

June 28, 1999  
Re: IO-99-119

You inquired whether your service as a member of the Animal Control Commission presents a conflict of interest with your duties to the police department now that the Animal Control Commission is under the joint jurisdiction of the Animal Control Agency and the Police Department. Your appointment to the commission was made pursuant to Article 12 of the Anne Arundel County Code, §1-102(b)(2), which requires that one member of the commission be a representative of the chief of police.

Because of this statutory requirement, you are serving on the commission in an *ex officio* capacity as a police officer. It is part of your official job to represent the interests of the Police Department on the Animal Control Commission. Although the responsibility for the enforcement of the animal control laws now rests with the police department, the law still requires the participation of a police officer on the commission. As far as your position on the commission is concerned, nothing has changed. You may continue to serve as the chief's representative on the Animal Control Commission. There may be specific occasions where you feel that recusal on your part would be in the best interests of the police department. If such an occasion should arise, please feel free to contact the ethics commission for further guidance.

Thank you for your inquiry.

Sincerely,

Betsy K. Dawson  
Executive Director