

# STATE ETHICS COMMISSION

## Fiscal Year 2024 Annual Report

Commonwealth of Massachusetts State Ethics Commission

---

One Ashburton Place, Room 619  
Boston, MA 02108  
[www.mass.gov/ethics](http://www.mass.gov/ethics)  
617-371-9500



# State Ethics Commission – Fiscal Year 2024

## State Ethics Commission Members



**Hon. Margot Botsford (ret.), Chair\***

Associate Justice of the Supreme Judicial Court (ret.)



**Josefina Martinez**

Senior Partner and General Counsel, EBS – Newton, MA



**Hon. Wilbur P. Edwards, Jr. (ret.)**

Associate Justice of the Southeast Division of the Massachusetts Housing Court (ret.)



**Eron L.A. Hackshaw**

Assistant Director for Government and Public Interest Careers, Boston University School of Law



**Hon. Thomas A. Connors (ret.)**

Regional Administrative Justice for Norfolk County (ret.)

\* Service began August 2023

## EXECUTIVE SUMMARY

The State Ethics Commission is a non-partisan, independent state agency which administers, provides advice and training concerning, and civilly enforces the state conflict of interest and financial disclosure laws. There are five Commissioners: three, including the Commission Chair, are appointed by the Governor, one is appointed by the Secretary of the Commonwealth, and one is appointed by the Attorney General. No more than two of the Commissioners appointed by the Governor, and no more than three Commissioners overall, may be from the same political party. Commissioners are appointed to five-year terms and each year one Commissioner's term expires and the term of their newly appointed successor begins. No one may be appointed to more than one full five-year term as a Commissioner.

The Commission's Executive Director is responsible for the day-to-day management of the agency and its staff and reports to the Commission. The Commission's Chief Financial Officer and three Division Chiefs report to the Executive Director, except that the Legal Division Chief, who is also the Commission's General Counsel, reports to both the Executive Director and the Commission.

The Commission has three Divisions. The Legal Division provides advice to public employees and others on how the conflict of interest law applies to them, helps those required to file a Statement of Financial Interests and public agencies comply with the financial disclosure law, advises the Commission during adjudicatory proceedings, and administers the Statement of Financial Interests filing process. The Enforcement Division investigates alleged violations of the conflict of interest and financial disclosure laws and, when appropriate and authorized by the affirmative votes of at least three Commissioners, civilly prosecutes alleged violators. The Public Education and Communications Division provides educational programming on the conflict of interest law, responds to news media and other requests for information about the Commission, its activities, and the conflict of interest and financial disclosure laws, and maintains the Commission's website.

The Commission received an appropriation of \$3,485,031 in FY 2024, an increase of \$530,563 over FY 2023. The Commission imposed \$361,500 in civil penalties in FY 2024. Civil penalties collected by the Commission revert to the Commonwealth's General Fund.

In FY 2024, the Legal Division responded to 5,623 requests for advice concerning the conflict of interest and financial disclosure laws, the Enforcement Division received 918 complaints alleging violations of those laws, and the Public Education and Communications Division conducted 46 seminars and responded to 414 requests for information about the Commission and the two laws.

### Mission Statement

The mission of the State Ethics Commission is to foster integrity in public service in state, county, and local government, to promote the public's trust and confidence in that service, and to prevent conflicts between private interests and public duties. We strive to accomplish this mission by conducting educational programs, providing clear and timely advice, and fairly and impartially interpreting and enforcing the conflict of interest and financial disclosure laws.

## INTRODUCTION

The Massachusetts conflict of interest law, General Laws chapter 268A, has regulated the conduct of public officials and employees in the Commonwealth since 1963. Chapter 268A governs what public employees may do “on the job,” “after hours” or “on the side,” and after they leave public service, and sets standards of conduct for all state, county, and municipal employees, including elected officials. The law requires that public employees give their undivided loyalty to the level of government for which they work, and that they act in the public interest.

Chapter 210 of the Acts and Resolves of 1978 established the state financial disclosure law, General Laws chapter 268B, requiring candidates for public offices for which one is nominated at a state primary or chosen at a state election, public officials holding such offices, and state and county employees in designated major policymaking positions to annually file a Statement of Financial Interests (SFI) for the preceding calendar year.

**The Commission  
administers and civilly  
enforces the  
provisions of the  
conflict of interest law  
and financial  
disclosure law.**

Chapter 210 also created the State Ethics Commission and empowered it to interpret and civilly enforce G.L. c. 268A and G.L. c. 268B. Commission staff provide advice on how to comply with the conflict of interest and financial disclosure laws, investigate allegations of violations of those laws, and conduct educational programs and provide information about the laws and the Commission. The Commission serves as the primary civil enforcement agency for the two laws.

Chapter 28 of the Acts of 2009 strengthened the conflict of interest law and enhanced the Commission’s ability to civilly enforce both the conflict of interest law and the financial disclosure law by: increasing the maximum penalties for violations of G.L. c. 268A and G.L. c. 268B (the Commission may impose a civil penalty up to \$10,000 per violation, except that a civil penalty of up to \$25,000 per violation may be imposed for violations of G.L. c. 268A, § 2); creating a statute of limitations specifically for Commission civil enforcement actions; giving Commission summonses the same force and effect as those issued by a superior court justice; prohibiting gifts to public employees because of their official positions; empowering the Commission to order restitution and repayment of the economic advantage obtained through certain conflict of interest law violations; adding a false or fraudulent claims provision; and mandating conflict of interest law education and training for all public employees. Chapter 28 also amended the financial disclosure law to ban gifts of any amount from lobbyists to certain public officials and their immediate family members. Chapter 28 directed the Commission to prescribe and publish, pursuant to G.L. c. 30A, rules and regulations providing exemptions to certain sections of G.L. c. 268A. Pursuant to this direction and after completing the formal process to issue regulations, the Commission approved new regulations codified at 930 CMR 5.00 and 6.00.

