



The Voice of Ethics Podcast Transcript

December 2025 Episode

Checking it Twice: The Holiday List of Shopping and Mall Stories

Susan: Hello ethical people. I'm Susan Willeke of the Ohio Ethics Commission, welcoming you to the Voice of Ethics. The show where we dive into stories about ethics in government. We'll laugh, we'll cry, we'll gasp - okay, maybe that's a little over the top, but hopefully we'll be simultaneously educated and entertained.

And this week there is so much to be entertained by because everyone, ready or not, it's here. The holiday season is upon us. *Deck the Halls music excerpt*

Yes, it is time to get ready for all of your favorite holiday traditions. Spinning the dreidel, decorating trees, stringing up lights and of course, everyone's favorite, the holiday shopping season is in full force. *cash register sound effect*

Yes, it's time to pull out those credit cards, make your lists and check them twice. Decide who's been naughty or nice and then head to the mall. Or, full disclosure, some of you probably prefer online shopping, but all my stories today are about malls, so that's what we're going to go with, work with me here people, work with me. Anyway, let's get this holiday conversation started by doing our ethics mall prelude:

In the style of 'Twas the Night Before Christmas

Now ethics, now lawsuit, now legal advice. On honor, on justice, don't be mean, be nice. Let's do the right thing. Let's get on the ball. Now dash away, dash away. Let's go to the mall.

Okay, okay. Moving right along. Our first mall story is going to take us to New England. Some of you may remember a story from my pal Gerry Tuoti from the Massachusetts Ethics Commission a few weeks ago. Well, I have invited Gerry back because when I found out that Gerry had a great story about malls and ethics laws, I thought, "I'm going to call Gerry again!"

So to kick us off on our mall stories about the Ohio Ethics Law and other ethics laws, we'll turn the conversation now briefly over to my buddy Gerry. Gerry, take it away. Take us to the mall.

Gerry: She was the chair of the town's economic development committee, and she was also a member of the planning board, and in her private life she was also a real estate agent. So as a real estate agent, this person had a relationship with a company that bought a distressed mall property. As part of that arrangement, she had a deal in place with the new mall owners that she had the exclusive rights to market the mall property to either lease space or, if the opportunity arose, to sell the property.

She, while a town official, acted as agent for the mall owners. She represented them in dealings with the town regarding local taxes and requests for infrastructure improvements. She acted as a planning board member to participate in rezoning the mall property for future redevelopment.

After the property was rezoned, it sold and she earned a commission of \$240,000 from the sale of the mall property.

Susan: Okay, I just have to say, first off, I digress because I'm distracted here. \$240,000 for a one time commission!? I mean, I would do one deal a year and be satisfied, wouldn't you? But as I said, I digress.

All right. I hope this is pretty clear that what happened in Massachusetts would be equally troubling in Ohio. We certainly can't use our public roles about anything that somehow gets us a definite benefit, a detriment, to property in which we have an interest.

So I've always tried to put in the show notes relevant Advisory Opinions. I'm actually going to put probably a good 4 or 5 in this one, because we do have some good Advisory Opinions that do talk about when we're going to abstain, things like, hey, there's this zoning change that impacts property that I own, or someone in my family. Or maybe not acting on property if we're aware that we could get a benefit from a sale, from a transfer of property, etc..

I'm even going to put two Advisory Opinions that do talk about an issue of "Hey, is it a uniform benefit or situation? It impacts everybody equally, or does it single out the public employee, the official, or their families or business associates?"

So in all fairness, just a quick reminder: we are not suggesting here that people in public service can't have those outside pursuits, outside careers, outside businesses and so on and so forth. What we've always said is, though, you have to be aware when potential conflicts and other ethics issues arise and then recuse accordingly. And that story Gerry just shared with us about the mall, you can tell there was no recusal there to be found at all.

Okay, our next mall story brings us a little closer to home. We're coming back to Ohio, folks. This is a story, it took place a number of years ago, but I think it still has real relevance, and because it involves mall property, I had to include it in my holiday episode today. So this was about a plan that county commissioners had to relocate some county offices. So it's really common, everybody, that public entities like counties or cities, they don't always own the property from which their folks work.

So this is one of those situations where the county had leased property for a number of years for things like county departments of job and family services or county children's protection services, etc.. This was a county that had leased property for a number of years for county offices from a company that develops and maintains things like commercial properties, malls, etc.. There was a decision that these Commissioners wanted to move those county offices to a new facility. The Commissioners actually authorized the purchase of a former hospital. It was now a vacant building, and they wanted to purchase it and put these county offices there and actually own the property where those county offices operated instead of leasing them.

