

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

IN RE:

COMPLAINT NO. VCRB 2024-51

**JAMES HUNT,
Former Corporal, City of Charleston
Police Department, Respondent**

Conciliation Agreement

The West Virginia Ethics Commission and James Hunt freely and voluntarily enter into the following Conciliation Agreement pursuant to W. Va. Code § 6B-2-4(t) to resolve all the potential charges arising from allegations of violations of the West Virginia Governmental Ethics Act based upon the facts set forth below.

Findings of Fact

1. James Hunt (Respondent or Hunt) was a law enforcement officer in the City of Charleston's Police Department at all times pertinent herein. Thus, Hunt was a "public official" or "public employee" as defined in the Ethics Act, at W. Va. Code § 6B-1-3(k).

2. The Ethics Commission has jurisdiction over alleged violations of the West Virginia Ethics Act committed by public employees or officials, such as Hunt. W. Va. Code §§ 6B-1-1 through 6B-3-11.

3. Hunt was the Chief of Police for the City of Charleston from February 5, 2020, until his resignation from the post on August 18, 2023. Hunt continued as a law

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enforcement officer with the City of Charleston's Police Department until his retirement on June 21, 2024.

4. As a police officer for the City of Charleston, Hunt was issued a cell phone for official business. Hunt used this city-issued cell phone for the following private purposes:

- a) The cell phone number was listed as the contact number for his business, Hunt Family Construction, LLC, with the West Virginia Department of Labor from July 8, 2020, through at least August 13, 2023.
- b) The cell phone number was listed as the contact number for Hunt's position as coach at a middle school.
- c) The cell phone was used to send inappropriate pictures of Hunt displaying parts of his anatomy undressed or partially undressed.

5. The Respondent did not have an agreement with the City of Charleston for the private use of his city-issued cell phone nor did he pay a fee to the City for his private use of the cell phone. During the period of time when Mr. Hunt was issued a cell phone, the City of Charleston did not have a cell phone policy for its employees.

Relevant Legal Provisions

W. Va. Code § 6B-2-5(b)(1) provides:

A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person. Incidental use of equipment or resources available to a public official or public employee by virtue of his or her position for personal or business purposes resulting in de minimis private gain does not constitute use of public office for private gain under this subsection. The performance of usual and customary duties associated with the office or position or the advancement of public policy

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goals or constituent services, without compensation, does not constitute the use of prestige of office for private gain.

W. Va. Code R. § 158-6-5 provides:

5.2. Improper Use - Public officials and public employees shall not use government property for personal projects or activities that result in private gain.

5.3. This section does not apply to the de minimis use of government property.

Advisory Opinion 2021-15

An Agency may not allow its employees to use their agency-provided cellular phone as their personal cellular phone unless the employees pay a reasonable fee to the agency. Employees may not use their agency-provided cellular phone for commercial or political campaign purposes. The de minimis use of an agency-provided cellular phone for personal purposes is permissible.

Conciliation of Violations

I, James Hunt, admit that on occasions I listed the telephone number of my city-issued cell phone with governmental agencies for personal purposes in violation of W. Va. Code §§ 6B-2-5(b) and W. Va. Code R. § § 158-6-5.2 of the West Virginia Governmental Ethics Act. I assert that my actions did not result in extra cost to the City of Charleston nor interfere with execution of my official duties. Further I made no money off these listings.

In order to resolve this matter, I am entering into this Conciliation Agreement. I understand that for this Agreement to be finalized, the Ethics Commission must approve it.

In consideration of the settlement of this matter, I agree to the Commission's imposition of the following sanctions:

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1. Mr. Hunt agrees to never hold public office.
2. Mr. Hunt agrees never to serve in Law Enforcement again.
3. A Public Reprimand.
4. A copy of this Conciliation Agreement will be provided to the West Virginia's Law Enforcement Professional Standards Program.

I understand and agree that if the Ethics Commission fails to approve this Conciliation Agreement, then this Conciliation Agreement is null and void and the Complaint against me will proceed before the Probable Cause Review Board, where it will be processed in accordance with the West Virginia Code and the Ethics Commission's Legislative Rules.

If the Ethics Commission approves the Agreement, it will enter an Order in which it approves the Agreement and sets forth the sanctions listed above and this will conclude all proceedings pending against the Respondent before the Commission.

Both parties understand that, pursuant to W. Va. Code § 6B-2-4(t), this Conciliation Agreement and Commission Order must be made available to the public.

9/4/2025
Date

Robert J. Wolfe
Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

08-18-2025
Date

James Hunt
James Hunt, Respondent

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COMMISSION'S ORDER

After considering the Findings of Fact, Relevant Legal Provisions, and Conciliation of Violations in the Conciliation Agreement, the West Virginia Ethics Commission finds that the Conciliation Agreement is in the best interests of the State and James Hunt, as required by W. Va. Code § 6B-2-4(t). In accordance with W. Va. Code § 6B-2-4(s), the Commission imposes the following sanctions:

1. Respondent is **ORDERED** to never hold public office;
2. Respondent is **ORDERED** to never serve in law enforcement again;
3. Respondent is issued a **Public Reprimand**; and,
4. A copy of this Conciliation Agreement will be provided to the West Virginia Law Enforcement Professional Standards Program.

Date: September 4, 2025



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission