

133 (8) Councilmember White met with Department of Youth Rehabilitation Services  
134 (“DYRS”) and Office of Neighborhood Safety and Engagement (“ONSE”) officials within days  
135 of his multiple meetings with CHS 1 in July 2024 and he asserted to CHS 1 that he had held such  
136 meetings and discussed with those DYRS and ONSE officials matters over which the CHS 1 had  
137 a direct interest.

138 (9) The facts asserted above are consistent with a violation of the Council  
139 Conduct Rules described in subsections (a) through (e) of this section as established by the  
140 Latham report

141 Sec. 6. The Council adopts the findings and recommendations in the December 16, 2024  
142 report of the Ad Hoc Committee.

143 Sec. 7. To maintain the confidence of the public in the integrity of the legislative branch of  
144 government, the Council:

145 (1) Expresses its disapproval of the actions of Councilmember Trayon White, Sr.  
146 as detailed in the December 16, 2024 report of the Ad Hoc Committee;

147 (2) Notes that the degree and severity of Councilmember White’s actions, including  
148 his discussions of maintaining and his expressed desire to expand the activities detailed in the  
149 Committee Report essentially amount to an attempt to defraud the government and demonstrates  
150 a particularly callous disregard for the potential effect on the Council as an institution, as well as  
151 the District government as a whole; and

152 (3) Hereby expels Councilmember Trayon White Sr. for committing acts in  
153 violation of D.C. Official Code §1-1162.23 and D.C. Official Code §1-618.01, the gravity of which  
154 is underscored by acts committed in violation of the standards specified in the Council’s Conduct  
155 Rules and the District’s Ethics Act.

156 Sec. 8. The Council shall transmit a copy of this resolution, upon its adoption, to

157 Councilmember Trayon White, Sr.

158 Sec. 9. This resolution shall take effect immediately.