

## INSPECTOR GENERAL PROPOSAL – League of Women Voters

I. Charter language: a) There is no current charter language.

b. Draft proposed charter language: We propose language closely paralleling that drafted by Councilman Dale Miller, although we would like to see it abridged to the essentials, leaving the expansion of its main points to Council legislation. We believe the language of a new Article XV should contain all of the following essentials:

- 1) IG = chief ethics officer;
- 2) sufficient, secure or dedicated funding;
- 3) wide jurisdiction as allowed by general law;
- 4) at least 5 years of relevant legal & investigative experience;
- 5) independent appointment and confirmation process;
- 6) fixed term of office (non-concurrent with that of the County Executive)
- 7) removal by Council super-majority only for cause and after hearing;
- 8) guaranteed access to county information; and
- 9) power to investigate complaints or initiate investigations, including subpoena power.

These points are all made in the submission by Councilman Dale Miller, and we would only suggest that they be couched in broad language mandating that legislation spell out the details.

c. Draft rationale: The Charter must assure that high ethical standards established by Cuyahoga County will continue to have an effective and independent enforcement mechanism.

## II. Research supporting the rationale.

a) In our one-year (2009) study of ethics laws and their enforcement in 15 similar counties across the country, we found variations in both the mechanisms chosen and the effectiveness of those mechanisms. Only one county as of 2009, Broward County FL, had an Inspector General, although the new position was at that time experiencing trouble getting up and running. Most other counties had an ethics board which hired a chief ethics officer. (We preferred that method at the time.) Allegheny County advised us that we should make sure our chief ethics officer had sufficient investigative tools, because he said he had been limited to reacting to complaints. In Duvall County FL, we recall, the council imposed major funding cuts to its ethics enforcement program, thus reducing its ability to do the job. Milwaukee County in Wisconsin was memorable because it had a unique mechanism for the independent appointment of its chief ethics officer (very similar to the way the CEO of the Cleveland Metropolitan School District is hired). However, all the counties we surveyed had a customized Code of Ethics AND an enforcement mechanism. Our County Code also contains both, although only the former is mandated in the charter. The latter, our version of an ethics office, is not mentioned in our charter and is therefore subject to the vicissitudes of future county politics, personalities or budget restraints. That is why we urge the CRC to recommend that Council submit to the voters in November a provision guaranteeing the independent office of Inspector General.

b) Sources: The charter counties of a similar demographic which we investigated were: Allegheny PA, Ann Arundel MD, Broward FL, Cook IL, Dade FL, Duval FL, King WA, Jefferson KY, Marion IN, Prince Georges MD, Mercer NJ, Milwaukee WI, Monroe NY, New Castle DE, and Shelby TN.