

DeKalb County Board of Ethics  
c/o Office of the Clerk  
Manuel J. Maloof Building  
1300 Commerce Drive  
Decatur, Georgia 30030

**DeKalb County Board of Ethics  
Advisory Opinion No. 2014-1**

Receipt of Honoraria for Speaking Engagements Unrelated to County Employment

The DeKalb County Board of Ethics met on June 24, 2014 to consider the request of Chief of Police Cedric L. Alexander for an advisory opinion. A copy of Dr. Alexander's request for an advisory opinion is attached hereto for reference.

**Question Presented**

Is an employee of DeKalb County prohibited from accepting payment or an honorarium for his preparation, travel time, and appearance at a speaking engagement where he does not appear in his official capacity as an employee of the county?

**Opinion Summary**

Whether an employee of DeKalb County may accept an honorarium or other benefit for a speaking engagement depends on the source of the invitation to speak, the capacity in which the employee is appearing to speak, and the engagement cannot occur while receiving compensation from the county. The preparation for such an engagement must not be done during regular business hours and must not utilize county resources.

**Discussion**

In considering this matter, the Board heard from Chief of Police for the DeKalb County Police Department Cedric L. Alexander, who also holds a doctoral degree in Clinical Psychology. Dr. Alexander receives numerous invitations to speak at a variety of meetings and functions which are not related to and are outside the scope of his job duties as Chief of Police. On occasion, but not always, Dr. Alexander receives payment for his time. Some appearances result in Dr. Alexander receiving an honorarium. Dr. Alexander asks the Board to provide guidance as to whether the Code of Ethics prohibits him from accepting payment or an honorarium when he is not appearing and speaking in his capacity as the Chief of Police for the DeKalb County Police Department.

The Board first noted that the introduction to the Code of Ethics found at Section 22A(a)(1) provides in pertinent part:

It is essential to the proper administration and operation of the DeKalb County government that the members of its governing authority be and give the appearance of being, independent and impartial; that public office not be used for private gain; and that there be public confidence in the integrity of the DeKalb County governing authority.

According to Section 22A(h)(1), the Board is to construe the Code of Ethics liberally to effectuate its purposes and policies and to supplement such existing laws as may relate to the conduct of members of the governing authority.

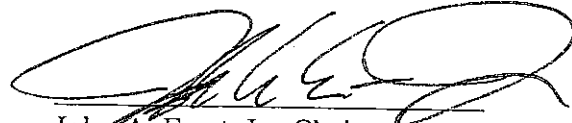
The provisions of the Code of Ethics which would affect the propriety of Dr. Alexander's acceptance of payment or honoraria are sections 22A(c)(1) and (c)(2)(A), which provide:

No member of the governing authority shall:

- (1) By his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official acts or actions, or that he is affected unduly by the rank or position of or kinship or association with any person;
- (2) (A) Directly or indirectly request, exact, receive, or agree to receive a gift, loan, favor, promise, or thing of value for himself or another person if:
  - i. It tends to influence him in the discharge of his official duties; or
  - ii. He recently has been, or is now, or in the near future may be, involved in any official act or action directly affecting the donor or lender.

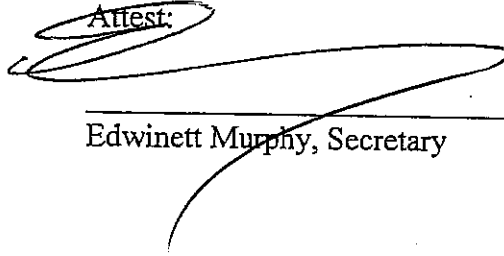
The Board voted to advise Dr. Alexander that, based on the facts he provided, the receipt of payment for his time and/or an honorarium will not violate the Code of Ethics if his appearance is not in his capacity as the Chief of Police for the DeKalb County Police Department. However, other factors may cause the receipt of money, gifts in kind, or other thing of value to create a conflict of interest. Therefore, to avoid violating the Code of Ethics, the Board advises Dr. Alexander to be diligent to insure that (1) the group or organization before which he appears has no direct or indirect interest in contracts with DeKalb County; (2) the group or organization has no expectation of benefit and receives no benefit from DeKalb County by virtue of his appearance; (3) his discussion is not related to his service as Chief of Police; and (4) his preparation for his appearance is not done during regular business hours and does not utilize county resources.

This 13<sup>th</sup> date of October, 2014.



John A. Ernst, Jr., Chair  
DeKalb County Board of Ethics

Attest:



Edwinett Murphy, Secretary



# DeKalb County Police Department

Office of the Chief

**Cedric L. Alexander**

Chief of Police

1960 W. Exchange Place, Tucker, GA 30084  
770.724.7670

2013 NOV 14 09:10:57

November 6, 2013

Dear Ethics Board:

I hereby request an advisory opinion regarding the following scenario:

As a Doctor of Clinical Psychology, I am often invited to speaking engagements. Some of the invitations include pay for my time and others do not, but result in an offer of an honorarium. Where I am not speaking as in my capacity as a county official Police Chief, am I prohibited from accepting pay or an honorarium?

I thank you in advance for your advisory opinion regarding this matter and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Cedric L. Alexander", written over a horizontal line.

Cedric L. Alexander  
Chief of Police  
DeKalb County Police Department