Chapter 93 of the Acts of 2011 added section 6B to the conflict of interest law, requiring each candidate for state employment to disclose in writing as part of the application process the names of certain of their relatives employed by the Commonwealth. Chapter 194 of the Acts of 2011 added section 5(b½) to G.L. c. 268A, imposing a one-year restriction on any former state, county, or municipal employee who worked on any expanded gaming legislation or its implementation from becoming employed by a gaming licensee or from having a financial interest in an applicant for a gaming license or a gaming licensee. Chapter 194 also amended section 6 of the financial disclosure law to include gaming licensees and gaming license applicants within the definition of “legislative agents” for the purposes of that section.

## EXECUTIVE ADMINISTRATION

### Personnel

The Commission was staffed with 30 fulltime and parttime employees, including one parttime contract employee, at the beginning of FY 2024 and 31 at the end of the fiscal year. A Government Affairs Officer and a Special Investigator left the Commission staff and an Assistant General Counsel, a Government Affairs Officer and a Special Investigator joined the staff during fiscal year 2024. The position of Assistant Agency Counsel was discontinued in late FY 2024.

### International Fellowship Program

The Commission hosted a visiting professional fellow from Honduras through the Institute for Training and Development’s Professional Fellowship Program, a project sponsored by the U.S. Department of State’s Bureau of Educational and Cultural Affairs. The visiting professional fellow, an advisor to Honduran legislators on anti-corruption and transparency measures, was with the Commission from May 15 through June 7, 2024. During her time with the Commission, the professional fellow met frequently with Commission staff, learned about the Massachusetts conflict of interest and financial disclosure laws, and gained insight into the functions of the Commission’s Legal, Enforcement, and Public Education and Communications divisions. She participated in the Commission’s training and education programs, observed Commission staff on the job, attended the Commission’s monthly meeting in May 2024, and engaged in various other activities.

### Case Management System Replacement Project

In FY 2024, the Commission continued to work with the Executive Office of Technology Services and Security, the Legal Case Management System project’s other four partner agencies (Department of Labor Relations, Department of Mental Health-Legal, Department of Criminal Justice Information Services, and MassHealth’s Board of Hearings), and the project’s vendors on a new legal case management system using Litify and Salesforce products which will replace the

Commission's legacy system, Ethos, which has been in service since June 2005 and whose underlying technology and supporting software have become dated and difficult to maintain. While substantial progress was made, project delays prevented the new legal case management system from launching in FY 2024.

### **Council on Governmental Ethics Laws (COGEL) Annual Conference**

The Commission is a member of the Council on Governmental Ethics Laws (COGEL), an international organization for government agencies and other organizations working in ethics, elections, freedom of information, lobbying, and campaign finance. A Commission delegation, consisting of a Commissioner, the Executive Director, the Enforcement Division Chief, a Legal Division attorney, a Special Investigator, the Senior Public Information Officer, and the Senior Program Coordinator, attended the 45th annual COGEL conference from December 3-6, 2023, in Kansas City, Missouri. The Senior Public Information Officer participated as a panelist in a conference session on eLearning and online training and presented on the Commission's recent project to launch a new conflict of interest law online training course on a new online learning management system. In July 2023, the Senior Public Information Officer participated in a COGEL-hosted videoconference workshop and presented on the development of the Commission's new online training course.

### **Office improvements**

In June 2024, two new workstations were installed in the Commission's office in an area that had for two decades been used for the storage of paper files. To accommodate this work, a large file-shelving system was removed and more than 300 boxes of files were relocated.

### **Staff Training**

In May 2024, the Commission began a series of staff training programs developed in response to topics selected in a survey of staff. The first training program, which focused on neurodiversity, was provided by The Arc of Massachusetts. Future training programs were planned on topics including generational bias and the deaf and hard-of-hearing community.

## LEGAL DIVISION

Public employees and others who fall within the jurisdiction of G.L. c. 268A, the conflict of interest law, and G.L. c. 268B, the financial disclosure law, may ask for and receive free, confidential advice about how those laws apply to them and their specific circumstances. Requests for advice may be made by telephone, through the Commission's website, by letter or email, or in-person, and are answered by Legal Division attorneys. The Legal Division strives to respond to telephone requests for advice on the same day or next business day and to requests for written advice within 30 days. Division attorneys will confirm oral advice by email if the requestor needs written confirmation. Advice is not given about past conduct or about the conduct of a third party who has not authorized the request. Division attorneys give confidential advice based on prior Commission rulings. If there is no Commission precedent for the issue to be addressed, the issue may be submitted to the full Commission for a formal opinion. Although formal opinions are also confidential, the Commission publishes summaries and public versions of such opinions which do not include the requestor's identifying information unless the requestor consents to their inclusion. The Commission issued two formal opinions in FY 2024.

The Legal Division  
staff answered **5,623**  
requests for advice in  
FY 2024.



In addition to providing advice, the Legal Division reviews conflict of interest law opinions issued by municipal counsel under G.L. c. 268A, § 22, to ensure that these opinions are consistent with Commission precedent.

Legal Division attorneys also review for completeness conflict of interest law disclosures filed with the Commission by state and county employees. Such disclosures are available to the public upon request and are listed on the Commission's website. In addition, Division attorneys serve as legal advisors to the Commission in adjudicatory proceedings. At the direction of the Commission or the presiding officer, Division attorneys prepare orders, rulings on motions, and drafts of decisions and orders in adjudicatory proceedings. In addition, the Commission's General Counsel is appointed by the Attorney General as a Special Assistant Attorney General and represents the Commission in civil litigation and appeals involving the Commission.

