



STATE OF RHODE ISLAND  
**RHODE ISLAND ETHICS COMMISSION**  
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**NOTICE OF OPEN MEETING**

<b>DATE:</b>	Tuesday, June 2, 2026
<b>TIME:</b>	9:00 a.m.
<b>PLACE:</b>	Rhode Island Ethics Commission Hearing Room – 8 <sup>th</sup> Floor 40 Fountain Street Providence, RI 02903
<b>LIVESTREAM:</b>	<p>The Open Session portions of this meeting will be livestreamed at: <a href="https://us02web.zoom.us/j/82152482245">https://us02web.zoom.us/j/82152482245</a></p> <p><b>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.</b></p>



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**AGENDA**

**8<sup>th</sup> Meeting**

1. Call to Order.
2. Motion to approve minutes of Open Session held on May 5, 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.) A. Ralph Mollis, the town manager for the Town of North Kingstown, requests an advisory opinion regarding whether the Code of Ethics prohibits his grandson's summer employment in the town's summer camp program. [Staff Attorney Radiches]
  - b.) J. Clement Cicilline, M.S., a member of the Newport Canvassing Authority, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from serving in his private capacity as a member of a host committee that would conduct fundraising activities on behalf of, and organize a reception in honor of, a congressional candidate. [Staff Attorney Papa]
  - c.) Donna Wilson, who was recently conditionally appointed to the Bristol Housing Authority pending the receipt of a favorable advisory opinion, and who in her private capacity works as the executive director of the Benjamin Church Senior Center, requests an advisory opinion regarding whether she is

prohibited by the Code of Ethics from becoming a member of the housing authority and from then serving simultaneously in both positions. [Staff Attorney Radiches]

5. Motion to go into Executive Session, to wit:
  - a.) Motion to approve minutes of Executive Session held on May 5, 2026, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
  - b.) In re: K. Joseph Shekarchi, Complaint No. 2026-1, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
  - c.) Review of proposed decision and order in In re: James E. Thorsen, Complaint No. 2023-7, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) & (4).
  - d.) Motion to return to Open Session.
6. Motion to seal minutes of Executive Session held on June 2, 2026.
7. Report on actions taken in Executive Session.
8. Vote to approve proposed decision and order in: In re: James E. Thorsen, Complaint No. 2023-7.
9. New Business proposed for future Commission agendas and general comments from the Commission.
10. 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 May 28, 2026*

# RHODE ISLAND ETHICS COMMISSION

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## Draft Advisory Opinion

Hearing Date: June 2, 2026

**Re: A Ralph Mollis**

### **QUESTION PRESENTED:**

The Petitioner, the town manager for the Town of North Kingstown, a municipal appointed position, requests an advisory opinion regarding whether the Code of Ethics prohibits his grandson's summer employment in the town's summer camp program.

### **RESPONSE:**

It is the opinion of the Rhode Island Ethics Commission that the Code of Ethics does not prohibit the Petitioner's grandson's summer employment in North Kingstown's summer camp program, notwithstanding that the Petitioner is the North Kingstown town manager.

The Petitioner is the town manager for the Town of North Kingstown. He was appointed to that position by the North Kingstown Town Council in 2017 and has served continuously in that capacity since. The Petitioner identifies among his duties as prescribed in the town charter responsibility for the proper administration of all town matters. He explains that the town charter authorizes the town manager to appoint and remove town employees, and that he may authorize a department head to do so instead. The Petitioner states that the town's recreation department operates a popular and cost-efficient summer camp for resident youth ages 6 – 11. He further states that the recreation department hires local youth, ages 15 and older, to work as camp counselors. The Petitioner explains that the camp counselors are primarily high school students and some college students, adding that camp counselors are all paid minimum wage.<sup>1</sup> The Petitioner represents that, unless an applicant for the position of camp counselor was previously dismissed or received multiple disciplinary actions in a prior year for gross misconduct, the recreation department will hire all applicants.<sup>2</sup>

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<sup>1</sup> The Petitioner explains that each camp counselor who returns for a subsequent summer receives a 25-cent increase in their hourly rate.

