

RHODE ISLAND ETHICS COMMISSION

Advisory Opinion 2026-24

Approved: July 14, 2026

Re: Jessica Lance

QUESTION PRESENTED:

The Petitioner, a former director of special projects with the Providence Department of Planning and Development, a municipal employee position, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from now working in her private capacity on a new phase of a project which she oversaw as part of her former municipal duties and, if not so prohibited, what implications the Code of Ethics' revolving door provisions would have on her private work on the project during the one-year period following her severance from municipal employment.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a former director of special projects with the Providence Department of Planning and Development, a municipal employee position, is not prohibited by the Code of Ethics from now working in her private capacity on a new phase of a project which she oversaw as part of her former municipal duties, provided that she adheres to the restrictions contained in this advisory opinion.

The Petitioner was employed as a director of special projects by the Providence Department of Planning and Development until February 19, 2026, when she ended her employment with the city. She states that, in that capacity, she managed the design and construction of the Woonasquatucket River Greenway (Greenway) project. The start of the Greenway project was announced by the Providence Planning and Development Department in partnership with the Woonasquatucket River Watershed Council (WRWC)¹ was described on the city's website as "a climate-friendly infrastructure investment that will enhance a one-mile stretch of the Woonasquatucket River Greenway[.]" establishing "an off-road, shared-use path that connects Downtown Providence behind the Providence Place Mall to

¹ The Petitioner describes the WRWC as a private non-profit organization that "sparks economic development through [their] work restoring the Woonasquatucket River and communities around it, and by enhancing, extending and bringing people to the Woonasquatucket River Greenway."

Eagle Square in Olneyville, while improving the Greenway's urban/natural river interface.”² The Petitioner adds that her duties relative to the Greenway project included the management of funds from the Rhode Island Department of Transportation, Rhode Island Department of Environmental Management, local Capital Improvement Program and other grant sources, and the management of the team of consultants and project partners, including those from the Horsley Witten Group (Horsley)³ and the WRWC. The Petitioner states that the initial phase of the Greenway project included the design, engineering, and construction of the physical infrastructure of the greenway itself and that a ribbon cutting ceremony for its completion was held on June 15, 2026.

The Petitioner represents that on June 1, 2026, she began her new private employment with Horsley as a staff planner. The Petitioner states that Horsley has contracted with the WRWC to assist with the completion of a new, separate phase of the Greenway project led by WRWC that includes additional design for lighting, wayfinding, and public art opportunities. The Petitioner further states that her duties will be to lead project tasks including site analysis, visioning, evaluation of concepts, implementation planning and recommendations, and coordination of internal designers and external subconsultants for the Woonasquatucket Greenway placemaking, public art, lighting, wayfinding, and landscaping improvements. The Petitioner represents that this work will not include formal reviews or approvals required by the city's Department of Planning and Development. She notes that the city may review the plans for constructability, but she does not know at this time what other involvement, if any, the city may have in this phase of the project. The Petitioner adds that she will be working with the WRWC's design team, but she will not be appearing before the city, nor will she be required to sign anything that may be sent to the Department of Planning and Development. The Petitioner explains that she anticipates, though she is not certain, that there could be community meetings where she, in her new private capacity, and representatives of the city, possibly members of her former department, may be present to present information about this phase of the project and to answer any questions that the members of the public in attendance may have. Given this set of facts, the Petitioner seeks guidance from the Ethics Commission regarding whether she may participate in the project on behalf of her new employer and, if so permitted, what implications the Code of Ethics' revolving door prohibitions would have on her private work on the project during the one-year period following her severance from municipal employment.

The Code of Ethics prohibits a public employee from representing herself or any other person before any municipal agency by which she is employed. R.I. Gen. Laws § 36-14-

² See <https://www.providenceri.gov/city-of-providence-announces-woonasquatucket-river-greenway-improvement-project/> (last visited June 29, 2026).

³ The Petitioner describes Horsley as a private engineering, design, and environmental consulting firm.

5(e)(1) & (2). This prohibition extends for a period of one year after the public employee has officially severed her position with the agency. § 36-14-5(e)(4). The “revolving door” language of § 36-14-5(e) is designed to minimize any undue influence that a former employee may have over her former agency and colleagues by reason of her past employment there. Under the Code of Ethics, 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 own favor or in favor of another person. R.I. Gen. Laws § 36-14-2(12) & (13); 520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined (36-14-5016). A “person” is defined as an individual or business entity. § 36-14-2(7). Additionally, § 36-14-5(c) prohibits the use and/or disclosure of confidential information received through one’s public employment for pecuniary gain. Finally, the Code of Ethics also provides that a public employee shall not use 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. § 36-14-5(d).

