

**BEFORE THE CITY OF ATLANTA  
ETHICS OFFICE**

In the matter of:

Keisha Sean Waites  
Respondent

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Case No. CO-24-003

**Final Decision**

**Summary**

Keisha Sean Waites, the former City Atlanta Council Member for Post 3 At-Large, violated Section 2-811 of the City’s Code of Ethics/Standards of Conduct by using city property and resources to create, print and mail an eight-page newsletter for the private advantage of her election campaign for the Fulton County Clerk, Superior and Magistrate Courts.

**Findings of Fact**

1. Keisha Sean Waites (Waites) served as the City of Atlanta Council Member for Post 3 At-Large (Post 3) from January 3, 2022, until her resignation from the City Council on March 8, 2024. Waites resigned shortly after qualifying as a candidate for the office of Fulton County Clerk of Superior and Magistrate Courts. Her campaign for County Clerk lasted through the primary election which took place on May 21, 2024.
2. City records provided to Ethics Office Investigators by the City of Atlanta Municipal Clerk show that on February 10, 2022, Waites signed an Affidavit of Attendance and Completion for mandatory City Council member training sessions. According to the affidavit, *Waites completed training on the City’s Code of Ethics on the same day.*
3. Ethics Investigators conducted a review of Waites’ City of Atlanta email account and found that Waites used her city email to conduct campaign activities and forward campaign-related information to her official campaign committee email address, seanwaites@hotmail.com (the “campaign email address”).
4. On January 12, 2024, Waites sent an email from her city email account to her *campaign email address* with the subject line, “Campaign Plan.” The email included a fourteen-page document with multiple sections, including “Voter Engagement.” The Voter Engagement section of the Campaign Plan included a subsection for mailers that provided *April 11 and April 25* deadlines.
5. That same day, Waites emailed Maya Dillard Smith, Government and Public Affairs Advisor for The Catalyst & Company (Smith), 1913 Fintech (a company owned by City Council Assistant, Sr., Dana Holmes), and City Council Assistant, Sr., Ja’Keilla Rouse (Rouse), with the subject line, “2024 POST 3 Legislative Newsletter Draft.” The body of the email provided a summary draft with the heading “2024 Post 3 Legislative Newsletter

Report.” The draft listed 13 points, including “Cover Page *with Seal & Pic*” and “Rear Cover page *w/ seal & pic* and Return Mail Address.”

6. On January 18, 2024, Waites emailed then Council Staff Director, and now Council Chief of Staff, Santana Kempson-Wright (Kempson-Wright), with the subject line, “Request to transfer Post 3 funds for the Post 3 Newsletter.” The email asked for Kempson-Wright’s assistance in transferring funding to specific accounts to pay for the newsletter. Waites wrote, “Distribution Account \$20,000 [and] Expense Account \$65,000. I am [estimating] that I will need \$60,000 to print and mail the 2024 Post 3 Legislative newsletter citywide. As requested, I will provide 3 quotes as instructed.”
7. On February 4, 2024, Waites emailed Michael Gay (Gay), the owner of Discount Mailing Service (DMS), and requested a quote for the “Waites Post 3 Newsletter...” Waites detailed the specifications for the booklet and requested a separate quote for the print and the mailing. The same day, Gay provided an invoice (64-#893) and quote in the amount of \$16,350.00 in response. The following day, Gay provided two more invoices (64-#894 and 64-#895) for \$4,400.00 and \$12,000.00, respectively.
8. On February 23, 2024, Waites emailed Dana Holmes’ (Holmes) city email address, *Waites’ campaign email address*, the Post 3 email address, and 1913 Fintech. The title of the email was “Post 3 Newsletter Draft Outline” and included the “Cover Page *with Seal*” and “Rear cover page *w/photo* and Return Mail Address” as items in the outline.
9. On March 1, 2024, at 10:22 AM, Waites emailed the City Council Invoices account, City Council Business Manager, Brigitte Brown (Brown), Kempson-Wright, and Rouse with the subject line, “2024 Post 3 Legislative newsletter.” Waites also copied the City of Atlanta Chief Financial Officer, Mohamed Balla (Balla). In the body of the email, Waites attached an invoice and quote from DMS and requested Brown’s assistance in obtaining a purchase order. The attached invoice and quote included \$33,150.00 in expenses for printing and mailing 50,000 newsletters.
10. On March 1, 2024, at 10:30 AM, Brown emailed Waites and informed her that the submitted quote was over the \$25,000.00 small purchase threshold. Therefore, two additional quotes from two other vendors were required to obtain a purchase order. Brown instructed Waites to obtain the additional quotes and have Rouse submit them. In response, Waites told Brown that the file contained duplicate addresses and DMS would send a revised invoice and quote after their removal. Waites stated she would submit the updated invoice and quote after she received it.
11. On March 1, 2024, at 10:54 AM, Waites sent another email to City Council Invoices, Balla, Brown, Kempson-Wright, and Rouse, with the subject line “Approved Invoice and Quote Post 3 legislative newsletter.” In the body of the email, Waites told Brown she attached the revised invoice and quote and requested assistance with obtaining a purchase order. The revised quote and invoice (64-#893) from DMS included a revised total of \$24,963.00 for printing and mailing 37,500 newsletters.
12. On March 1, 2024, at 12:19 PM, Waites emailed Gay with the subject line, “2024 Post three legislative newsletter mail list.” The email had no text in the body but included an attached spreadsheet named “KW.Mail.List.xls.” The spreadsheet contained 11 columns

