

Philadelphia Board of Ethics

Contact: Michael Cooke, Director of Enforcement, 215-686-9459

For Immediate Release: April 30, 2015

PHILADELPHIA – On April 29, 2015, the Board of Ethics approved a settlement agreement involving Deborah Watson-Stokes, a former City employee. The agreement resolves violations by Ms. Watson-Stokes of the Philadelphia Home Rule Charter’s restrictions on City employee political activity and fundraising.

A copy of the approved settlement agreement is attached.

The Philadelphia Board of Ethics is a five-member independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. It is charged with providing ethics training for all City employees and enforcing City campaign finance, financial disclosure and conflict of interest laws. The Ethics Board has authority to render advice, investigate complaints and issue fines.

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SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into by the Board of Ethics of the City of Philadelphia, J. Shane Creamer Jr., the Executive Director of the Board, and Deborah Watson-Stokes, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the sections of the Philadelphia Home Rule Charter that impose restrictions on the political activity of City employees.
- B. Deborah Watson-Stokes is a former City employee of the District Attorney’s Office where she worked from September 1990 to February 2015. Ms. Watson-Stokes is currently a candidate for judge in the Municipal Court and Court of Common Pleas for Philadelphia.
- C. Section 10-107(3) of Philadelphia’s Home Rule Charter provides, in part, that no City officer “shall, from any person, and no officer or member of a committee of any political party or club shall, from any civil service employee, directly or indirectly demand, solicit, collect or receive, or be in any manner concerned in demanding, soliciting, collecting or receiving, any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatever.”
- D. If the Board finds a violation of § 10-107(3) of the Home Rule Charter through administrative adjudication, it may impose a civil monetary penalty of \$300.
- E. Section 10-107(4) of the Philadelphia Home Rule Charter provides that a City employee may not engage in certain types of political activity. The political activity restrictions in the Home Rule Charter ensure that government operates effectively and fairly and that employees are free from improper influences and perform their duties without bias or favoritism for or against any political party, candidate, or partisan political group.
- F. If the Board finds a violation of § 10-107(4) of the Home Rule Charter through an administrative adjudication, it may impose a civil penalty of \$300.
- G. Ethics Board Regulation No. 8, which became effective March 28, 2011, provides a detailed interpretation of the prohibitions on political activity of Charter Subsections 10-107(3) and 10-107(4) as applied to appointed City officers and employees.
- H. Pursuant to Regulation No. 8, Paragraph 8.5, a City employee shall not directly or indirectly be in any manner concerned in the collection, receipt, or solicitation of contributions intended for a political purpose on his or her behalf.

- I. Pursuant to Regulation No. 8, Paragraph 8.11, a City employee shall not engage in any political activity that is performed in concert or coordination with a political party, candidate, or partisan political group, which includes being a candidate for public elective office or political party office.
- J. On January 12, 2015, Ms. Watson-Stokes resigned her position with the District Attorney's Office, effective February 2, 2015. This resignation was later amended to February 6, 2015. Ms. Watson-Stokes remained an employee of the District Attorney's Office through February 6, 2015.
- K. On or around January 13, 2015, while still an employee of the District Attorney's Office, Ms. Watson-Stokes announced to a meeting of colleagues that she was resigning from the District Attorney's Office and would be running for judge in Municipal Court and the Court of Common Pleas in Philadelphia. Ms. Watson-Stokes also stated that she was planning to hold a fundraiser for her judicial campaign as part of her retirement party on February 6, 2015.
- L. On or around January 13, 2015, Ms. Watson-Stokes submitted paperwork to the Philadelphia Bar Association announcing her candidacy for judge and provided the Bar Association with access to personal information to conduct a review of her judicial qualifications.
- M. After January 13, 2015, Ms. Watson-Stokes participated in soliciting contributions intended to aid her judicial candidacy for the Municipal Court and Court of Common Pleas in Philadelphia by (a) planning to hold her retirement party as a fundraiser for her judicial candidacy and (b) participating in the creation and circulation of a flier promoting her retirement party as a fundraiser for her judicial candidacy. Ms. Watson-Stokes did not participate in the creation or circulation of the flier on City time or using City resources. A copy of the flier is attached to this Agreement as Exhibit "A."
- N. On or around January 13, 2015, while still an employee of the District Attorney's Office, Ms. Watson-Stokes engaged in prohibited political activity because she was a candidate for judge in Municipal Court and the Court of Common Pleas in Philadelphia and actively promoted her candidacy by participating in the creation and circulation of a flier promoting her retirement party as a fundraiser for her judicial candidacy.
- O. Shortly after the flier was distributed, Ms. Watson-Stokes decided not to hold her retirement party as a political fundraiser and changed the flier promoting her retirement party. Copies of the amended fliers are attached to this Agreement as Exhibits "B" and "C."
- P. In January 2015, Board enforcement staff received information that Ms. Watson-Stokes was involved in prohibited political activity while employed by the District Attorney's Office. Enforcement staff initiated an investigation in which they interviewed witnesses and obtained documents and computer data. Enforcement staff also interviewed Ms. Watson-Stokes.
- Q. At all times, Ms. Watson-Stokes fully cooperated with the Board's investigation.
- R. The Parties desire to enter into this Agreement in order to resolve the matters described herein.

