



MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON LEGISLATIVE ETHICS

April 10, 2024

The Honorable Adrienne A. Jones
Speaker of the House Delegates
H-101, State House
100 State Circle
Annapolis, Maryland 21401

Dear Speaker Jones:

The Joint Committee on Legislative Ethics (Ethics Committee) has completed its review of the matter regarding Delegate Shaneka Henson that you referred to the Ethics Committee on March 3, 2023.¹ Specifically, the referral indicated that Delegate Shaneka Henson was listed as the grantee legal representative for Kingdom Kare, Inc. (Kingdom Kare) in their application for State funding in 2022 and 2023 through Legislative Bond Initiatives (LBI). During its review, the committee also became aware of an advertisement that included Delegate Henson's title, a solicitation for her law firm, and an authority line for her campaign committee.

The Ethics Committee investigated this matter extensively and carefully considered it at closed meetings on January 25, 2024, March 21, 2024, and April 1, 2024. The Ethics Committee determined that there is, at a minimum, an appearance of a conflict of interest with respect to Delegate Henson's actions involving Kingdom Kare and the Veterans Resource Center. The Ethics Committee, therefore, recommended that you not assign Delegate Henson to the Appropriations Committee in the future. In addition, the Ethics Committee determined that Delegate Henson misused the prestige of her State office by using her title in a solicitation for her law firm.

In conducting its review, the goal of the Ethics Committee was to promote the confidence of the people of this State in the General Assembly by upholding high standards of conduct. To this end, as discussed in more detail below, the Ethics Committee voted to waive confidentiality with respect to the Ethics Committee's correspondence in this matter to protect both the public's trust and the integrity of the ethics investigation process.

Kingdom Kare

Facts

During the 2022 legislative session, an \$850,000 LBI was introduced for Kingdom Kare's Veterans Resource Support Center. Kingdom Kare listed "Shaneka Henson" as the grantee legal

¹ Out of an abundance of caution, Delegate Sandy Bartlett, House Co-chair of the Ethics Committee recused herself from the committee's consideration of this matter. Her only participation in the committee's review of this matter was as a witness as discussed in this letter.

representative on the bond initiative fact sheet. When questioned by committee staff, Delegate Henson stated that when the LBI was introduced she had performed estate work for the President and Chief Executive Officer of Kingdom Kare and her husband but had not provided legal services to Kingdom Kare. The General Assembly included funding for this project in the capital budget (Chapter 344 of the Acts of 2022).

In May 2022, Kingdom Kare applied for a grant from the Anne Arundel County Video Lottery Facility Local Development Council (LDC) for a feasibility study for the Veterans Resource Support Center. Among the budget priorities listed was “KKI Legal Review Consultation \$10,000.” In July 2022, Kingdom Kare contracted with Delegate Henson’s law firm, the Johnson Legal Group, a firm owned solely by Delegate Henson, to serve as general counsel and litigation counsel for the Veterans Resource Center. On July 23, 2022, Delegate Henson signed an engagement letter to Kingdom Kare as “Counsel for Kingdom Kare, Inc.” Kingdom Kare paid Delegate Henson \$5,150 on September 22, 2022, and \$5,000 on July 27, 2023.

Between the payment of the two installments to Delegate Henson for legal services, Kingdom Kare submitted a second LBI request for the Veterans Resource Center in the amount of \$650,000. On the bond initiative fact sheet, Kingdom Kare listed Delegate Henson as the grantee legal representative, though under the name “Shaneka Johnson.” When committee staff asked the President and CEO of Kingdom Kare about the change in the name listed, she indicated that she knows Delegate Henson as “Shaneka Johnson” and listing her under the name “Henson” in 2022 was a mistake. The bond initiative fact sheet listed the LDC grant as well as the 2022 and requested 2023 LBI as proposed funding sources for the project. Thus, it appears that Kingdom Kare considered the LDC grant that included payments to Delegate Henson to be part of the overall funding for the project.

