

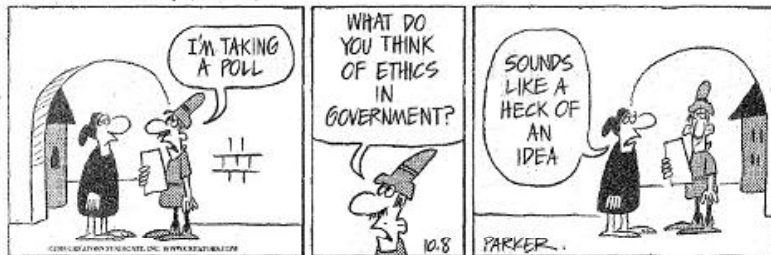
Shared  Ethics
ADVISORY COMMISSION

ETHICS TRAINING:
Feel Good or Making a Difference?

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Is Ethics in Government an Oxymoron?

Wizard of Id By Brant Parker



Overview

This is the story of the **Shared Ethics Advisory Commission (SEAC)**, almost ten years after its founding in November 2005, its optimistic beginning, its current structure and activities, its accomplishments, how those accomplishments are measured and also its shortcomings and limitations in achieving the ultimate goal of establishing an ethics culture in Northwest Indiana.



Where Did the Shared Ethics Advisory Commission Come from?

- Lake County's history of legal and ethical challenges
- Role of the Indiana University Northwest Local Government Academy
- The power of one question
- The councils of three communities meeting separately but together in November 2005.



What Should an Ethical Policy Cover?



Substantive sections that address the following issues: (1) gifts (i.e., solicitation, acceptance, and unauthorized compensation), (2) employment and business conducted with government entities (i.e., conflicts of interest, lobbying, the hiring of relatives, and patronage), (3) the misuse of public positions, (4) post and pre-employment restrictions, (5) voting conflicts, (6) financial disclosure, (7) sunshine laws and open meetings stipulations, (8) access to public records, (9) procurement, (10) whistleblower protection, (11) campaign ethics, (12) the regulation of private citizens with respect to gifts and bribes, and (13) sanctions pertaining to all of the above, including fines, penalties, removal from office, and public reprimands.



How is the Shared Ethics Advisory Commission Structured?

Seven Steps of Membership

- Adopt Interlocal Agreement
- Approve Code of Shared Ethics and Values
- Pay Enrollment/Annual Members Fees
- Make Commission Appointments
- Make Board of Delegate Appointments
- Designate Employees to be Trainers
- Train All Full-Time Employees



CODE OF SHARED ETHICS AND VALUES

Preamble

For government to operate with transparency and accountability, it is essential that public officials and employees conduct themselves in ways that uphold the public trust. The Code of Shared Ethics and Values provides guidance and support to public servants for the promotion and maintenance of the highest standards of personal and professional conduct. Because we wish to ensure the public confidence in the integrity of our government entities, it is proposed that all elected and appointed officials, employees, volunteers and others who participate in government shall personally commit to being trained on the values and standards put forth in this document.



CODE OF SHARED ETHICS AND VALUES

Public Service Values

Honesty/Integrity

Respect/Civility

Accountability/Responsibility

Fairness/Justice



Goal: Think Before You Act

Pepper ... And Salt

THE WALL STREET JOURNAL



"The great thing about regulations is more loopholes."

Cost of Membership*

Enrollment Fee (payable over 2 years)

More than 150 employees	\$2,500/2,500
101 to 150 employees	\$1,250/1,250
50 to 100 employees	\$ 750/750
Less than 50 employees	\$ 250/250

Annual Membership Fee

More than 150 employees	\$1,500
101 to 150 employees	\$ 750
50 to 100 employees	\$ 250
Less than 50 employees	\$ 125

* Subject to Annual Review

How is the Shared Ethics Advisory Commission Structured?

Commission

- Private Citizens (clergy, educators, retired judges, attorneys, etc.)
- Two types of members
 - Community representation (one commissioner appointed by each member community).
 - At large (3 chosen by the other commissioners)
- Terms of one third of members expire each year. Partially self-perpetuating
- Actual vacancies for community representatives are filled by that community's council



How is the Shared Ethics Advisory Commission Structured?

Board of Delegates (fiscal body)

- Membership: elected officials designated by member communities
- Role: set budget, oversee expenditures
- Small budget (\$30,000 +)
- Are resources adequate?