AGREEMENT

The Parties agree that:

1. By being a candidate for public elective office and actively promoting her judicial candidacy by participating in the creation and circulation of a flier promoting her retirement party as a fundraiser for her judicial candidacy, while still an employee of the District Attorney's Office, Ms. Watson-Stokes violated § 10-107(4) of the Philadelphia Home Rule Charter. The maximum civil penalty for this violation is \$300. However, the penalty is reduced to \$150 to reflect Ms. Watson-Stokes' cooperation with the Board's investigation.
2. By planning to hold her retirement party as a fundraiser for her judicial candidacy and participating in the creation and circulation of a flier promoting her retirement party as a fundraiser for her judicial candidacy, while still an employee of the District Attorney's Office, Ms. Watson-Stokes violated § 10-107(3) of the Philadelphia Home Rule Charter. The maximum civil penalty for this violation is \$300. However, the penalty is reduced to \$150 to reflect Ms. Watson-Stokes' cooperation with the Board's investigation.
3. Ms. Watson-Stokes shall pay the aggregate civil penalty of \$300 within thirty days of the effective date of this Agreement by check or money order made payable to the City of Philadelphia and delivered to the offices of the Board of Ethics.
4. Ms. Watson-Stokes releases and holds harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in the Agreement.
5. In consideration of the above and in exchange for Ms. Watson-Stokes' compliance with all of the terms of the Agreement, the Board waives any further penalties or fines against her for the violations described in the Agreement.
6. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
7. If the Ethics Board is forced to seek judicial enforcement of the Agreement, and prevails, Ms. Watson-Stokes shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board staff attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
8. The Agreement contains the entire agreement between the Parties.
9. The Executive Director, or his designee, will submit a signed copy of the Agreement to the Board for approval.
10. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board Chair signs the Agreement.

11. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement.
12. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for paragraphs 11 and 12, nothing in the Agreement shall be effective.

By the Executive Director of the
Board of Ethics:

Dated: 4/22/15



J. Shane Creamer, Jr.
Executive Director

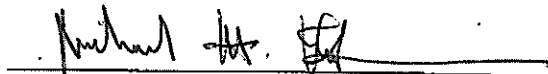
By Deborah Watson-Stokes:

Dated: 4-21-15



Approved by the Board of Ethics:

Dated: 4/29/15



Michael H. Reed, Esquire
Chair

EXHIBIT A

Gmail



www.paperlesspost.com



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Home

Card

Event

Reply

COME PARTY WITH A PURPOSE FOR

Deborah Watson-Stokes

AS SHE CELEBRATES HER BIRTHDAY AND

HER NEXT VENTURE

FRIDAY, FEB 6TH at 6 PM

SAINT MARON HALL

1013 ELLSWORTH STREET

PHILADELPHIA, PA 19147

DONATION: \$60

EVENT INFO:

MONIQUE WESCOTT: 215-837-1225

YVONNE HEARD: 501-240-1726

EXHIBIT B

Join Us in Saying Farewell

To Our

“First Lady of First Degree”

Deborah Watson-Stokes

Friday, February 6th at 6pm

◆
Saint Maron Hall

1013 Ellsworth Street

Philadelphia, PA 19147

◆
Cost: \$40

(Includes Southern cuisine, drinks & plaque)

All money is due by Tuesday Feb. 3rd

Jacqui Coelho (267)471-9182 -11th Floor

Lori Donnelly (484)433-4704 -12th Floor

Lakeisha Fields (215)868-5987 -3rd Floor



EXHIBIT C

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