The financial disclosure law, G.L. c. 268B, requires all state and county elected officials, candidates for state and county office and appointed state and county employees in designated major policymaking positions to annually disclose their financial interests and private business associations by filing a Statement of Financial Interests (SFI).

The Legal Division administers the SFI filing process. The Legal Division Deputy Chief/SFI, the Special Assistant to Administration and SFI, the Legal Division Administrative Assistant, and the Commission IT Specialist comprised the Commission's SFI Team in FY 2024. The SFI Team handles

all the administrative duties related to the filing of SFIs, including oversight of the SFI electronic filing system. The SFI Team also assists filers who have questions about how to complete their SFIs as well as agencies that have questions about designating positions as major policymaking positions.

SFIs are public records and are available upon request. Requestors may either complete a written request form or register online to view SFIs using the Public Inspection Module of the electronic SFI system. In either case, certain information exempt from disclosure under the Public Records Law is redacted before an SFI is made available to a requestor. In addition, G.L. c. 268B, § 3(d) requires that all requestors provide identification acceptable to the Commission, including their affiliation, if any, and that the Commission notify SFI filers of each request for their SFIs.

Without having to register as an SFI requestor, however, anyone may use the online Public Inspection Module to view a searchable index of all the public employees, public officials and candidates required to file an SFI for a selected calendar year, beginning with CY 2017, and may search for specific filers by name, or for all filers from a particular agency, and learn whether required filers have completed their SFI filing for the year selected.

At the beginning of FY 2024, the Legal Division consisted of the General Counsel/Legal Division Chief, the Legal Division Deputy Chief/SFI, a Senior Assistant General Counsel, an Assistant General Counsel, two Staff Counsels, and an Administrative Assistant. An Assistant General Counsel joined the staff in January 2024. An Assistant Agency Counsel, who had worked for both the Legal and Enforcement Divisions, joined the Enforcement Division fulltime as an Assistant Enforcement Counsel in February 2024.

## **FY 2024 Legal Division Activities**

### **Advice**

During FY 2024, the Legal Division answered 5,623 requests for advice. These requests consisted of 4,897 telephone or walk-in requests and 726 written requests, including by mail and email. The Division continued its practice of responding to telephone requests on the same day, or the following day, in most cases. The Division's average monthly backlog of written opinion requests older than 30 days was 2.4 during FY 2024, a decrease from an average of 9 the previous year. Overall, the Division received 3% fewer requests for advice in FY 2024 than in FY 2023. The Division also reviewed 14 municipal counsel conflict of interest law advisory opinions issued under G.L. c. 268A, § 22, pursuant to 930 CMR 1.03(3), and approximately 236 conflict of interest law disclosures filed by state and county employees. The number of disclosures received by the Division in FY 2024 decreased by approximately 16% from FY 2023. The Division also assisted the Commission in drafting two formal opinions, EC-FD-23-1 and EC-COI-24- 1.

### **Adjudicatory Proceedings**

During FY 2024, Legal Division attorneys acted as Legal Advisors in six adjudicatory proceedings alleging violations of G.L. c. 268A or G.L. c. 268B.



The adjudicatory matters included: *In the Matter of Michael Byrne*; *In the Matter of Barbara Davis-Hassan*; *In the Matter of Joseph Solomon*; *In the Matters of Daniel Galvis and Gilda Galvis*; and *In the Matter of Scott Callahan*.

### Litigation

During FY 2024, the Legal Division represented the Commission in the following litigation:

Haley v. State Ethics Commission, Suffolk Superior Court Civil Action No. 2284CV02661: On January 18, 2024, Staff Counsel argued on behalf of the Commission in a hearing on the parties' cross-motions for judgment on the pleadings. On February 5, 2024, the Court affirmed the Commission's decision, finding that, as a member of the Select Board for the Town of Aquinnah, Haley violated Section 19 by selecting himself to install underground conduits for telecommunications wires for the Town and seeking payment for the work, and by approving the Town's payment of his own \$17,445 invoice. In particular, the Court held that the Commission properly applied the willful blindness doctrine when it inferred that Haley had knowledge of his own financial interest when he signed an expense warrant while deliberately ignoring that his invoice was included in it. The Court upheld the Commission's order that Haley pay a \$10,000 penalty.

### Other Legal Division Activities

In FY 2024, Legal Division attorneys provided several training sessions and presentations on the conflict of interest law for public employees, including the MCLE Municipal Law Conference, the Executive Office of the Trial Court Judicial Institute, and the Boston Bar Association. In addition, Division attorneys trained three new Commission staff members and a visiting professional fellow on the conflict of interest law and participated in the Commission's legal case management system replacement project.

### Statements of Financial Interests

Based on nearly every metric the Commission tracks, the filing season for calendar year 2023 SFIs was one of the most successful in the past decade. The filing season for CY 2023 SFIs opened February 1, 2024. During FY 2024, the total number of persons — appointed state and county employees holding major policymaking position, elected state and county officials, and candidates for state and county office — required to file an SFI for CY 2023 was 4,018. The filing deadline was May 1, 2024 for appointed public employees and May 28, 2024 for elected public officials. The filer compliance rate for the CY 2023 SFI filing season equaled the highest in the most recent 12 years, with 98.34% of all filers filing by the deadline.