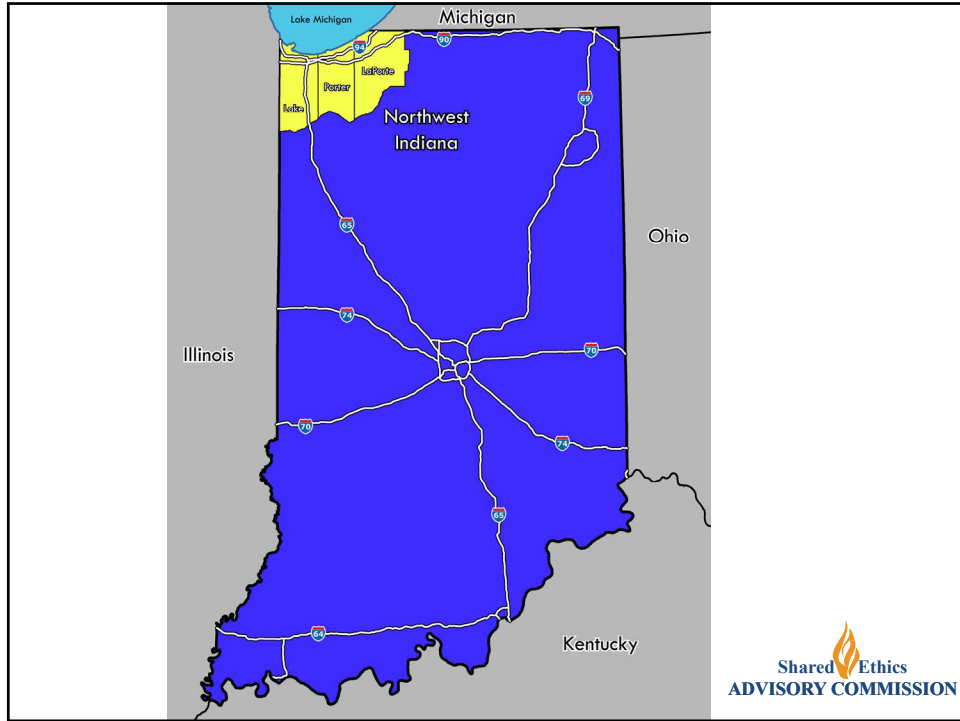


Are Resources Adequate?



Who Participates?

- Cities, towns and county governments in Lake, Porter and LaPorte Counties (Northwest Indiana) are eligible.
- Current membership – **Communities**: 10 out of 17 in Lake County. Two in Porter County. None in LaPorte County. **County Government**: LaPorte County. Porter County's membership is pending.
- Counties represent special challenges because of no central authority.



How Do We Conduct Our Training?

- Ethicists from local universities were retained to devise four different courses.
- Each member community designates a few (2 to 5) employees to be trainers.
- The training is case-based and interactive. Dialog is encouraged.
- Professional trainers from out of the area are retained to provide training for Supervisors and Board and Commission members.
- An Ethics in Government Breakfast has been held in March or April for the past four years.
- The Commission is currently developing an ethics policy “best-practices checklist” for distribution to our member communities and possibly for posting on our web site.
- SEAC’s website (www.sharedethics.com) contains our basic documents and updates our activities.



Ethics In Government Breakfast
Keynote Speakers

- 2011 Andy Shaw
Director, Better Government Association (Chicago)
- 2012 Hon. Joseph Van Bokkelen
U.S. District Court Judge, Northern District of Indiana
- 2013 Patrick Fitzgerald
Former U.S. Attorney for Chicago
Former U.S. Special Prosecutor
- 2014 Lee Hamilton
Former Congressman
Vice Chair of Presidential 9-11 Commission
Director, Center on Congress at Indiana University



Why Isn't Every Community a Member?

- "We already have our own ethics program."
- Cost is too high.
- Ethics can't be taught.
- Ethics comes from parents, church, school; not government.
- We only hire people with common sense; so ethics training is a waste of time and money.
- Joining is like bragging how good we are.
- Joining implies something is wrong.
- Your Code is "blatantly unconstitutional."



Is the Shared Ethics Advisory Commission Having an Impact?

- **Media attention** to the specific issue of ethics (separate from law violations) has increased dramatically. Local newspapers and radio have frequent reports.
- **Candidates' Ethics Action Pledge** is an attempt to encourage candidates to commit to ethics training for their employees. The media is an important partner in this effort.
- Our best indication of impact is the **twelve question survey** we conduct every two or three years asking employees of member communities (whether or not they have yet been trained) about their knowledge of our Code and their awareness of procedures for processing an ethics complaint and their feeling that there will be an effective response if a complaint were filed. There is a statistically significant positive difference in responses from trained and untrained employees which we believe validates our training.
- If nothing else, SEAC training **removes the excuse** of “no one told me that was wrong.”
- We produce an **annual report** summarizing the year’s accomplishments and commenting on challenges facing us.



2014 Candidate Ethics Action Pledge

If elected to the office I seek, I commit myself to being an advocate for ethical practices within my realm of responsibility. Specifically, I commit to making formal ethics training available to all employees subject to my authority. Further, I will promote and support policies and procedures that include an Ethics Code reflecting the spirit of the Code of Shared Ethics and Values of the Shared Ethics Advisory Commission. (Text of the Code can be found at www.sharedethics.com at the "Information Center" link).

In addition, I will advocate for and support adoption of enforcement procedures which permit employees to raise ethical concerns in a manner that protects them from retribution.

Dated: _____

Signature

Office Sought

Printed Name

What's Missing?

- The most important missing pieces: Many communities haven't joined yet.
 - Not yet approached: townships, school corporations and special purpose districts.
- Privately funded "watch dog" group to monitor the activities of public bodies.
- Creation by statute of an Inspector General or Ombudsman.
- An anonymous tip hotline.
- No authority to compel elected officials to participate in ethics training.
- Our employee survey requires an automated tabulation system.
- SEAC structural limitations: all volunteer group/no staff/\$30,000 budget



What's Our Ultimate Goal?

Main activity -- providing training on ethical decision-making for (a) public employees and (b) private citizens who serve on boards and commissions.

- The underlying assumption: vast majority of public employees want to do the right thing.
- But often permissive cultures develop: "everyone else is doing it" or "we've always done it this way."
- Our immediate goal: encourage employees -- top to bottom -- to stop and think about the consequences before acting unethically.

Our *ultimate goal* is to be an instrument for developing an **ethics culture** throughout Northwest Indiana.

