



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2022-1466, **Version:** 1

A resolution providing for the censure of Councilmember Jonathan Hall.

WHEREAS, on October 25, 2021, Davidson County resident Murray J. Phillip filed a formal Complaint with the Board of Ethical Conduct of the Metropolitan Government of Nashville and Davidson County ("Board of Ethical Conduct") against Councilmember Jonathan Hall, alleging that Councilmember Jonathan Hall had violated the Metropolitan Government's Standards of Ethical Conduct (the "Standards of Ethical Conduct"); and

WHEREAS, pursuant to Section 2.222.040(C)(1)(e) of the Metropolitan Code of Laws, the Metropolitan Department of Law evaluated Mr. Phillip's Complaint and issued a report, on November 8, 2021, to the Board concluding that the Board should conduct a hearing on six of the seven allegations and dismiss one allegation; and

WHEREAS, the Board of Ethical Conduct conducted a public meeting to evaluate the Department of Law's report and consider the allegations of the Complaint. The Board voted to adopt the recommendations of the Department of Law and move forward with a hearing; and

WHEREAS, on March 7, 2022, the Board of Ethical Conduct conducted a hearing to determine whether Councilmember Jonathan Hall had violated Sections 2.222.020(r) and 2.222.030(B)(4) of the Standards of Ethical Conduct by failing to:

1. File an annual disclosure statement for 2018;
2. File a timely annual disclosure statement for 2019
3. File a timely 2019 annual benefits disclosure statement that was required by virtue of receiving campaign contributions that were not reported in compliance with Tennessee election laws;
4. File an annual disclosure statement for 2020
5. File an amended annual disclosure statement for 2020 to report two debts (two allegations); and

WHEREAS, at the hearing, Councilmember Jonathan Hall stipulated to the facts that he failed to:

1. File an annual disclosure statement for 2018;
2. File a timely annual disclosure statement for 2019;
3. File a timely 2019 annual benefits disclosure statement;
4. File an annual disclosure statement for 2020
5. File an amended annual disclosure statement for 2020 to report two debts; and

WHEREAS, following witness testimony, arguments and deliberations, the Board concluded that Councilmember Jonathan Hall had violated Section 2.222.020(r) by failing to file or timely file annual disclosure statements for 2018, 2019, and 2020, failing to file an annual benefits disclosure statement for 2019, and for failing to amend the 2020 annual disclosure statement to report a default judgment entered against him in September 2020 in General Sessions Court; and

WHEREAS, the Board further concluded that the evidence presented did not establish that under Section 2.222.030(B)(4) Councilmember Jonathan Hall was required to report the debt that was the subject of the September 2020 default judgment and therefore does not constitute an ethical violation; and

WHEREAS, on March 10, 2022, the Board issued a formal Order which summarized the procedural history of the filed complaints, as well as the Board's conclusions and recommendations in regard thereto, and which further declared as follows:

Based upon the evidence presented, IT IS THEREFORE ORDERED BY THE BOARD OF ETHICAL CONDUCT, that:

1. Mr. Hall violated § 2.222.020(r) of the Standards of Conduct, set forth in Metropolitan Code.
2. Pursuant to Metropolitan Code 2.222.040(C)(3)(a), this matter is hereby referred to the Metropolitan Council with a recommendation that the Council censure Mr. Hall.

WHEREAS, Section 2.222.050 of the Metropolitan Code of Laws provides that, upon receipt of a recommendation from the board that an elected official or member of a board or commission be censured by the Council, the chairman of the Rules-Confirmations-Public Elections Committee "shall file a resolution with the metropolitan clerk providing for censure of the member."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan Council does hereby go on record as censuring Councilmember Jonathan Hall for violating Section 2.222.020(r) of the Metropolitan Government's Standards of Ethical Conduct.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution would provide for the censure of Councilmember Jonathan Hall by the Metropolitan Council for multiple failures related to Metropolitan Code § 2.222.020 related to required disclosure statements.

As determined by the Metropolitan Board of Ethical Conduct, the failures related to required disclosure statements constituted violations of Section (r) of the Metropolitan Government's Standards of Ethical Conduct, Metropolitan Code § 2.222.020. This section requires all disclosure statements and reports be timely filed and include "all material information reasonably required to be included and shall not omit any material information reasonably necessary to make such reports complete and meaningful."

Section 2.222.050 of the Metropolitan Code provides that, upon receipt of a recommendation from the Board of Ethical Conduct that an elected official be censured by the Council, the chairman of the Rules-Confirmations-Public Elections Committee "shall file a resolution with the metropolitan clerk providing for censure of the member."