



STATE OF RHODE ISLAND
RHODE ISLAND ETHICS COMMISSION

40 Fountain Street
Providence, RI 02903
(401) 222-3790 (Voice/TT)
Email: ethics.email@ethics.ri.gov
Website: <https://ethics.ri.gov>

NOTICE OF OPEN MEETING

DATE:	Tuesday, May 5, 2026
TIME:	9:00 a.m.
PLACE:	Rhode Island Ethics Commission Hearing Room – 8 th Floor 40 Fountain Street Providence, RI 02903
LIVESTREAM:	<p>The Open Session portions of this meeting will be livestreamed at: https://us02web.zoom.us/j/89935037756</p> <p>This is an in-person meeting held at the physical location listed above. Livestream access is being provided only as a convenience, but it is not an official meeting place and we do not guarantee virtual access to view or participate in the meeting. If the livestream virtual broadcast of the meeting is interrupted or cut off for any reason, the meeting will continue in person.</p>



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AGENDA

7th Meeting

1. Call to Order.
2. Motion to approve minutes of Open Session held on April 14, 2026.
3. Director's Report: Status report and updates regarding:
 - a.) Complaints and investigations pending;
 - b.) Advisory opinions pending;
 - c.) Access to Public Records Act requests since last meeting;
 - d.) Financial disclosure; and
 - e.) General office administration;
4. Advisory Opinions:
 - a.) Anthony M. Pompei, P.E., PMP, an assistant director for administrative services at the Rhode Island Department of Transportation, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in the selection of a construction company to provide construction phase services on a bridge project and, potentially, from all other matters concerning the selected company for the duration of the project, given that his spouse's first cousin is employed by one of the companies that submitted a bid on the project. [Staff Attorney Radiches]
 - b.) Shannah Kurland, Esq., a new board member of the Providence External Review Authority (PERA), who in her private capacity is a licensed attorney who regularly represents clients in civil cases alleging misconduct against the Providence Police Department and its officers, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from serving on PERA, given her private employment. [Staff Attorney Radiches]

- c.) Doug McLean, AICP, the director of planning and development for the Town of Coventry, who in his private capacity works as a planning consultant, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from continuing to: (1) perform his official duties relating to the appeal of a recent planning board decision approving an application for the Village at Tiogue; and/or (2) work in his private capacity as a planning consultant. [Staff Attorney Radiches]
 - d.) Richard Berlinsky, an alternate member of the Newport Zoning Board of Review, requests an advisory opinion regarding whether he qualifies for a hardship exception to the Code of Ethics' prohibition against representing himself before his own municipal agency in order to seek a dimensional variance which will allow him to construct a second-floor deck at his personal residence. [Staff Attorney Papa]
 - e.) Charles R. Roberts, a member of the Middletown Town Council, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in town council discussions and decision-making, as described herein, regarding the potential regionalization of the Middletown School District with the Newport School District, given that his brother-in-law is the chairperson of the Newport School Committee. [Staff Attorney Papa]
 - f.) Stephen B. Huttler, a member of the Middletown Planning Board, who in his private capacity is a member of the Aquidneck Island Land Trust Board of Trustees, a private non-profit organization, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in planning board discussions and decision-making relating to the application for a master plan approval for a major land development project involving property that is a subject to a conservation easement in favor of the land trust and given that the applicant and the Petitioner are acquaintances. [Staff Attorney Papa]
5. Motion to go into Executive Session, to wit:
- a.) Motion to approve minutes of Executive Session held on April 14, 2026, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
 - b.) Motion to return to Open Session.
6. Motion to seal minutes of Executive Session held on May 5, 2026.
7. Report on actions taken in Executive Session.

8. New Business proposed for future Commission agendas and general comments from the Commission.
9. Motion to adjourn

ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION BY TELEPHONE AT 222-3790, 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-5555.

Posted on April 30, 2026

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Anthony M. Pompei, P.E., PMP

QUESTION PRESENTED:

The Petitioner, an assistant director for administrative services at the Rhode Island Department of Transportation, a state employee position, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in the selection of a construction company to provide construction phase services on a bridge project and, potentially, from all other matters concerning the selected company for the duration of the project, given that his spouse's first cousin is employed by one of the companies that submitted a bid on the project.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, an assistant director for administrative services at the Rhode Island Department of Transportation, a state employee position, is not prohibited by the Code of Ethics from participating in the selection of a construction company to provide construction phase services on a bridge project and, potentially, from all other matters concerning the selected company for the duration of the project, notwithstanding that his spouse's first cousin is employed by one of the companies that submitted a bid on the project.

The Petitioner is employed by the Rhode Island Department of Transportation (RIDOT) as an assistant director for administrative services (project manager III). He states that he has worked for RIDOT for the last 22 years and has held his current position for the last two years. He further states that his duties include responsibility for overseeing the administration and management of various construction projects from initiation to closeout. The Petitioner informs that, as a project manager III, he is tasked with reviewing and scoring submitted proposals for construction projects. The Petitioner represents that there is one such project pending for which bids have been submitted in response to a request for proposal. The Petitioner states that one of the bids came from Green International Affiliates, Inc. (Green), a surface transportation, water resources, and

civil/site engineering firm based in Tewksbury, Massachusetts with an office in Lincoln, Rhode Island.¹

The Petitioner states that his spouse's first cousin (spouse's cousin) has been employed by Green as a staff engineer for the last ten years. The Petitioner explains that his spouse's cousin, who is the Petitioner's first cousin-in-law, is not listed anywhere in the bid from Green, including the proposed organizational chart provided by Green identifying the team members that would work on the project. The Petitioner represents that his spouse's cousin is a salaried employee whose salary would not be impacted in any way in the event that Green is awarded the contract. Upon consultation with his spouse's cousin, the Petitioner informs that his spouse's cousin was not aware of the proposal process, the project, or his employer's interest in it. The Petitioner further informs that, if Green is awarded the project, his spouse's cousin does not expect to perform work related to it. The Petitioner clarifies that, if his spouse's cousin were to be asked to perform a task by his supervisor relating to the project, it would likely be an engineering plan review in the background as part of a larger task. The Petitioner adds that his spouse's cousin described his position with Green as fully technical and not involving direct interaction with clients. It is under this set of facts that the Petitioner seeks advice from the Ethics Commission regarding whether he is prohibited by the Code of Ethics from participating in the selection of a construction company to provide construction phase services on a bridge project and, potentially, from all other matters concerning the selected company for the duration of the project.

The Code of Ethics provides that a public official or 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 his duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A public official or employee has an interest which is in substantial conflict with the proper discharge of his duties in the public interest if he has reason to believe or expect that he, any person within his family, his business associate, or any business by which he is employed or which he represents will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity. R.I. Gen. Laws § 36-14-7(a). A public official or employee has reason to believe or expect a conflict of interest exists when it is "reasonably foreseeable." Specifically, the probability must be greater than "conceivably," but the conflict of interest need not be certain to occur. 520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001).

¹ The Petitioner explains that in January 2025, Green was acquired by Lochner/Egis, an international consultancy firm active in architecture, consulting, construction engineering, operations, and mobility services. The Petitioner adds that Lochner/Egis operates in 100 countries, employing 20,500 people, including in the United States where the company has locations in 34 states, employing 1,400 people.

A public official or employee is further prohibited by the Code of Ethics from using his public office or position, or confidential information received through his position, to obtain financial gain, other than that provided by law, for himself, any person within his family, his business associate, or any business by which he is employed or which he represents. § 36-14-5(d). Additionally, a public official or employee is required to recuse from participating in his official capacity from any matter when any person within his family appears or presents evidence or arguments before his public agency. 520-RICR-00-00-1.2.1(A)(1) Additional Circumstances Warranting Recusal (36-14-5002). The Code of Ethics also provides that a public official shall not participate in any matter as part of his public duties if he has reason to believe or expect that any person within his family is a party to or a participant in such matter or will derive a direct monetary gain or suffer a direct monetary loss, or obtain an employment advantage, as the case may be. 520-RICR-00-00-1.3.1(B)(1) Prohibited Activities – Nepotism (36-14-5004)(Regulation 1.3.1). “Any person within his [] family” includes a first cousin-in-law. Regulation 1.3.1(A)(2).