<sup>2</sup> The Petitioner informs that the recreation director regularly selects certain camp counselors who have worked at the summer camp for three or more years to perform in

The Petitioner states that, due to a shortage of applicants for the camp counselor positions, there is a lengthy waiting list for camp participants. He further states that, as more counselors are hired, more camp participants are accepted; therefore, the more applicants for camp counselors that the recreation department receives, the more camp participants the recreation department can serve. The Petitioner represents that, prior to his appointment to the position of town manager nine years ago, and consistent with the provisions of the town charter, the director of the recreation department has been authorized to operate the summer camp and assume all responsibilities associated therewith, without the involvement of the town manager. He adds that this includes, but is not limited to, creating the advertisement for the position of camp counselor, conducting all interviews and making all decisions on the hiring of all camp counselors, and addressing and resolving any incidents involving camp counselors which may require discipline. The Petitioner states that the recreation director's autonomy regarding the summer camp program continues today.

The Petitioner represents that his sixteen-year-old grandson, who is a sophomore at North Kingstown High School, would like to work as a camp counselor within the town's summer program this summer. The Petitioner further represents that he, in his capacity as town manager, would not be supervising or participating in the supervision of his grandson, nor would his grandson be afforded preferential treatment in terms of pay, assignment, or period of employment not provided to every other applicant. Cognizant of the Code of Ethics, and desirous of acting in conformance therewith, the Petitioner seeks guidance from the Ethics Commission regarding whether the Code of Ethics prohibits the summer employment of his grandson in the town's summer camp program.

The Code of Ethics provides that a public official shall not have any interest, financial or otherwise, direct or indirect, or engage in any 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 substantial conflict of interest exists if the public official has reason to believe or expect that he or any person within his family, among others, will derive a direct monetary gain or suffer a direct monetary loss by reason of the public official's official activity. R.I. Gen. Laws § 36-14-7(a). Also, a public official may not use his public position to obtain financial gain, other than that provided by law, for himself or any person within his family, among others. § 36-14-5(d).

Commission Regulation 520-RICR-00-00-1.3.1 Prohibited Activities – Nepotism (36-14-5004) (Regulation 1.3.1) contains specific prohibitions aimed at curbing nepotism. Pursuant to Regulation 1.3.1's general "catch-all" provision, a public official may not

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leadership positions for which they may be paid a higher hourly wage. The Petitioner further informs that his grandson is currently ineligible for such a position.

participate in any matter as part of his public duties if any person within his family is a party or participant in such matter, or if his family member will be financially impacted or will obtain an employment advantage by virtue of the public official's official participation. Regulation 1.3.1(B)(1). More specifically, Regulation 1.3.1(B)(2) prohibits a public official from participating in the supervision, evaluation, appointment, classification, promotion, transfer, or discipline of any person within his family, and from delegating such tasks to a subordinate. The phrase "any person within his family" expressly includes "grandson." Regulation 1.3.1(A)(2).

Through a long line of prior advisory opinions, the Ethics Commission has on numerous occasions reviewed and applied the Code of Ethics' provisions relating to the employment or potential employment of public officials' family members. The Ethics Commission has declined to adopt a blanket or absolute prohibition against one family member serving in a department, agency, or even municipality in which another family member has supervisory responsibilities. Rather, the Ethics Commission makes determinations on a case-by-case basis and has generally taken the position that a public official or employee serving in a supervisory capacity will satisfy the requirements of the Code of Ethics by recusing from participation in matters directly affecting their family member.

One such determination was made at the request of the instant Petitioner. In Advisory Opinion, 2000-42, the Petitioner, who was then the mayor of North Providence, sought advice from the Ethics Commission through the town's solicitor regarding whether the Petitioner's son could participate in a summer program in which youths were hired to assist various municipal departments under the direction of mayoral employees. There, the town had sponsored the summer program for the past 15 years and every applicant between the ages of 14 and 18 was hired to assist one of the town's departments but, primarily, the recreation department. The applications were reviewed by the town's planning director, but the youths hired worked under the direct control of a particular department head. Any youth over the age of 16 was eligible to work for the town's recreation director. The recreation director and department heads were appointed by the mayor and worked under his direction; however, with the exception of ceremonial activities, the mayor did not take an active role in the summer programs. The Ethics Commission opined that the Code of Ethics did not prohibit the Petitioner's son from being hired for the town's summer program, provided that (1) all applicants were accepted into the program; (2) the Petitioner did not supervise or in any way participate in the supervision of the youths in the program and (3) the Petitioner's son was not afforded any preferential treatment in terms of pay, assignment, or period of employment that was not provided to every other applicant in the program.

