Anne Arundel County
Ethics Commission

November 6, 2009

By Electronic Mail Only

Re: AO-09-70

You inquired whether it is permissible for each of the firefighters and officers at your fire station to accept a small Christmas gift (under $10) from a family that lives in the community served by your station. Since the family is not a "controlled donor" with respect to the fire department, the gift provisions of §7-5-106 do not apply to your question.

Instead, §7-5-107(a), the prestige of office provision, applies to your inquiry. This provision prohibits employees from accepting gifts of more than nominal value from donors who are not "controlled donors" if the gift is offered solely because of the employee's position. The donor advised that the gift is given in appreciation of the invaluable services that the firefighters have performed for the family over the years and for no other reason. While the thought and effort put into making the gifts is significant, the ethics commission looks only at the cost, and in this case, the cost is nominal.

For these reasons, the ethics commission advises that this gift may be accepted as an acknowledgment of these services. In these circumstances, the gift "would not be detrimental to the impartial conduct of government, and [is] purely personal and private in nature.

Thank you for your inquiry. Please call if you have additional questions.

The Anne Arundel County Ethics Commission

/s/

By: _____
Betsy K. Dawson, Executive Director

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