#### CY 2024 SFI Season

- 4,018 filers
- 98.34% filed by deadline
- 64 Formal Notices of Lateness issued
- 0 Enforcement referrals

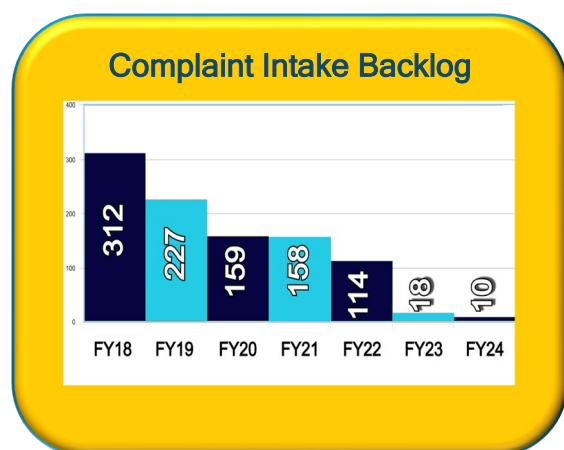
When a filer fails to file by the deadline, the financial disclosure law, G.L. c. 268B, requires that a

Formal Notice of Lateness be sent giving the filer an additional 10-day grace period to file without incurring a civil penalty. A total of 64 Formal Notices of Lateness were sent to those who missed the filing deadline. No one was referred to the Enforcement Division in FY 2024 for failing to file their CY 2023 SFI.

In FY 2024, as in prior years, most SFI filers chose to file electronically rather than on paper. In FY 2024, 98.86% of all CY 2023 SFI filers filed electronically. The SFI Team encouraged electronic filing, which makes the process simpler and faster for the filer. In addition, an electronically filed SFI is automatically redacted by the SFI system so it is immediately available for review by both the filer and a member of the public using the SFI system's Public Inspection Module. During the CY 2023 filing season, 44 SFIs were filed manually.

## ENFORCEMENT DIVISION

The Enforcement Division investigates alleged violations of the conflict of interest and financial disclosure laws, and, when appropriate and authorized by the affirmative votes of at least three Commissioners, civilly prosecutes alleged violators of those laws. By law, the investigations are confidential and the prosecutions are public. The Division received 918 complaints in FY 2024 alleging violations of the conflict of interest law. In FY 2024, the Division negotiated 24 disposition agreements and one public education letter, issued three confidential compliance letters, participated in six adjudicatory proceedings, and sent 105 private education letters.



An ongoing FY 2024 priority for the Enforcement Division was to continue to reduce the complaint intake backlog, which is defined as complaints received by the Commission that have been open for more than three months. From the beginning to the end of FY 2024, the overall complaint intake backlog decreased from 18 to 10, continuing a trend of several consecutive years of decreases to the backlog.

At the beginning of FY 2024, the Enforcement Division consisted of the Division Chief, a Staff Counsel, a Senior Assistant Enforcement Counsel, an Enforcement Counsel, an Assistant Agency Counsel (who performed work for both the Enforcement and Legal divisions), five fulltime Special Investigators, a part-time Special Investigator, a contract Investigator, and an Administrative Assistant. The Assistant Agency Counsel joined the Division fulltime in February 2024 as an Assistant Enforcement Counsel. The part-time Special Investigator left the Division in August 2023, and a fulltime Special Investigator joined the Division in December 2023.

## Investigations

The Enforcement Division, which generally receives between 750 and 1,100 complaints annually, received 918 complaints in FY 2024. Complaints are made by telephone, mail, email, an online complaint form, fax, and in person. Roughly 70 percent of these complaints involve municipal officials; the remainder involve state or county employees. The Division reviews all complaints received by the Commission. If a complaint is about a matter that falls within the Commission's jurisdiction, the Division initiates an informal investigation. Informal investigations, conducted by the Division's investigators, generally include telephone interviews and requests for documents. If, based on this informal investigation, the Division believes there is some credible evidence to support the allegations, the complaint is assigned to a Division attorney for further action.

Many complaints assigned to Enforcement Division attorneys are resolved with private education letters. The Division sends a private education letter to the subject of the complaint if the Division believes that the alleged violation is minor in nature, the subject appears to have genuinely misunderstood the law, or pursuing the matter would be an inefficient use of Commission resources. These private letters explain the legal concerns raised by the alleged conduct and provide the subject with guidance on how to comply with the law in the future.

When the alleged violation is of a more serious nature, the Commission may, by the affirmative votes of at least three Commissioners, authorize a formal investigation, called a preliminary inquiry, in which Enforcement Division attorneys may, with the Commission's authorization, issue summonses for documents and testimony under oath. All preliminary inquiries and summonses must be authorized by majority vote of the Commission.

If the preliminary inquiry fails to indicate reasonable cause for belief that the law has been violated, the Commission is statutorily required to immediately terminate the inquiry and so notify the subject and the complainant, if any. If the preliminary inquiry indicates reasonable cause to believe that a violation has occurred which the Commission thinks does not warrant a public resolution, the Commission may, by the affirmative votes of at least three Commissioners, find facts sufficient for reasonable cause and, in lieu of finding reasonable cause and authorizing adjudicatory proceedings, authorize the issuance of a confidential compliance letter. A confidential compliance letter identifies the alleged violations, explains the application of the law to the specific facts at issue, and informs the subject that future violations may be resolved through a public proceeding.

If the preliminary inquiry indicates reasonable cause to believe that a violation has occurred which the Commission concludes warrants a public resolution, the Commission may, by the affirmative votes of at least three Commissioners, find reasonable cause and authorize adjudicatory proceedings. When the Commission so votes, the Enforcement Division then offers the subject the opportunity to resolve the matter without an adjudicatory hearing through a public disposition agreement. In a disposition agreement, the subject admits to the facts and the violation, waives

their right to a hearing, and agrees to pay a civil penalty. The Commission must approve all disposition agreements by the affirmative votes of at least three Commissioners.