Similarly in Advisory Opinion 2001-40, the Ethics Commission opined that the Code of Ethics did not prohibit the son of a Richmond Recreation Commission member from accepting employment as a youth counselor in its summer recreation program, provided that the petitioner recused from participation in any and all aspects of the hiring process

for youth counselors, including establishing the criteria for employment, and from all personnel matters relating to her son. See also A.O. 2000-81 (opining that the daughter of the director of the Johnston Department of Parks and Recreation could apply for and accept part-time employment as an official for the department's youth soccer league, provided that all applicants were accepted for part-time employment as officials, the petitioner did not supervise or in any way participate in the supervision of his daughter, and the petitioner's daughter was not afforded any preferential treatment in terms of pay, assignment, or period of employment that was not provided to every other game official). Compare A.O. 2012-15 (opining that the daughter of the Director of the Rhode Island Department of Health (RIDOH) could not be hired as a summer intern in RIDOH's Division of Infectious Disease and Epidemiology because not all persons who applied would be hired and the interns would be assigned various work assignments at the discretion of the division chief, a subordinate of the director, depending upon experience and whether they were in a paid or unpaid position).

Here, the Petitioner has no reason to believe or expect that his grandson would be directly financially impacted by reason of the Petitioner's activity as a town manager. The selection of summer camp counselors is the sole responsibility of the recreation director who accepts all eligible applicants who were not previously dismissed from the position or who received multiple disciplinary actions in a prior year for gross misconduct. Further, the Petitioner would not be using his public position to obtain financial gain for his grandson because, once again, all applicants are accepted outside of the exceptions referenced above, and the camp counselors are compensated with minimum wage, with a 25-cent increase for each subsequent year that the teen returns to work as a counselor. Additionally, the facts as represented do not implicate Regulation 1.3.1's nepotism provisions because the Petitioner's grandson would not be obtaining an employment advantage by virtue of the Petitioner's participation in his selection as a camp counselor, nor would the Petitioner participate in the supervision, evaluation, appointment, classification, promotion, transfer, or discipline of his grandson. The Petitioner is not delegating such tasks to the recreation director as his subordinate. The recreation director has assumed complete responsibility for all aspects of the summer camp program since before the Petitioner accepted his role as town manager.

Accordingly, based on the facts as represented, the relevant provisions of the Code of Ethics, and consistent with prior advisory opinions issued, it is the opinion of the Ethics Commission that the Code of Ethics does not prohibit the Petitioner's grandson's summer employment in the town's summer camp program. The Petitioner is advised, however, that if any of the facts change or any circumstances arise that may present a conflict of interest under the Code of Ethics as to his grandson's temporary summer employment including, but not limited to, the opportunity to be selected by the recreation director for a leadership position, or a disciplinary matter for which the recreation director seeks assistance from a superior, he should seek further guidance from the Ethics Commission.

**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)

§ 36-14-7(a)

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

Related Advisory Opinions:

A.O. 2012-15

A.O. 2001-40

A.O. 2000-81

A.O. 2000-42

Keywords:

Conflict of Interest

Nepotism

# RHODE ISLAND ETHICS COMMISSION

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## Draft Advisory Opinion

Hearing Date: June 2, 2026

Re: J. Clement Cicilline, M.S.

### **QUESTION PRESENTED:**

The Petitioner, a member of the Newport Canvassing Authority, a municipal appointed position, requests an advisory opinion regarding whether he is prohibited by the Code of Ethics from serving in his private capacity as a member of a host committee that would conduct fundraising activities on behalf of, and organize a reception in honor of, a congressional candidate.

### **RESPONSE:**

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a member of the Newport Canvassing Authority, a municipal appointed position, is not prohibited by the Code of Ethics from serving in his private capacity as a member of a host committee that would conduct fundraising activities on behalf of, and organize a reception in honor of a congressional candidate, subject to the conditions specified herein.

