

WHAT IS AN ETHICS COMMISSION?

1

Orange County has had a lot of discussions at various sites concerning whether we need an Ethics Commission. What does that mean? Who has them? How do they work?

What are they?

- Generally 5 to 7 citizens serve on commission
- Usually appointed by local elected officials
- Rotating terms of service varying between 3 and 6 years
- Budgets and staff vary considerably

2

Generally an Ethics Commission is made off 5 to 7 appointed citizens to check that government ethics laws are obeyed. The commissioners are generally appointed by local elected officials , and their rotating terms of service vary between 3 and 6 years.

What ethics laws do they enforce?

- Campaign contribution limits
- Campaign contribution disclosures
- Campaign expenditures disclosures
- Statements of economic interests
- Receipt and disclosure of gifts
- Conflicts of interest
- Lobbying registration and disclosure
- Other matters proposed by Commission and adopted by BOS or city council.

3

These laws they administer can include: campaign contribution limits, campaign contribution disclosures, campaign expenditures disclosures, statements of economic interests, receipt and disclosure of gifts, conflicts of interest, lobbying registration and disclosure, and other matters proposed by the commission and adopted by a majority of the Board of Supervisors or City Council.

Where are they in California?

- San Francisco and San Bernardino Counties
- Ventura County change
- Cities: San Diego, Oakland, San Francisco, San Jose and Los Angeles
- Stockton possible

4

San Francisco . and San Bernardino Counties have commissions but are somewhat unique. SF is both a city and county commission. SB has the FPPC do its auditing and enforcing. Local staff does train local officials in ethics laws, handles a hotline, gives advice to candidates and proposes reforms to ethics laws. Most other commissions provide these services also. Ventura County did have a commission but their BOS changed it from a 5 member commission to only having two staff members, both former County employees, administer and enforce laws. San Diego, Oakland, San Jose have commissions. Los Angeles has a strong commission and perhaps the oldest in the state . We are fortunate to have their two Executive Directors here today today to explain how theirs works Stockton may be contracting with the FPPC soon to have a commission similar to SB.

What Ethics Laws Principles Do They Monitor

Public servants:

- Cannot receive or agree to receive anything of value or other advantages in exchange for a decision
- Must disclose their financial interest to the public
- Must disqualify themselves from participating in decisions that affect their financial interest either favorably or negatively
- Cannot have an interest in a contract made by their agency

5

Our public servants cannot receive or agree to receive anything of value or other advantages in exchange for a decision. They must disclose their financial interest to the public and disqualify themselves from participating in decisions that may affect their financial interest either favorably or negatively. They cannot have an interest in a contract made by their agency.

More Ethics principles

- Cannot be involved in an agency's decisions that affect an official's future employment
- Cannot lobby their agency for pay for a year following their departure from the agency.

6

Public servants cannot be involved in agency's decisions that affect an official's future employment, and they cannot lobby their agency for pay for a year following their departure from the agency.

How do Commissions Enforce the Laws?

- Varies among commissions
- Oakland originally had no enforcement...passed amendment
- San Francisco operates whistle blower hotline and can subpoena witnesses and records
- San Diego empowered to enforce violations and levy fines
- Los Angeles Executive Director Heather Holt and Deputy Executive Director David Tristan to describe how the LA Commission works.

7

This varies with different commissions. Oakland originally had no real enforcement procedures but in Nov., 2014, they passed an amendment to the charter that gave the commission fining power.

San Francisco operates a whistle blower hotline and can subpoena witnesses and records.

San Diego is empowered to enforce violations and levy fines. We will hear from our Los Angeles guests about the strengths and organization of their commission.