that identified voter contact information such as name, address, and phone number. The total number of listed voter recipients was 38,048.

13. On March 5, 2024, Waites received an email from the Post 3 email account. The email included a link to a google drive file entitled "Final Copy CM Waites Monthly Newsletter.pdf," which was initially sent to the Post 3 email address from 1913 Fintech at 5:39 PM. The link opened a PDF document of a newsletter named "City of Atlanta Post 3 At-Large Newsletter" with the subtitle "Council Member Keisha Waites." The newsletter contained QR codes for public resources along the side of each newsletter page.
14. On March 7, 2024, Waites emailed Kempson-Wright and others with the subject line, "Notice of intent to Vacate Post 3." In the email, Waites informed Kempson-Wright that she intended to provide her resignation letter before the close of business on Friday, March 8, and it would be effective the same day.
15. On March 10, 2024, at 12:52 PM, Waites forwarded an email to Angela Brown (A. Brown), Rodney Stephens (Stephens), *and Waites' campaign email address* with the subject line, "Post 3 Press Releases." The body of the email included a forwarded email with 12 links to the City of Atlanta City Council communications website. Waites described the links as "Newsletter content!."
16. On March 10, 2024, at 1:17 PM, Waites emailed A. Brown, Stephens, *and Waites' campaign email address* with the subject line, "Post 3 Newsletter Draft Outline 3-10-2024." The body of the email included an outline with the heading, "2024 Post 3 Legislative Newsletter Report." The outline described the pages in the newsletter and noted that the cover page would include the *city seal*.
17. On March 10, 2024, at 1:26 PM, Waites emailed A. Brown *and Waites' campaign email address* with the subject line, "2024 Primary Key Dates and Advance Voting Locations." The body of the email indicated the email was forwarded from Lashandra Little, a Fulton County Voter Education and Outreach Manager. The email included two PDF documents with "Fulton County Advance Voting Hours and Locations" and "2024 Key Dates," noting the election dates for the Presidential Preference Primary, the General Primary Election, and the General Primary Runoff Election.
18. On March 10, 2024, at 1:39 PM, Waites emailed A. Brown, Stephens, *and Waites' campaign email address* with the subject line, "Keisha Waites Short BIO and Photo." The email included two headshots of Waites and a biography of Waites under the title of "Council Member Keisha Waites Atlanta City Council Post 3 At-Large (Citywide)."
19. On March 10, 2024, at 1:40 PM, Waites forwarded an email to A. Brown and *Waites' campaign email address* with the subject line, "City of Atlanta Vendor Registration Guide." The email included two attachments: a supplier registration guide and a blank W-9 form.
20. On March 10, 2024, at 1:41 PM, Waites forwarded an email to A. Brown and *Waites' campaign email address* an email with the subject, "Official Photo with Vice President Joe Biden." The email contained a forwarded email from May 16, 2012, sent initially to Waites' Georgia House of Representatives email address. The email included an attached image of Waites shaking hands with then-Vice President, Joe Biden.

