

May 15, 2002
IO-02-57

You inquired whether you may accept an invitation to attend a dinner held as a "preopening" by a new restaurant in the district served by your police station. The invitation was addressed to the district commander and was extended to three other guests. Apparently, the district commander would like to include other police officers as those guests. The menu choices are noted on the invitation and there will be a cash bar. You stated that the invitation has been extended to a number of other businesses and people in the area. You also said that you received the invitation yesterday and that an RSVP is required by today.

Under the Public Ethics Law, §3-105(c)(1), occasional meals and beverages of modest value may be accepted by county employees from controlled donors in the absence of evidence that the gift will impair the impartial and independent judgment of the intended recipients. Assuming that the restaurant has a license to serve alcohol, it would be a controlled donor. It is also likely that the value of the dinner falls within the \$25 maximum established by the commission for meals and beverages of modest value, especially since the invitees must purchase their own alcohol.

Since it appears that the invitation has been offered to introduce the community to the new business, and for no other purpose, the ethics commission advises that the police officers may accept the invitation to attend the preopening dinner. If there are any facts known to the recipients that would suggest that the invitation may have been offered for any other reason, the officers should not accept the invitation.

Sincerely,

Betsy K. Dawson
Executive Director