

Arizona's Ethics Framework is Sorely Lacking

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The Coalition for Integrity released its States With Anti-Corruption Measures for Public officials (S.W.A.M.P.) Index. The index rates the 50 States and District of Columbia based on the laws and regulations governing ethics and transparency in the executive and legislative branches of individual states. Arizona scores 28, ranking near the bottom, evidencing that its ethics framework needs significant improvement.

Arizona has no independent ethics agency to provide advice on or enforce ethics rules for legislators, executive branch officials and other state employees. With the adoption in November 2018 of constitutional amendments in New Mexico and North Dakota to create such an agency, Arizona will be only one of three states in that position. An independent body, with strong investigative powers and an ability to sanction offenders is crucial to promoting an ethical culture in government. In addition, Arizona's financial disclosure reporting requirements are more limited than those in other states. For example, legislators and elected and appointed executive branch officials are only required to report gifts valued at more than \$500 and legislators do not have to reveal client names, making it difficult to judge whether there are potential conflicts of interest.

The S.W.A.M.P. Index focuses on eight questions relating to the jurisdiction and scope of ethics agencies, the powers of those agencies, acceptance and disclosure of gifts by public officials, transparency of funding independent campaign expenditures and client disclosure by legislators. Some of the key findings are:

- No state achieved a perfect score; in fact there is no state in the top 20th percentile.
- 36 states scored 60 or below and 21 states scored 50 or below.
- Three states Washington (78), Rhode Island (75) and California (75) land at the top of the score chart.

The Coalition for Integrity sets out a minimum legal framework to promote ethical behavior and transparency:

- All states should have an independent ethics agency with jurisdiction over the executive and legislative branches and that agency needs wide powers to investigate and sanction all government personnel.
- Legislators should be subject to the same treatment as elected executive branch officials and employees. In states where legislatures have a separate ethics entity, it should be independent of the legislature, composed of members of the public and not legislators.
- Gift rules should apply equally to all government officials and should prohibit all gifts above a reasonable threshold, regardless of the source and regardless of the intent of the recipient or the gift-giver.
- Legislators should disclose the names of all clients for whom they work, whether the client directly hires the legislator or hires the entity which employs the legislator.

- States should take the lead in mandating disclosure of the beneficial owners of LLCs and donors to 501(c) organizations which contribute to independent campaign spenders.

The laws of the higher-scoring states provide examples of best practice that Arizona can follow to improve the State's ethical framework and transparency. You can access the full report with our findings and analysis and the one on Arizona at <http://swamp.coalitionforintegrity.org>.

The Coalition for Integrity is a non-profit, non-partisan organization, working in coalition with a wide range of individuals and organizations to combat corruption and promote integrity in the public and private sectors. For more information, please contact Shruti Shah, CEO, sshah@coalitionforintegrity.org, 202-589-1616.



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