

COMPLAINT # C-23-01
IN RE: MAXENE BARDWELL
SUMMARY OF DECISION AND ORDER

information was not relevant to the topic being discussed, the Respondent replied that she wanted to ensure that there was an awareness of ethics complaints occurring during the time-period being discussed.

The Respondent was privy to Board of Ethics case information in her previous position as the Director of Internal Audit. In that capacity, she attended both open and closed sessions of Board of Ethics meetings to provide administrative support to the Board.¹ Formal matters pending before the Board (including complaints) are discussed solely in closed session in order to maintain confidentiality.

The Board found that Respondent made these disclosures despite having been informed of her obligation to maintain the confidentiality of the information. The Board noted that during a 2017 Commission meeting, Respondent attempted to disclose similar confidential information. WSSC's General Counsel intervened and advised Respondent that ethics complaints are confidential and could not be discussed with the Commissioners in either public or closed session. Specifically, it was explained to Respondent during a subsequent meeting and in writing that Section 1.70.110 of the Code requires that information regarding ethics complaints be kept confidential. This extends to whether or not a complaint has been filed against someone. Confidentiality must be maintained until and unless the Board refers the matter for prosecution, or the Board finds a violation of the ethics regulations. Neither of these two exceptions applied

¹ In 2019, administrative support for the Board changed to the Ethics Office. Respondent has not attended any Board of Ethics meetings since that change was implemented.

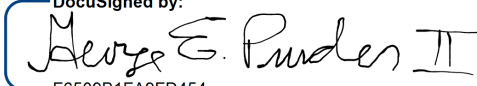
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to the employees named by Respondent. In fact, one of the employee's identified was not even the subject of a complaint.

Additionally, the Board rejected as misguided Respondent's reliance on Code Section, 1.70.210, which allows disclosure of confidential information in certain limited circumstances. The Board found that the general confidentiality provision contained in 1.70.210, did not override the more specific requirement contained in Section 1.70.110 to keep ethics case information confidential.

Pursuant to its authority as contained in Section 1.70.090(c)(2) of the Code of Ethics, the Board issued a reprimand as sanction for the Code violations found herein.

On this 24th day of July, 2024 the Board approved the foregoing summary for posting on the WSSC Board of Ethics internet page.

DocuSigned by:

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George E. Pruden, II
Chair, WSSC Board of Ethics