21. On March 10, 2024, at 8:30 PM, Waites sent another email to A. Brown *and Waites' campaign email address* with the subject line, "Post 3 Newsletter Final Draft." This email included a five-page Word document that detailed a "2024 Post 3 Legislative Newsletter & Resource Guide" outline. The first page of the document included an enumerated list of the eight pages of the newsletter. The second page of the "Post3 Newsletter Final Draft" document titled "A Message from Councilmember Keisha Sean Waites" included a two-page letter signed by Waites as "Keisha" at the end.
22. On March 10, 2024, at 11:51 PM, Waites sent another email to A. Brown *and Waites' campaign email address* with the subject line, "Newsletter Pics from Keisha." Waites instructed A. Brown to use one of the pictures from the group for the second page of the newsletter.
23. On March 18, 2024, the Ethics Office reviewed a campaign video posted to Waites' campaign website. The contents of the video were filmed within City Hall, using Council Chambers, Waites' former city office, and other parts of City Hall not available for public use. In response, the Ethics Officer issued Waites a letter ordering her to *cease using city property for campaign purposes*.
24. On April 22, 2024, the Ethics Office received a complaint from a reporter (the "Reporter") through the city's Integrity Line. The Reporter alleged that they received a newsletter from Waites' campaign *on the same day* titled the "Keisha Waites Legislative Newsletter." The Reporter explained that Waites had resigned on March 8, and the newsletter featured the website "*keishawaites2024.com*." The Reporter described the website as Waites' campaign website for the upcoming Fulton County Clerk of Superior and Magistrate Courts election and further explained that it appeared that Waites had used city resources to fund a campaign newsletter, and thousands of other potential voters had likely received the mailer. The reporter provided images of the newsletter they received.
25. On May 1, 2024, Ethics Investigators met with Waites during her campaign event in Sandy Springs, Georgia. Ethics Investigators hand-delivered Waites hard copies of two cease-and-desist letters from the Ethics Office, including the letter originally emailed to Waites' campaign email address on March 18. The second letter, dated May 1, ordered Waites to *cease using the city seal and related images in the newsletter* she mailed using city funds to prospective primary voters on or around April 22. Waites accepted receipt of the two cease and desist letters.
26. On May 7, 2024, Ethics Investigators interviewed Ja'Keilla Rouse, Deputy Chief of Staff for City Council Post 3 At-Large, at the Ethics Office. Rouse was hired in July 2022 as a City Council Assistant to Waites. According to Rouse, City Council Business Manager, Brigitte Brown, told her that the payment process differed with DMS because they were a print *and* mail service. This meant a final invoice could not be created until *after* DMS printed the postage on the newsletters, and the total invoice amount was adjusted for the actual cost of postage. Therefore, the city never paid DMS in advance, only after being provided the amount of paid postage.
27. Rouse was unaware of the status of the \$24,963.00 invoice from DMS that Waites submitted for processing on March 1, 2024. Rouse explained that there were times when Waites handled invoices independently. Although Rouse was responsible for managing the finances for other vendors, Waites did not ask her to assist with or oversee the

newsletter finances, leading Rouse to believe that Waites managed that herself. Rouse only learned that the newsletter was completed after Holmes informed her. According to Rouse, Holmes had been contacted by a friend from Union City or College Park who received the newsletter and asked if Holmes had seen it. Once Rouse learned of the newsletter's completion, she questioned whether DMS had been paid because it was one of the last invoices the office had not settled before Waites' resignation.

