

DISCLOSURE DIVISION

☒ **WAIVER REQUEST**
☐ **ANSWER**
☐ **RECONSIDERATION REQUEST**
☐ **UNTIMELY**

DATE: 6/17/2021

DOCKET #: 2021-017

2021-499

Ashley Wimberley, Director
Disclosure Division

FILER INFORMATION

Name: Mr. Patrick H. Martin, V
Address: 2175 Shirley Avenue, Baton Rouge, LA 70809
Office/Position: BASIS Baton Rouge Charter Schools / East Baton Rouge
of Disclosures/Amendments Filed with Agency: 3
Years Covered: 2018-2019
Final Report: No

REPORT INFORMATION

Name of Report: Tier 3 Annual Personal Financial Disclosure covering calendar year 2018 - Amendment
Report ID: PFD19006626
Original Due Date: 5/15/2019
Initial PFD Filed on: 5/14/2019
NOD-amend Received: 7/31/2020 - No USPS Proof of Signature on File
Amendment/Answer Due Date based on NOD: 8/11/2020
Amendment/Answer Filed: 3/10/2021

LATE FEE INFORMATION

Amount of Late Fee: \$1500
Days late from receipt of NOD: 211
Total days late from initial due date: 665
Late Fee Order Received: 5/7/2021
Payment/Waiver Request Due Date: 5/27/2021
Waiver Request Received: 3/10/2021

COMMENTS:

Patrick H. Martin, V. is requesting a waiver for failing to timely file his 2018 Amendment. Mr. Martin stated this was his first time filing a disclosure and he simply overlooked Schedule B, since his public employment was already disclosed on the Schedule A page. It was not his intent to avoid disclosing his income information. Mr. Martin stated when he received the NOD, he was working from home due to the Covid-19 Pandemic and did not have a printer or a scanner. Once he completed the amendment, he unfortunately placed the form to the side and forgot to submit it. He requests the waiver as he only failed to disclose his actual salary level from his public employment with LSU, which is available from LSU as a matter of public record; He stated he has been a public employee for most of my career, serving as an Assistant District Attorney, General Counsel for the Legislative Auditor, an attorney for the Governor, and in several capacities for LSU; He takes compliance with the Ethics Code very seriously, and is embarrassed by the fact that he (unintentionally), failed to fully comply with the Code of Ethics. Mr. Martin stated "while he makes a good living from LSU at the moment, a \$1,500 late fee would be a hardship on his family". He can assure the BOE that the sheer embarrassment at finding himself in this situation will absolutely deter him from making such a mistake in the future. This is Mr. Martin's first late fee assessment.

OTHER LATE FEE INFORMATION

Disclosure Statements:

- Other Outstanding Statements: No
- Other Outstanding Late Fees: No
- Prior Late Fees: No
- Reassessed Late Fees: No

Campaign Finance:

- Outstanding Late Fees: No
- Prior Late Fees: No

PATRICK H. MARTIN, V

2175 SHIRLEY AVENUE
BATON ROUGE, LA 70809
PATRICK@PATRICKMARTIN.COM

225-931-6347 (CELL)

Ashley Wimberley
Louisiana Board of Ethics

By e-mail to Ashley.Wimberley@la.gov

March 10, 2021

Re: Waiver request - Tier 3 Financial Disclosure Form for 2018

Dear Ms. Wimberley:

Thank you for taking the time to speak with me recently. I'd like to apologize to you and the Board for my delay in filing a fully complete Tier 3 Financial Disclosure form, which is required due to my membership on the Board of Directors for the BASIS Baton Rouge charter school. While I did timely file a 2018 disclosure form which listed my employment at Louisiana State University on Schedule A, unfortunately I failed to complete Schedule B and thus did not disclose my salary at LSU. Attached with this e-mail, I am providing you with an amended form which includes the appropriate Schedule B information.

I would like to request a waiver of any late fee that may be due for this oversight on my part. This was my first time filing such a disclosure form, and I simply overlooked Schedule B, since my public employment was disclosed on Schedule A. As a practical matter, the only information missing from my submitted form was my public salary information, which is a matter of public record at LSU.

There was no intent on my part to avoid disclosing any information on the form. I would note that when I submitted my disclosure for 2019, I did properly fill out Schedule B. My salary in 2018 was the same as that disclosed in my 2019 submittal (which was timely filed on May 11, 2020).

Last summer, I did receive a letter from the Board staff notifying me of the omission and requesting that I provide an amended filing, and described the extension of time granted by the Board due to COVID. Unfortunately, I was largely working at home at the time and did not have ready access to a printer or scanner. After I filled out the appropriate information on the form included in that notice, I set it aside while I tried to figure out how best to upload and send it back to the Board. I then got distracted by other matters, and completely forgot to get back to it, thinking that I had already sent it in.

While it is obviously entirely my fault for failing to fill out the form properly to begin with and also failing to take advantage of the grace period provided by the Board, I would note several factors in mitigation. First, this filing for 2018 was the first time I was

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ever required to submit an Ethics financial disclosure form; I was unfamiliar with the specifics of the form and the various schedules attached to it. Second, the only information I failed to disclose was my actual salary level from my public employment with LSU, which is available from LSU as a matter of public record; I did not have income from any private sources that year, and the form I submitted did state that I was employed by LSU. Third, the lack of any intent to hide information from the Board or the public is shown by the fact that my disclosure form for 2019 DID include the required information on the appropriate Schedule B. Finally, I would note that I have been a public employee for most of my career, serving as an Assistant District Attorney, General Counsel for the Legislative Auditor, an attorney for the Governor, and in several capacities for LSU. I take compliance with the Ethics Code very seriously, and am embarrassed by the fact that I have, wholly unintentionally, failed to fully comply with a required disclosure.

In light of these facts, I would ask the Board to consider waiving all or part of any required late fee. While I make a good living from LSU at the moment, a \$1,500 late fee would be a hardship on my family. I can assure you that the sheer embarrassment at finding myself in this situation will absolutely deter me from making such a mistake in the future.

Sincerely,

Patrick H. Martin, V

Ashley Wimberley

From: Patrick Martin <patrick@patrickmartin.com>
Sent: Wednesday, March 10, 2021 9:20 AM
To: Ashley Wimberley
Subject: Amended financial disclosure and request for late fee waiver
Attachments: Ethics Waiver Request - Patrick Martin.pdf; F418Af - 2018 Amended Financial Disclosure for Patrick Martin - signed.pdf

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Ms. Wimberley:

Thank you for taking the time to speak with me recently. Attached is my amended financial disclosure form for the 2018 reporting year. I have also attached a letter requesting that the Board waive all or at least part of any late fee due as a result of my unintentional filing error.

Separate from the letter I received signed by Ms. Landry, I received a letter from an investigator for the Board regarding this matter. Please let me know if I need to e-mail or contact him separately.

If there are any questions, please e-mail me or call me at 225-931-6347.

Thank you,

Patrick Martin