



State of New Jersey

STATE ETHICS COMMISSION

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EXECUTIVE DIRECTOR

June 6, 2019

Kathryn Whalen
Director, Offices of School Ethics and Compliance
New Jersey Department of Education
100 Riverview Plaza
Trenton, New Jersey 08625

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

Dear Ms. Whalen:

At its June 5, 2019 meeting, the State Ethics Commission considered your request on behalf of Darryl Williams, Investigator, Department of Education, who is employed by the Hard Rock Casino and Hotel as a member of the security department. 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:

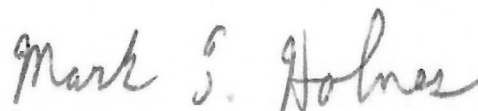
except that (1) a State officer or employee other than a State officer or employee included in the definition of person, and (2) a member of the immediate family of a State officer or employee, or of a person, may hold employment with the holder of, or applicant for, a casino license if, in the judgement 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. Williams position at the Department and his employment with the Hard Rock Casino and Hotel. Mr. Williams' position and his casino employment do not overlap, and there is no conflict of interest or a reasonable risk of the public perceiving any kind of conflict between his position at the Department of Education and his secondary 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 Darryl Williams.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Mark T. Holmes
Executive Director

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