The Petitioner is a member of the Newport Canvassing Authority, having served in this position since his initial appointment by the Newport City Council in 2023. The Petitioner represents that the canvassing authority is comprised of three sitting and two alternate members. According to the city's website, the canvassing authority "is charged with conducting all elections for the City of Newport" and "under the direction of the State Board of Elections, and in cooperation with the Secretary of State, the [c]anvassing [a]uthority is involved in all phases of the electoral process, from voter registration to tallying the votes after the polls close on election day."<sup>1</sup> The Petitioner states that the canvassing authority is supported by two full-time employees hired by the city manager, but that during election days a large number of temporary poll workers are hired. The Petitioner explains that the canvassing authority members ordinarily meet monthly to review incoming information regarding elections and any legislation relating to elections and voting. He adds that, during election days, canvassing authority members monitor the elections and are available to the voters and poll workers to answer questions or concerns. The Petitioner explains that,

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<sup>1</sup> <https://www.newportri.gov/city-hall/boards-commissions/authorities/canvassing-authority> (last visited May 14, 2026).

following an election, the canvassing authority members, among other things, review and certify the election results.

The Petitioner represents that he has been asked, in his private capacity, to serve as a member of the host committee that will conduct fundraising activities on behalf of Congressman Gabe Amo, which includes organizing a reception in honor of the congressman that will be held in June. The Petitioner states that as a member of the host committee, he will be part of Congressman Amo's campaign team but that the extent of the Petitioner's participation would be limited to the inclusion of the Petitioner's name on fundraising materials soliciting campaign contributions and inviting people to attend the reception. Given this set of facts, the Petitioner seeks guidance regarding whether he can serve on the host committee.

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 his official activity. R.I. Gen. Laws § 36-14-7(a). The Code of Ethics also prohibits a public official 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. § 36-14-5(d). Additionally, a public official must recuse from participation when his business associate, or another person authorized by his business associate to act on their behalf, appears or presents evidence or arguments before the public official's state or municipal agency. 520-RICR-00-00-1.2.1(A)(2) Additional Circumstances Warranting Recusal (36-14-5002). 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). Furthermore, § 36-14-5(c) prohibits the use and/or disclosure of confidential information received through one's public employment for the purpose of pecuniary gain.

Finally, Commission Regulation 520-RICR-00-00-1.4.4 Transactions with Subordinates (36-14-5011) (Regulation 1.4.4) prohibits a public official or employee from soliciting or requesting, directly or through a surrogate, any political contributions from a subordinate for whom, in his official duties and responsibilities, he exercises supervisory responsibilities. Regulation 1.4.4(B). This regulation, however, does not prohibit or limit the First Amendment rights of a subordinate to make political contributions. *Id.* For the purposes of the prohibition on solicitations, the term "subordinate" includes other employees, contractors, consultants, or appointed officials of the official's or employee's agency. Regulation 1.4.4(C).

While the above-cited provisions of the Code of Ethics serve to *regulate* the potential interaction between the Petitioner's execution of his public duties as a member of the canvassing authority and his private duties as a member of a congressional candidate's election campaign, including fundraising, they do not *bar* such simultaneous endeavors, provided that the requirements of the Code of Ethics cited above are followed. For example, in Advisory Opinion 2001-64, the Ethics Commission opined that a member of the Woonsocket Board of Canvassers could manage a mayoral candidate's campaign in his private capacity while serving on the board of canvassers, but was required to recuse from participation in matters relating to or affecting that candidate, other mayoral candidates, and/or the mayoral election. Similarly, in Advisory Opinion 2001-65, the Ethics Commission opined that a member of the Newport Board of Canvassers could continue to serve in that capacity, notwithstanding that his spouse was a Newport School Committee candidate, provided that he recused himself from participation and/or vote on all board of canvassers matters relating to or affecting the candidacy of his spouse and/or other school committee candidates. See also A.O. 2003-69 (opining that a mail ballot clerk for the City of East Providence Board of Canvassers could continue to serve in that position, notwithstanding her spouse's potential candidacy for a seat on the East Providence City Council, provided that she did not exercise discretionary or decision-making authority with respect to the city council election and she recused from participation in any matters affecting the candidacy of her spouse and/or any other city council candidates); A.O. 98-122 (opining that a Scituate Board of Canvassers member could continue to serve on the board, notwithstanding her spouse's candidacy for the Scituate School Committee, provided that she recused herself from participation and/or vote on all board matters relating to or affecting the candidacy of her spouse and/or other school committee candidates). Compare A.O. 2000-75 (opining that a file clerk for the Cranston Board of Canvassers could continue to exercise all of her duties in that position, notwithstanding her spouse's candidacy for city council, given the petitioner's representation that her position did not involve exercising discretionary authority that could affect her spouse's candidacy).

