



State of New Jersey

STATE ETHICS COMMISSION

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CHAIR

MARK T. HOLMES, ESQ.
EXECUTIVE DIRECTOR

September 18, 2019

Roopa Trotter
Ethics Liaison Officer
Office of Homeland Security and Preparedness
PO Box 091
Trenton, New Jersey 08625

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

Dear Ms. Trotter:

At its September 17, 2019 meeting, the State Ethics Commission considered your request on behalf of Edward Kelly III, Detective, Office of Homeland Security and Preparedness, whose wife, Kelly Kelly, is currently employed by the Borgata Hotel and Casino as Senior Auditor. 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

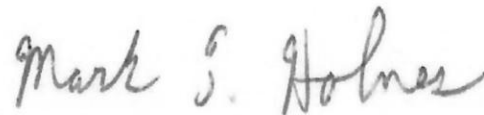
The Commission agrees that there is no conflict between Mr. Kelly's position at the Office of Homeland Security and Preparedness and his wife's employment with at the Borgata Hotel and Casino. Mr. Kelly's position and his wife's employment do not overlap, and there is no conflict of

interest or reasonable risk of the public perceiving any kind of conflict between his position and his wife'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 Edward Kelly III and his wife, Kelly Kelly.

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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