Upon voting to find reasonable cause and authorizing adjudicatory proceedings, Commission may further authorize the Enforcement Division to draft a public education letter to be issued in lieu of adjudicatory proceedings. Public education letters, which impose no civil penalty, may only be issued with the subject's consent. The Commission may authorize the issuance of a public education letter for reasons including novel circumstances or the widespread occurrence of similar conduct. The Commission must approve all public education letters by the affirmative votes of at least three Commissioners.

A subject who chooses not to resolve the matter by entering a disposition agreement, or in some cases by consenting to receive a public education letter, has the right to a public adjudicatory hearing at which both the subject and the Enforcement Division present evidence. Based on the evidence presented at the hearing, the Commission decides whether the subject violated the law and, if it so finds, may impose a civil penalty up to \$10,000 per violation, except that a civil penalty of up to \$25,000 per violation may be imposed for violations of G.L. c. 268A, § 2, the corrupt gifts section of the law. Finding a violation requires the affirmative votes of at least three Commissioners. A Commission final decision is appealable by the subject to the Superior Court.

### Enforcement Division FY 2024 Investigations Statistics

| Complaints   |     |
|--|-----|
| Conflict of interest and financial disclosure law complaints pending at the beginning of FY 2024 | 186 |
| Conflict of interest law complaints received during FY 2024                                      | 918 |
| Complaints alleging failure to file an SFI   | 0   |
| Complaints closed after informal investigation with no action by an enforcement attorney         | 803 |
| Complaints closed after informal investigation with private educational letters to the subjects  | 105 |
| Complaints assigned for preliminary inquiry recommendation                                       | 24  |
| Conflict of interest law complaints pending at the end of FY 2024                                | 186 |

| Subjects of Complaints                    |     |
|---|-----|
| Municipal employees                       | 695 |
| State employees                           | 161 |
| County employees                          | 1   |
| Private entities                          | 29  |
| Complaints involving unspecified subjects | 32  |

| Enforcement Cases   |     |
|---|-----|
| Preliminary inquiries and post-reasonable cause matters pending from FY 2023  | 22* |
| Preliminary inquiries authorized by the Commission  | 24* |
| Preliminary inquiries and post-reasonable cause matters involving the conflict of interest law concluded by the Commission  | 21  |
| Preliminary inquiries concluded with the authorization of an adjudicatory proceeding  | 15  |
| Preliminary inquiries terminated by the Commission  | 5   |
| Preliminary inquiries concluded with authorization of a confidential compliance letter to the subject to at least one party | 3   |
| Preliminary inquiries involving financial disclosure law violations resolved by the Commission                              | 0   |
| Preliminary inquiries and post-reasonable cause matters carried over to FY 2024   | 12* |

*\*Preliminary inquiries involving more than one subject are counted as one preliminary inquiry.*

## FY 2024 Public Enforcement Actions

The Commission publicly resolves cases through disposition agreements, public education letters, and adjudicatory proceedings resulting in final decisions. In FY 2024, the Commission negotiated 24 disposition agreements at the conclusion of 15 separate inquiries and issued a public education letter in one case. No cases were resolved through an adjudicatory hearing in FY 2024. The cases publicly resolved in FY 2024, listed below, are published on the Commission's website.

### **In the Matter of Richard Ames**

The Commission approved a Disposition Agreement in which Richard Ames, a Natick Water and Sewer Department GIS Coordinator and Information Management employee, paid a \$9,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips and meals from a water meter manufacturer and its distributor.

### **In the Matter of John Avelar**

The Commission approved of a Disposition Agreement in which Sharon Police Officer John Avelar paid an \$8,000 civil penalty for violating §§ 23(b)(2)(ii) and 23(b)(2)(i) of the conflict of interest law by using his official position to get himself and a friend into a Gillette Stadium suite without tickets prior to a New England Patriots game at which fellow Sharon Police Officer Robert Awad was working a security detail.

### **In the Matter of Robert Awad**

The Commission approved of a Disposition Agreement in which Sharon Police Officer Robert Awad paid an \$8,000 civil penalty for violating §§ 23(b)(2)(ii) of the conflict of interest law by using his official position to help off-duty Sharon Police Officer John Avelar

and Avelar's friend get into a Gillette Stadium suite without tickets prior to a New England Patriots game at which Awad was working a security detail.

**In the Matter of Robert Benjamin**

The Commission approved a Disposition Agreement in which former Topsfield Cemetery Commissioner Robert Benjamin paid a \$6,000 civil penalty for violating §§ 19, 20, and 23(b)(2)(ii) of the conflict of interest law by using his official position to get preferential access to purchase cemetery plots at a substantial discount.

**In the Matter of David Blanchette**

The Commission approved a Disposition Agreement in which former Lawrence Fire Department Fire Prevention Inspector David Blanchette paid a \$65,000 civil penalty for violating §§ 17(a), 19, and 23(b)(2)(ii) of the conflict of interest law by using his official position to secure business for his private smoke and carbon monoxide detector maintenance and installation company and conducting inspections on behalf of the Fire Department on properties where his private business had done pre-inspection work.

**In the Matter of Michael Byrne**

The Commission issued a Final Decision and Order allowing a Joint Motion to Dismiss and approving a Disposition Agreement in which former Arlington Inspectional Services Department Director Michael Byrne admitted to violating §§ 19, 23(b)(2)(ii), 23(b)(3) and 26 of the conflict of interest law by allowing his own plumbing company to do work without permits or inspections at more than three-dozen Arlington sites, creating false permits for work his company performed, and through other actions. The Commission accepted Byrne's payment of an \$80,000 civil penalty and dismissed the adjudicatory proceeding against him.

