



# THE COMPASS

The latest News, Views, Announcements and Calendar from  
The NJ State Ethics Commission

December 2023  
Issue No. 4



## STATE OFFICIALS MAY NOT ACCEPT GIFTS, EXCEPT:

01

**Gifts from co-workers  
(reasonable value and appropriate for the workplace)**

03

**Meeting Snacks**  
(See Pages 6-7)



02

**Logo items of nominal  
value available to the  
public**

04

**Discounts offered to all  
State workers/officials**

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## RECENTLY ASKED QUESTIONS – THINK LIKE AN ELO

1. A recent internal investigation at your agency shows that an employee allegedly used a department credit card to pay for lavish dinners and drinks for his personal friends. Your agency is considering all possible disciplinary charges against the employee, including whether the conduct constitutes a violation of the Uniform Ethics Code. Do you think the employee violated the UEC?

**SEC Answer:** Yes, this conduct may violate UEC Section II, Paragraphs 4 and 5, which state:

4. No State officer or employee or special State officer or employee should knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his/her acts that he/she may be engaged in conduct violative of his trust as a State officer or employee or special State officer or employee.

5. No State officer or employee or special State officer or employee should use or attempt to use his/her official position to secure unwarranted privileges or advantage for him/herself or others.

Your agency must seek SEC staff approval to proceed with any ethics related investigations; however, because this conduct may also constitute a crime and a violation of agency policy, etc., the SEC would not require your agency to pursue the ethics violations if other discipline would more appropriately address the conduct or referrals to the OSC or DCJ are accepted. If the agency receives SEC staff approval to include ethics-related discipline against the

employee, the proposed discipline will need to be submitted to the SEC members pursuant to Section 23(d) of the Conflicts of Interest Law before imposition. If the Commission approves the proposed discipline, the agency must advise the SEC Executive Director of the final outcome.

2. The XYZ Board falls within your agency. A member of the board has been invited to attend a groundbreaking ceremony, hosted by a non-profit, at a local park. The event relates to the XYZ Board's mission, and the board member has been invited to attend the event in his official State capacity. Should the board member, who is a special State officer, complete a Request for Approval for Attendance at Events form?

**SEC Answer:** Yes, the board member must complete an RAAE form. The groundbreaking qualifies as an "event" because it takes place away from the board member's normal State business location, is sponsored by a non-State government entity, and the board member has been invited to attend in their official capacity. The attendance at events regulations apply to "all State officials in the Executive Branch of State government." This includes special State officers, as well as employees.

If you have an ethics question, reach out to your Agency's ELO for assistance, or contact Staff at the New Jersey State Ethics Commission - 609-292-1892 to receive guidance.

## VIEWS

### Message from the SEC Executive Director

The Conflicts of Interest Law requires that the Executive Director of the State Ethics Commission annually meet with heads of each principal department in the Executive Branch of State government to “inform them of the laws, regulations, codes, orders, procedures, advisory opinions, and rulings, concerning ethical standards.” *N.J.S.A. 52:13D-2(1)(2)*. I recently completed this task for 2023, meeting with all of the Governor’s Cabinet members to review the decisions of the State Ethics Commission from July 2022 through our most recent meeting in November 2023. While a good majority of the work of the SEC is confidential ethics investigations, the final decisions and actions of the SEC are available for public review on our website at [www.nj.gov/ethics](http://www.nj.gov/ethics)

Full-time staff of the SEC have three main functions:

1. Providing **Training and Guidance** on the Conflicts of Interest Law, Uniform Ethics Code and agency Supplemental Codes, portions of the Casino Control Act, several Executive Orders, and Commission Regulations;
2. Conducting ethics **Compliance Reviews** of State Departments, Agencies, Commissions and Authorities within the Executive Branch; and
3. Authorizing State agencies to conduct or conducting **Confidential Ethics Investigations**.