The Ethics Commission has previously opined that a person subject to the Code of Ethics could not prepare requests for proposals, review bids, or participate in the selection of vendors for construction projects when it was reasonably foreseeable that a family member, business associate, or employer of the person might be involved and/or directly financially impacted. See, e.g., A.O. 2019-17 (opining that a member of the Smithfield School Building Committee was prohibited by the Code of Ethics from participating in the school building committee’s selection of a construction manager for the elementary school reconfiguration project, given the reasonable foreseeability of financial impact upon his son, who was employed by a company that was expected to bid on the project and who, as the manager of business development for the company would not only be the one to make the presentation before the building committee as part of his employer’s bid on the project, but would also then become eligible for a monetary year-end bonus were he to be successful in helping to secure the contract for his employer).

The Code of Ethics does not, however, generally require a public official to recuse from participating in matters that involve or financially impact a family member’s business associate or employer unless there is also a corresponding benefit flowing to that family member. For example, in Advisory Opinion 2018-28, the Ethics Commission opined that a principal civil engineer with RIDOT could participate in RIDOT matters involving a contractor who often bid and was then providing services to RIDOT, notwithstanding that the petitioner’s first cousin-in-law was employed by the contractor. There, the petitioner did not oversee, inspect, or evaluate his family member’s job performance, nor would RIDOT’s award of a contract to the family member’s employer financially impact the family member or his employment. The Ethics Commission determined that there was nothing in the facts to indicate that it was reasonably foreseeable that the petitioner’s involvement in RIDOT matters involving the contractor would have a financial impact upon his first cousin-in-law as an employee of the contractor. See also A.O. 2019-40 (opining that a member of the Smithfield School Building Committee was not prohibited

by the Code of Ethics from participating in the review of a request for proposal for, and the selection of, a construction manager for an elementary school reconfiguration project, and from all other building committee matters concerning the selected construction manager, notwithstanding that his daughter was employed by a company that was expected to bid on the project, because the petitioner had no reason to believe or expect that his daughter would be financially impacted, directly or otherwise, by reason of his official activity, nor would she be involved in any aspect of the contract); A.O. 2008-69 (opining that a member of the Woonsocket Zoning Board of Review was permitted to participate in discussion and voting on a petition for a variance brought by CVS, notwithstanding that the petitioner's sister was employed as an accounting analyst with CVS, since his sister would not be financially impacted by the zoning board's decision regarding the petition).

Here, the facts as represented do not indicate that the Petitioner has any reason to believe or expect that his spouse's cousin would be directly financially impacted by reason of his official activity for RIDOT in relation to the selection of a construction company for the project or, in the event that Green is the selected bidder, in other matters concerning Green for the duration of the project. The Petitioner states that his spouse's cousin is a salaried employee whose compensation would not be impacted by the selection or non-selection of Green for the project. The Petitioner further states that, in the event that Green is selected for the project, his spouse's cousin would have no expectation of involvement in the project and that, if asked by his supervisor to perform a task, it would likely be an engineering plan review in the background as part of a larger task. The Petitioner represents that his spouse's cousin confirmed for him that his position with the company is fully technical in nature and does not involve direct interactions with clients.

Based on the Petitioner's representations, the applicable provisions of the Code of Ethics, and a review of prior advisory opinions issued, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from participating in the selection of a construction company to provide construction phase services on a bridge project and, potentially, from all other matters concerning the selected company for the duration of the project, notwithstanding that his spouse's first cousin is employed by one of the companies that submitted a bid on the project.

This advisory opinion cannot anticipate every possible situation in which a conflict of interest might arise and, thus, provides only general guidance as to the application of the Code of Ethics based upon the facts as represented above. The Petitioner is advised to remain vigilant about identifying potential conflicts of interest and to either recuse or seek further guidance from the Ethics Commission in the future as warranted.

This Draft 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(d)

§ 36-13-7(a)

520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001)

520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002)

520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004)

Related Advisory Opinions:

A.O. 2019-40

A.O. 2019-17

A.O. 2018-28

A.O. 2008-69

Keywords:

Conflict of Interest

Family Member

Nepotism

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Shannah Kurland, Esq.

QUESTION PRESENTED:

The Petitioner, a new board member of the Providence External Review Authority (PERA), a municipal appointed position, who in her private capacity is a licensed attorney who regularly represents clients in civil cases alleging misconduct against the Providence Police Department and its officers, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from serving on PERA, given her private employment.

RESPONSE FOR OPTION A:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a new board member of the Providence External Review Authority (PERA), a municipal appointed position, who in her private capacity is a licensed attorney who regularly represents clients in civil cases alleging misconduct against the Providence Police Department and its officers, is not prohibited by the Code of Ethics from serving on PERA, notwithstanding her private employment.

RESPONSE FOR OPTION B:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a new board member of the Providence External Review Authority (PERA), a municipal appointed position, who in her private capacity is a licensed attorney who regularly represents clients in civil cases alleging misconduct against the Providence Police Department and its officers, is prohibited by the Code of Ethics from serving on PERA, given her private employment, because the nexus between the Petitioner's public duties and her private employment is too close. Additionally, the Petitioner's private work as an attorney who brings civil actions on behalf of clients alleging misconduct by the Providence Police Department and its officers is an area over which PERA has decision-making jurisdiction. The totality of the facts as represented indicate that the Petitioner's private work would impair her independence of judgment with regard to her public duties.

The Petitioner represents that in December 2025 she was appointed by the Providence City Council to serve as a board member of the Providence External Review Authority (PERA),

a municipal agency that “serves as a civilian oversight body that investigates allegations of police misconduct.”¹ The Petitioner states that PERA’s board is composed of nine members, one of whom is appointed by the mayor, and eight of whom are elected by a majority of the members of the city council.² The Petitioner explains that PERA creates and implements community outreach programs; examines police policies and practices and issues recommendations for changes to either or both to the Providence Police Chief, be it upon its own initiative or upon request of the mayor, the city council, or PERA’s executive director. She informs that PERA also reviews allegations of misconduct on the part of Providence police officers by investigating, conducting hearings, and making findings of fact which could lead to PERA’s recommendation to the Providence Police Chief regarding appropriate disciplinary action to be taken against officers who are the subject of a sustained complaint. The Petitioner states that complaints alleging police misconduct can be filed with PERA by any person including, but not limited to, an alleged victim, a witness, or the parent or legal guardian or immediate family member of an alleged victim with personal knowledge of the incident. She further states that PERA may also initiate its own investigation of an alleged incident. The Petitioner informs that PERA’s review of a complaint alleging police misconduct could result in dismissing the complaint, forwarding the matter to mediation or the police department’s Director of Internal Investigations and Inspections, placing the complaint on hold pending the outcome of the police department’s internal investigation, or transmitting the complaint to PERA staff for a full investigation.³ The Petitioner states that evidentiary hearings are conducted by a three-member panel of PERA members randomly selected by PERA. The Petitioner explains that Providence is currently the only municipality in Rhode Island that has an external review authority.

The Petitioner represents that in her private capacity she works as a civil rights litigator in an “of counsel” capacity to a Rhode Island firm, the focus of which is employment law. She adds that the firm also represents plaintiffs in civil cases alleging police misconduct, and that those cases constitute approximately ten to fifteen percent of the firm’s total cases. The Petitioner explains that approximately 70% of her time is spent representing plaintiffs in police misconduct cases and that most of those cases have named the Providence Police Department and certain of its officers as defendants.⁴ She further explains that currently, there are eight open police misconduct cases pending at her firm which name the

¹ <https://www.providenceri.gov/pera/> (last visited on February 5, 2026).

² She adds that PERA members are reimbursed for reasonable expenses incurred during the performance of their duties but are not compensated for the services they perform.

³ The Petitioner further informs that PERA has full subpoena power.

⁴ The Petitioner states that the firm currently has three cases pending against the Pawtucket Police Department and one case pending against the Cranston Police Department, and that she is the lead attorney for all of those cases.