**In the Matter of Robert Cantoreggi**

The Commission approved a Disposition Agreement in which Franklin Department of Public Works Director Robert Cantoreggi paid a \$15,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips from a water meter manufacturer and its distributor.

**In the Matter of Aaron Cilluffo**

The Commission approved a Disposition Agreement in which former Danvers Department of Public Works Water and Sewer Supervisor Aaron Cilluffo paid an \$8,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips and a steakhouse dinner from a water meter manufacturer and its distributor.

**In the Matter of Karen Colon Hayes**

The Commission approved a Disposition Agreement in which Former Malden Human Services and Outreach Director Karen Colon Hayes paid a \$7,500 civil penalty for violating §§ 19 and 23(b)(3) of the conflict of interest law by hiring her two daughters and one daughter's boyfriend in 2018 and 2019 for jobs with the city youth employment program she managed.

**In the Matter of Thomas Cusick**

The Commission approved a Disposition Agreement in which Newburyport Department of Public Services Water Treatment Plant Superintendent Thomas Cusick paid a \$13,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips from a water meter manufacturer and its distributor.

**In the Matter of Barbara Davis-Hassan**

The Commission issued a Final Decision and Order allowing a Joint Motion to Dismiss and approving a Disposition Agreement in which Lanesborough Economic Development Committee Chair and Planning Board member Barbara Davis-Hassan admitted to violating §§ 17(c) and 19 of the conflict of interest law by participating as a Planning Board member in a proposal to rezone the Berkshire Mall while she privately had an exclusive marketing agreement to sell the property, by representing the mall's owner in local tax and infrastructure matters, and by participating as a Planning Board member in a proposal to rezone a second property while privately serving as its listing agent. The Commission accepted Davis-Hassan's payment of a \$30,000 civil penalty and dismissed the adjudicatory proceeding against her.

**In the Matter of Tania Fernandes Anderson**

The Commission approved a Disposition Agreement in which Boston City Councilor Tania Fernandes Anderson paid a \$5,000 civil penalty for violating § 19 of the conflict of interest law by hiring her sister and son to paid positions on her Boston City Council staff and increasing their pay.

**In the Matter of Robert J. Galibois II**

The Commission approved a Disposition Agreement in which Cape and Islands District Attorney Robert J. Galibois II paid a \$5,000 civil penalty for violating § 23(b)(2)(ii) of the conflict of interest law by using public resources to attempt to cast himself in a favorable public light after he was involved in a motor vehicle accident and to promote a campaign donor's rental apartments to office staff.

**In the Matter of Thomas Gaughan**

The Commission approved a Disposition Agreement in which former Southampton Water Department Superintendent Thomas Gaughan paid a \$6,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting a free golf outing and free lodging and meals for a ski trip from a water meter manufacturer and its distributor.

**In the Matter of Karon Hathaway**

The Commission approved a Disposition Agreement in which former Huntington Selectboard member Karon Hathaway paid a \$5,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by, as a Selectboard member, directing the delivery of about \$5,000 worth of town-owned asphalt millings to her property for her personal use.

**In the Matter of Kevin Hayden**

The Commission approved a Disposition Agreement in which Suffolk County District Attorney Kevin Hayden paid a \$5,000 civil penalty for violating § 23(b)(2)(ii) of the conflict of interest law by failing to stop his staff from issuing and by failing to withdraw a DA's



Office press statement aimed at discrediting his opponent in the 2022 Democratic primary election.

**In the Matter of Noah Karberg**

The Commission approved a Disposition Agreement in which Nantucket Memorial Airport Manager Noah Karberg paid a \$4,000 civil penalty for violating § 23(b)(3) of the conflict of interest law in connection with the lease of airport land to a business of which he was privately a regular customer.

**In the Matter of David Knowlton**

The Commission approved a Disposition Agreement in which former Salem Department of Public Services Director David Knowlton paid a \$14,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips, dinner, and Boston Red Sox and Boston Celtics tickets from a water meter manufacturer and its distributor.

**In the Matter of David Lane**

The Commission approved a Disposition Agreement in which Danvers Department of Public Works Director David Lane paid a \$17,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips, a golf outing, and a steakhouse dinner from a water meter manufacturer and its distributor.

**In the Matter of Heather Larkin**

The Commission approved a Disposition Agreement in which Dr. Heather Larkin, former Director of Guidance and Pupil Personnel Services at Greater New Bedford Regional Vocational Technical High School, paid a \$10,000 civil penalty for violating §§ 19, 23(b)(3), and 23(b)(2)(ii) of the conflict of interest law by contracting with her friend and business partner to provide services to the school and using the school's resources to promote her private business event.

**In the Matter of Steven Mscisz**

The Commission approved a Disposition Agreement in which former Topsfield Cemetery Commissioner Steven Mscisz paid a \$14,000 civil penalty for violating §§ 19, 20, and 23(b)(2)(ii) of the conflict of interest law by using his official position to get preferential access to purchase cemetery plots at a substantial discount.

**In the Matter of Laureen Pizzi**

The Commission issued a Public Education Letter to Laureen Pizzi, former Director of Management/Resident Services Coordinator at the Weymouth Housing Authority, after finding reasonable cause to believe Pizzi violated §§ 23(b)(2)(ii) and 23(b)(3) of the conflict of interest law by, on three separate occasions, leasing Weymouth Housing Authority apartments to individuals with whom she had personal connections, even though they were not eligible for the housing due to prior evictions.

**In the Matter of Vincent Roy**

The Commission approved a Disposition Agreement in which Sudbury Water District Executive Director Vincent Roy paid an \$18,000 civil penalty for violating § 23(b)(2)(i) of the conflict of interest law by accepting free ski trips, a golf outing, and dinners from a water meter manufacturer and its distributor.