In 2023, we updated the State employee training module with the assistance of CSC and we will be working on updating our remaining pre-recorded training modules. Our Training Officer, Deputy Director, and Executive Director have completed numerous live in person and virtual trainings. We also completed Compliance reviews of the Department of Corrections, Department of Labor and Workforce Development, New Jersey Transit, Division of Gaming Enforcement, and Department of Banking and Insurance.

Ethics investigations conducted by a State agency or by SEC staff are presented to Commission members in executive session for review during regularly scheduled meetings. The Commissioners vote in the public session on State agency presented matters to either approve or deny a State agency’s proposed ethics related discipline of a State employee. Those matters are referred to by case number only, as they relate to personnel actions. In investigations conducted by the SEC staff, after the Commissioners review findings in executive session and vote in public the following becomes public: (1) Dismissals, (2) Consent Orders (settlements), (3) Findings of a violation after a preliminary investigation (found in approved Meeting minutes), (4) Complaints filed with the OAL, and (5) Final Agency Decisions after an OAL hearing.

The Commission also issues public decisions that do not involve investigations: Advisory Opinions, Executive Order and COIL Section 19 exceptions, Cannabis/Casino Employment Waivers, Financial Disclosure Late Filing penalty appeals, and approval of Supplemental Codes.

Please visit the SEC website for additional information: [www.nj.gov/ethics](http://www.nj.gov/ethics)



Joy-Michele Johnson, Esq.,  
Executive Director

#### 7/2022-11/2023 SEC Recap

The Commission approved:

- 6 Consent Orders (settled cases)
- 12 Dismissals
- 3 Referrals to OAL
- 29 of 30 Agency disciplinary actions
- 3 Advisory Opinions
- 5 Executive Order and COIL Section 19 Exceptions
- 1 Blind Trust
- 3 FDS late Filing penalty appeals
- 2 Supplemental Codes
- 42 Casino Employment Waivers
- 8 Cannabis Employment Waivers

## GET TO KNOW AN ELO



*Rachel serves as Chief Ethics & Data Privacy Officer for the New Jersey Department of Health.*

*Rachel Hammond, CIPP/G/US, CIPM, HCISPP, Esq.*

Meet Rachel Hammond, the Chief Ethics, Data Privacy and Research Integrity Officer at the New Jersey Department of Health (NJDOH) since 2012. Rachel's educational and career background has well prepared her for this role: Penn State Dickinson Law School; a member of the group and provider contracting team for Aetna; In-House Counsel to hospitals; Counsel and Advisor at Select Medical Corporation for immigration matters, Regulatory and HIPAA Privacy Officer for NJDCF; and Legal Counsel for PADOH. In addition to being barred in both Pennsylvania and New Jersey, Rachel also holds multiple certifications in Data Privacy, including CIPP/G/US, CIPM, and HCISPP.

Rachel loves working for the NJDOH and considers it a privilege to contribute to the work of the agency to improve

the public health of the residents of the State. In addition to serving as the lead Ethics Liaison Officer (ELO), Rachel manages the data privacy program for NJDOH, with a focus on protecting the privacy of NJ residents whose sensitive medical information is reported to NJDOH and facilitates the legal and ethical use of that data for public health purposes. In her roles as NJDOH Research Integrity Officer, where she oversees the agency's research programs, and as Chair of the Governing Board for the State's Integrated Population Health Data Project (iPHD), Rachel has responsibilities for much of the privacy aspects of health-related research programs that take place throughout the State.

Rachel has been involved in DOH's ethics program for 11 years and considers it an important aspect of her position to ensure transparency and instill confidence in the agency and its workforce.

*"Rachel says she is inspired by her colleagues and the dedication and care they apply to public health work and State Psychiatric Hospital patients."*

Rachel finds it especially rewarding that she gets to interface with almost every employee in the agency. In addition, Rachel has increased efficiency and accessibility by moving all ethics forms to an electronic format, utilizing SharePoint workflows to request and approve all things ethics! This allows for enhanced tracking and audit functions for, among other things, attendance at events and outside activities forms, recusals, and letters of support. Ever quick to share credit, Rachel notes that Kara Unal, who serves as the Senior Ethics & Privacy Officer and Kathleen Kurek, Alternate Ethics Officer are integral members of the NJDOH Ethics Team. Rachel also underscores the importance of support provided by the Commissioner and Senior Management, noting that she has a place at the Commissioner's monthly senior management meetings to discuss ethics requirements and compliance

reminders.