During a virtual meeting of the Anne Arundel County House Delegation on February 3, 2023, Kingdom Kare presented in support of the 2023 LBI. Delegate Henson attended this meeting and did not recuse herself from participating in the portion of the meeting that included Kingdom Kare. Further, she failed to disclose her contractual relationship with Kingdom Kare or the fact that that she had already been paid by and expected to be paid again by Kingdom Kare for work related to the Veterans Resource Center.

Delegate Henson’s Communications Related to Kingdom Kare

After learning that Delegate Henson was listed on the LBI fact sheet, you met with Delegate Henson, your Chief of Staff, and Ethics Counsel on February 16, 2023. Despite having received the first payment installment from Kingdom Kare at the time of this meeting, when asked if she had been paid by Kingdom Kare, Delegate Henson responded that she had not. Despite having an active contract to serve as general counsel and legal counsel for Kingdom Kare’s Veterans Resource Center at the time of this meeting, when asked if she knew why Kingdom Kare listed her as their legal representative, Delegate Henson replied that she was not their legal representative and did not know why they listed her as such. Subsequently, you changed Delegate Henson’s committee assignment from the Appropriations Committee to the Ways and Means Committee.

On March 3, 2023, *Maryland Matters* published a story questioning Delegate Henson's relationship with Kingdom Kare and her committee reassignment. Delegate Henson provided no comment for the article; however, she subsequently spoke with Delegate J. Sandy Bartlett. During this conversation, Delegate Henson said to Delegate Bartlett words to the effect of "I wish I had been paid." Delegate Bartlett took this to be an indication by Delegate Henson that she had not been compensated by Kingdom Kare, though at the time Delegate Henson had, in fact, received the first payment from Kingdom Kare.

On March 8, 2023, approximately three weeks after meeting with you, Delegate Henson filed a Form D: Disclaimer of an Apparent or Presumed Conflict of Interest with respect to Kingdom Kare and the Veterans Resource Center noting that she provides legal services to Kingdom Kare, its affiliated church, church members, and the Veterans Resource Center unrelated to State funds. She also filed a Form E: Statement of Recusal from Voting and Other Legislative Action with respect to "Legislative Bond Initiative for Kingdom Kare Inc. & their Veterans Resource Center" because of her membership in Kingdom Kare's church and because she provides "legal services to the church and its members unrelated to state programs" and "legal services that support Kingdom Kare Inc. and its Veterans Resource Center, unrelated to state funds." Delegate Henson did not disclose (1) that she had an active contract to provide legal services to Kingdom Kare related to the Veterans Resource Center; (2) that she received compensation for her activities related to Kingdom Kare and the Veterans Resource Center; or (3) that the grant that funded her legal services was included as a source of funding on the bond initiative fact sheet for the Veterans Resource Center.

Analysis and Recommendations

Section 5-101(h) of the General Provisions Article defines "employer" as an entity that pays or agrees to pay compensation to another entity for services rendered. Kingdom Kare paid Delegate Henson to provide legal services through her law firm, a firm that she solely owns. Thus, for purposes of the Ethics Law, Kingdom Kare was Delegate Henson's employer. Sections 5-512 and 5-513 of the General Provisions Article provide that a legislator is presumed to have a conflict of interest with respect to legislative action that would impact the legislator's employer. If the conflict is direct and personal to the legislator's employer, the legislator may not disclaim the conflict. The Ethics Committee advised, in Ethics Opinion 8, that a conflict is "direct and personal" if the interest is narrowly focused, and a clear financial impact would flow from the passage of the legislation to the legislator's employer. The passage of the 2023 LBI for Kingdom Kare would have had a clear financial impact on Delegate Henson's employer, Kingdom Kare. Therefore, Delegate Henson was prohibited from participating in legislative action involving Kingdom Kare after she entered the legal services contract with them. In Ethics Opinion 8, the Ethics Committee advised that a legislator who is recused must avoid all official action related to the matter, including questioning witnesses or advising or commenting to influence legislative action.