28. Rouse believed the newsletter was initially intended to be a Post 3 newsletter because *she started working on it in 2022 and spent 75 and 80 hours of city work hours on the issue*. According to Rouse, Waites believed that because the newsletter project started before her resignation, it was permissible for Rouse to complete the issue after Waites resigned. After Waites resigned, Rouse recalled that responsibility for completing the newsletter shifted from Rouse to Holmes and Madeline Brandhorst, an Atlanta Public Schools intern.
29. Rouse provided Ethics Investigators with a copy of a draft of the newsletter showing the issue as *95% completed* when the newsletter was transferred to Holmes. Rouse recalled telling Holmes that all that remained to be done was the communications page and the front page with Waites' picture. Rouse advised that she regularly communicated with Waites while working on the newsletter draft; however, the final product differed from Rouse's work.
30. On May 7, 2024, Ethics Investigators contacted Michael Gay of DMS. Gay provided Ethics Investigators with his business address and invited the investigators to visit his place of work for additional information about Waites' newsletter production. Gay also advised that he began communicating with Waites regarding the production of the newsletter in January 2024. A month or two later, Gay spoke with Brown, and *payment by the city for the newsletter was arranged*. Gay explained that Brown advised him that payment would take between 15 and 30 days.
31. That same day, Ethics Investigators met with Gay at the DMS office and production space. Gay reviewed the purchase order (#5261452) he received from Brown and realized he had not received payment for the newsletter. The purchase order was dated March 1, 2024, and Gay wrote "Not Paid" for his records. The purchase order was for \$24,963.00.
32. Gay explained that his standard policy was not to perform any work before receiving payment in full. However, he made an exception for the City of Atlanta because *"the city always pays."*
33. Gay escorted Ethics Investigators through DMS' production area while explaining the process of creating and mailing the newsletter. While showing Ethics Investigators the equipment used, Gay located an unaddressed copy of the newsletter. Gay explained that he received the art file from Waites, outsourced the printing of the newsletter, received the printed newsletter, and printed the mailing addresses on the copies.
34. Gay also advised that Waites directed him to add the names, addresses, and *campaign website* to the newsletters. Gay explained that he added the campaign website, "www.keishawaites2024.com," to the newsletters *after* Waites submitted the purchase order. According to Gay, Waites preferred to have her website printed alongside the

addresses, but doing so created too many lines on the available space. Therefore, Gay placed the website next to the white space for return addresses.

35. On May 7, 2024, Gay forwarded an email *from Waites's campaign email address* to Ethics Investigators. Gay received the email on *April 16, 2024*. The email's subject line was "Waites Voter File 2024 Newsletter" and included an attached spreadsheet named "Waites Mail and Phone File 4-16-24.xlsx." The spreadsheet contained eleven columns, *including a "www.keishawaites2024.com" column* and other identifying information of voter recipients, such as their name, phone number, and city. The "city" column of the spreadsheet *included all cities in Fulton County*. The mailing list contained a total of 37,015 voter recipients and included the Reporter. *The spreadsheet's metadata identified Waites as the author of the mailing list.*
36. On May 9, 2024, Gay forwarded Ethics Investigators two additional emails. One was *from Waites' campaign email address*. Gay received the email on April 16, 2024, at 9:40 AM with the subject line, "*Re: Waites Voter File 2024 Newsletter.*" In her email, Waites instructed Gay:

Use this example format...

Keisha Waites  
1920 Brewer Blvd,  
Atlanta, Georgia 30310  
Or Current Resident,  
  