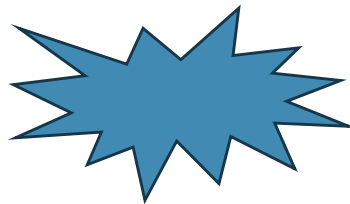
Rachel is equally busy in her private life. An avid dog lover, Rachel and her partner have two Whippets – Tilly and Trek – who show off their awesome personalities as they enjoy paddle boarding, swimming, hiking, and taking long walks in the woods with their human companions. Rachel, Tilly, and Trek are currently working towards getting the pups certified as therapy dogs. When not romping with and training the dogs, you might find this self-proclaimed “horse girl” doing cross country, dressage, stadium jumping, or Pilates; while her partner is on yet another ultra

marathon (50 or 100 miles), Iron Man Triathlon, or gravel bike ride. Willy, the family’s one-eyed cat (Goonies fans take note) was formerly homeless until he decided this active group should adopt him as their token much-loved-but-lazy member.

While it seems like all this work and activity might leave little time for other interests, Rachel plays in the handbell choir of their church, lectures extensively as a Data Privacy subject matter expert, travels to favorite destinations including Lake Como, Italy and the NC Outer Banks; enjoys cooking/grilling, collecting cookbooks, hosting get-

togethers for family and friends to gather for good food, drinks, laughs, and memories; and rooting (in-person) for Penn State during fall football weekends.

Rachel says she is inspired by her colleagues and the dedication and care they apply to public health work and State Psychiatric Hospital patients. The SEC is inspired by this amazing ELO and is grateful for the work she and her colleagues do every day to assist the State Ethics Commission in its mission to ensure and enforce the ethics standards for the Executive Branch of NJ State government.



**Tilly and Trek during water training!**



**Willy's fav low-level activity!**



## FUN CHALLENGE

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# TEST YOUR ETHICS KNOWLEDGE!



### TRUE OR FALSE

1. A State employee may accept a bagel, donut, water, and coffee (offered by an interested party), while inspecting one of the interested party's facilities as part of their everyday job responsibilities.

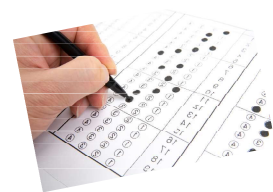
- a. TRUE \_\_\_\_\_
- b. FALSE \_\_\_\_\_

2. If requested to write a letter of recommendation to a college for the son of a friend, it is permissible for a Commissioner to use their agency letterhead to write the letter and sign it with their title.

- a. TRUE \_\_\_\_\_ (this is permissible, and the college will be very impressed)
- b. FALSE \_\_\_\_\_ (this is not permissible)

3. The head of a large State agency heard that a new soda company would be in the Newark area giving out samples as part of its advertising campaign. The agency head made arrangements for the soda company to park its truck in the State agency's employee parking lot for a period of two hours so that agency employees could receive a free sample of the soda. Employees would have to show their State ID and samples were not available to the general public during those two hours. The soda company would also give employees coupons for a free large size bottle to be redeemed at any grocery store carrying the new soda.

- a. TRUE \_\_\_\_\_ (this is permissible under NJ state ethics rules and great for morale)
- b. FALSE \_\_\_\_\_ (this is not permissible under NJ State ethics rules)



Answers appear on next page.

## FUN CHALLENGE

### CORRECT ANSWERS



1. The correct response is **false**. There are certain narrow exceptions to the “zero-tolerance” rule for accepting items of nominal value, including that a State employee may accept “meeting snacks” (i.e., a bagel, doughnut, water, and coffee), but these snacks are only permissible when offered in a meeting setting. The question here concerns an employee being at an Interested party’s facility to conduct an inspection – something that is part of the employee’s official State job duties, and therefore not subject to the meeting exception.

