

PRESTIGE OF OFFICE– Exception  
Usual Constituent Services  
Possible Fundraising Concerns

CAMBRIDGE ETHICS COMMISSION  
C/O ROBERT S. COLLISON, ESQ.  
311 HIGH STREET  
CAMBRIDGE. MD 21613

ADVISORY OPINION

OPINION 05-2012

HAVING MET ON June 15, 2012, AND CONSIDERED THE REQUEST FOR AN ADVISORY OPINION BY VICTORIA JACKSON-STANLEY AND HAVING CONSIDERED THE LEGAL OPINION OF ROBERT S. COLLISON, ESQ., COUNSEL FOR THE ETHICS COMMISSION;

AND MS. JACKSON-STANLEY HAVING ASKED IF SHE COULD “ ...CONTACT THE GUINNESS BOOK OF WORLD RECORDS ORGANIZATION USING THE CITY OF CAMBRIDGE ADDRESS AS THE SPONSORING ORGANIZATION” FOR A PLANNED CITY EVENT; AND THE MEMBERS OF THE COMMISSION BEING OF THE OPINION THAT THIS REQUEST INVOLVES AN EXCEPTION FOUND IN SECTION 2-14 OF THE CODE OF THE CITY OF CAMBRIDGE THAT DEALS WITH AN OFFICIAL’S USE OF THE PRESTIGE OF HIS OR HER OFFICE;

THE CAMBRIDGE ETHICS COMMISSION BY UNANIMOUS VOTE HEREBY ADOPTS MR. COLLISON’S LEGAL OPINION OF MAY 11, 2012 AS THE OPINION OF THE COMMISSION;

AND FURTHER REQUESTS THE CLERK OF THE CITY OF CAMBRIDGE TO PLACE THIS OPINION ON THE WEBSITE OF THE CITY OF CAMBRIDGE AND MAKE COPIES AVAILABLE TO THE PUBLIC WHEN REQUESTED.

STEPHEN W. RIDEOUT, COMMISSIONER  
ON BEHALF OF THE COMMISSION

June 15, 2012

**MEMORANDUM**

**TO: Ethics Commission of Cambridge**

**FROM: Robert S. Collison, City Attorney**

**RE: Advisory Opinion**

**DATE: May 11, 2012**

Mayor Jackson-Stanley has asked for a formal advisory opinion from the Ethics Commission on the following issue: Can she, as mayor, organize and promote a city wide line dance event, in an effort to break the record with the Guinness Book of World Records, using the City of Cambridge as the sponsoring organization?

Based upon my understanding of the event, I do not see any provision within the City's Ethics Code which would prohibit the Mayor's participation as the organizer for the event. It is my understanding that the mayor will attempt to recruit enough individuals to participate in the group line dance, to exceed the current record for such a dance. The event is not designed as a fund-raiser, and Mayor Jackson-Stanley has stated on the record that no city funds will be used for the event. Nor is the event part of the mayor's re-election efforts.

The applicable code section of the Ethics Code is found in subsection (i) on page CD2:11 entitled "Use of prestige of office." This section prohibits an official from intentionally using the prestige of his/her office for private gain (either of the official or of a qualified relative). Item (i)2 states that the prohibition does not apply to the performance of usual and customary constituent services, provided no additional compensation is sought by the official.

The Mayor will not gain financially from the proposed event. As stated above, it is not a fund-raiser of any type. The stated purpose is to break a record, through which the City of Cambridge gains publicity. The City is the sponsoring organization, not the mayor individually. The promotion of the City is generally within the performance of a mayor's duties.

I would caution the Mayor not to solicit any type of gift for the event, as subsection (j)1 on page CD2:11 expressly prohibits any city official, and all city employees from soliciting any gifts.

Robert S. Collison  
City Attorney