



Ethics changes not high-priority item

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The chairman of the Louisiana Board of Ethics is correct when he says the Legislature is in no mood to make additional changes to the ethics code revisions made in 2008.

Gov. Bobby Jindal took office that year and immediately moved to strengthen the state's ethics laws by calling a special session on the subject. Once those changes were made, groups gave Louisiana high marks for the revisions.

One of the major changes was a requirement that public officials at most levels of government file annual financial disclosure statements. The Advocate of Baton Rouge reported last month that filings increased from fewer than 200 in 2008 to 5,371 in 2009. An additional 3,000 reports could be filed this May.

Reports required by lobbyists also were strengthened, and that number grew from 3,536 in 2008 to 11,813 in 2009.

Unfortunately, there is no mechanism for auditing those reports and no system for ensuring they are posted online.

"What you have got is the toothless tiger," said Jim Brandt, president of the Public Affairs Research Council.

The most controversial change made in 2008 involved the way ethics cases are handled. Members of the 11-member ethics board had been handling the investigation, prosecution and final decisions in all cases.

Ethics staffers now investigate and prosecute claims, but a panel of administrative law judges decides whether a violation has occurred. The judges are state employees who are hired by an appointee of the governor.

The thinking behind that change was that the rights of the accused were being infringed upon by having the board serve as prosecutor and judge.

Frank Simoneaux, chairman of the ethics board, and some of its members say no other states have an ethics enforcement system with public employees making decisions on whether violations have occurred. Simoneaux believes the ethics board should make those determinations and a separate board could be appointed to do the investigating and prosecuting.

Good government groups agree with Simoneaux. However, the sentiment for changing that setup simply isn't there.

"Creating a new board with political appointees, we question whether there's a step in the right direction," said a spokesman for Gov. Jindal.

State Rep. Rick Gallot, D-Ruston, chairman of the House committee that heard the ethics laws and that would hear any new proposals, dismisses the complaints about the new system of judging ethics cases.

"What people like PAR and others are doing is trying to find an issue that makes them have some relevance," Gallot said.

One of the major reasons lawmakers aren't interested in tampering with the ethics system is the fact that ordinary citizens don't get too worked up about the subject of ethics. They want their public officials to behave morally and ethically, but it never becomes an emotional issue about which they are deeply involved.

If the public ever gets excited about ethics, you can be certain legislators will sit up and take notice. It's a shame they aren't in that mood now because the new system definitely needs some tweaking.