Here, should the instant Petitioner join the congressional candidate's fundraising team and solicit funds on behalf of that candidate, the Petitioner will become a business associate with the candidate since he will be "joined together with [the candidate] to achieve a common financial objective." § 36-14-2(3). For that reason, and consistent with the advice given in the above-cited prior advisory opinions, the Petitioner will be required to recuse from participation in the canvassing authority's discussions and/or decision-making in matters relating to or affecting that candidate, his opponents, and/or the congressional election. Such matters may include, but are not limited to, those related to nomination papers, certifying election results, and the like.

Additionally, the Petitioner is prohibited from soliciting political/campaign contributions from his subordinates, including the two employees of the canvassing authority. In Advisory Opinion 2006-41, for example, the Ethics Commission opined that the Director of Municipal and External Affairs in the Office of the Governor was not prohibited from

-serving as the honorary chair of the Carcieri for Governor Committee, which was Governor Carcieri's primary re-election political committee, provided that, among other things, the petitioner did not solicit her subordinates to purchase fundraising tickets and/or make other political contributions on behalf of the committee. See also A.O. 2020-45 (opining that the then director of the Rhode Island Department of Administration, who was interested in exploring the possibility of running for mayor of the City of Providence, was not prohibited by the Code of Ethics from soliciting and receiving campaign contributions from persons who were not state employees or vendors, provided that: the persons solicited were not otherwise the petitioner's subordinates as defined under the Code of Ethics; there was no understanding that the campaign contributions would affect any official action by that petitioner; and that no public time or resources will be utilized by the petitioner in furtherance of his campaign); A.O. 2008-3 (opining that the solicitor for the City of Providence was not prohibited by the Code of Ethics from campaigning for election to the position of Attorney General of the State of Rhode Island provided, among other things, that he did not solicit his subordinates to make political contributions, purchase tickets, or otherwise assist in campaign-related events).

The Ethics Commission has also enforced the provisions of Regulation 1.4.4(B) in a complaint context. For example, in In re: Donald L. Carcieri, Complaint No. 2006-9, the Ethics Commission found that the Respondent, the Governor of the State of Rhode Island, violated Regulation 1.4.4(B) by mailing at least five separate mailings soliciting campaign contributions from state employees appointed by the Respondent and under his direct supervision and control. Likewise, the Ethics Commission found that the Respondent in In re: A. Ralph Mollis, Complaint No. 2006-6, who was the mayor of the Town of North Providence and a candidate for Secretary of State, violated the same regulation by mailing correspondence soliciting campaign contributions from employees of the Town of North Providence.

Accordingly, based on the Petitioner's above-representations, and consistent with the applicable provisions of the Code of Ethics, past advisory opinions issued, and the complaint matters cited above, it is the opinion of the Ethics Commission that the Petitioner is not prohibited from serving, in his private capacity, as a member of the campaign team of a congressional candidate. However, the Petitioner is required to recuse from participating in any decision-making or discretionary actions that involve candidates for the subject congressional election or that congressional election itself.

Furthermore, the Petitioner is not prohibited from soliciting campaign contributions on behalf of the candidate he is supporting, provided that he does not solicit campaign contributions from his subordinates as defined herein and that no public time or resources will be utilized by the Petitioner in furtherance of the candidate's campaign. Finally, all campaign work by the Petitioner must be performed on his own time and without the use of public resources. Because this advisory opinion provides only general guidance as to the application of the Code of Ethics to the facts as represented above, the Petitioner is

encouraged to seek additional advice from the Ethics Commission in the future if more specific questions regarding this matter arise.

