

What Do You Think Promotes Public Service Ethics?

At the suggestion of League Executive Director Chris McKenzie, in 2001 the Institute for Local Government (ILG) launched its Public Confidence program to provide local officials with information and tools related to public service ethics. The “Everyday Ethics for Local Officials” column has been one of the Public Confidence program’s work products, along with other resources developed by ILG.

This column presents a summary of those resources and how to access them. More importantly, however, ILG wants to ask you, “What do *you* think promotes public service ethics?” ILG is engaged in a review of its ethics program that will determine the program’s future and focus.

The mission of ILG is to promote good government at the local level with practical, easy-to-use and impartial resources to help local officials in their service to their communities. ILG does this through its publications, the resources available through its website (www.ca-ilg.org) and through its training programs.

In particular, ILG devotes a substantial section of its website (www.ca-ilg.org/trust) to resources designed to help local officials sift through the legal and ethical issues of public service ethics. In addition, all of ILG’s ethics publications are posted on its website and available free of charge (www.ca-ilg.org/EthicsPubs). Finally, the ILG website has a helpful search function; the fastest way to find something is simply to type your topic into the search box toward the upper right side of the screen.

Ethics Versus Ethics Laws

When we say “public service ethics,” what do we mean? At a minimum, it means that a public servant is putting the *public’s* interests first as opposed to his or her personal interests (financial or political). Ethics is what people ought to do, based on shared values about the kind of conduct that makes the world — and public service — better.

The first section of the ethics area on the ILG website is devoted to the issue of how values apply to dilemmas that public officials face in public service. These include issues such as whether worthy ends ever justify questionable means (www.ca-ilg.org/MeansVersusEnds) and making politically unpopular decisions (www.ca-ilg.org/UnpopularDecisions).

Tools and Techniques to Promote Organizational Ethics

There's no silver bullet when it comes to creating a culture of ethics within an organization. The task requires ongoing effort and commitment from agency leaders to "walk the talk."

That being said, there are a number of tools that may help. These include:

- [Ethics assessments](#);
- [Ethics codes](#);
- [Local agency audit functions](#); and
- [Ethics commissions](#).

Local officials can access information about these tools at www.ca-ilg.org/EthicsTools. In addition, ILG's booklet *Promoting Personal and Organizational Ethics* offers a number of strategies for local officials' consideration (www.ca-ilg.org/ppoe).

Understanding the Basics of Ethics Laws

Local officials in California face a dizzying array of laws designed to prevent situations that would undermine the public's trust and confidence in local agency or local officials' actions. ILG offers plain-language explanations of these issues in its *Understanding the Basics* booklets (www.ca-ilg.org/EthicsBasics), which cover the ethics laws related to:

- Preventing local officials from either actually gaining or appearing to gain financially from their decisions;
- Restrictions on gifts, use of public resources, local official compensation and other possible "perks" associated with one's status as a public servant;
- Disclosure requirements, including open records and open meetings laws; and
- Fair process requirements, including rules relating to merit-based decision-making, nepotism, competitive bidding on contracting, and whistleblower protections.

These resources are designed as both an orientation for newly elected officials and an ongoing reference for those who have been in office for a while.

Everyday Ethics Issues

Western City magazine has published this bimonthly "Everyday Ethics" column for 10 years, which currently totals 60 articles. Using an advice-column approach, "Everyday Ethics" has tackled a mixture of legal and ethical issues, including:

- Telling the Truth When It Hurts (www.ca-ilg.org/truth);
- A Leader's Role When Tragedy Strikes (www.ca-ilg.org/tragedy);
- When an Elected Official Feels Passionately About an Issue: Fair Process Requirements in Adjudicative Decision-Making (www.ca-ilg.org/bias); and
- Let's Not Make a Deal: Vote Trading and Similar Practices Raise Legal and Ethical Issues (www.ca-ilg.org/VoteTrading).

All of the "Everyday Ethics" columns are online at www.ca-ilg.org/EverydayEthics.

AB 1234 Compliance

When AB 1234 passed, making biennial ethics training mandatory for local officials, ILG created sample training materials available to local agency counsel to enable them to offer this training in a cost-effective manner. Since then ILG has offered this training regionally, at individual local agencies and at meetings of statewide associations of local agencies. Retired City Attorney Michael Martello has assisted with ILG's efforts in this area.

ILG also assisted the Fair Political Practices Commission with its online training program and published several "Everyday Ethics" columns that can serve as a form of self-study credit for AB 1234 compliance.

For more information about all of these options visit www.ca-ilg.org/AB1234 compliance.

Tell Us What You Think

ILG is evaluating the focus of its ethics program. What do *you* think helps local officials meet their constituents' expectations? What helps people understand and comply with the law? Are there better or different formats for sharing this information? Or is information not the issue? Do you think the resources ILG directs to its public service ethics program might be more productively invested elsewhere?

ILG welcomes your input. A short survey and place to share what you think are available at www.ca-ilg.org/EthicsInput. Let us know your thoughts about what helps and what doesn't in this area.

Special Thanks to Those Who Make the Ethics Work Possible

While some Institute for Local Government (ILG) programs are supported by private funders, ILG does not receive foundation funding for its work in public service ethics. This means that the program has been funded with the core support ILG receives from the League and the California State Association of Counties.

The municipal law community has also been an important source of support for the effort. In 2011, the following municipal law firms generously supported ILG's efforts to promote public service ethics:

- Aleshire & Wynder (Platinum Support Level);
- Best Best & Krieger (Platinum Support Level);
- Burke, Williams & Sorensen (Gold Support Level);
- Hanson Bridgett (Gold Support Level);
- Liebert Cassidy Whitmore (Gold Support Level);
- Renne Sloan Holtzman Sakai (Gold Support Level);
- Richards, Watson & Gershon (Gold Support Level);
- Kronick Moskovitz Tiedemann & Girard (Silver Support Level); and
- Meyers Nave (Silver Support Level).

In addition, ILG thanks the municipal lawyers in both public and private practice who have generously participated in the peer review process that is a core part of ILG's quality assurance efforts for its work products, including its ethics work products.

Finally, the local agencies and local agency associations that have purchased ILG publications (or the digital versions of those publications) or used ILG for AB 1234 ethics training compliance have been an important part of the financial and moral support for the program, and ILG appreciates their support.

This resource is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on public service ethics, visit www.ca-ilg.org/trust. To access this resource online, go to www.ca-ilg.org/WhatPromotesPublicServiceEthics.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *What Do You Think Promotes Public Service Ethics?*
- *Fax:* 916.444.7535
- *Mail:* 1400 K Street, Suite 205 • Sacramento, CA • 95814