

# RHODE ISLAND ETHICS COMMISSION

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## Advisory Opinion No. 2025-54

Approved: September 30, 2025

**Re: Sonia Frias**

### **QUESTION PRESENTED:**

The Petitioner, an environmental scientist with the Rhode Island Department of Health, Center for Drinking Water Quality, a state employee position, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from serving in her private capacity as a co-author for a paper intended to be published in a scientific journal which incorporates the use of data that the Petitioner compiled as part of her public duties and later requested and received in her private capacity through the state's Access to Public Records Act.

### **RESPONSE:**

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, an environmental scientist with the Rhode Island Department of Health, Center for Drinking Water Quality, a state employee position, is not prohibited by the Code of Ethics from serving in her private capacity as a co-author for a paper intended to be published in a scientific journal which incorporates the use of data that the Petitioner compiled as part of her public duties and later requested and received in her private capacity through the state's Access to Public Records Act.

The Petitioner has been employed by the Rhode Island Department of Health (RIDOH) for the past 15 years. For the last 14 years, she has been assigned to RIDOH's Center for Drinking Water Quality (CDWQ). The Petitioner states that during the past year, the CDWQ conducted a study for Per Fluorinated Alkyl Substances (PFAS) chemicals present in Rhode Island water (study). The Petitioner explains that her public duties included managing the collection of study samples and compiling the resulting data. She further explains that, once the PFAS study was completed in July 2025, a representative from the University of Rhode Island (URI) submitted a request to RIDOH under the Access to Public Records Act (APRA) seeking the sample results from the PFAS study. The Petitioner states that, following a review by RIDOH's legal department of URI's APRA request, the sample results were deemed to be public information. The Petitioner then assisted with the collection of the sample results so that RIDOH could respond to URI's

request, which it did. The Petitioner informs that RIDOH intends to use the data from the study to publish a paper in collaboration with URI.

The Petitioner states that she has been asked by a former RIDOH colleague who recently relocated to Pennsylvania to serve as the co-author of a scientific paper that he is writing about PFAS which he intends to have published in at least one scientific journal. The Petitioner further states that she would like to do this. The Petitioner represents that sometime after RIDOH responded to URI's APRA request for data from the PFAS study, the Petitioner submitted her own APRA request to RIDOH for the same information requested by URI and for additional information, as well. The Petitioner emphasizes that she made her APRA request in her private capacity, outside of her regular business hours, using her personal email address. She informs that following the review of the Petitioner's APRA request by RIDOH's legal department, the data was deemed to be public information and was sent by RIDOH to the Petitioner at her personal email address.

The Petitioner represents that she has analyzed the data that she obtained from RIDOH in response to her APRA request and that she plans to incorporate that data into the paper that she has been asked to co-author. She explains that she will also offer comments and suggested edits to the other author of the paper, as appropriate. The Petitioner emphasizes that she will not use confidential information that she acquired during the course of and by reason of her public duties as a co-author of the paper. The Petitioner further emphasizes that she will not receive compensation of any kind for her contribution to the paper, nor will she derive any other direct financial benefit. The Petitioner states that she has been interested in publishing for some time and that a paper on the topic of PFAS will be useful to people throughout the world. The Petitioner informs that she has received permission from her supervisors at RIDOH to contribute as a co-author of the paper, but that her supervisors have withheld permission for the Petitioner to disclose her affiliation with RIDOH in the paper. It is under this set of facts that the Petitioner seeks guidance from the Ethics Commission regarding whether she is prohibited by the Code of Ethics from co-authoring the subject paper in her private capacity.

The Code of Ethics states that a public employee shall not have any interest, financial or otherwise, direct or indirect, or engage in any business, employment, transaction, or professional activity which is in substantial conflict with the proper discharge of her duties or employment in the public interest. R.I. Gen. Laws § 36-14-5(a). A public employee has an interest which is in substantial conflict with the proper discharge of her duties or employment in the public interest if she has reason to believe or expect that she, any person within her family, her business associate, or any business by which she is employed or which she represents will derive a direct monetary gain or suffer a direct monetary loss by reason of her official activity. R.I. Gen. Laws § 36-14-7(a). Further, §§ 36-14-5(c) and 36-14-5(d) prohibit the use and/or disclosure of confidential information acquired by a public employee during the course of or by reason of her official employment, particularly for the purpose of obtaining financial gain. Section 36-14-5(d) also prohibits the use of public

office to obtain financial gain. Finally, the Code of Ethics provides that a public employee shall not accept other employment that would impair her independence of judgment as to her official duties or require or induce her to disclose confidential information acquired by her in the course of her official duties. § 36-14-5(b).

Here, the instant Petitioner seeks an advisory opinion relating to an action that would not be taken in her official capacity as a state employee. The Petitioner would like to contribute as a co-author to a scientific paper in her private capacity. She has received permission from her supervisors at RIDOH to do so. The Petitioner informs that although she will be making use of certain data that she compiled as part of her professional duties, that data is a public record that she requested and obtained in her private capacity by submitting an APRA request. The Petitioner emphasizes that she will not receive any monetary or other compensation for her contribution to the paper; therefore, her proposed activity neither constitutes secondary employment nor use of her public office or confidential information for financial gain under the Code of Ethics. Accordingly, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from serving in her private capacity as a co-author for the paper.

**This Advisory Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. An advisory opinion rendered by the Commission, until amended or revoked by a majority vote of the Commission, is binding on the Commission in any subsequent proceedings concerning the person who requested the opinion and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, agency policy, ordinance, constitutional provision, charter provision, or canon of judicial or professional ethics may have on this situation.**

Code Citations:

§ 36-14-5(a)  
§ 36-14-5(b)  
§ 36-14-5(c)  
§ 36-14-5(d)  
§ 36-14-7(a)

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