



**The Board of Ethics**

May 21, 2002

Mr. Willie L. Hines Jr.  
Alderman, 17<sup>th</sup> District  
City Hall, Room 205  
200 East Wells Street  
Milwaukee, WI 53202

Dear Alderman Hines:

The City of Milwaukee Ethics Board met, in closed session, on Wednesday, May 15, 2002 to consider your request for a confidential advisory opinion. Your request deals with your concern that a potential conflict of interest may exist regarding your wife's employment with an agency that receives Community Development Block Grant (CDBG) funds and your official duties as a member of the Common Council and the Block Grant Policy Committee.

Based upon your representations, the Board understands the following facts to be true:

- 1) your wife is employed as in-house counsel and deputy director for the Milwaukee Women's Center, a non-profit organization;
- 2) the CDBG funds allocated by the Block Grant Policy Committee on which you serve are funds allocated and directed solely for use by the Women's Center homeless shelter and are not used to fund your wife's position;
- 3) the Center receives additional funds from various other sources including the State of Wisconsin, various foundations, the federal government, and fund-raising activities;
- 4) no other city funds are allocated for the benefit of the Women's Center;
- 5) your wife was employed by the Women's Center before you were elected to serve on the Common Council;
- 6) the Women's Center received CDBG funds from Milwaukee before your wife became employed at the Center;
- 7) your wife has no oversight of the distribution of the CDBG funds once they are allocated to the Women's Center; and
- 8) the Women's Center has a separate Board of Directors to oversee the distribution of funds and neither you nor your wife are members of such Board..

Based on the information you provided the Ethics Board offers the following opinion:

- 1) you wife is an "immediate family member" under the Milwaukee Code of Ethics;
- 2) your service on the CDBG Policy Committee does not provide a substantial benefit to your wife, an employee of the Milwaukee Women's Center;
- 3) you have disclosed your wife's employment with the Milwaukee Women's Center in the past;
- 4) you are not associated with the Milwaukee Women's Center and your wife receives no substantial benefit from your service on the Policy committee.

Although the Board sees no technical conflict of interest in your voting on the CDBG allocation, there is a very real possibility that your continued involvement with the Policy Committee and your wife's continued employment with the Milwaukee Women's Center may create the appearance of a conflict. The Board has found that the appearance of a conflict of interest may be as damaging to reputations and the public trust as a true conflict. You may wish to minimize the appearance of a conflict of interest by recusing yourself from votes on any issues related to the allocation of funds to the Milwaukee Women's Center.

The Board additionally cautions you that this opinion relates only to the Milwaukee Code of Ethics. You may also be subject to other regulations, including but not limited to regulation by the State of Wisconsin and the federal government. The Board offers no opinion with regard to the propriety of your conduct with respect to any other applicable regulations.

This opinion is limited to the facts as you presented them to the Board. Should circumstances regarding this issue change, we invite you to return to the Ethics Board for further advice.

If you have any questions please contact Nola Devereaux at 286-8641 or Pamela Schmidt, Chair at 273-2100.

Very truly yours,

*Pamela Schmidt*  
PMS

Pamela Schmidt, Chair  
Ethics Board