

Our Views: Fix broken ethics laws

Advocate Opinion page staff

Published: Mar 3, 2010 - Page: 8B

Gov. Bobby Jindal came into office promising ethics reform in Louisiana. But Louisiana Board of Ethics Chairman Frank Simoneaux and a state watchdog group say some recent changes to ethics laws championed by the Jindal administration have weakened ethics enforcement for public officials.

That should be a cause for concern for a governor who made ethics reform a central tenet of his gubernatorial campaign. But we think Simoneaux is right to be skeptical about the prospects for real ethics reform anytime soon.

There is a sense that the Jindal administration has declared the mission accomplished on ethics reform and has little appetite for truly fixing the system.

The state's budget problems also appear to be distracting state leaders from focusing on other issues, such as ethics reform.

Before a 2008 revamp of the state's ethics laws, the Board of Ethics investigated, prosecuted and decided cases in which public officials were accused of wrongdoing.

Critics suggested the system was unfair because it authorized the Ethics Board to act as both prosecutor and judge of ethics cases.

Changes approved by lawmakers and the governor established a system in which Ethics Board staffers investigate and prosecute claims, but a panel of administrative judges decides if the evidence warrants punishment.

Simoneaux said he agrees that responsibility for investigating and deciding ethics cases should be split, but he said administrative judges are not the way to go.

These judges are state employees appointed and hired by an appointee of the governor, which subjects them to political pressures, Simoneaux said.

As an alternative, Simoneaux suggested the Ethics Board serve as a decision-making body and a separate appointed panel be created to oversee investigations and prosecutions.

The nonprofit, nonpartisan Public Affairs Research Council offered a similar suggestion in a recent report titled "The Unfinished Business of Ethics Reform."

PAR concluded there is a lot of work to do to advance the gold standard of ethics reform once touted by Jindal.

PAR also is calling for greater public accessibility to ethics proceedings, data and outcomes.

A full copy of PAR's report is available online at <http://www.la-par.org>. The report is worth reading.

We hope PAR's recommendations and Simoneaux's concerns become the basis for new legislation to mend the system for ethics investigation and enforcement.

Such legislation might not gather steam anytime soon, but state officials should be held accountable for the ethics system and its numerous problems.