Providence Police Department and/or its officers as defendants. The Petitioner states that she is lead counsel on seven of those cases and is assisting another attorney at the firm with the eighth case. The Petitioner represents that none of the eight open cases at her firm naming the Providence Police Department and/or certain of its officers as defendants are the subject of a complaint before PERA. The Petitioner also does not expect any of the plaintiffs in those cases to supplement their civil complaint by filing a complaint with PERA, be it due to the expiration of the one-year statute of limitations for doing so or that, in the Petitioner's opinion, filing a complaint with PERA after initiating a civil action in court would be superfluous. The Petitioner states that, notwithstanding her new position with PERA, she and her firm will continue to represent clients in civil actions alleging misconduct against the Providence Police Department and its officers.⁵

The Petitioner states that in the event that the Code of Ethics does not prevent her simultaneous service on PERA's board and her private work as an attorney representing clients alleging police misconduct by the Providence Police Department and/or its officers, she will represent those clients outside of her normal municipal service hours for PERA without the use of public resources, avoid appearing before PERA as part of her representation of clients suing the Providence Police Department and its officers, and not use her public position as a member of PERA's board to solicit clients for herself or her business associates. She further states that she is prepared to do the following: (1) not accept new clients who have an open case with PERA or who had an open case with PERA during her tenure on PERA's board; (2) counsel new clients against duplicating their civil litigation efforts by filing a complaint with PERA; (3) recuse from participation in all PERA matters in which an attorney from her firm appears; (4) recuse from all PERA matters involving an officer who is a party or witness in a pending civil case that she or an attorney from her firm filed or is otherwise involved in; (5) recuse from all PERA matters involving a person who is a witness in a pending civil case that she or an attorney from her firm filed or is otherwise involved in; and (6) refrain from disclosing confidential information acquired during the course of her service as a PERA board member to her clients, colleagues, or others. It is under this set of facts that the Petitioner seeks advice from the Ethics Commission regarding whether she is prohibited by the Code of Ethics from serving on PERA, given her private employment.

No person subject to the Code of Ethics shall accept other employment which will either 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, and by reason of, her

⁵ There were 449 Providence police officers in 2024. <https://ppd.providenceri.gov/wp-content/uploads/2025/07/EYR-2024-FINAL.pdf> (last visited on February 18, 2026).

official duties. R.I. Gen. Laws § 36-14-5(b). Additionally, the Code of Ethics provides that a public official 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 in the public interest. § 36-14-5(a). A public official has an interest which is in substantial conflict with the proper discharge of her duties 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). Section 36-14-5(d) prohibits a person subject to the Code of Ethics from using her public office, or confidential information received through her holding public office, to obtain financial gain for herself, any person within her family, her business associate, or any business by which she is employed or which she represents. A “business associate” is defined as a “person joined together with another person to achieve a common financial objective.” § 36-14-2(3). A “person” is defined as an “individual or a business entity.” § 36-14-2(7). Further, § 36-14-5(c) prohibits the use of and/or disclosure of confidential information acquired by a public official during the course of or by reason of her official duties, particularly for the purpose of obtaining financial gain.

The Code of Ethics also prohibits a public official from representing herself or any other person, or acting as an expert witness, before a municipal agency of which she is a member. § 36-14-5(e)(1)-(3). A person “represents” herself or another person before a municipal agency if she participates in the presentation of evidence or arguments before that agency for the purpose of influencing the judgment of the agency in her favor or in favor of another person. § 36-14-2(12) & (13); 520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined (36-14-5016). These prohibitions extend for a period of one year after the public official has officially severed her position with the subject municipal agency. § 36-14-5(e)(4). Finally, a public official must recuse from participation in any matter in which her business associate or employer, or another person authorized by her business associate or employer to act on their behalf, appears or presents evidence or arguments before her municipal agency. 520-RICR-00-00-1.2.1(A)(2) Additional Circumstances Warranting Recusal (36-14-5002).⁶

The Ethics Commission consistently has opined that persons subject to the Code of Ethics are not inherently prohibited from holding private employment that is secondary to their public positions, provided that the employment would neither impair their independence

⁶ The Ethics Commission has consistently recognized an attorney-client relationship as a business association for purposes of the Code of Ethics. See, e.g., A.O. 2010-47 (opining that the Middletown solicitor was prohibited from participating in consideration by the zoning board and planning board of a petition for a special use permit, given that one of the petitioner’s private law clients had been retained to provide information and testimony in support of the permit application).

of judgment nor create an interest in substantial conflict with their public duties, and subject to certain other restrictions. The Ethics Commission examines several factors when considering potential conflicts regarding private employment. These factors include, but are not limited to, the nexus between the official's public duties and desired private employment; whether the person completes such other work outside of her normal public service hours and without the use of public resources; whether the person is required to appear before her own agency as part of her private employment; whether such other work is to be conducted outside of the areas over which the person has decision-making jurisdiction in her public capacity; and whether the person uses her public position to solicit business or customers for her private position. See General Commission Advisory No. 2009-4.

The Ethics Commission regularly has allowed public officials and employees to engage in secondary private employment that was outside of their official public jurisdiction. For example, in Advisory Opinion 2006-17, the Ethics Commission opined that a lieutenant with the East Providence Police Department could apply for a private investigator's license and operate said business in the City of East Providence. However, the following conditions were imposed: (1) the petitioner could have no involvement with matters subject to the East Providence Police Department's official jurisdiction; (2) he could not disclose any confidential information that he obtained in the course of his employment with the police department; (3) he could only perform such work on his own time and without the use of public resources, including law enforcement databases; (4) he could not use his position as a police officer to obtain clients or private work; and (5) he could not accept any cases or perform any work within the City of East Providence for as long as he was employed by that city's police department. See also A.O. 2001-46 (opining that an active member of the Bristol Police Department was not prevented from assisting a private investigator in reviewing a criminal case under the jurisdiction of the Massachusetts District Attorney's Office, subject to the following conditions: (1) the petitioner could have no involvement with matters subject to the Bristol Police Department's official jurisdiction; (2) the petitioner could not disclose any confidential information he obtained in the course of his employment with the Bristol Police Department; and (3) the petitioner was required to perform such work on his own time and without the use of public resources.

Additionally, in Advisory Opinion 2016-16, the petitioner, an environmental health food specialist for the Rhode Island Department of Health, was not prohibited from working on her own time and in her private capacity as a food safety consultant for food establishments in Connecticut and/or Massachusetts. There, the Ethics Commission determined that, because the petitioner's public employment was limited to regions within Rhode Island and her private consulting work would occur outside of the state, it was unlikely that she would be performing consulting services in her private capacity where she performed inspections in her public capacity. As a result, the facts as represented by the petitioner did not indicate that her private employment would be in substantial conflict with her duties in the public interest or impair her independence of judgment as to her public duties. See also

A.O. 2025-45 (opining that an environmental policy analyst with the Rhode Island Department of Environmental Management, who in that capacity also served as the chairperson of the Seafood Marketing Collaborative, could start a private business to offer and provide marketing and business development services to seafood businesses outside of Rhode Island because, among other things, there was no evidence to suggest that her proposed private endeavor would impair her independence of judgment or create an interest that was in substantial conflict with her public duties at RIDEM and/or the collaborative); A.O. 2009-93 (opining that investigative employees of the Division of Professional Regulation within the Rhode Island Department of Training could accept or maintain private employment in the professional fields for which they had investigative, licensing, and enforcement responsibilities provided that, among other things, they did not perform such work within the State of Rhode Island).

Here, the Petitioner states that she is prepared to do the following: (1) not accept new clients who have an open case with PERA or who had an open case with PERA during her tenure on PERA's board; (2) counsel new clients against duplicating their civil litigation efforts by filing a complaint with PERA; (3) recuse from participation in all PERA matters in which an attorney from her firm appears; (4) recuse from all PERA matters involving an officer who is a defendant or witness in a pending civil case that she or an attorney from her firm filed or is otherwise involved in; (5) recuse from all PERA matters involving a person who is a witness in a civil case that she or an attorney from her firm filed or is otherwise involved in; and (6) refrain from disclosing confidential information that she acquired during the course of her service as a PERA board member to her clients, colleagues, other others. In addition to these enumerated actions, the Petitioner states that she will represent her legal clients outside of her normal municipal service hours for PERA, without the use of public resources, avoid appearing before PERA as part of her representation of clients suing the Providence Police Department and its officers, and not use her public position as a member of PERA's board to solicit clients for herself or her business associates.

Notwithstanding the Petitioner's ability and willingness to recuse from a myriad of situations in which a conflict of interest exists, the issue here can be reduced to whether the Petitioner's private employment as an attorney who regularly files civil cases on behalf of clients alleging misconduct by the Providence Police Department and its officers will impair her independence of judgment with respect to her public duties as a PERA board member which adjudicates and regulates the conduct of the same department and its officers. Those duties include determining whether to accept and sustain complaints alleging misconduct against the Providence Police Department and its officers and, in cases where a complaint is sustained, making recommendations to the police chief and administration regarding the discipline of the offending officer. PERA board members also participate in amending and/or creating police department policies and procedures as part

of their duties.⁷ In the instant matter, the two most relevant factors examined by the Ethics Commission are the nexus between the Petitioner's public duties and her private employment and whether her work as a private attorney is conducted outside of the area over which the Petitioner has decision-making jurisdiction in her public capacity as a PERA board member.