The Ethics Committee has determined that there is, at a minimum, the appearance of a conflict of interest with respect to Delegate Henson's relationship with Kingdom Kare and the Veterans Resource Center. The Ethics Committee believes it is more likely than not that Delegate Henson would have taken action related to the LBI that would have provided funding to her employer, Kingdom Kare, if you had not met with her and changed her committee assignment.

The Ethics Committee has advised Delegate Henson that she has a close economic association with her client, Kingdom Kare, and that she may not participate in future LBIs that provide funds to a specific client. The Ethics Committee also strongly advised Delegate Henson that her actions resulted in, at a minimum, the appearance of a conflict of interest and that, had you not changed her committee assignment, the Ethics Committee would have recommended a similar course of action. The Ethics Committee recommends that you not assign Delegate Henson to the Appropriations Committee in the future.

Advertisement

In 2021, the promotional booklet for Annapolis's "Celebrate Juneteenth" event included an advertisement for Delegate Henson with her photo, the words "Delegate Shaneka Henson," the authority line for her campaign committee, and a solicitation for her law firm. The materials appeared on a single page. Delegate Henson advised committee staff that the page was comprised of two separate advertisements – one for her campaign and one for her law firm. The Ethics Committee did not find this assertion credible. The Ethics Committee noted that (1) the advertisement also included a central graphic that crosses both the top and bottom half of the page stating, "Welcome to Annapolis, Celebrate Juneteenth: Annapolis Juneteenth Parade 2021" and (2) all content and graphics on the page are surrounded by a single border.

The Ethics Committee has notified Delegate Henson that the use of her title on an advertisement for her business was an improper use of the prestige of her State position. Because the flyer includes an authority line and a solicitation for Delegate Henson's law firm, the Ethics Committee has referred the matter to the State Board of Elections.

Additional Advice

When the General Assembly adopted the Public Ethics Law, it noted that our system of representative government is dependent on maintaining the highest trust by the people in their elected representatives and that the people of this State have the right to be assured of the impartiality and independent judgment of those elected representatives.² The Ethics Committee recognizes that this need for trust extends to other members of the Maryland General Assembly and that delegates and senators should be able to be confident that their colleagues are honest and forthright with them.

² See § 5-102 of the General Provisions Article.

The Honorable Adrienne A. Jones
April 10, 2024
Page 5

In withholding the nature of her relationship with Kingdom Kare and the Veterans Resource Center, Delegate Henson breached the trust of her colleagues and placed them in a challenging position. The Ethics Committee has advised Delegate Henson that as a first step toward regaining the confidence of the members of the General Assembly, she should offer an apology to those legislators who were misled either directly or through her failure to disclose her relationship with Kingdom Kare and the Veterans Resource Center. We have asked that she apologize to you as well as to the Chair of the House Appropriations Committee, the Chair of the Capital Budget Subcommittee of the House Appropriations Committee, the Senate and House sponsors of the 2022 LBI and the 2023 LBI, and the Chair of the Anne Arundel County House Delegation.

Confidentiality Waiver

The Ethics Committee finds that there has been an ongoing practice by Delegate Henson to hide her relationship with Kingdom Kare as evidenced by her false responses to direct questions during her meeting with you, her comments to Delegate Bartlett, and her lack of transparency with other colleagues. In order to uphold the integrity of the ethics investigation process, the Ethics Committee, after careful and thorough consideration, has voted unanimously by the members participating to waive confidentiality with respect to the committee's correspondence on this matter.³

Sincerely,



Charles E. Sydnor III
Senate Co-Chair

CES/DCM/mlm

Enclosure

cc: William C. Ferguson, IV, President of the Senate
Delegate J. Sandy Bartlett
Delegate Ben Barnes
Delegate Mark S. Chang
Delegate Heather Bagnall
Delegate Andrew C. Pruski
Senator Pamela Beidle
Senator Dawn Gile
Sally Robb
Jeremy Baker

³ Section 5-517(b)(3)(ii) of the General Provisions Article and the Rules of Legislative Ethics, as adopted in Joint Resolutions 1 and 12 of the 2000 Legislative Session, authorize the Ethics Committee to waive confidentiality if disclosure is necessary to uphold the integrity of the ethics investigation process.