The Ethics Commission has issued numerous advisory opinions interpreting § 36-14-5(e)(4)’s requirements with respect to former state and municipal employees interacting with their former agencies during the one-year period following the severance of their state or municipal employment. In Advisory Opinion 99-108, for example, the Ethics Commission opined that a former Cranston Department of Economic Development Director was prohibited from appearing or representing her private employer before the Department of Economic Development for a period of one year after she ended her employment with the city. The petitioner could, however, perform ministerial activities involving her former employer, such as hand-delivering documents, reviewing files, or other non-substantive activities. The Ethics Commission also opined that the revolving door restrictions did not extend to the petitioner having substantive involvement in matters before city divisions, agencies, or departments other than the Economic Development Department, provided that in her previous employment with the City of Cranston she did not exercise supervisory or policy-making authority within the particular division or agency. Lastly, the Ethics Commission noted that the petitioner was prohibited from using any confidential information obtained while working for the city for financial gain. See also A.O. 2018-50 (opining that the former director of the City of Central Falls Planning and Economic Development Department could participate in his private employer’s development/fundraising services to a multi-institutional collaborative effort across three communities, including Central Falls, provided that the petitioner did not utilize any confidential information obtained through his prior public employment and did not represent himself or others before the Central Falls Planning and Economic Development Department); A.O. 2008-62 (opining that a former social caseworker in the Long Term Care Unit within the Department of Human Services (DHS) was not prohibited from working as an independent contractor assisting a private attorney with the preparation of medical assistance applications on behalf of the attorney’s clients, given that the attorney was the one filing the applications with DHS, and provided that the petitioner did not have

any direct contact with or appear to represent the clients, the attorney, or anyone else, before DHS or any of its members or staff, for a period of one year after the date of her official severance from her position).

Here, considering the Petitioner's representations, and consistent with our past advisory opinions in this area, it is the opinion of the Ethics Commission that the Petitioner is not prohibited from working in her private capacity on the new phase of the Greenway project. However, the Petitioner is prohibited by the Code of Ethics from representing herself or others, including Horsley and/or the WRWC, or acting as an expert witness, before the Providence Department of Planning and Development for a period of one year following the severance of her employment with that department. Finally, the Petitioner may not use any confidential information she obtained while working for the city to obtain financial gain for herself or her new employer.

Notably, the revolving door provisions contained in § 36-14-5(e) are designed to minimize any undue influence that a current or a former employee may have over his or her current or former agency or colleagues by reason of his or her employment there. However, the prohibitions do not extend to the performance of ministerial acts, duties, or functions that are not substantive in nature, and do not involve agency decision-making. Examples of such ministerial interactions include, but are not limited to, hand-delivering documents, and requesting or reviewing public records.

On the other hand, when interpreting § 36-14-5(e)'s prohibitions as to acts which are other than ministerial, the Ethics Commission has previously advised public officials and employees that activities that would constitute representation generally include the presentation of information or arguments for the purpose of influencing the judgment of the agency on matters concerning themselves or others. For the instant Petitioner, such prohibited activities include, but are not limited to, attendance and participation in meetings between her former department and Horsley and/or the WRWC regarding the project,⁴ and substantive presentation or appearance before her former department on behalf of herself or others, acting as expert witnesses on behalf of Horsley and/or WRWC, submitting applications or other documents on her behalf or on behalf of others, including Horsley or WRWC bearing the Petitioner's signature. The Petitioner is cautioned that prohibited interactions are not limited to business meetings, and could occur at a restaurant, on the phone, in an email, or in any social or political gathering. It is the content of a discussion, rather than its venue, that is most relevant in applying the Code of Ethics' revolving door/post-employment restrictions.

⁴ These prohibitions would not apply to the Petitioner's participation, as an employee of Horsley, in community meetings, along with representatives of the city, including representatives of the Providence Department of Planning and Development, where such meetings are to present the project to members of the public and answer any potential questions they may have.

Additionally, the revolving door restrictions do not extend to the Petitioner having substantive involvement in matters before city divisions, agencies, or departments other than the Providence Department of Planning and Development, provided that in her previous employment with the City of Providence she did not exercise supervisory or policy-making authority within the particular division or agency. Lastly, until the expiration of one year following the date of leaving her municipal employment, the Petitioner is advised, when in doubt, to seek further guidance from the Ethics Commission regarding the Code of Ethics' potential application to her interactions with her former department.

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(7)

§ 36-14-2(12)

§ 36-14-2(13)

§ 36-14-5(c)

§ 36-14-5(d)

§ 36-14-5(e)

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

Related Advisory Opinions:

A.O. 2018-50

A.O. 2008-62

A.O. 99-108

Keywords:

Post-Employment

Revolving Door