Option A

In consideration of the facts as represented, and consistent with the applicable provisions of the Code of Ethics, prior advisory opinions issued, and the analysis herein, it is the opinion of the Ethics Commission that the nexus between the Petitioner's public duties and private employment can be sufficiently mitigated by the Petitioner's recusal from the matters enumerated herein. All instances of recusal should be made consistent with the provisions of R.I. Gen. Laws § 36-14-6.

PERA does not exercise jurisdiction over the Petitioner's practice of law but, rather, over a particular area of law in which the Petitioner concentrates her practice. Because the Petitioner does not currently, and as a PERA board member may not, appear before PERA, her clients will not be subjecting themselves to PERA's jurisdiction. This expands the nexus between the Petitioner's public duties and her private employment because the Petitioner will not be exercising jurisdiction over her private clients in her public capacity. The Petitioner must complete all work for her private clients outside of her regular service hours for PERA, without the use of public resources, and may not use her public position to solicit business or clients for her or her firm. Finally, the Petitioner may not disclose confidential information acquired by her during the course of her PERA service.

Finally, this advisory opinion cannot anticipate every situation in which a conflict of interest might arise and, thus, provides only general guidance as to the application of the Code of Ethics based on the facts represented herein. The Petitioner is advised to remain vigilant about identifying potential conflicts of interest and to either recuse or seek further guidance from the Ethics Commission in the future as warranted.

⁷Notwithstanding that the Providence Police Chief is the ultimate decision maker regarding whether to adopt the PERA board's recommendations for discipline following a sustained complaint, or whether to change police policies and procedures, PERA's board has been designated by the mayor and the city council to make such recommendations. Therefore, the Petitioner's participation would amount to action taken as part of her official duties for PERA. See, e.g., A.O. 2021-14 (opining that the Middletown town solicitor was prohibited from participating in town council discussions regarding the proposed revision of an ordinance relating to short-term residential leases, given that the petitioner and his spouse owned property regulated by the ordinance, because providing advice to the town council constituted "official activity" as that term is used in the Code of Ethics).

Option B

In consideration of the facts as represented, and consistent with the applicable provisions of the Code of Ethics, prior advisory opinions issued, and the analysis herein, it is the opinion of the Ethics Commission that the nexus between the Petitioner's public duties and private employment is too close to be sufficiently mitigated by the Petitioner's recusal from the PERA matters enumerated herein. The Petitioner's multiple required recusals from performing essential duties in both her public and private positions serve only to highlight the inherent conflicts of interest embedded in serving in both capacities.

If, for example, the Petitioner were to file a civil action on behalf of a client alleging misconduct by a Providence police officer who previously appeared as the subject of a complaint before the Petitioner as a PERA board member, the Petitioner would be privy to confidential information acquired about that officer during PERA's executive session that she would not be able to extricate from her mind. Also, in addition to deciding matters alleging misconduct by the Providence Police Department and its officers, the PERA board participates in the creation and/or modification of police policies and procedures to which those officers will be subject, including those involving officer discipline. The alleged violation of department policies and procedures that the Petitioner helps create or modify will likely form the basis of complaints filed on behalf of her future private clients.

Although PERA does not exercise jurisdiction over the Petitioner's practice of law, it does exercise jurisdiction over the particular area of law in which the Petitioner concentrates her practice. Although the Petitioner's clients will not be subjecting themselves to PERA's jurisdiction, the police officers in the current and future private cases litigated by the Petitioner and her firm are, and will remain, subject to PERA's jurisdiction, nonetheless. That the Petitioner's clients do not subject themselves to PERA's jurisdiction does not sufficiently expand the nexus between the Petitioner's public duties and her private employment because the alleged misconduct of Providence police officers is the very subject matter of both the majority of cases brought by the Petitioner in her private capacity and those within PERA's official jurisdiction.

The totality of the facts as represented indicate that the Petitioner's private work would impair her independence of judgment with regard to her public duties. Accordingly, the Petitioner is prohibited by the Code of Ethics from simultaneously serving as a PERA board member and working as an attorney who regularly represents clients in civil actions alleging misconduct against the Providence Police Department and its officers. Notably, the Petitioner's representation of plaintiffs in civil actions alleging misconduct against police departments and their officers in municipalities other than Providence while she serves on PERA's board would not violate the provisions of the Code of Ethics cited herein.

This Draft 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:

§ 36-14-2(3)

§ 36-14-2(7)

§ 36-14-2(12)

§ 36-14-2(13)

§ 36-14-5(a)

§ 36-14-5(b)

§ 36-14-5(c)

§ 36-14-5(d)

§ 36-14-5(e)

§ 36-14-6

§ 36-14-7(a)

520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined (36-14-5016)

520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002)

Related Advisory Opinions:

A.O. 2025-45

A.O. 2021-14

A.O. 2016-16

A.O. 2010-47

A.O. 2006-17

A.O. 2001-46

A.O. 2009-93

G.C.A. 2009-4

Keywords:

Business Associate

Conflict of Interest

Private Employment

Representing Oneself or Others

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Doug McLean, AICP

QUESTION PRESENTED:

The Petitioner, the director of planning and development for the Town of Coventry, a municipal employee position, who in his private capacity works as a planning consultant, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from continuing to: (1) perform his official duties relating to the appeal of a recent planning board decision approving an application for the Village at Tiogue; and/or (2) work in his private capacity as a planning consultant.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, the director of planning and development for the Town of Coventry, who in his private capacity works as a planning consultant, is not prohibited by the Code of Ethics from continuing to: (1) perform his official duties relating to the appeal of a recent planning board decision approving an application for the Village at Tiogue; and/or (2) work in his private capacity as a planning consultant consistent with the provisions outlined herein.

The Petitioner is the director of planning and development for the Town of Coventry, having been appointed to that position by the town manager almost three years ago. He identifies among his public duties the following: overseeing planning department staff; facilitating departmental acceptance and processing of planning applications; conducting administrative reviews and drafting staff reports to offer guidance on planning applications; communicating with applicants, applicant team members, other municipal staff, planning commission members, project abutters, and other interested parties; facilitating meetings of the technical review committee and providing staff support to meetings of the planning commission; and drafting agendas and minutes for the technical review committee and planning commission, among other town boards. The Petitioner states that his regular work hours are from 8:30 a.m. to 4:30 p.m., Monday through Friday. He adds that he regularly attends planning commission meetings several evenings per month.

The Petitioner represents that he recently provided a staff report and recommendation to the planning commission relating to a development proposal known as the Village at

Tiogue, a 162-unit preliminary plan and comprehensive permit application (collectively, the application) proposed by 232 Realty Associates/Robert DeBlois (Mr. DeBlois). The Petitioner further represents that the application was approved by the planning commission on January 28, 2026. The Petitioner explains that an appeal of the planning commission's decision was timely filed by both Mr. DeBlois¹ and a group of approximately one dozen abutters to the subject property and is currently pending in the Rhode Island Superior Court. The Petitioner informs that his public duties during the appellate process will include providing information and access to documents to the town's solicitor.

The Petitioner states that in his private capacity he performs planning work on a consultant basis which includes the provision of expert reports and testimony on behalf of, or in opposition to, construction and development projects. He explains that he has performed this work as a sole proprietor for private clients since 2018 and for municipalities since 2010. The Petitioner represents that the most common type of consulting work that he does involves assisting homeowners with additions or major construction projects to their house or property which trigger the need for zoning relief in front of a local municipal board. He further represents that his consulting work also includes planning guidance and analysis on behalf of developers seeking local development approvals, as well as planning guidance and analysis on behalf of abutters or neighborhood groups seeking local development denials.

The Petitioner states that he performs his private consulting work outside of his regular work hours for the town and without the use of public resources. The Petitioner further states that his private consulting work has never taken place, or impacted a property or application, within a municipality by which he was or is employed; therefore, he has not been required, nor is he required now, to appear before his own municipal agency or any other agency in a municipality employing him, including Coventry, as part of his private employment. The Petitioner informs that, in his time as a private consulting planner, he has never had a client who was actively or previously before him in his public capacity or who had a reasonable expectation of appearing before him in his public capacity. The Petitioner further informs that he does not use his public position to solicit business or customers for his private consulting work. He represents that in his time as a municipal planner, he has not provided guidance or otherwise acted on an application in his public capacity in which the applicant was an active or previous client, had a reasonable expectation of becoming a client, or was a family member. The Petitioner further represents that he has never used, nor would he ever use, his public position or authority to obtain or share confidential information as a means to aid his private interests to realize private financial gain for himself, any member of his family, or any client or business associate.

