

In the Matter of

Susie Bowles,

Respondent

* Before the
* State Ethics Commission
* Complaint No.
* C-83-08
*
*

ORDER

Having considered the Stipulation of Settlement Agreement entered into between Respondent, Susie Bowles, and William J. Colquhoun, Staff Counsel to the State Ethics Commission on November 16, 2010, the State Ethics Commission hereby determines that the matter complained of herein has been settled by the Respondent's execution of the Stipulation of Settlement, attached hereto and made part hereof. Pursuant to paragraphs C, E and G, it is hereby

ORDERED, that the Respondent is reprimanded, that this reprimand be transmitted to the Governor and the Office of the State Comptroller and this Order and the Stipulation of Settlement Agreement are public documents.

STATE ETHICS COMMISSION

Date: November 19, 2010

By:

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Robert F. Scholz, Chair

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of November, 2010, a copy of the foregoing Order and executed Stipulation of Settlement Agreement in Commission proceeding C-83-08 was forwarded via regular first class mail, postage prepaid, to the Respondent, Susie C. Bowles, in care of her attorney, Denise M. Bowman, Esquire, Alexander & Cleaver, 11414 Livingston Road, Fort Washington, Maryland 20744-5146, 5429 and was hand delivered to William J. Colquhoun, Staff Counsel to the State Ethics Commission, at 45 Calvert Street, 3rd Floor, Annapolis, Maryland 21401.

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Jennifer K. Allgair, General Counsel

RECEIVED

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In the Matter of

SUSIE C. BOWLES,

Respondent

Before the

State Ethics Commission

Complaint No. C-83-08

STATE ETHICS
COMMISSION

STIPULATION OF SETTLEMENT AGREEMENT

This Stipulation of Settlement Agreement (hereinafter "the Agreement") was made on the 19th day of NOVEMBER, 2010, by and between Susie C. Bowles, Respondent, and William J. Colquhoun, Staff Counsel to the State Ethics Commission ("Staff Counsel").

The State Ethics Commission ("the Commission") is the executive agency of the State of Maryland established by Chapter 513, Acts of 1979 for the purpose of enforcing the Maryland Public Ethics Law (State Government Article, Title 15, Annotated Code of Maryland, hereinafter the Ethics Law), including the provisions of Subtitle 5, Conflicts of Interest.

RECITALS

1. Susie C. Bowles ("the Respondent"), at times relevant to this complaint, was the elected Register of Wills for Charles County. The elected Register of Wills for Charles County is defined as a State official subject to the conflict of interest provisions of the Public Ethics Law ("the Ethics Law").
2. The Respondent, by law (Md. Code Ann., State Fin. & Proc., § 22-201(a)(2)(ii) (2009 Repl. Vol.)), has been enrolled in the Maryland State Employees and Teachers Retirement System since December 1, 1990.
3. In March 2007, the Respondent requested that the Charles County Commissioners add the position of Register of Wills to the list of individuals eligible to receive an elected official county retirement benefit pursuant to Charles County Code 27-16.
4. The Charles County Commissioners met in public meeting on April 4, 2007 and April 18, 2007 to consider Bill No. 2007-06. The Bill at Section 27-16 E. (1) (E) added the Register of Wills to the individuals receiving a county retirement benefit. The Respondent at both meetings informed the Charles County Commissioners that she did not have a "retirement". The Charles County Commissioners voted to adopt Bill No. 2007-06 and the Register of Wills of Charles County was added to the Charles County Elected Officials Retirement Plan.
5. In January 2008, the Office of the State Comptroller raised objections to the Respondent being added to the Charles County Elected Officials Retirement Plan based upon its view that the action provided an unfair benefit to the Register of Wills in Charles

County as compared to the other elected Registers of Wills in Maryland. In response, the Charles County Commissioners then reconsidered Bill No. 2007-06 on April 16, 2008 and voted to remove the Charles County Register of Wills from the Charles County Elected Officials Retirement Plan.

6. On April 16, 2008, Respondent made a statement in the public hearing and provided a written communication to the Charles County Commissioners apologizing for any confusion and controversy her statements created.

