Ethics and Transparency

National Conference of State Legislatures: Mission
- Improve quality, effectiveness of state legislatures
- Promote policy innovation
- Ensure strong cohesive voice in the federal system.

National Conference of State Legislatures
- Bipartisan, serving legislators, staff in 50 states, territories & commonwealths
- Provides research, technical assistance and networking opportunities

Center for Ethics in Government at NCSL
- Conduct value-based ethics trainings
- Research state ethics laws and rules
- Create a database of information for legislators and legislative staff.

Transparency in Government
- What is it – your definition?
- What does it apply to you?
- Five reasons for transparency
- Five reasons against

Group Discussion
- Are there benefits to the public?
- Different standards for public officials?
- What do you give up?
- Effect of technology
- Is the public's right to know an absolute right?
Possible Results?
- Reduce appearance of impropriety
- Increase citizen access
- Increase citizen confidence in government
- Expose possible conflicts of interests
- Reminds officials of conflicts of interest

Transparency Tension Points
- Balance between privacy & open government
- Balance between public scrutiny & exposure of conflicts of interest and privacy rights.

What is Ethics?
- Standards of conduct
- Moral judgment
- Adherence to laws and rules
- Core values, principles
- Perception

Basic Ethical Tensions
- Law-based ethics
  - Right versus wrong
  - Laws, rules, policies, guidelines
  - What must we do?
  - Why do good people still make bad choices?
- Value-based ethics
  - Right versus right
  - No formal guidance - values or principles
  - What should we do?
  - Gray areas - can be confusing

Law-Based Ethics Approach
- Oversight
- Regulation of lobbying
- Conflicts of Interest
- Disclosure
- Transparency

Disclosure
- ...of financial information
- ...of gifts and honoraria received
- ...of relationships
- ...of conflicts
Problem Areas in Disclosure

- Online access by public
- Publicizing income or range
- Spouse and dependent children
- Naming clients
- Privacy

Investment Income

- Name of business (required in all states but NH).
- Most common: 5%-10% or interests over $1,000
- Information about positions held

Household Members

- Only Legislator Info Required
- Some Household Member Info Required

Relationships

- Lobbyists
- Clients
- State contracts
- Creditors and debtors

Trends

- E-filing
- Online accessibility of forms and information
- Blind trusts
- Timing
What are the values associated with ethical behavior?

Conflicts of Interest
- Conflicts are inherent to public sector
- Most common ethical dilemma
- Standard is high for public sector
- Personal interests vs. public’s interests
- Receive financial or personal gain

Case Study
- Divide into groups
- Appoint a recorder
- Discuss case
- Answer questions
- Debrief in large group

Ethics Takes Courage
“Courage is the most important of all virtues, because without courage you can’t practice any other virtue consistently. You can practice any virtue erratically, but not consistently without courage.”

–Maya Angelou