¹ The Petitioner explains that Mr. DeBlois' appeal relates to a component of the bond associated with the project.

The Petitioner states that certain abutters to the proposed Village at Tiogue who have filed an appeal of the planning commission's recent approval of the Village at Tiogue application have alleged that the Petitioner should have recused from participation in that matter in his public capacity in light of the private consulting work in which he engages, and further alleged that the Petitioner has a business associate relationship with the applicant, Mr. DeBlois. The Petitioner further states that the same abutters have suggested that the Petitioner should not engage in private planning consulting work while simultaneously serving as the town's director of planning and development during the pendency of the Village at Tiogue application, including all appeals. The Petitioner explains that this suggestion is likewise based on the allegation that he and Mr. DeBlois are business associates. The Petitioner emphasizes that he has never had, nor does he reasonably expect to have, a financial relationship with Mr. DeBlois, any DeBlois-associated company, or with anyone else on the Village at Tiogue applicant team including, but not limited to, the attorneys and staff from Adler, Pollock & Sheehan, DiPrete Engineering, and Crossman Engineering. The Petitioner adds that he has never interacted with Mr. DeBlois or any DeBlois-associated company other than in his public capacity. It is under this set of facts that the Petitioner seeks advice from the Ethics Commission regarding whether he is prohibited by the Code of Ethics from continuing to: (1) perform his official duties relating to the appeal of the recent planning board decision approving the application for the Village at Tiogue; and/or (2) work in his private capacity as a planning consultant.²

Performance of Official Duties

The Code of Ethics provides that a public official 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 his duties in the public interest. § 36-14-5(a). A public official has an interest which is in substantial conflict with the proper discharge of his duties in the public interest if he has reason to believe or expect that he, any person within his family, his business associate, or any business by which he is employed or which he represents will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity. R.I. Gen. Laws § 36-14-7(a). Further, § 36-14-5(d) prohibits a person subject to the Code of Ethics from using his public office, or confidential information received through his holding public office, to obtain financial gain for himself, any person within his family, his business associate, or any business by which he is employed or which he represents. A "business associate" is defined as a "person joined together with another person to achieve a common financial objective." R.I. Gen. Laws § 36-14-2(3). A "person" is defined as an "individual or a business entity." § 36-14-2(7). Also, § 36-14-5(c) prohibits the use of and/or disclosure of

² The Petitioner has represented to Ethics Commission staff that he understands that advisory opinions are based on prospective conduct only and that this advisory opinion will not address the Petitioner's prior conduct in either his public or private capacity.

confidential information acquired by a public official during the course of or by reason of his official duties, particularly for the purpose of obtaining financial gain.

In past advisory opinions, the Ethics Commission has required a public official to recuse from consideration of a matter if it impacted an individual or entity with which the official had an ongoing business relationship, or if such an individual or entity appeared before the official's public body. See A.O. 2016-45 (opining that a member of the Tiverton Planning Board was prohibited from participating in the planning board's discussions and voting relative to a matter in which her business associate appeared as an expert witness, given that they had worked together professionally in the past on projects, often referred work and clients to each other, and would continue to refer work and clients to each other).

Here, the Petitioner represents that he has never had, nor does he reasonably expect to have, a financial relationship with Mr. DeBlois, any DeBlois-associated company, or with anyone else on the Village at Tiogue applicant team including, but not limited to, the attorneys and staff from Adler, Pollock & Sheehan, DiPrete Engineering, and Crossman Engineering. Accordingly, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from continuing to perform his official duties relating to the appeal of the planning commission's approval of the Village at Tiogue application.

Continued Work in Private Capacity

Pursuant to R.I. Gen. Laws § 36-14-5(b), no person subject to the Code of Ethics shall accept other employment that will either impair his independence of judgment as to his official duties or require or induce him to disclose confidential information acquired by him in the course of, and by reason of, his official duties. The Ethics Commission consistently has opined that persons subject to the Code of Ethics are not inherently prohibited from holding private employment that is secondary to their public positions, provided that the employment would neither impair their independence of judgment nor create an interest in substantial conflict with their public duties, and subject to certain other restrictions. The Ethics Commission examines several factors when considering potential conflicts regarding private employment. These factors include, but are not limited to, the nexus between the official's public duties and desired private employment; whether the public official completes such other work outside of his normal public service hours and without the use of public resources; whether the public official is required to appear before his own agency as part of his private employment; whether such other work is to be conducted outside of the areas over which the public official has decision-making jurisdiction in his public capacity; and whether the public official uses his public position to solicit business or customers for his private position. See General Commission Advisory No. 2009-4.

The Ethics Commission regularly has allowed public officials and employees to engage in secondary private employment that was outside of their official public jurisdiction. For

example, in Advisory Opinion 2006-17. The Ethics Commission opined that a lieutenant with the East Providence Police Department could apply for a private investigator's license and operate said business in the City of East Providence. However, the following conditions were imposed: (1) the petitioner could have no involvement with matters subject to the East Providence Police Department's official jurisdiction; (2) he could not disclose any confidential information that he obtained in the course of his employment with the police department; (3) he could only perform such work on his own time and without the use of public resources, including law enforcement databases; (4) he could not use his position as a police officer to obtain clients or private work; and (5) he could not accept any cases or perform any work within the City of East Providence for as long as he was employed by that city's police department). See also A.O. 2016-16 (opining that an environmental health food specialist for the Rhode Island Department of Health was not prohibited from working on her own time and in her private capacity as a food safety consultant for food establishments in Connecticut and/or Massachusetts because the petitioner's public employment was limited to regions within Rhode Island and her private consulting work would occur outside of the state; therefore it was unlikely that she would be performing consulting services in her private capacity where she performed inspections in her public capacity, leading the Ethics Commission to determine that the petitioner's private employment would be neither in substantial conflict with her duties in the public interest nor impair her independence of judgment as to her public duties.

Here, because the Petitioner's public employment is limited to the Town of Coventry, and the Petitioner states that his private consulting work has never taken place or impacted a property or application within the municipality by which he was or is employed, there is no indication that the Petitioner's continued private employment would be in substantial conflict with his duties in the public interest or impair his independence of judgment as to his public duties. Accordingly, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from continuing to work in his private capacity consistent with the provisions outlined herein.

Summary

In consideration of the facts as represented, and consistent with the applicable provisions of the Code of Ethics, prior advisory opinions issued, and the analysis herein, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from continuing to perform his official duties relating to the appeal of the planning commission's approval of the Village at Tiogue application, or from continuing to work in his private capacity consistent with the provisions outlined herein. Finally, this advisory opinion cannot anticipate every situation in which a conflict of interest might arise and, thus, provides only general guidance as to the application of the Code of Ethics based on the facts represented herein. The Petitioner is advised to remain vigilant about identifying potential conflicts of interest and to either recuse or seek further guidance from the Ethics Commission in the future as warranted.

This Draft 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:

§ 36-14-2(3)
§ 36-14-2(7)
§ 36-14-5(a)
§ 36-14-5(b)
§ 36-14-5(c)
§ 36-14-5(d)
§ 36-14-7(a)

Related Advisory Opinions:

A.O. 2016-45
A.O. 2016-16
A.O. 2006-17
G.C.A 2009-4

Keywords:

Business Associate
Conflict of Interest
Private Employment

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Richard Berlinsky

QUESTION PRESENTED:

The Petitioner, an alternate member of the Newport Zoning Board of Review, a municipal appointed position, requests an advisory opinion regarding whether he qualifies for a hardship exception to the Code of Ethics' prohibition against representing himself before his own municipal agency in order to seek a dimensional variance which will allow him to construct a second-floor deck at his personal residence.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, an alternate member of the Newport Zoning Board of Review, a municipal appointed position, qualifies for a hardship exception to the Code of Ethics' prohibition against representing himself before his own municipal agency in order to seek a dimensional variance which will allow him to construct a second-floor deck at his personal residence.

