

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

In Re:

LLOYD "ALLEN" COGAR,

COMPLAINT NO. VCRB 2018-26

**City of Richwood,
Former Chief of Police,
Respondent.**

PROBABLE CAUSE ORDER

The Probable Cause Review Board, having investigated and considered the allegations set forth in VCRB 2018-26, unanimously finds that there is probable cause to believe that Respondent Lloyd "Allen" Cogar ("Cogar" or "Respondent") violated the provisions of the West Virginia Governmental Ethics Act, in his public position as Chief of Police for the City of Richwood, as follows:

Background

The Respondent served as the Chief of Police for the City of Richwood. As Chief of Police, the Respondent had direct authority or control over all Police Department contracts. The Respondent was also issued a City of Richwood Purchasing Card ("P-Card"). In addition to serving as the Chief of Police for the City of Richwood, the Respondent also owned and operated Allen's Discount Tire, LLC ("Allen's Tire"), a business that sold automobile tires and performed automobile maintenance.

Count One: In 2016, Cogar violated the public contract restrictions in the Ethics Act, at W. Va. Code § 6B-2-5(d), by using his City of Richwood P-Card to purchase goods and services from his business, Allen's Tire, in the amount of \$787. Even though the amount of goods and services purchased from his business, Allen's Tire, did not exceed the limited financial interest threshold, \$1,000, found in W. Va. Code §


6B-2-5(d)(2)(A), Cogar, as the Chief of Police, had authority and control over the purchases and did not remove himself from decisions relating to the purchase of goods and services from his business, Allen's Tire, by using his City of Richwood P-Card for the purchases from his private business in violation of W. Va. Code § 6B-2-5(d)(3).

Count Two: In 2017, Cogar violated the public contract restrictions in the Ethics Act, at W. Va. Code § 6B-2-5(d), by using his City of Richwood P-Card to purchase goods and services from his business, Allen's Tire, in the amount of \$714. Even though the amount of goods and services purchased from his business, Allen's Tire, did not exceed the limited financial interest threshold, \$1,000, found in W. Va. Code § 6B-2-5(d)(2)(A), Cogar, as the Chief of Police, had authority and control over the purchases and did not remove himself from decisions relating to the purchase of goods and services from his business, Allen's Tire, by using his City of Richwood P-Card for the purchases from his private business in violation of W. Va. Code § 6B-2-5(d)(3) .

Count Three: Cogar used his office for private gain in violation of the Ethics Act, at W. Va. Code § 6B-2-5(b)(1), by knowingly and intentionally using City of Richwood funds to purchase goods and services from his business, Allen's Tire.

ENTERED: July 19, 2023


Michael A. Kawash, Chairperson
Probable Cause Review Board


Daniel J. Guida, Member
Probable Cause Review Board