www.keishawaites2024.com

37. The second email Gay forwarded to Ethics Investigators was from Angela Brown (A. Brown). A. Brown emailed Gay on *April 11, 2024*, with the subject line, "final newsletter." The email included an attached PDF document named "Keisha final Newsletter.pdf," which DMS printed and mailed to prospective primary voters. The metadata of the PDF file indicated that A. Brown created the document in Canva on April 11.
38. On May 16, 2024, Ethics Investigators interviewed Santana Kempson-Wright, City Council Staff Director, at City Hall. Kempson-Wright identified Michael Gay of DMS as the vendor Waites retained to print and mail her newsletter. Kempson-Wright provided Ethics Investigators with several emails she received from Gay, which included forwarded emails he received from Waites. The emails were the same as the April 11 through April 16 emails Gay sent to Ethics Investigators, detailing the final draft of the newsletter, the mailing list, and Waites' instructions for adding her campaign website. Kempson-Wright noted Gay's mailing list from Waites included a spreadsheet with addresses outside of the City of Atlanta and added that she had a copy of the newsletter with a *Union City address*.
39. On June 4, 2024, Ethics Investigators interviewed Angela Brown, Community Engagement Manager for the Office of Constituent Services (A. Brown), at the Ethics Office. A. Brown confirmed that she designed the final graphics for Waites' newsletter using her personal computer and Canva account. She explained that Waites asked her to produce the newsletter graphics because of A. Brown's *prior campaign work* creating robocalls and designing materials.

40. According to A. Brown, Waites provided her with a hard copy of a newsletter *drafted by her council staff*, which Waites wanted A. Brown to redesign. Ethics Investigators showed A. Brown the draft newsletter 1913 Fintech sent to the Post 3 email address on March 5, 2024. A. Brown confirmed that the document was the same version as the hard copy she received from Waites and stated that the newsletter she produced, while redesigned, *used the same content* as the March 5 version.
41. A. Brown also told Ethics Investigators that upon submitting the redesigned newsletter to Waites, Waites paid her for her work *through CashApp*. However, despite initially agreeing to provide Ethics Investigators with proof of payment, A. Brown failed to provide any documentation showing how she was paid by Waites.
42. On July 11, 2024, Ethics Investigators interviewed Dana Holmes at the Ethics Office. Holmes served as the Chief of Staff for Waites from February 2024 until Waites' resignation. According to Holmes, she, along with Maya Dillard Smith, assisted Waites' with her election campaign. Holmes confirmed that she worked on the newsletter in her city capacity, with the help of an office intern. She explained that the drafting and design work began approximately 18 months before Holmes started working in the Post 3 office and that she used Rouse's draft document as a template and recreated the newsletter using her personal Canva account.
43. Holmes added the city seal to the newsletter and obtained the seal from a zip file she received *from Waites*. Holmes also stated that some of the pictures used were from the city's communications department.
44. Holmes recalled that Waites requested three separate quotes for the newsletter *prior to resigning* and chose DMS because she had used them before. Holmes explained that if a vendor had been used by the city before, as was the case with DMS, the purchase order and invoice did not have to be in hand before starting the job. After Waites decided on a vendor, Holmes stated that she had no further involvement in providing or processing the payment. Holmes explained that Waites always controlled the budget and spending.
45. According to Holmes, Waites called her *on March 11, 2024*, and requested a link to the newsletter she recreated. Holmes provided the link but locked the document so that the newsletter could not be edited. Waites told her she had hired and paid somebody else to make the newsletter, but the newsletter was not what Waites wanted. Holmes said that the final published newsletter looked nothing like the one she designed. However, she noted that *the final newsletter incorporated pieces of her draft*, such as the introduction letter Holmes wrote to Waites' constituents.
46. On July 16, 2024, Ethics Investigators interviewed Keisha Sean Waites on Zoom. Waites explained that she intended to mail the newsletter in October 2023 and claimed that she mailed it out *on March 4, 2024*, the date listed on the newsletter's first page. Waites stated that she placed the purchase order for the newsletter "weeks in advance" of her resignation. Waites also asserted that she did not work on the newsletter after she resigned because she had no authority to direct anything after leaving city service.
47. Waites then provided various reasons for delaying the mailing of the newsletter, such as postal service delays, the newsletter not being ready, waiting for images from the city's

communications department, and confusion about the data used. Waites stated that many people worked on the newsletter, including Rouse, Holmes, and A. Brown.