The Petitioner is the second alternate member of the Newport Zoning Board of Review, having been appointed to that position by the Newport City Council in June 2025. He explains that the zoning board consists of five sitting members and three alternates. The Petitioner states that, as an alternate, he attends all zoning board meetings in case he is needed. He further states that he participates in the discussions at those meetings but only votes if a sitting zoning board member has recused or is otherwise unavailable and the Petitioner is required to sit in his or her absence.

The Petitioner is currently planning renovations to his home that include the construction of a second-floor deck that will extend over an addition, and a first-floor deck located off the addition. The Petitioner explains that the second-floor deck would provide much-needed shade to that area of the home. The Petitioner states that the proposed second-floor deck size exceeds the permitted 100 square feet deck size permitted under the newly amended zoning ordinance. Therefore, he represents that he will have to apply for and receive a dimensional variance from the zoning board in order to construct the proposed

second-floor deck.¹ The Petitioner informs that he has already submitted the proposed construction plans to the building inspector, who advised him to seek guidance from the Ethics Commission prior to proceeding before the zoning board. The Petitioner informs that if granted a hardship exception, he plans to hire an attorney or a real estate expert to represent him before the zoning board so he will not be addressing the zoning board personally unless asked for clarification on the project.

The Petitioner states that he has owned the home for approximately 9.5 years and that he has lived in it for the past approximately 1.5 years. He further states that this is his primary residence and that he does not rent it out. Given this set of facts, the Petitioner seeks guidance from the Ethics Commission regarding whether he qualifies for a hardship exception to the Code of Ethics' prohibition against representing himself before his own municipal agency in order to seek the dimensional variance.

The Code of Ethics prohibits a public official from representing himself or authorizing another person to appear on his behalf, before a municipal agency of which he is a member, by which he is employed, or for which he is the appointing authority. R.I. Gen. Laws § 36-14-5(e)(1); 520-RICR-00-00-1.1.4(A)(1) Representing Oneself or Others, Defined (36-14-5016). While many conflicts can be avoided under the Code of Ethics by recusing from participating and voting in certain matters, such recusal is insufficient to avoid § 36-14-5(e)'s prohibitions. Absent an express finding by the Ethics Commission in the form of an advisory opinion that a hardship exists, these prohibitions continue while the public official remains in office and for a period of one year thereafter. § 36-14-5(e)(1) & (4). Upon receipt of a hardship exception, the public official must advise his agency in writing of the existence and the nature of his interest in the matter at issue; recuse himself from voting on or otherwise participating in the agency's consideration and disposition of the matter at issue; and follow any other recommendations the Ethics Commission may make to avoid any appearance of impropriety in the matter. § 36-14-5(e)(1).

The Petitioner's proposed conduct falls squarely within the Code of Ethics' prohibition against representing oneself before a municipal agency of which he is a member. Having determined that § 36-14-5(e)'s prohibitions apply to the Petitioner, the Ethics Commission will consider whether the Petitioner's specific circumstances as represented herein justify a finding of hardship to permit him or his authorized representative to appear before the zoning board.

The Ethics Commission reviews questions of hardship on a case-by-case basis and has, in the past, considered the following factors in cases involving real property: whether the subject property involved the public official's principal residence or principal place of

¹ The Petitioner states that although the construction of the second-floor deck is not the only renovation planned, it is the only one requiring a dimensional variance from the zoning board.

business; whether the public official's interest in the property was pre-existing to his public office or was recently acquired; whether the relief sought involved a new commercial venture or an existing business; and whether the matter involved a significant economic impact. The Ethics Commission may consider other factors, and no single factor is determinative.

The Ethics Commission has previously granted hardship exceptions in a number of cases to public officials who sought to appear before their own boards regarding their personal residences. In Advisory Opinion 2014-26, for example, the Ethics Commission granted a hardship exception to a member of the Barrington Zoning Board of Review, allowing him to appear before his own board to request a dimensional variance to construct a second-story dormer on his personal residence. There, the Ethics Commission granted a hardship exception based on the following representations by the petitioner: the dimensional variance sought involved his principal residence, his ownership of the subject property significantly predated his public office, and the relief sought was personal and not connected to any commercial objective. Additionally, the Ethics Commission required the petitioner to recuse himself from participating and voting when the zoning board considered his request for relief. See also A.O. 2021-46 (granting a hardship exception to a member of the Jamestown Zoning Board of Review, allowing him to represent himself before his own board in order to seek a setback variance that was required to construct a garage on his personal residence, but requiring him to recuse from participation and voting during the zoning board's consideration of his request and to inform his fellow zoning board members of the receipt of the advisory opinion and the fact that he would be recusing from the matter pursuant thereto); A.O. 2020-15 (granting a hardship exception to an Exeter Zoning Board of Review member, allowing him to represent himself before his own board in order to seek a dimensional variance to construct a shed at his personal residence that he acquired prior to his appointment to the zoning board, but requiring him to recuse from participation and voting during the zoning board's consideration of his request for relief); A.O. 2011-34 (granting a hardship exception to an East Greenwich Zoning Board member who sought a dimensional variance to construct a storage shed on her personal property, on the bases that the property involved her principal residence, her ownership of the subject property predated her public office by over two years, and the relief sought was personal and not tied to any commercial objective).

In the present matter, the Petitioner seeks to obtain a dimensional variance in order to construct a second-floor deck at his personal residence. The Petitioner's purchase of his home predates his appointment to the zoning board and the relief sought involves a personal, as opposed to commercial, venture. Considering the Petitioner's above representations, the relevant provisions of the Code of Ethics, and prior advisory opinions issued, it is the opinion of the Ethics Commission that the totality of the circumstances justifies granting an exception to § 36-14-5's prohibitions in order to allow the Petitioner, either personally or through his authorized representative, to appear before the zoning board to seek the desired dimensional variance.

However, § 36-14-5(1)(i-iii) authorizes the Ethics Commission to condition such exception upon the Petitioner's agreement to follow certain steps aimed at reducing any appearance of impropriety. Pursuant thereto, and in addition to the Code of Ethics requirement that the Petitioner recuse from participation and voting during the zoning board's consideration of his request for relief, he must, prior to or at the time of his appearance before the zoning board, inform the other zoning board members of his receipt of the instant advisory opinion and of his recusal in accordance therewith. Notice of recusal must be filed with the Ethics Commission consistent with the provisions of R.I. Gen. Laws § 36-14-6.

This Draft 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(e)

§ 36-14-6

520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined (36-14-5016)

Related Advisory Opinions:

A.O. 2021-46

A.O. 2020-15

A.O. 2014-26

A.O. 2011-34

Keywords:

Hardship Exception

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Charles R. Roberts

QUESTION PRESENTED:

The Petitioner, a member of the Middletown Town Council, a municipal elected position, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in town council discussions and decision-making, as described herein, regarding the potential regionalization of the Middletown School District with the Newport School District, given that his brother-in-law is the chairperson of the Newport School Committee.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a member of the Middletown Town Council, a municipal elected position, is not prohibited by the Code of Ethics from participating in town council discussions and decision-making, as described herein, regarding the potential regionalization of the Middletown School District with the Newport School District, notwithstanding that his brother-in-law is the chairperson of the Newport School Committee, because the potential financial impact of regionalization upon the Petitioner's brother-in-law is both hypothetical and indirect.

The Petitioner is a member of the Middletown Town Council, having been elected to that position in November 2024. The Petitioner represents that his brother-in-law is the chairperson of the Newport School Committee. The Petitioner further represents that the Town of Middletown and the City of Newport have been in active discussions regarding the possibility of regionalizing their school districts. The Petitioner explains that his participation in the school district regionalization discussions and decision-making was recently questioned, given his brother-in-law's position on the Newport School Committee. He clarifies that it has been suggested that his brother-in-law would be impacted should the two school districts regionalize and form one regional school committee thereafter. The Petitioner states that discussions concerning the potential regionalization of the school districts are solely between the Middletown Town Council and the Newport City Council, without the participation of the school committees in those municipalities.

The Petitioner further states that the Middletown Town Council does meet separately with the Middletown School Committee to discuss the potential regionalization of the two school districts. However, the Petitioner does not expect that the Newport School Committee, or his brother-in-law, will be in joint discussions on the matter with the Middletown Town Council. The Petitioner assumes that it is possible that the respective councils may organize a joint public hearing at which members of the public, and possibly the respective school committees or members thereof, may be present to share their viewpoints during the public comment portion of the hearing. During discussions with the staff of the Ethics Commission, the Middletown town solicitor explained that the Middletown Town Council and the Newport City Council created an Academic Integration Advisory Committee (AIAC) to explore the possible education benefits resulting from the proposed regionalization of the school districts. The solicitor further explained that the AIAC would also explore the economic impact on the communities and make recommendations regarding the general structure and organization of a regional school district. The town solicitor informed that the members of the AIAC consist of persons appointed by the Middletown Town Council and the Newport City Council from among public officials or employees, and/or members of the public from their respective communities. The town solicitor represented that the Petitioner's brother-in-law does not serve on the AIAC.

