



## OFFICE OF CHAIRMAN MENDELSON

### COUNCIL OF THE DISTRICT OF COLUMBIA

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This is an additional legislative meeting with a single item of business – I kept off the agenda several requests, to emphasize the gravity of the business before us. At hand is a resolution to reprimand Councilmember Evans for violating the Council’s Code of Conduct.

Some members have argued that we should do more, and I am proposing more with an amendment that would remove from Mr. Evans’ jurisdiction two agencies that he has especially enjoyed working with.

By this action the Council is acting swiftly and clearly to condemn the conduct of any member who uses government resources for personal business and who knowingly advertises the prestige of his office for private gain.

These facts, with regard to Mr. Evans, are incontrovertible.

But there has been debate among councilmembers that these facts are so egregious that the Council should remove Mr. Evans from his chairmanship. I am not recommending that today. I am not recommending that for the primary reason that the Council has never removed a member from his chairmanship without an investigation, and to remove a chairmanship based only on allegations will set a precedent that we will not only regret someday but that disregards due process. That Mr. Evans sought private gain is indisputable, but what was the “private gain”? Merely to get a job? Or to sell the influence of his office?

This would require an investigation. I am not recommending that either, for two reasons. First, I believe fundamentally that we must express our disapproval quickly, and an investigation takes time. Second, I believe an investigation would be hindered by the ongoing federal, criminal investigation. Just as BEGA has been unable to act, we, too, would be affected. I don’t believe that our own investigation, at this time, would be viable.

Finally, some have said that so long as Councilmember Evans is under investigation for allegedly selling influence, the public will not trust that he is not doing more special favors on matters he can control through his chairmanship. We do not know that he will do that. But in an abundance of caution I have re-referred targeted tax abatements out of his committee and will not refer any more such bills to his committee so long as the investigations continue.

What is before us is discipline, and anyone who might suggest that this is not painful should put themselves in Mr. Evans’ shoes. This is a public meeting. It is a specially called meeting. There is one item of business. I have repeatedly invoked Jack Evans’ name in condemnation of his conduct. Shortly the 13 of us will vote to formally reprimand Mr. Evans. We do this to make clear to the public that Mr. Evans’ actions do not reflect the Council’s values.

Finally, this reprimand does not concern the allegations that have been reported in the public press because they are under investigation. But depending on how those investigations conclude, we may take further action.

I move the resolution with the amendment.