7. On September 26, 2008, the Commission issued a Complaint against the Respondent, alleging the Respondent intentionally misused the prestige of her public office in statements she made to the Charles County Commissioners regarding her request to be added to the Charles County Elected Officials Retirement Plan in 2007 in violation of § 15-506 of the Ethics Law.

8. Section 15-506 of the Ethics Law prohibits an official or employee from intentionally using the prestige of his or her office for the private gain of that official or employee or the private gain of another individual.

9. The Respondent has voluntarily entered into this Stipulation of Settlement Agreement to admit certain violations of the Ethics Law, to accept certain sanctions, and to resolve the matter now pending against her without a hearing before the Commission.

NOW THEREFORE, in consideration of the agreements herein contained, and effective on the Commission's acceptance of the terms of this Agreement, Susie C. Bowles, Respondent, and William J. Colquhoun, Staff Counsel, agree as follows:

A. That the Respondent recognizes that her statements to the Charles County Commissioners regarding her retirement status on April 4, 2007 and April 18, 2007 were inconsistent with the prohibition against the use of prestige of office by an official contained in § 15-506 of the Ethics Law and as such violated the law.

B. Respondent will not seek, nor will she receive, to the extent any were awarded, any benefit as a result of her being added to the Charles County Elected Officials Retirement Plan that would have accrued during the approximate one-year time period Bill No. 2007-06 was in effect.

C. That the Commission will issue an official reprimand to the Respondent for the above admitted violation of the Ethics Law effective the date of the Commission's acceptance of the Agreement.

D. That the Respondent further understands that violations of the conflict of interest provisions of the Ethics Law may result in civil fines pursuant to Section 15-902 of the Ethics Law and that the fines may be in an amount up to \$5,000 for each violation of the law.

E. That the Respondent waives any formal proceedings and hearing in this matter if the Commission accepts the Agreement, and further waives the confidentiality requirements of the Public Ethics Law.

F. That upon execution of this Agreement by the Respondent, Staff Counsel will recommend that the Commission suspend further proceedings against the Respondent and recommend further that the Commission issue a Final Order consistent with the terms of this Agreement. Should the Respondent fail to comply with the provisions of the Agreement, the Commission reserves the right to issue a further order regarding this matter or to schedule a hearing in this matter.

G. That the Commission will transmit a copy of the Agreement and Final Order to the Governor and the Office of the State Comptroller pursuant to § 15-407 of the Public Ethics Law.

H. That in the event that the Commission declines to accept this Agreement, both the Respondent and Staff Counsel are relieved of their respective obligations hereunder and neither this Agreement nor any admission it may contain shall be admissible in any subsequent proceeding of the Commission.

I. That the Respondent and Staff Counsel are entering into this Agreement for the sole purpose of resolving the matters arising under the Commission's Complaint and for no other purpose.

SIGNATURE FOLLOWS ON NEXT PAGE

IN WITNESS WHEREOF, Susie C. Bowles, Respondent, and William J. Colquhoun, Staff Counsel, State Ethics Commission, have hereunto set their hands.

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

William J. Colquhoun, Staff Counsel
State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, Maryland 21401

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Susie C. Bowles

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Denise M. Bowman, Esq.
Alexander & Cleaver, P.A.
11414 Livingston Road
Fort Washington, Maryland 20744

State of Maryland
County of

Charles

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Susie C. Bowles who made oath on this 16th day of November, 2010 in due form of law that the matters and facts hereinabove set forth are true to the best of her knowledge, information and belief and it is her voluntary acts that she executed this document for the purpose set forth herein.

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Notary Public

My Commission Expires:

11/16/12

State of Maryland
County of

Baltimore

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared William J. Colquhoun, Staff Counsel, who made oath on this 19th day of November, 2010 in due form of law that the matters and facts hereinabove set forth are true to the best of his knowledge, information and belief that he executed this document for the purposes set forth herein.

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

Notary Public

My Commission Expires:

12-1-10



Accepted by the Commission

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT

By:

Robert F. Scholz, Chair