

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the “Commission”) and Kendall Williams.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Kendall Williams*, Case No. 14-009;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on January 27, 2014, the Commission alleged facts in an Initiating Order that Kendall Williams violated the Executive Branch Code of Ethics codified at KRS 11A.020(1)(b),(c) and (d), and KRS 11A.020(2);

WHEREAS, Kendall Williams was at all relevant times mentioned in the Initiating Order a “public servant” as defined in KRS 11A.010(9) and thus subject to the Executive Branch Code of Ethics; and

WHEREAS, Kendall Williams indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Kendall Williams agree, pursuant to KRS 11A.100, as follows:

1. Kendall Williams admits that he committed violations of the Executive Branch Code of Ethics codified at KRS 11A.020(1)(b), (c) and (d), and KRS 11A.020(2), as stated in Appendix A to the Commission’s Initiating Order of January 27, 2014, attached hereto and incorporated by reference herein.

2. Kendall Williams agrees to pay the Commission a civil penalty of one thousand dollars (\$1,000.00) concurrently with the execution of this Settlement Agreement.

3. Kendall Williams agrees that upon a Final Order being issued by the Commission that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Kendall Williams*, Agency Case No. 14-009.

5. This Settlement Agreement constitutes a public reprimand to Kendall Williams, a copy of which will be provided to his appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

Kendall Williams
Kendall Williams

3-17-14
Date

EXECUTIVE BRANCH ETHICS COMMISSION:

William David Denton
Chair, William David Denton

3/21/14
Date

William G. Francis
Vice Chair, William G. Francis

3-21-14
Date

Lewis G. Paisley
Member, Lewis G. Paisley

3/21/14
Date

Richard L. Masters
Member, Richard L. Masters

3/21/14
Date

Martin E. Johnstone
Member, Martin E. Johnstone

3/21/14
Date

**APPENDIX A
CASE NO. 14-009
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Kendall Williams, was at all relevant times an employee of the Commonwealth of Kentucky, serving at the Bowling Green Group Home, Department of Juvenile Justice, Justice and Public Safety Cabinet. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Kendall Williams committed the following violations:

COUNT I

Kendall Williams, during his course of employment as the Superintendent, Bowling Green Group Home, Department of Juvenile Justice, Justice and Public Safety Cabinet, used his official position to give himself a financial gain and an advantage in derogation of the public interest at large; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, in March of 2013, Williams, through the course of his duties, acquired a \$100 bill from a youth. Williams, upon the youth's release from the group home, transported the youth to a bank in order for the youth to cash a paycheck the youth had received, from which Williams took a \$100 bill. Williams indicated to the youth that the \$100 bill would be considered as a "donation" to the group home, but never created the proper paper work to designate the \$100 bill as a donation and placed the \$100 bill in his desk for his own use. The youth contacted Williams to request the \$100 bill be returned to him; however, Williams refused

and proceeded to thwart the youth's communications with the facility. While in Williams possession, the \$100 bill was never used as a donation for the facility.

These facts constitute violations of KRS 11A.020(1)(b), (c), and (d), and KRS 11A.020(2).

KRS 11A.020(1)(a), (b), (c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family;
or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

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