**In the Matter of Tara Sullivan**

The Commission approved a Disposition Agreement in which Blackstone Town Clerk Tara Sullivan paid a \$5,000 civil penalty for violating § 19 of the conflict of interest law by hiring her mother and sister as town election workers.

**In the Matter of John Woods**

The Commission approved a Disposition Agreement in which John Woods, the Deputy Director of the Town of Carver Operations and Maintenance Department (O&M), paid an \$8,000 civil penalty for violating §§ 23(b)(2)(ii) and 23(b)(3) of the conflict of interest law by authorizing the use of town resources to replace a fence on the private property of the O&M Foreman, who is his friend.

**Civil Penalties**

All civil penalties imposed and collected by the Commission to resolve violations of the conflict of interest and financial disclosure laws revert to the Commonwealth's General Fund. In FY 2024, the Commission assessed \$361,500 in civil penalties, the highest total amount for a single year in the Commission's history.

**FY 2024 Private Education Letters**

The Enforcement Division sends private education letters when it believes the conflict of interest law was violated but the matter does not warrant a public resolution, or when the Division believes the subject of an informal investigation could benefit from more information regarding the law. Letters are sent to ensure the subjects do not continue their apparent misconduct and/or to provide clear guidance on how to comply with the conflict of interest law in the future. The Division sent 105 private education letters in FY 2024. Six of the letters were sent to state employees, one was sent to a county employee, and 98 were sent to municipal employees. The Division sent letters to employees of 70 municipalities.

- The highest number of letters went to those in the following positions:



- The letters issued by the Enforcement Division in FY 2024 addressed the following allegations:

|  |    |
|--|----|
| Acting as an agent for a private party before the employing state or municipality (§§ 4 and 17)  | 7  |
| Accepting compensation in connections with a matter before the employing state or municipality (§§ 4 and 17)   | 1  |
| Engaging in post-employment restrictions, the one year and forever ban (§ 18)  | 2  |
| Participating in matters pertaining to abutting property (§§ 6 and 19)   | 6  |
| Participating in other matters that directly affect the employee's financial interest (§§ 6 and 19)  | 22 |
| Participating in other matters that directly affect the employee's family member's financial interest (§§ 6 and 19)  | 9  |
| Participating in other matters that directly affect the employee's private employer or potential employer (§§ 6 and 19)  | 3  |
| Participating in other matters that directly affect a business organization where the employee serves as an officer, director, or business partner (§§ 6 and 19) | 5  |
| Holding multiple state or municipal positions (§§ 7 and 20)  | 3  |
| Having another financial interest in a contract with the employing state or municipality (§§ 7 and 20)   | 1  |
| The appointment to a position by one's own board (§ 21A)   | 0  |
| Employing or entering into a business arrangement with subordinates (§§ 23(b)(2) and 23(b)(3))   | 1  |
| Using public resources to retaliate against others (§ 23(b)(2)(ii))  | 0  |
| Using public resources for political activity (§ 23(b)(2)(ii))   | 15 |
| Soliciting subordinates for charitable causes (§ 23(b)(2)(ii))   | 0  |
| Using public resources to benefit oneself (§ 23(b)(2)(ii))   | 11 |
| Using public resources for other private purposes (§ 23(b)(2)(ii))   | 7  |
| Accepting a gift (§§ 3 and 23(b)(2)(i))  | 2  |
| Creating the appearance of a conflict (§ 23(b)(3))   | 19 |
| Releasing confidential information (§ 23(c)(2))  | 20 |
| Filing a false claim (§ 23(b)(4))  | 0  |

## Public Education and Communications Division

The Public Education and Communications Division provides free educational seminars both online and in person throughout the Commonwealth, responds to requests for information from the news media and the general public, maintains the Commission’s website, prepares and issues press releases and Commission publications, and manages the education and training requirements for public employees. The Division consisted of the Division Chief, a Senior Public Information Officer, and a Senior Program Coordinator in FY 2024.

### Seminars

The Public Education and Communications Division conducts free seminars on the conflict of interest law for state, county, and municipal employees. In the seminars, Division staff provide an overview of the law, provide illustrative examples, and explain how to avoid potential conflicts that may arise between the private interests of public employees and their public positions and responsibilities. Since May 2022, all seminars have included content specifically informing municipalities and public agencies that contracted vendors, attorneys, and consultants who become public employees for purposes of the conflict of interest law must comply with conflict of interest law education requirements. In FY 2024, the Division conducted 46 seminars, a decrease from the 56 conducted in FY 2023. A total of 2,197 public employees and consultants attended seminars in FY 2024. Twenty-nine FY 2024 seminars were conducted remotely by videoconference and 17 were held in person.

### Public Information

In FY 2024, the Public Education and Communications Division responded to 414 telephone and email inquiries from members of the news media and the general public. Due to confidentiality restrictions imposed on the Commission by law, the Commission neither confirms nor denies the existence of any complaint or investigation, or whether anyone has sought or received advice from the Commission. The Division does, however, provide general explanations of the law and other public information concerning the Commission and its activities, and will refer individuals to the Commission’s website for additional information.

### Education and Training Requirements

The conflict of interest law requires that, each year, all state, county, and municipal employees be furnished with a summary of the conflict of interest law prepared by the Commission, their receipt of which they are required to acknowledge in writing. The law requires the Commission to furnish the summary to all elected state and county officials, and to receive for filing their acknowledgments of receipt. The law also requires that, every two years, all state, county, and municipal employees complete the Commission’s online training program on the conflict of

interest law. Newly appointed public employees and elected officials must complete the education and training requirements within 30 days of their appointment or election.

