

# RHODE ISLAND ETHICS COMMISSION

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## Advisory Opinion No. 2026-20

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

**charter provision, or canon of judicial or professional ethics may have on this situation.**

Code Citations:

§ 36-14-2(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

Conflict of Interest

Private Employment