2. The correct response is **false**. This would be considered a misuse of State letterhead and is strictly prohibited. If asked to write a letter of recommendation, you may use official letterhead to recommend a State official who worked for you or with you in your State position, such that you were familiar with the individual’s work. In the question, the purpose appears to be to influence the college with your role as a NJ Special State Officer/Commissioner, and it is not permissible to use the agency letterhead or

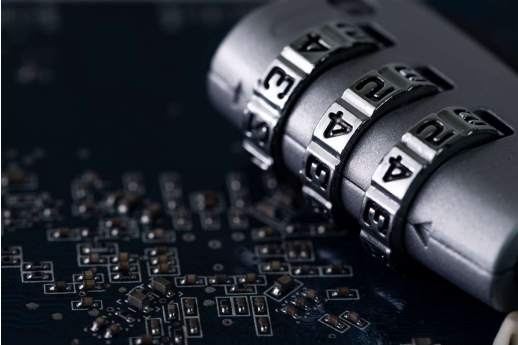
title. The Commissioner could write a personal letter of recommendation without using either the letterhead or referencing their State title.

3. The correct response is also **false**. The Uniform Ethics Code, Section III provides that no State officer or employee or special State officer or employee shall accept any gift, favor, service, or other thing of value related in any way to the State official’s public duties. The giveaway described would not fall into any of the exceptions to the zero-tolerance policy for the acceptance of gifts, such as those that exist for logo items of nominal value that are available to members of the public or broadly based discounts offered to all State or public employees. Here, only the agency employees would receive the soda and coupons. This is an impermissible gift and may not be accepted. There should never be an appearance that the head of a State agency is endorsing or promoting a private business.



How did you do?

### 5 PRIVACY TIPS WHEN SUBMITTING DATA TO THE SEC



#### **BEFORE HITTING SEND!**

1. **KNOW YOUR INFO**—“Protected Personal Information” means in part, an individual’s first name or first initial and last name linked with any one or more of the following data elements: (1) Social Security Number; (2) Driver’s License Number or State Identification Card Number; (3) Account Number or Credit or Debit Card Number, in combination with any required security code, access code, or password that would permit access to an individual’s financial account; or (4) User Name, Email Address, or any other account holder identifying information, in combination with any password or security question and answer that permits access to an online account.

2. **STOP AND THINK** – Before you push send on an email, ask why the information is needed, who will use the data, and how it will be used.

3. **WHEN IN DOUBT, REDACT** data that you believe is Protected Personal Information before sending to the SEC or other individuals/agencies. If the SEC requires unredacted PPI, it will contact you to request that information. Remember to ask questions if you have concerns about how the information will be handled.

4. **USE ENCRYPTION** – When you encrypt sensitive files (e.g. by using passwords) you protect them from being read or used by those who are not entitled to do either and make the file available only to those who have the appropriate password or key. Do not include the password or key in the text of the email and check the “send to” line for accuracy.

5. **REMEMBER CONFIDENTIALITY**—Pursuant to the SEC’s administrative rules, all investigations, whether conducted by SEC staff or a State agency, are considered to be confidential. Protecting PPI helps ensure the confidentiality of the SEC’s investigative process.

*Remember the 5 Privacy Tips!*





## ANNOUNCEMENTS

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# SPOTLIGHT ON SEC COMMISSIONER

*Brian Bridges, Ph.D.*

*Dr. Brian Bridges was appointed to serve as a Commissioner of the State Ethics Commission by Governor Phil Murphy in September 2023*



As Secretary of Higher Education for the State of New Jersey since November of 2020, Dr. Bridges is responsible for policy development and coordination of higher education activities for the State. He also coordinates initiatives to improve college affordability in New Jersey through the State Plan for Higher Education and enhance postsecondary opportunities while promoting equity and access for all through programs such as the State's Community College Opportunity Grant (CCOG).