48. Waites also confirmed that A. Brown created the final design of the newsletter and that she paid A. Brown for the work. Waites did not remember how much she paid A. Brown and stated she would need to review her *campaign finance disclosures*. Waites clarified, "*Most of [the payments] probably were CashApp.*"
49. According to Waites, she did not know when the campaign website appeared on the newsletter. When asked if she requested to add it, Waites replied, "*It should have been on the original document. I don't know why it wasn't on the original document...it should have been on the original print job. That's my position.*"
50. Waites stated that DMS printed and mailed the newsletter for the City of Atlanta, and then Waites claimed that she used another print house, Clash Graphics, to print additional copies at her campaign's expense. After A. Brown completed the final draft of the newsletter, Waites stated it included all the information collected, developed, and written by her *council staff*. She believed it would be appropriate to use the information *to inform Atlanta's voters* that she wanted to pivot and continue to build upon the work she started at City Hall. Waites added that she considered her accomplishments as a council member "a matter of public record."
51. Waites indicated that the newsletter sent out to the City of Atlanta was the *same version* she printed and mailed at her own expense, and there was no reason to change it. Waites asserted that she initially sent the newsletter only to City of Atlanta addresses and explained that she "really want to get this information *in the hands of the voters* because it speaks to my qualifications, my executive qualifications, because there was some concern I did not have any administrative experience in my capacity to get things done." Waites confirmed she was referring to the election for Fulton County Clerk, and further explained that she contacted DMS and advised Gay she wanted to expand the mailer. Gay informed Waites that the cost would be significantly higher. Waites stated she agreed and printed the additional newsletter copies, which DMS mailed out "considerably later."
52. On July 17, Ethics Investigators received an email from Holmes. The email included a Canva link to the newsletter draft she created for Waites. The newsletter draft was the same design in the Google Drive link emailed to Waites *on March 5*, and presented to A. Brown by Ethics Investigators during her interview.
53. On August 1, 2024, Ethics Investigators spoke with Gay to verify the information received from Waites, such as the "second mailing" Waites had allegedly paid for with her own funds. Gay stated that *he did not mail the newsletter until April 17* due to Waites' repeated updates to the mailing list, which delayed the production of the newsletter. Gay explained that he called Waites and advised that he would not submit another invoice to the city with a revised amount for the additional postage. Gay advised Waites she would need to pay him up front for the additional postage costs of the final mailing list that she provided.
54. When Gay processed the final mailing list, he informed Waites that the postage would exceed his initial quote *to the city* because the list *included non-metro addresses*. The increase was due to postage for newsletters mailed "out of district," identified by Gay's sorting software as "non-metro" addresses. After Gay printed the non-metro-addressed

newsletters, he placed them in mail buckets and did not mail them immediately. Gay recalled that he mailed the newsletters to the City of Atlanta addresses while he awaited payment from Waites for the postage for non-metro addresses. Gay stated that Waites paid him in cash and by money order approximately 1 to 2 weeks *after* he mailed the in-district newsletters on April 17 or April 18.

55. On August 5, 2024, the Ethics Office received an email from another DMS employee. In the email, the employee wrote that they could not locate the check they received from Waites; however, the employee provided a scanned image of a \$750 money order deposited to Bank of America *on April 25, 2024*. The employee believed the money order was for the non-metro portion of Waites' newsletters and that Waites paid the balance for the other non-metro mailings in cash. According to the employee, Waites paid approximately \$1,750.00 in total for the non-metro Atlanta mailings.
56. On August 6, 2024, Ethics Investigators received a series of emails from Waites. Waites provided the names of the city council interns who worked on the newsletter and explained that she contacted A. Brown to request copies of her CashApp payments, but A. Brown did not reply. While Waites did not provide documentation of her payments to A. Brown, she believed that she paid A. Brown approximately \$1,200.00 to finish the newsletter.
57. Ethics Investigators requested a copy of the mailing list used by Waites and DMS for the "second mailing." Waites responded, "Note once I resigned from the city council and returned my city-issued phone and laptop, I no longer had access to any emails or communication." In response to Ethics Investigators' request for the receipt from Clash Graphics for the second newsletter printing, Waites wrote, "Clash Graphics maintains an online/digital platform..." Waites failed to provide the requested documentation.
58. Waites' emails also included a copy of City of Atlanta Purchase Order #52416452, which now *included an additional page*. The extra page was Invoice 64-#907 from DMS, dated April 15, 2024, totaling \$1,700.00. The invoice description provided that the amount billed was "Postage due for mailing (*North Fulton Print*)."