**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)

§ 36-14-5(a)

§ 36-14-5(c)

§ 36-14-5(d)

§ 36-14-7(a)

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

520-RICR-00-00-1.4.4 Transactions with Subordinates (36-14-5011)

Related Advisory Opinions:

A.O. 2020-45

A.O. 2008-3

A.O. 2006-41

A.O. 2003-69

A.O. 2001-65

A.O. 2001-64

A.O. 2000-75

A.O. 98-122

Other Related Authorities:

In re: Donald L. Carcieri, Complaint No. 2006-9

In re: A. Ralph Mollis, Complaint No. 2006-6

Keywords:

Campaign Contributions

Candidate

Discretionary Authority

Political Activity

# RHODE ISLAND ETHICS COMMISSION

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## Draft Advisory Opinion

Hearing Date: June 2, 2026

**Re: Donna Wilson**

### **QUESTION PRESENTED:**

The Petitioner, who was recently conditionally appointed to the Bristol Housing Authority pending the receipt of a favorable advisory opinion, and who in her private capacity works as the executive director of the Benjamin Church Senior Center, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from becoming a member of the housing authority and from then serving simultaneously in both positions.

### **RESPONSE:**

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, who was recently conditionally appointed to the Bristol Housing Authority pending the receipt of a favorable advisory opinion, and who in her private capacity works as the executive director of the Benjamin Church Senior Center, is not prohibited by the Code of Ethics from becoming a member of the housing authority and from then serving simultaneously in both positions, subject to the provisions outlined herein.

The Petitioner is privately employed as the executive director of the Benjamin Church Senior Center, a nonprofit corporation located in Bristol, Rhode Island. On May 13, 2026, the Petitioner was conditionally appointed by the Bristol Town Council to fill a vacancy on the Bristol Housing Authority Board of Directors, subject to the receipt of an advisory opinion from the Ethics Commission that the Petitioner's service on the board would not violate the Code of Ethics given her private employment. The housing authority operates the Benjamin Church Manor, a senior housing complex that is located directly behind the senior center. The Petitioner states that, although there would be no official nexus between her private duties as the executive director of the senior center and her public duties as a member of the board of directors for the housing authority, there is the potential for some confusion, given the close physical proximity of the two entities and the population they serve, and their similar names. She explains that this concern is what led the town council to condition her appointment to the housing authority on the receipt of a favorable advisory opinion from the Ethics Commission.

The manor offers independent and affordable housing for eligible senior citizens for whom the housing authority works to ensure safety, comfort, and access to social opportunities.<sup>1</sup> The Petitioner states that the manor is located at 1014 Hope Street on 11.5 acres of land provided by the Benjamin Church Trust. She adds that the manor has 193 apartments and is home to 220 residents. The Petitioner represents that the manor operates on federal funding and does not receive any funding from the trust beyond the original donation of the 11.5 acres of land. The Petitioner further represents that the housing authority oversees the operation and maintenance of the manor with the assistance of manor staff. The Petitioner informs that the housing authority meets on the second Thursday evening of the months between September and June.

The Petitioner describes the senior center as a nonprofit organization which was incorporated in 1972 for the purpose of offering programs and activities that support the independence, health, and well-being of active adults age 50 and older. The senior center provides meals, transportation services, and other resources to its members. The Petitioner informs that the senior center is located at 1020 Hope Street. The Petitioner further informs that she has been employed by the senior center since 2015, first as the assistant director and, as of 2023, as the center's executive director. She explains that she was hired by the senior center's board of directors with input from the town administrator. The Petitioner emphasizes that neither the members of the housing authority nor any employees of the manor participated in her hiring, nor do they participate in her supervision or in any matters relating to her employment. She identifies her hours of employment as 8:00 a.m. – 3:30 p.m., Monday through Friday.

The Petitioner states that although the names of the manor and the senior center are similar, and the two buildings in which they operate are in close physical proximity to each other, the two entities operate independently from one another, including financially. The Petitioner informs that members of the Church family own the building in which the senior center operates and donate some money to the senior center each year to assist with the costs associated with activities sponsored by the senior center. The Petitioner explains that the senior center is funded with an annual grant from the town and receives state grant funding, too. She states that the senior center receives no funding from the housing authority or the manor.

