Municipal Integrity Review

for the

Task Force for the
Promotion of Public Trust

Center for the Advancement of Public Integrity (CAPI),
Columbia University

July 30, 2019
CAPI’s Public Integrity Research

Landscape Assessment

50 State Oversight Survey

Best Practices in Municipal Oversight
Our Findings: By the Numbers

Federal Oversight Institutions: 75
- State Inspectors General: 105
- County Inspectors General: 23
- City Inspectors General: 10
- Ethics Commissions: 121
- Comptrollers: 832
- Ombudsmen: 36

State and Local Oversight Institutions: 1,127
- State Inspectors General: 105
- County Inspectors General: 23
- City Inspectors General: 10
- Ethics Commissions: 121
- Comptrollers: 832
- Ombudsmen: 36

Public Integrity Units: 38
- State-level prosecutors: 12
- County-level prosecutors: 22
- State police: 4

Law Enforcement Offices with Power to Prosecute Public Corruption Violations (State and Local): 2,052
Municipal Integrity Agencies

- Ethics Commissions
- Inspectors General
- Ombudsmen/ Public Advocates
- Comptrollers
- Specialized Prosecutors/ Police
CAPI’S 50-State Oversight Survey

See also:

An Overview of State and Local Anti-Corruption Oversight in the United States

The United States has a decentralized system of anti-corruption oversight unique in the world. Instead of a national anti-corruption agency like most countries, the federal government has a patchwork of institutions including the Government Accountability Office in the legislative branch, the Office of Government Ethics in the executive branch, and more than 180 agencies responsible for overseeing a specific department or program. At the state level, the oversight landscape is even more fragmented. Some states, cities, and counties have multiple agencies while others have one or none at all. Some watchdog agencies have large staffs with investigative powers, while others are volunteer boards that meet rarely and lack means of enforcement. Each state’s institutions have evolved largely in isolation, in response to local political pressures and other factors, with few efforts at harmonization or coordination due to America’s strong traditions of federalism. Fighting corruption in America tends to be seen as a local resource, with the important exception of the prosecutorial and federal agents under the U.S. Department of Justice.

Generally, states and cities have passed anti-corruption reforms in response to local scandals. For example, the country’s oldest, largest, and perhaps most powerful watchdog, New York City’s Department of Investigation, was created in 1873 to reframe the widespread graft associated with the “Tammany Hall” machine. Likewise, the first statewide inspector general’s office, in Massachusetts, was created in 1981 in response to corruption in public construction contracts. In 2010, when the Federal Bureau of Investigation began to monitor public corruption cases and widely-reported scandals like “Writings,” “Alaska,” and “Dovercorps,” garnered public pressure for reform. State and local watchdogs are still in flux; as recent years, New Jersey closed its inspector general’s office while Virginia and South Carolina each opened one.

To make sense of this shifting landscape, the Center for the Advancement of Public Integrity undertook a survey of anti-corruption oversight in states and cities nationwide. This report is an overview of the landscape of state and local oversight. At the state level, we found these basic oversight models: states with a statewide inspector general and an ethics commission; states with only an ethics commission (in multiple ethics commissions); and states with no statewide watchdog. Statewide inspector general and ethics commission can further be categorized as relatively strong, standard, or weak, based on factors highlighted in the anti-corruption literature such as institutional powers, independence, resources, and safeguards of independence.
City Inspectors General: A Comparison

- Detroit
- Chicago
- New Orleans
- New York City
- Baltimore
- Washington, DC
- Miami-Dade
# City Inspectors General: A Comparison

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<thead>
<tr>
<th></th>
<th>Baltimore</th>
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<td>Broad subject jurisdiction</td>
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<td>Initiate own investigations</td>
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<td>Accept anonymous reports</td>
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<td>Whistleblower protections</td>
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## City Inspectors General: A Comparison

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## City Inspectors General: A Comparison cont’d

<table>
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<td>Strong legal basis of creation</td>
<td>(c)</td>
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(c) Indicates creation of IG office by City Charter; (o) indicates creation of IG office by ordinance.
Municipal Integrity Agency
Best Practices: Factors to Consider

**Strong Legal Foundations**
- Charter
- Statutory
- Executive Order

**Jurisdiction**
- Executive Branch only
- Executive and Legislative Branches
- Contractors, beneficiaries
- Procurement Only

**Safeguards on Independence**
- Appointment and removal protections
- Budgetary independence

**Enforcement Powers**
- Unfettered access to agency information
- Hold hearings, take testimony
- Subpoena power
- Power to sanction vs referral power only
- City employees required to cooperate and report
Resources
• Consider budgetary independence

Organizational Structure
• Placement in government: separate watchdog agency vs oversight from within
• Reporting structure: dual reporting structure to executive and legislative branches

Confidentiality of Investigations

Whistleblower and Witness Protection

Accountability
• Issue public reports on investigations and recommendations to agencies
• Annual reports
• Some sort of review or external oversight mechanism