### **Conclusions of Law**

59. Pursuant to the City of Atlanta Charter, the Ethics Office is charged with urging compliance and investigating alleged violations of the Code of Ethics<sup>1</sup>. Administrative Sanctions may be issued by the Ethics Office where intentional violations of the Code are found<sup>2</sup>.
60. Section 2-811 of the Code of Ethics states in relevant part that "[n]o official... shall request, use or permit the use of any publicly owned or publicly supported property..., equipment, labor or service for the private advantage of such official..." The Ethics Office interprets the term "private advantage" to mean private or personal use or gain.
61. Further, city elected officials "*generally may not use city property, including city funds, to promote any candidate for political office.*" Specifically, candidates 1) may not hand out city-funded newsletters during a political campaign event or while soliciting votes, 2) use

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<sup>1</sup> See Atlanta, Georgia, Charter and Related Laws, Subpart A – Charter, Article 8. – The Office of the Inspector General and the Ethics Office, Section 8-109. – Ethics Office (January 5, 2024) et seq.

<sup>2</sup> See Id. At Section 8-101 (i)

city funds to pay for the creation of photographs, videos, *newsletters* or other materials for political campaign purposes, or 3) use city funds to pay for email services and mailings for political campaign purposes. City-funded materials, such as *council newsletters* and city event flyers, may not contain links or references to the *websites* or social media accounts of candidates when the account is used for political campaign purposes.<sup>3</sup>

62. According to city email records, on January 12, 2024, then-councilmember for Post 3-At Large, Keisha Sean Waites (Waites), sent an email from her city email address to her official campaign committee email address with the subject line, "*Campaign Plan.*" The email included a fourteen-page document with multiple sections, including "Voter Engagement." The Voter Engagement section included a subsection for *mailers* that provided *April 11 and April 25 deadlines.*
63. That same day, Waites shared an outline of what she labeled the "Post 3 Newsletter" with members of her city council staff *and members of her campaign team.* Waites later emailed an updated version of the outline to her city staff *and campaign email address,* indicating that she wanted the newsletter cover to include the City of Atlanta seal.
64. Waites selected Discount Mailing Services (DMS), a registered city vendor, to print and mass-mail the newsletter. On March 1, 2024, she submitted a quote and invoice from DMS to the City Council Business Manager. As a result, the city generated a purchase order in the amount of \$24,963.00 to print and mail 37,500 "Post 3" newsletter booklets.
65. Following her qualification as a candidate for Fulton County Clerk between March 4 and 7, 2024, Waites resigned from the city council effective on March 8, 2024. Two days later, on March 10, 2024, Waites accessed her city email account and *sent eight separate emails to her campaign email address and at least one of her campaign team members.* The emails referenced Post 3 newsletter content developed by Waites and her council staff between January 12, 2024, and March 5, 2024, and information related to the upcoming Fulton County primary election. The emails specifically included a link to 12 city press releases Waites identified as "Newsletter Content," a draft outline of the Post 3 newsletter specifying the use of the city seal on the cover pager, two PDF copies of *Fulton County's Advance Hours and Locations and Key Dates for the 2024 Primary Election,* two headshots of Waites with a biography attached, a photo of Waites from 2012 with then-Vice President Joe Biden, a draft message from "Councilmember Waites," and additional pictures, which Waites instructed one campaign team member to use on the second page of the newsletter.
66. On *April 11, 2024,* in accordance with Waites' January 12, 2024, "Campaign Plan," her paid campaign worker emailed DMS the final PDF copy of the newsletter, inclusive of the city seal on the cover page. DMS executed the printing job in accordance with the *city purchase order and invoice* submitted by Waites on March 1, 2024.
67. On April 16, 2024, Waites sent DMS an email with the subject line "Waites Voter File 2024 Newsletter," which included an attached spreadsheet created by Waites named "Waites Mail and Phone File 4-16-24.xlsx." The spreadsheet contained a column for Waites' Fulton