The Petitioner represents that the senior center is one of 25 such facilities in Rhode Island where any person age 50 and older can make a reservation to enjoy a meal.<sup>2</sup> She adds that manor residents may take meals at the senior center, and many often do, but that neither

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<sup>1</sup> <https://bristolhousingri.org/wp-content/uploads/2024/07/Benjamin-Church-Manor-Brochure-2024.pdf> (last visited May 26, 2026).

<sup>2</sup> The Petitioner states that the suggested donation for a meal is three dollars, but that those who cannot afford that pay what they can, if anything.

the housing authority nor the manor pays for those meals. The Petitioner states that the senior center also offers onsite activities, offsite outings, and transportation to medical and other appointments to all persons in Bristol who are age 50 and older. She further states that a number of manor residents participate in these offerings, but without financial assistance from the housing authority or the manor.<sup>3</sup>

The Petitioner states that her private employment would not interfere with her public service hours, nor would she use public resources to perform her work at the senior center. The Petitioner represents that for the eleven years that she has worked for the senior center, no one from the senior center leadership has appeared before the housing authority relative to the operation of the senior center, nor would she do so. The Petitioner further represents that, if allowed to serve as a member of the housing authority, in the event any matter comes before the housing authority that involves or would directly financially impact the senior center, or a manor resident who frequently utilizes the services of the senior center, she would either recuse or seeking additional guidance from the Ethics Commission. The Petitioner states that, despite the manor and the senior center sharing the Benjamin Church name, coupled with the close proximity of the buildings that house those entities, the Petitioner's private work for the senior center is outside of the jurisdiction of the housing authority. The Petitioner emphasizes that she would not use her public position as a member of the housing authority to solicit business or customers for the senior center. It is under this set of facts that the Petitioner seeks guidance from the Ethics Commission regarding whether she is prohibited by the Code of Ethics from becoming a member of the housing authority and from then continuing to simultaneously work for the senior center.

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 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-

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<sup>3</sup> The Petitioner explains that, occasionally, the senior center will hold a wellness class or education workshop at the manor by reserving the community room there in order to accommodate a larger number of participants that they might otherwise have been able to at the senior center. She clarifies that this is a courtesy extended to any member of the public who makes a reservation to use the community room.

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.” R.I. Gen. Laws § 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 Ethics Commission has consistently 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 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. By way of comparison, in Advisory Opinion 2026-13, the Ethics Commission opined that a new board member of the Providence External Review Authority (PERA), a municipal appointed position, who in her private capacity was a licensed attorney who regularly represented clients in civil cases alleging misconduct against the Providence Police Department and its officers, was 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 was too close. Also, the petitioner's private work as an attorney who brought civil actions on behalf of clients alleging misconduct by the Providence Police Department and its officers was an area over which PERA had decision-making jurisdiction. The totality of the facts as represented indicated that the petitioner's private work would impair her independence of judgment with regard to her public duties.

Here, there is nothing in the facts to suggest that the work that the Petitioner performs in her private capacity for the senior center would impair her independence of judgment relating to her official duties as a member of the housing authority. The Petitioner states that her private employment would not interfere with her public service hours, nor would she use public resources to perform her work at the senior center. The Petitioner represents that during the eleven years of her employment with the senior center, no one from that organization has appeared before the housing authority relative to the operation of the senior center, nor would she do so. She further represents that, despite the manor and the senior center sharing the Benjamin Church name, coupled with the close proximity of the buildings that house those entities, the Petitioner's private work for the senior center is outside of the jurisdiction of the housing authority. The Petitioner emphasizes that she would not use her public position as a member of the housing authority to solicit business or customers for the senior center.

Accordingly, based on the facts as represented, the applicable 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 becoming a member of the housing authority and from then serving simultaneously in her private capacity for the senior center. 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 conflicts of interest and, as she correctly anticipates, to either recuse or seek further guidance from the Ethics Commission in the future as warranted. All recusals should be made 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(3)  
§ 36-14-2(7)  
§ 36-14-5(a)  
§ 36-14-5(b)  
§ 36-14-5(c)  
§ 36-14-5(d)  
§ 36-14-6  
§ 36-14-7(a)

Related Advisory Opinions:

A.O. 2026-13  
A.O. 2009-41  
G.C.A. 2009-4

Keywords:

Appearance of Impropriety  
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