The town solicitor explained that in order to create a regional school district, the two communities would undergo separate processes of approval. He further explained that the Middletown Town Council would first vote to send proposed legislation for the formation of a regional school district to the Rhode Island General Assembly for approval. If the legislation is approved by the General Assembly, the Middletown Town Council will then vote to present the question of regionalization for approval by the town's registered voters. The town solicitor explained that this same process will be required in Newport.¹ The Petitioner states that if a regional school district is created, the respective school committees will eventually cease to exist, and a joint regional school committee will be created with its members elected by the voters of the two municipalities. Given this set of facts, the Petitioner seeks guidance regarding whether he may continue to participate in the Middletown Town Council's discussions and decision-making relative to the potential regionalization of the two districts.

Under the Code of Ethics, a public official may not participate in any matter in which he has an interest, financial or otherwise, that is in substantial conflict with the proper discharge of his duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A substantial conflict of interest exists if a public official has reason to believe or expect that he, any person within his family, his business associate, or any business by which he is employed or which he represents will derive a direct monetary gain or suffer a direct monetary loss by reason of

¹ The town solicitor noted that regionalization of the school districts was attempted approximately six years ago; however, regionalization did not occur because it was approved by the voters in Middletown but failed to receive approval by the Newport voters.

his official activity. R.I. Gen. Laws § 36-14-7(a). A public official has reason to believe or expect that a conflict of interest exists when it is “reasonably foreseeable,” meaning that the probability of the conflict of interest is greater than “conceivably,” but the conflict of interest need not be certain to occur. 520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001). Any person within a public official’s family includes the official’s brother-in-law. See R.I. Gen. Laws § 36-14-2(1); 520-RICR-00-00-1.3.1(A)(2) Prohibited Activities – Nepotism (36-14-5004) (Regulation 1.3.1). Further, Regulation 1.3.1(B)(1) prohibits a public official from participating in any matter as part of his public duties if he “has reason to believe or expect that any person within his [] family, or any household member, is a party to or a participant in such matter, or will derive a direct monetary gain or suffer a direct monetary loss, or obtain an employment advantage, as the case may be.” Additionally, under 520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002) (Regulation 1.2.1), a public official must recuse from participation in any matter if any person within his family appears or presents evidence or arguments before the public official’s state or municipal agency, unless one of the following two exceptions contained in Regulation 1.2.1(B) applies:

1. The person’s business associate, employer, household member or any person within his or her family is before the person’s state or municipal agency, solely in an official capacity as a duly authorized member or employee of another state or municipal agency, to participate in non-adversarial information sharing or coordination of activities between the two agencies, provided that the business associate, employer, household member or person within his or her family is not otherwise a party or participant, and has no personal financial interest, in the matter under discussion.
2. The person’s business associate, employer, household member or any person within his or her family is before the person’s state or municipal agency during a period when public comment is allowed, to offer comment on a matter of general public interest, provided that all other members of the public have an equal opportunity to comment, and further provided that the business associate, employer, household member or person within his or her family is not otherwise a party or participant, and has no personal financial interest, in the matter under discussion.

Finally, the Code of Ethics prohibits a public official from using his public office, or confidential information received through his public office, to obtain financial gain for

himself, any person within his family, his business associate, or any business by which he is employed or which he represents. § 36-14-5(d).

Under a somewhat similar fact pattern in Advisory Opinion 2023-18, the Ethics Commission opined that a state representative was not prohibited by the Code of Ethics from participating in the Rhode Island House of Representatives' consideration of whether to enact legislation that would enable the Bonnet Shores Fire District (BSFD) to hold an election whereby eligible voters would decide whether to approve or reject amendments to the BSFD charter proposed by a previous charter committee. There, the legislator was an eligible voter in the BSFD as both the owner of a vacation home in the BSFD and a bathhouse condominium unit at the beach club. The Ethics Commission opined that the official legislative activity contemplated by that petitioner would not impact her voting rights but even if there were, ultimately, a financial impact attached to the petitioner's right to vote, such a financial impact would only be indirectly related to her legislative activity, given the intervening activity of the eligible BSFD voters who would decide whether to approve or reject any proposed charter amendments.

Similarly, in Advisory Opinion 2025-28, the Ethics Commission opined that a member of the BSFD Council could participate in council discussions and decision-making relating to proposed amendments to the charter and its definition of who is eligible to vote, notwithstanding that he, his spouse, and his sister were eligible voters as owners of condominium units at the Bonnet Shores Beach Club. In that advisory opinion, the charter amendment process was such that a charter committee was required to forward its recommendations to the fire district council for review. If the council voted to endorse one or more proposed charter amendments, it would then vote to adopt a resolution asking the General Assembly to enact enabling legislation authorizing the BSFD to hold an election to allow the district's voters to decide whether to adopt or reject the proposed charter amendments. The Ethics Commission concluded that, even if it were reasonably foreseeable that the petitioner's official activity relative to the charter changes could impact his or his family members' voting rights in the BSFD, there was no financial impact attached to their right to vote, standing alone. Additionally, even if there was a financial impact attached to the petitioner's and his family members' right to vote, such a financial impact would be *indirect*, as opposed to direct, given the intervening activities required by both the General Assembly and the eligible BSFD voters who would decide whether to approve or reject the proposed amendments.

Here, similar to the facts in the above-cited advisory opinions, the potential financial impact of regionalization upon the Petitioner's brother-in-law is both hypothetical and indirect. Further, the Petitioner states that to date, any discussions relating to the regionalization of the two school districts have been between the Middletown Town Council and the Newport City Council, or between the Middletown Town Council and the Middletown School Committee, without the participation of the Petitioner's brother-in-law, given that the brother-in-law is not a member of either of those entities. Nor does the Petitioner expect his

brother-in-law to appear or participate in meetings before or with the Middletown Town Council. Finally, the brother-in-law is also not a member of the AIAC. Even if, hypothetically, the Petitioner's brother-in-law was to participate in any meeting before or with the Middletown Town Council, it is likely that the exceptions contained in Regulation 1.2.1(B) would apply. However, given the hypothetical nature of the brother-in-law's possible future appearance before the Petitioner, the Ethics Commission is unable to provide specific guidance at this time. The Petitioner is advised to seek further guidance as appropriate, if or when, his brother-in-law is to appear before the Petitioner's municipal agency.

In conclusion, based on the representation above, and the review of the relevant provisions of the Code of Ethics and prior advisory opinions issued, it is the opinion of the Ethics Commission that the Petitioner is not prohibited by the Code of Ethics from continuing to participate in Middletown Town Council discussions and decision-making relative to the potential regionalization of the Middletown School District with the Newport School District, notwithstanding that his brother-in-law is the chairperson of the Newport School Committee, given that any potential financial impact of regionalization upon the Petitioner's brother-in-law is both hypothetical and indirect.

This Draft 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:

§ 36-14-2(1)

§ 36-14-5(a)

§ 36-14-5(d)

§ 36-14-7(a)

520-RICR-00-00-1.1.5 Reasonable Foreseeability (36-14-7001).

520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002)

520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004)

Related Advisory Opinions:

A.O. 2023-18

A.O. 2025-28

Keywords:
Family Member
Nepotism

DRAFT

RHODE ISLAND ETHICS COMMISSION

Draft Advisory Opinion

Hearing Date: May 5, 2026

Re: Stephen B. Huttler

QUESTION PRESENTED:

The Petitioner, a member of the Middletown Planning Board, a municipal appointed position, who in his private capacity is a member of the Aquidneck Island Land Trust Board of Trustees, a private non-profit organization, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from participating in planning board discussions and decision-making relating to the application for a master plan approval for a major land development project involving property that is a subject to a conservation easement in favor of the land trust and given that the applicant and the Petitioner are acquaintances.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a member of the Middletown Planning Board, a municipal appointed position, who in his private capacity is a member of the Aquidneck Island Land Trust Board of Trustees, a private non-profit organization, is prohibited by the Code of Ethics from participating in planning board discussions and decision-making relating to the application for a master plan approval for a major land development project involving property that is a subject to a conservation easement in favor of the land trust.