Dr. Bridges previously served as Vice President of Research and Member Engagement at the United Negro College Fund (UNCF) in Washington, DC where he led UNCF's Frederick D. Patterson Research Institute (FDPRI) and the Institute for Capacity Building (ICB). He served as the organization's chief research officer, principal editor, and contributor to FDPRI's publications, as well as the manager of internal and external projects involving capacity building, evaluation, and assessment. Dr. Bridges also led the UNCF Career Pathways Initiative, a project funded by the Lilly Endowment, to improve job placement outcomes at Historically Black Colleges and Universities (HBCUs) and Predominantly Black Institutions (PBIs).

Prior to joining UNCF, Dr. Bridges served in various leadership roles both on- and off-campus, including Vice Provost for Diversity, Access, and Equity at Ohio University; Associate Director of the Center for Advancement of Racial and Ethnic Equity at the American Council on Education; and Associate Director at the National Survey of Student Engagement (NSSE). While at NSSE, he managed a million-dollar subcontract for the Building Engagement and Attainment of Minority Students project, a national initiative funded by Lumina Foundation to assist minority-serving institutions in using their NSSE results for institutional improvement. He is a former Assistant Professor of Higher Education Administration at George Washington University. Throughout his career, Dr. Bridges has served as a media resource and provided expert perspective and analysis on numerous panels and advisory committees on issues related to student engagement, HBCUs, learning environments at minority-serving institutions, and success factors for African American college students at predominantly white institutions.

Dr. Bridges earned his Doctorate in Higher Education Administration from Indiana University–Bloomington, a Master of Public Administration degree from the University of North Carolina–Charlotte, and a Bachelor of Arts in English Language and Literature from Francis Marion University. Dr. Bridges was born in Brooklyn, NY and reared in Beaufort, SC.

*“The State Ethics Commission is pleased to welcome Dr. Brian Bridges. Recognized as a leader in higher education, philanthropy, consensus building, and policy settings, he will be a tremendous asset to the Commission, as we continue to serve the citizens of New Jersey by governing the conduct of officers and employees in State government.”*

*Stephanie A. Brown, Esq., SEC Chair*

# NJ SEC RECOGNIZED BY THE CAMPAIGN LEGAL CENTER

Earlier this year, our **Deputy Director, Christina C. Fullam**, was interviewed about New Jersey’s Ethics Liaison Officer system by the Campaign Legal Center for its report, “Top Ten Training Upgrades for Ethics Commissions.” The report, which was featured in the Campaign Legal Center’s presentation at the Council on Government Ethics Law’s 2023 Annual Conference in December, includes portions of that interview and provides a fantastic overview of the benefits of having an Ethics Liaison Officer at each State agency.

The State Ethics Commission would like to thank each of our agency Ethics Liaison Officers for the important work they do. We would not be as successful in our mission without the work of our agency ELOs.

See highlights from the report below and to view the full report, please visit: <https://campaignlegal.org/document/top-ten-training-upgrades-ethics-commissions>

### WHAT IS IT?

Ethics liaisons are agency employees appointed to coordinate and administer ethics trainings and answer ethics questions from agency staff. Ethics liaisons act as on-the-ground ethics officials within the agencies. They use their agency-specific knowledge to assist the commission with providing training and advice to agency employees. Ethics liaisons also assist with the implementation of agency-specific ethics rules.

### WHY IT MATTERS

Ethics liaisons act as an extension of the ethics commission. State and local governments are complex and have a vast workforce of people performing different and specialized jobs. Ethics liaisons reduce workload for the ethics commission and aid the commission in ensuring all employees have access to relevant training and timely advice.

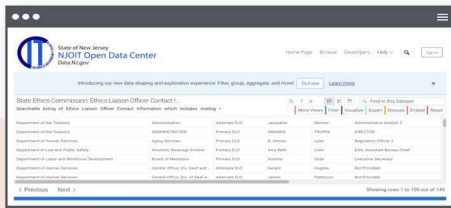
#### BENEFITS

- Compliance**  
 Provides agency staff with specialized avenues for seeking advice that helps with enforcement
- Accessibility**  
 Enables relevant staff to obtain ethics training and advice at the agency level, not just via the ethics commission
- Knowledge**  
 Helps staff better understand both general ethics laws and agency-specific laws

## EXAMPLE

### New Jersey State Ethics Commission

The New Jersey State Ethics Commission has implemented a system of ethics liaisons to ensure someone with agency-specific ethics knowledge is available to agency staff. The photo below depicts a searchable database of New Jersey’s ethics liaisons.



