



State of New Jersey

STATE ETHICS COMMISSION

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CHAIR

MARK T. HOLMES, ESQ.
EXECUTIVE DIRECTOR

March 14, 2019

Arupa Barua, ELO
Department of Transportation
PO Box 600
Trenton, New Jersey 08625

Re: Waiver to the Provisions of *N.J.S.A.* 52:13D-17.2(b)

Dear Ms. Barua:

At its December 3, 2019 meeting, the State Ethics Commission considered your request on behalf of Ronald Davis, Highway Operations Technician Trainee, Department of Transportation, who is employed by the Ocean Casino Resort as a Crowd Control Security Officer and whose brother, Kevin Allen, is also employed by Ocean Casino Resort as a Crowd Control Security Officer. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, Section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

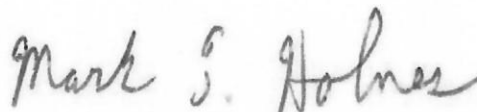
The Commission agrees that there is no conflict between Mr. Davis's position at the Department of Transportation and his and his brother's employment with Ocean Casino Resort. Mr. Davis's position and his and his brother's employment do not overlap, and there is no conflict

of interest or reasonable risk of the public perceiving any kind of conflict between his position and his and his brother's casino employment.

Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Ronald Davis and his brother, Kevin Allen.

Very truly yours,

STATE ETHICS COMMISSION

A handwritten signature in cursive script that reads "Mark T. Holmes".

For the Commission
Mark T. Holmes
Executive Director

MTH/sc

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