The county auditor, though, was greatly opposed to this move of these county offices from that private development to a facility that the county would then own. In fact, he appeared at a bankruptcy hearing to object to the sale of that former hospital. That former hospital was in bankruptcy at the time, those owners were. And he actually appeared at that hearing to say, "No, don't let it happen." But the bankruptcy court authorized that county purchase anyway. But the auditor continued to question the Commissioners about the sale.

There was even a separate lawsuit that the mall company filed to have that transaction rescinded. It gets even better, everybody. That county auditor refused to release the county funds for the purchase of that former hospital. Eventually, the county auditor did comply with a court order to issue the funding, but not after a great deal of problematic back and forth.

Eventually, the county prosecutor is the one who actually filed a complaint with the Ohio Ethics Commission. The allegation was that the auditor and some other folks with the county had coordinated

with the owners of that mall to thwart the purchase of the old hospital. The owners of that property did not want to lose the business of the county, essentially, and that auditor got far too involved in trying to prevent that from happening.

So a grand jury did indict the auditor, and there was all the normal legal processes. Eventually, the auditor pled guilty to four charges. One of the charges that he did plead guilty to was about soliciting or accepting what's called improper compensation. Someone can't pay us to do the work that we're already paid to do. What's important to note about being found guilty of improper compensation is that that means that person cannot hold a public office or a public job for the next seven years.

So after these two mall stories, my guess is you're going to want to actually go to an actual mall to do something happy. These are kind of sad mall stories, aren't they? So maybe after you listen to this podcast on your way home from work, you stop and, I don't know, buy a peppermint latte or a gift for someone you love, just to get yourself back in the mall holiday spirit, that it's not always a sad story.

Now, in fairness, my third story for today is not directly related to a mall, but since we're talking about shopping and malls and issues that can accompany this kind of activity, I wanted to introduce you to my friend.

Jabu Sengova is the executive Director of the City of Atlanta's Ethics Commission. Jabu and I have known each other for years. She's a fascinating lady, and she had this really cool story. Not about malls per se, but this one is about credit cards. And I thought, "Ooh, at the holiday season, I'm especially familiar with my credit card." So I would like now to turn the floor over to my friend Jabu, who is going to tell you a troubling story about a city credit card and a public official who might have forgotten that he serves the public and not himself. Jabu, you have the floor.

Jabu: The first term of that mayor, he was on the straight path and everything. So the second term, things start getting crazy when this story was published in the paper that he had taken this extravagant trip to Paris. The story reported that he had stayed in one of the really exclusive hotels there. And you're talking about like \$1,000 a night, first class airfare, expensive restaurants.

And I think really the core of this story was that certain officials have credit cards, and these credit cards have landed people in hot water before. So all this, he was doing was on his city credit card.

So we start pulling the cards and you would not believe, I mean, it was outrageous. We were seeing like flights to China, flights to South Africa, to Germany. And not even just regular, it was expensive international travel.

He was traveling on first class business class. He was staying in the most expensive hotels, most expensive restaurants, and then he was also using the card to pay for other city employees, high level people, to travel as well.

And there was no justification. The worst part. So when we started digging deeper, you couldn't find any justification for the travel.

So when it was all said and done, whatever we could piece together, because we did initially eventually file a case against him, we were only able, probably, to piece enough, about 100,000 to open up a case against him, but there was probably thousands of more than that.

Susan: Now, to be fair, Jabu's story, while interesting but disheartening, I grant you could also have been a theft in office issue. Not just a conflict of interest issue. If it had been a theft in office issue here in Ohio, that would be referred to a local prosecutor.

It was interesting to me, as I listen to Jabu's story, though, to note that if that had happened in Ohio, that case also potentially could have been referred to the Ohio Auditor's office because I would be interested to know about that whole appropriate expenditures of public funds, even if it wasn't theft in office. Could it have been an appropriate expenditure of public fund question that arose.

I also wondered here about what we call a public contract issue, right? Using a public credit card to authorize purchases that benefit myself. If this story had happened in Ohio, I think we could have looked at it from a number of angles. But nonetheless, I always like hanging out with Jabu. Whether it's in person or even virtually like this one. And I'm grateful she was able to join us today.

So everybody, that's it for this week. Shopping, malls, credit cards - are you stressed out now or are you in the holiday spirit even more? Well, I hope that you all had a wonderful and joyful Thanksgiving and that your holiday season thus far has been filled with goodwill and not too much of that stress I just mentioned.

If you have questions on anything we've talked about today, please don't forget to check our show notes or peruse our website for even more information. But before you dash away from this episode, I want to invite you back in two weeks when I will give you my holiday gift to you: the craziest gift stories in the world of ethics that I've ever heard in my 20 years of ethics career.

Now, you don't want to miss this rundown of the jolliest, wildest, illegalest gift violations. I know I may have to check my grammar there this year, right? Until then, do any of you know how snowmen pay for their holiday shopping bills? In cold, hard cash. Cha-ching! Take care everyone. Be ethical. Bye.