**Coalition for Integrity releases a report on Enforcement of Ethics Rules by State Agencies: Unpacking the S.W.A.M.P. Index**

**September 12, 2019–** Today, Coalition for Integrity is releasing a report on **Enforcement of Ethics Rules by State Agencies**, which demonstrates the significant differences in state ethics enforcement and a lack of transparency in actions taken by state ethics agencies.

The report on Enforcement of Ethics Rules analyzes how state ethics agencies exercise their enforcement and sanctioning powers – and how transparent that implementation is. It provides findings on the enforcement statistics of the ethics agencies of the 50 states and DC with jurisdiction over legislative and executive branch officials, as well as a comparative scorecard, which ranks the states and the independent state agencies on the transparency and availability of information regarding their enforcement actions.

State ethics agencies enforce a variety of ethics laws and encourage ethical behavior by government officials and employees by adopting codes of conduct, conducting training programs, providing advisory opinions, and sanctioning misconduct. Effective enforcement by ethics agencies is crucial to provide a meaningful incentive to public officials to refrain from improper conduct. Transparency of enforcement is also critical as it enables public engagement and deters future wrongdoing.

The report builds on the 2018 [S.W.A.M.P Index](http://swamp.coalitionforintegrity.org/), which ranked states based on their legal framework related to the scope and independence of ethics agencies, powers of those agencies, acceptance and disclosure of gifts by public officials, transparency of funding independent campaign expenditures and client disclosure by legislators.

**Shruti Shah, President and CEO of the Coalition**, stated “The report on Enforcement of Ethics Rules reflects the huge variation in enforcement efforts by state ethics agencies – and the lack of transparency of those efforts in many states. In addition to meaningful enforcement actions, state ethics agencies should strive to be transparent and publish information on complaints received, cases resolved, and sanctions issued.”

Our major findings are:

* Some state ethics agencies do not have any investigative power; others have only limited sanctioning powers. Even with power and authority, some state ethics agencies do not appear to actively pursue investigations and sanctions.
* Four states, Colorado, Florida, Minnesota and Rhode Island scored 100 on transparency of ethics enforcement (on a scale of 0-100).
* A majority of states (23) score at or below 50. We have only ranked and scored 43 states (includes DC). 5 states don’t have an operational ethics agency and ethics agencies in 3 states lack meaningful investigative or sanctioning power.
* The ethics agencies in two states, Mississippi and North Carolina, have absolutely no publicly available information regarding their enforcement actions and did not respond to requests for information.

Recommendations:

* A toothless ethics agency serves no purpose. Agencies need wide powers to investigate and sanction all government personnel. Currently, seven agencies do not have investigative or sanctioning power.
* Proceedings of the ethics agency should be open to the public once it is determined that probable cause of violation exists. 15 ethics agencies publish no information on complaints resolved with a finding of an ethics violation.
* If an ethics agency determines that a violation has occurred, its findings and sanctions should be publicly available. 18 ethics agencies do not make their decisions and sanctions publicly available.
* To increase incentives for compliance, penalties should be meaningful. Fines of $100 or $200 do not provide a deterrent. For example, the Minnesota Campaign Finance and Public Disclosure Board can only impose a fee of $5 a day, not to exceed $100, for failure to file financial disclosure reports on time.
* Every ethics agency should publish annual reports on their enforcement efforts, even if not required to do so by statute. 31 of the 50 ethics agencies reviewed do not publish such reports.

“Analyzing ethics enforcement efforts by state agencies is time consuming and frustrating,” stated Laurie Sherman, Policy Advisor to the Coalition. “Too many states apply an unwarranted standard of confidentiality and fail to publish annual reports.”

Notes to Editors:

* The full report, state reports, interactive map, statistics chart, scoring chart, and methodology are available at <http://unpacktheswamp.coalitionforintegrity.>org

Press Contact:

Shruti Shah

President & CEO

Coalition for Integrity

Telephone: 202-589-1616;

Email: [sshah@coalitionforintegrity.org](mailto:sshah@coalitionforintegrity.org)