In January 2023, the Commission launched a new online training program to replace two legacy programs that had been in use since December 2012. The new training program and the summaries of the conflict of interest law are now hosted on a vendor-provided learning management system, allowing for easy-to-use self-registration, electronic reminder notifications and employee compliance reporting. Each public agency using the Commission's system, including all 351 of the Commonwealth's municipalities and an additional 470 state and county agencies, charter schools, regional school districts, and independent municipal districts can view employee compliance with the education requirements at a glance without having to store or search paper files or contact employees for their completion records. Public employees now receive and acknowledge receipt of the summary of the conflict of interest law electronically. Digital completion certificates are stored in the system where public employees and the administrators at their agencies or municipalities may view them.

The Public Education and Communications Division maintains records of the conflict of interest law summary acknowledgments and online training program completions from all elected state and county officials. Starting in January 2024, Division staff sent notices to all state and county elected officials requesting that they complete the 2024 education requirements by acknowledging receipt of the summary of the conflict of interest law on the Commission's online training website. By the end of FY 2024, all 327 elected state and county officials completed the acknowledgement of receipt of the summary of the conflict of interest law, and all newly elected state and county officials completed the conflict of interest law online training course.

During FY 2024, the Commission worked with its vendor to add Haitian Creole subtitles to the online training course and Haitian Creole translations of the summaries of the conflict of interest law. These materials were previously available in English, Spanish, Portuguese, and traditional and simplified Chinese.

At the beginning of FY 2024, approximately 126,000 public employees had created user accounts to use the new training site. By the end of FY 2024, just over 250,000 public employees were using the new system. Approximately 269,000 course completion certificates were issued in FY 2024, either for completing the online training program or for acknowledging the summary of the conflict of interest law.

## Website

The Public Education and Communications Division manages and maintains the Commission's website, [www.mass.gov/orgs/state-ethics-commission](http://www.mass.gov/orgs/state-ethics-commission), which is part of the Mass.gov platform. The website includes news and announcements from the Commission as well as information about the history, activities, and precedents of the Commission. The Commission's educational materials, disclosure forms and instructions, enforcement actions, advisory opinions (summaries

of all – and full texts of many), press releases, lists of state and county employees who have filed conflict of interest law disclosures with the Commission, and meeting minutes and meeting notices are available online. The website contains more than 65 different educational materials, ranging from summaries of the law for specific municipal employees, such as selectmen or school committee members, to primers and advisories which address specific topics or issues. Visitors to the website can also submit complaints, request advice, or request public records through the website.

At the end of FY 2022, the Division began a project to upload to the website old Commission formal opinions which had been previously published in print form but not uploaded. By the end of FY 2024, all Commission formal opinions dating back to 1985 were available on the website. In addition, approximately 1,000 opinions dating from 1978 through 1984 were uploaded but were awaiting publication online pending final review by staff.

| <b>Public Education and Communications Division Activities</b>      |        |
|---|--------|
| <b>Press releases issued</b>  | 25     |
| <b>Educational seminars conducted</b>                               | 46     |
| <b>Seminar attendance</b>   | 2,197  |
| <b>Inquiries from media and general public</b>                      | 414    |
| <b>Inquiries concerning the education and training requirements</b> | 178    |
| <b>Inquiries concerning the online training system</b>              | 4,103  |
| <b>Website average monthly visitors</b>                             | 6,966  |
| <b>Website average monthly page views</b>                           | 15,252 |

### **Other Public Education and Communications Division Activities**

Public Education and Communications Division staff provide support for Commission meetings by recording meeting minutes, posting meeting notices, preparing electronic meeting packets, and providing videoconference support. Division staff also provide videoconference support to the Legal and Enforcement Divisions. In addition, the Senior Public Information Officer serves as the Commission's Records Access Officer and responded to 103 public records requests, to which 1,895 records were provided in response. Division staff also participated in the legal case management system replacement project. In addition, Division staff manage the Commission's social media accounts on LinkedIn and YouTube. In January 2024, following his presentation on online learning at the COGEL 2023 annual conference, the Senior Public Information Officer accepted an invitation from of the Canadian Office of the Conflict of Interest and Ethics Commissioner to evaluate and provide feedback on a new draft version of a conflict of interest law training for members of the Parliament of Canada.

## Information Technology Services

The Commission's information technology and network resources are maintained and updated by the Commission's Information Technology (IT) Specialist, who reports to the Public Education and Communications Division Chief and to the Legal Division Deputy Chief/SFI. The IT Specialist provides technical support for the Commission's internal case management application, the SFI electronic filing application, and the conflict of interest law online training programs for all public employees.

In FY 2024, the IT Specialist updated the Commission's Checkpoint firewall network protection equipment and provided legal case management system project vendors access to the Ethos case management application to enable data migration to the new system. The IT Specialist researched and made recommendations on the purchase of new desktop computers, laptops, and other IT hardware equipment, repurposed older desktops to be available as backup systems that can be immediately deployed if any current desktop systems fail, and decommissioned older desktops and laptops to remove confidential data so they could be disposed of either as surplus equipment or salvaged. The IT Specialist also attended cybersecurity training classes and participated in monthly Executive Office of Technology Services and Security briefings for state agency information officers to receive updates on statewide IT initiatives. In addition, the IT Specialist continued to provide IT support for the SFI filing application, successfully completed the annual rollover of the application for the new filing year, and worked with the Commission's SFI vendor to deploy fixes and new features for the SFI application.





# INTEGRITY IN PUBLIC SERVICE

**Commonwealth of Massachusetts State Ethics Commission**

---

One Ashburton Place, Room 619, Boston, MA 02108  
[www.mass.gov/ethics](http://www.mass.gov/ethics)  
(617) 371-9500