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<sup>3</sup> See City of Atlanta Board of Ethics, Formal Advisory Opinion 2005-7 – Use of City Property by Candidates for City Office (September 21, 2017)

County Clerk campaign website, [www.keishawaites2024.com](http://www.keishawaites2024.com), Waites' preferred format for listing a recipient's address, and a "city" column inclusive of *all cities* in Fulton County.

68. On April 17, 2024, DMS mailed Waites' newsletter, which included the city seal and Waites campaign address on the cover page, to the *City of Atlanta* addresses received from Waites. DMS delayed the mailing of the newsletter to the non-City of Atlanta addresses for approximately a week due to the additional associated costs. DMS records showed that Waites ultimately paid DMS the \$1,700 remaining balance with non-city funds on or around *April 25, 2024*, again in accordance with her January 12, 2024, "Campaign Plan."
69. Upon printing and mailing the newsletters, DMS executed each of the services to be provided pursuant to the city purchase order and invoice submitted on March 1<sup>st</sup> by Waites. As a result, on May 9, 2024, the city paid DMS the \$24,963 owed for their services.
70. Therefore, as outlined above and in the findings of fact, from mid-January until late April 2024, Waites continuously used and directed the use of city property and resources, including the City of Atlanta seal. Waites also used city funds to pay for the campaign materials and used her city email account and council staff to create, print and mail an eight-page newsletter which she ultimately distributed for the private advantage of her campaign for Fulton County Clerk, in violation of Section 2-811 of the Code of Ethics.

### **Sanctions and Recommendations**

71. In proposing sanctions, the Ethics Office considered aggravating and mitigating circumstances, including:

#### **Aggravating Circumstances**

1. Waites' prior training on the City's Code of Ethics/Standards of Conduct.
2. The delivery of two cease and desist letters from the City Ethics Officer to Waites, both of which specifically addressed her misuse of city property for campaign purposes and ordered her to cease doing so.
3. Waites' continued use of her city email account for campaign purposes *after* resigning from the city council.

#### **Mitigating Circumstances**

4. Waites' voluntary participation in the investigation of this matter.

The Ethics Office also considered sanctions issued in past cases to determine the appropriate penalty for each individual violation of the Code of Ethics.

72. The Ethics Office recommends a total administrative sanction of **\$5,000.00** for **13 individual violations** of Section 2-811 of the Code of Ethics, as follows:

1. **\$1,000.00** sanction for Waites' use of her city email account to transmit her "Campaign Plan" for the Fulton County Clerk primary election to her campaign email address and a campaign team member.
2. **\$1,000.00** sanction for Waite's misuse of her city council staff's city work hours and work product for campaign purposes.
3. **\$1,000.00** sanction for Waite's use of the city seal for campaign purposes.
4. **\$2,000.00** sanction for Waites' use, on at least ten separate occasions prior to and *after resigning from her city position*, of her city email account to transmit materials related to the newsletter to her campaign email account and campaign team members.

73. The Ethics Office thereby orders Waites to pay **\$24,963.00 in restitution** to the City of Atlanta for the use of city funds to mail and print her newsletter for campaign purposes, and **a total administrative sanction of \$5,000** for the thirteen violations of Sections 2-811 of the Code of Ethics.

74. Failure to comply with this Decision may result in additional sanctions or referral of this matter to the City Solicitor's Office for prosecution.

Respondent has the right to appeal this Decision to the Governing Board of the Office of the Inspector General and the Ethics Office within 14 days of the date of receipt of this Decision. See Atlanta, Ga., Charter §8-103(a)

So ordered this 18th day of November 2024.

For the City of Atlanta Ethics Office.

DocuSigned by:

*Carlos Santiago*

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Carlos R. Santiago  
Deputy Ethics Officer