

**BEFORE THE ARKANSAS ETHICS COMMISSION**

**FILED**

**In Re: Lloyd Parks  
Respondent**

**Case No. 2006-CO-047**

**MAR 30 2007  
ARKANSAS ETHICS  
COMMISSION  
BY X. J.**

**FINAL ORDER**

Came for a final adjudication hearing on March 16, 2007, the complaint filed in this matter against the Respondent, Lloyd Parks, and based upon due consideration of the testimony and evidence presented at that hearing, the Arkansas Ethics Commission (hereinafter the "Commission") hereby makes the following findings of fact and conclusions of law:

1. The Commission has jurisdiction over this matter pursuant to Ark. Code Ann. § 7-6-218.

2. The Respondent is a citizen of the State of Arkansas. At all times relevant to this case, the Respondent was the Mayor of Gould, Arkansas, and the incumbent candidate for reelection during the 2006 election cycle.

3. The Commission is charged with the enforcement of Ark. Code Ann. § 7-1-103(a)(3), which provides, in pertinent part, as follows:

It shall...be unlawful for any public servant to use for campaign purposes any item of personal property provided with public funds.

4. The Commission is charged with the enforcement of Ark. Code Ann. § 21-8-304(a) which provides, in pertinent part, as follows:

No public official...shall use or attempt to use his...official position to secure special privileges or exemption for himself...or his...spouse, child, parents, or other persons standing in the first degree of relationship, or for those with whom he...has a substantial financial relationship that is not available to others except as may be otherwise provided by law.

5. On November 17, 2006, the Commission received a complaint against the Respondent concerning his alleged misuse of city-owned vehicles. The essential allegations of the complaint were that the Respondent (i) used a city-owned vehicle to secure signatures on and file petitions for nomination of candidates for city council during the 2006 election cycle, and (ii) used a city-owned vehicle to transport and install the Respondent's campaign signs during the 2006 election cycle.

6. On November 27, 2006, the Commission sent the Respondent a letter, via certified mail with a return receipt requested, to notify him that an investigation was being commenced concerning the allegations of the complaint. The letter went on to state that the focus of the investigation would be whether or not the Respondent violated Ark. Code Ann. §§ 7-1-103(a)(3), 7-1-103(a)(6), and/or 21-8-304(a) by using a city-owned vehicle to secure signatures on and file petitions for nomination of candidates for city council during the 2006 election cycle, and by using a city-owned vehicle to transport and install the Respondent's campaign signs during the 2006 election cycle.

7. On December 15, 2006, staff presented the preliminary results of its investigation to the Commission and was instructed to complete the investigation. In addition, the Commission directed that staff expand the scope of the investigation to include the issue of whether or not the Respondent violated Ark. Code Ann. § 21-8-304(a) by using or attempting to use his official position as Mayor to secure special privileges or exemption for a person standing in the first degree of relationship or Ark. Code Ann. § 7-1-103(a)(3) by allowing personal property provided with public funds to be used for campaign purposes, all in connection with the Responding allowing his

cousin to use the Mayor's office at Gould City Hall to print campaign flyers. The Respondent was notified of the Commission's decision by letter dated December 18, 2006.

8. On January 26, 2007, staff sent a letter to the Respondent, via first class mail and certified mail with a return receipt requested, to notify him that the results of the investigation would be presented to the Commission at its regular monthly meeting on February 16, 2007, for purposes of determining whether or not probable cause existed for the finding of a violation.

9. On February 16, 2007, the Commission considered the results of staff's investigation and determined, by a vote of 3-0, that probable cause existed for finding that the Respondent violated Ark. Code Ann. §§ 7-1-103(a)(3) and 21-8-304(a) by using city-owned vehicles to transport his campaign materials and that the Respondent violated Ark. Code Ann. § 7-1-103(a)(3) by allowing his cousin access to the Mayor's office to use a city-owned computer to prepare and print campaign flyers.

10. On February 16, 2007, the Commission sent the Respondent a letter, via first class mail, notifying him of the Commission's finding of probable cause. In accordance with the Commission's Rules of Practice and Procedure, said letter contained a written Offer of Settlement proposing the issuance of a Public Letter of Warning and the imposition of a five hundred dollar (\$500) fine. The Respondent was given ten (10) days to either accept the written Offer of Settlement or request a public hearing before the Commission.

11. On March 6, 2007, the Respondent was sent a letter, via first class mail and certified mail with a return receipt requested, notifying him that a final adjudication hearing would be held on March 16, 2007. Said letter contained a separate written notice providing the information required in Ark. Code Ann. § 25-15-208(a)(2). This final adjudication hearing was scheduled as the result of the Respondent neither accepting the written Offer of Settlement nor requesting a public hearing within the time required.

12. The Respondent did not appear at the final adjudication hearing which was held on March 16, 2007. Said hearing was conducted in accordance with Ark. Code Ann. § 25-15-213.

13. Upon consideration of the testimony and evidence presented at the hearing, the Commission found, by a vote of 4-0, that the Respondent violated Ark. Code Ann. §§ 7-1-103(a)(3) and 21-8-304(a) by using city-owned vehicles to transport his campaign materials and that the Respondent violated Ark. Code Ann. § 7-1-103(a)(3) by allowing his cousin access to the Mayor's office to use a city-owned computer to prepare and print campaign flyers.

14. With respect to the Respondent's violations of Ark. Code Ann. §§ 7-1-103(a)(3) and 21-8-304(a), the Commission determined that the Respondent should be issued a Public Letter of Warning and fined \$500. Said fine is due and payable within thirty (30) days from the entry of this Order.

IT IS, THEREFORE, CONSIDERED, DECIDED and ORDERED by the Commission that the Respondent, Lloyd Parks, shall be issued a Public Letter of Warning and is hereby fined \$500 for violating (i) Ark. Code Ann. §§ 7-1-103(a)(3) and 21-8-304(a) by using city-owned vehicles to transport his campaign materials, and (ii) Ark.

Code Ann. § 7-1-103(a)(3) by allowing his cousin access to the Mayor's office to use a city-owned computer to prepare and print campaign flyers.

IT IS SO ORDERED this 30<sup>th</sup> day of March, 2007.

  
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JOE BALL, Chairman  
Arkansas Ethics Commission