The Petitioner is a member of the Middletown Planning Board. In his private capacity, he serves as a member of the board of trustees of the Aquidneck Island Land Trust, a private non-profit organization “founded in 1990 by local residents to protect open space like farmland, forests, and parks facing increasing development pressure.”¹ The Petitioner represents that before the planning board for review is an application for a master plan approval (application) for a major land development project (proposed development) relating to the Sweet Berry Farm submitted by SB Farms LLC. The Petitioner explains that the proposed development includes, among other things, the construction of a barn that will be used for agricultural and commercial purposes, such as holding various events, and a

¹ <https://ailt.org/our-story/> (last visited April 28, 2026).

farm stand. The Petitioner adds that the application also includes a request for waivers from certain design and related requirements.

The Petitioner represents that the land trust holds a conservation easement over a portion of the land on which the farm is located. The Petitioner explains that, prior to submitting the application, the applicant consulted with the land trust board regarding whether the proposed development complies with the terms of the conservation easement agreement. The Petitioner further explains that the board, without the Petitioner's participation, issued a public statement, which was also submitted to the planning board, opining that the proposed development complies with the terms of the easement agreement. The statement, which is also available on the land trust's website, describes the easement as a "voluntary legal agreement between a landowner and a land trust or government agency that permanently protects a property's conservation values by restricting certain development or land uses while preserving certain rights of the landowner."² The statement further explains that the easement "dates to 1996 and requires that the primary use of the land remains agricultural. It also explicitly allows for structures that are accessory to that agricultural use, as well as activities consistent with the Middletown Zoning Ordinance and the Right to Farm Act."³ The Petitioner represents that, currently, the land trust is not a party to the application, but it is possible that the land trust or members of its board of trustees could appear before the planning board during the public portion of their hearings or could potentially object to the proposed development if any portion of the proposed development changes.

The Petitioner states that he is acquainted on a personal level with the owner of SB Farms and his spouse. The Petitioner describes their relationship as a "civic collaboration" as opposed to a business or financial one. The Petitioner states that he and his own spouse have, in the past financially supported, and may in the future again financially support, a non-profit organization formed by the spouse of the SB Farms' owner. Additionally, the Petitioner notes that the SB Farms' owner and the owner's spouse have made in the past, and may make in the future, financial contributions to the land trust and to other Aquidneck Island non-profit civic organizations on which the Petitioner serves. The Petitioner represents that he does not serve on any organization's board of directors with either the SB Farms' owner or the owner's spouse. Given this set of facts, the Petitioner seeks guidance regarding whether the Code of Ethics prohibits him from participating in the planning board's discussions and decision-making relative to the application.

Under the Code of Ethics, a public official may not participate in any matter in which he has an interest, financial or otherwise, that is in substantial conflict with the proper

² [The-Conservation-Easement-at-Sweet-Berry-Farm_Letter-to-the-Editor.pdf](#) (last visited April 28, 2026).

³ Id.

discharge of his duties in the public interest. R.I. Gen. Laws § 36-14-5(a). A substantial conflict of interest exists if a public official has reason to believe or expect that he, any person within his family, his business associate, or any business by which he is employed or which he represents will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity. R.I. Gen. Laws § 36-14-7(a). The Code of Ethics further prohibits a public official from using his public office, or confidential information received through his public office, to obtain financial gain for himself, any person within his family, his business associate, or any business by which he is employed or which he represents. § 36-14-5(d). Pursuant to 520-RICR-00-00-1.2.1(A)(2) Additional Circumstances Warranting Recusal (36-14-5002), a public official must also recuse himself from participation in his official capacity when his business associate appears or presents evidence or arguments before his municipal agency. A business is defined as “a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized in law through which business for profit or not for profit is conducted.” R.I. Gen. Laws § 36-14-2(2). A business associate is defined as “a person joined together with another person to achieve a common financial objective.” § 36-14-2(3). A person is defined as “an individual or a business entity.” § 36-14-2(7).

The Ethics Commission has consistently opined that persons are “business associates” of the entities, including non-profit organizations, for which they serve as either officers or members of the board of directors, or in some other leadership position that permits them to direct and affect the financial objectives of the organization. Thus, the Ethics Commission has advised public officials to recuse from participation in matters before their public agencies that involved or directly financially impacted such organizations. See, e.g., A.O. 2023-39 (opining that a member of the Cumberland Town Council, who in his private capacity served as the interim president and registrar for the Cumberland Youth Soccer Association (CYSA), a nonprofit organization, was prohibited from participating in any town council matter that would directly financially impact the CYSA; could not represent himself or the CYSA before the town council or the recreation director over whom the town council had appointing authority; and was required to recuse from participating in any town council matter when the CYSA or its representative appeared to present evidence or argument); A.O. 2021-6 (opining that a member of the North Smithfield Planning Board was a business associate of the North Smithfield Heritage Association, a private non-profit organization for which he served as a member of the board of directors and as its president and, therefore, was required to recuse from participating in planning board matters when the heritage association appeared or presented evidence or argument).

However, the Ethics Commission has determined that public officials who made annual contributions and volunteered their services to private organizations, but who were neither officers nor members of the board of directors for those organizations, and who did not hold any type of leadership position that would have allowed them to affect the financial objectives of those organizations, were not business associates of those organizations. See A.O. 2008-35 (opining that a Tiverton Zoning Board member’s general membership and

annual contributions to the Tiverton Land Trust, a private nonprofit organization, did not constitute a business associate relationship with the land trust and, thus, she was not required to recuse from zoning board matters involving the land trust).

Here, based on the facts as represented, the Petitioner is not a business associate of either the SB Farms' owner or the owner's spouse. However, the Petitioner is a business associate of the land trust by virtue of the Petitioner's service as a member of its board of trustees. Therefore, the Petitioner will be required to recuse from any matter that involves or impacts the land trust.

In the instant matter, the land trust holds a conservation easement over a portion of the land that is subject of the application. The land trust describes the conservation easement as a "voluntary legal agreement between a landowner and a land trust or government agency that permanently protects a property's conservation values by restricting certain development or land uses while preserving certain rights of the landowner." Thus, the land trust has a legal interest in the land or portion of the land that is subject to the major land development application. See also R.I. Econ. Dev. Corp. v. Parking Company, L.P., 892 A.2d 87, 107 (R.I. 2006) (quoting Black's Law Dictionary 548 (8th ed. 2004) (defining the term *easement* as a nonpossessory "interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose").

The Ethics Commission has, in the past, considered a somewhat analogous fact pattern. In Advisory Opinion 99-91, the Ethics Commission advised a member of the Jamestown Planning Commission to recuse from any matters before the planning commission that related to land on which that petitioner had an easement because it was foreseeable that any action on the part of the planning board relating to such land would financially impact the petitioner. But see A.O. 2006-45 (opining that a member of the Cumberland Zoning Board and legal advisor to the Cumberland Land Trust could participate in the zoning board's review of a planning board decision that approved a master plan for a land development project, notwithstanding that the land trust provided comments to the planning board relative to the proposed master plan, given that the land trust: 1) was not a party to the appeal, 2) did not own any property that abuts the subject project area, and 3) the petitioner had no involvement with the land trust on this matter).

Accordingly, based on all of the above, it is the opinion of the Ethics Commission that the Petitioner is prohibited by the Code of Ethics from participating in planning board discussions on the application for a master plan approval of the major land development, given that his business associate (the land trust) holds a conservation easement over a portion of the land that is the subject of the application, and could object to the development if at any point the proposed plans change in a way that would interfere with the land trust's rights pursuant to the conservation easement. All recusals must be filed with the Ethics Commission consistent with the provisions of R.I. Gen. Laws § 36-14-6.

This Draft 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:

§ 36-14-2(2)

§ 36-14-2(3)

§ 36-14-2(7)

§ 36-14-5(a)

§ 36-14-5(d)

§ 36-14-6

§ 36-14-7(a)

520-RICR-00-00-1.2.1 Additional Circumstances Warranting Recusal (36-14-5002)

Related Advisory Opinions:

A.O. 2023-39

A.O. 2021-6

A.O. 2008-35

A.O. 2006-45

A.O. 99-91

Other Related Authority

R.I. Econ. Dev. Corp. v. Parking Company, L.P., 892 A.2d 87, 107 (R.I. 2006)

Keywords:

Business Associate

Financial Interest

Non-profit Boards

Property Interest