#### Summary of conversation with Christina Fullam, Esq., Deputy Executive Director:

#### REASONS FOR IMPLEMENTING ETHICS LIAISONS

Ethics liaisons were implemented to ensure someone with knowledge of the inner workings of each agency was responsible for training and advising the agency staff on ethics laws. New Jersey’s system of ethics liaisons was initially established informally, and it was implemented formally by executive order in 2002.

#### SUCCESS OF ETHICS LIAISONS

The ethics liaison system has aided in compliance because someone who understands the practical application of ethics laws to agency functions is always on duty. They act as the first line of defense for preventing violations.

#### IMPLEMENTATION COSTS

While the monetary cost is minimal, an ethics liaison system involves significant staff time. The ethics liaisons are regular agency staff members who have the ethics training and advice duties in addition to their regular duties. In some cases, there may be a staff member exclusively dedicated to ethics, which would be a budget consideration.

#### IMPLEMENTATION TIPS

The ethics commission should be available to the ethics liaisons when needed and be willing to engage in outreach directly to each agency head. Outreach helps foster the relationship between the ethics commission and the ethics liaisons and establishes a mutual understanding of the goals of administering the ethics laws. Having support from the head of the executive branch also helps foster a culture of ethics that makes the ethics liaison program run smoothly.

## RESOURCES

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### SEC MEMBERS

#### Commission Members

Stephanie A. Brown, Esq., Chair  
(Public Member)

Patricia C. Morgan, Esq., Vice Chair  
(Public Member)

Christine Norbut Beyer, Commissioner  
N.J. Department of Children and Families

Babatunde P. Odubekun, Esq.  
(Public Member)

Victor J. Herlinsky, Jr., Esq.  
(Public Member)

Sarah Adelman, Commissioner  
N.J. Department of Human Services

Brian Bridges, Ph.D.  
NJ Secretary for Higher Education

#### Staff Members

Joy-Michele Johnson, Esq., Executive Director

Christina C. Fullam, Esq., Deputy Director

Rachel L. Eger, Esq., Compliance Officer

Susan J. Flynn-Hollander, Esq.,

Training Officer; Editor, *The Compass*

Jessica Calella, Esq., Acting Compliance Officer,  
Legal Specialist

Zachary Egan, Esq., Legal Specialist

Claudia Gallagher, Esq., Legal Specialist

Shanna Cook, Executive Assistant

Victor Kushnir, MIS Administrative Analyst

SEC WEBSITE

<https://www.nj.gov/ethics/>

CONTACT THE SEC

SEC Mailbox: [ethics@ethics.nj.gov](mailto:ethics@ethics.nj.gov)

SEC Phone : 609-292-1892

## CALENDAR

# DATES TO NOTE

## 2024 CALENDAR

### Commission Meeting Dates:

Tuesday, January 23  
Tuesday, March 12  
Tuesday, April 9  
Tuesday, June 25  
Tuesday, September 17  
Tuesday, December 3

### ELO Quarterly Meeting Dates:

Thursday, February 15  
Thursday, June 13  
Thursday, October 3  
(*non-college*)  
Thursday, October 10  
(*college*)  
Thursday, December 12

### ELO Orientation Dates:

Thursday, February 1  
Thursday, April 25  
Thursday, July 11  
Thursday, September 26  
Thursday, November 21



## NOTE

***THE DEADLINE FOR  
23d SUBMISSIONS AND  
REQUESTS FOR ADVI-  
SORY OPINIONS AND  
WAIVERS IS  
FEBRUARY 16 FOR  
THE MARCH 2024  
MEETING***