

Ethics and Public Service

Laws and Principles

We

Local
Government

MISSION



Resource Areas



Session Objectives

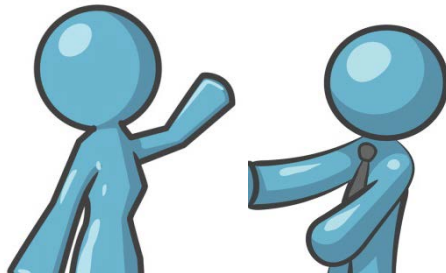
1. Political Reform Act + trends
2. Other public service ethics laws
3. Beyond the rules/integrity



Ethics versus Ethics Laws

What's
Legal?

What's
Ethical?



- **Ethics = what we *ought* to do**
- **Laws = what we *must* do**
 - Minimum standards
 - Penalties
- **Key Concept: Legal ≠ ethical**



What We *Ought* to Do

Two questions to ask:

1. Best for me or best for the public?

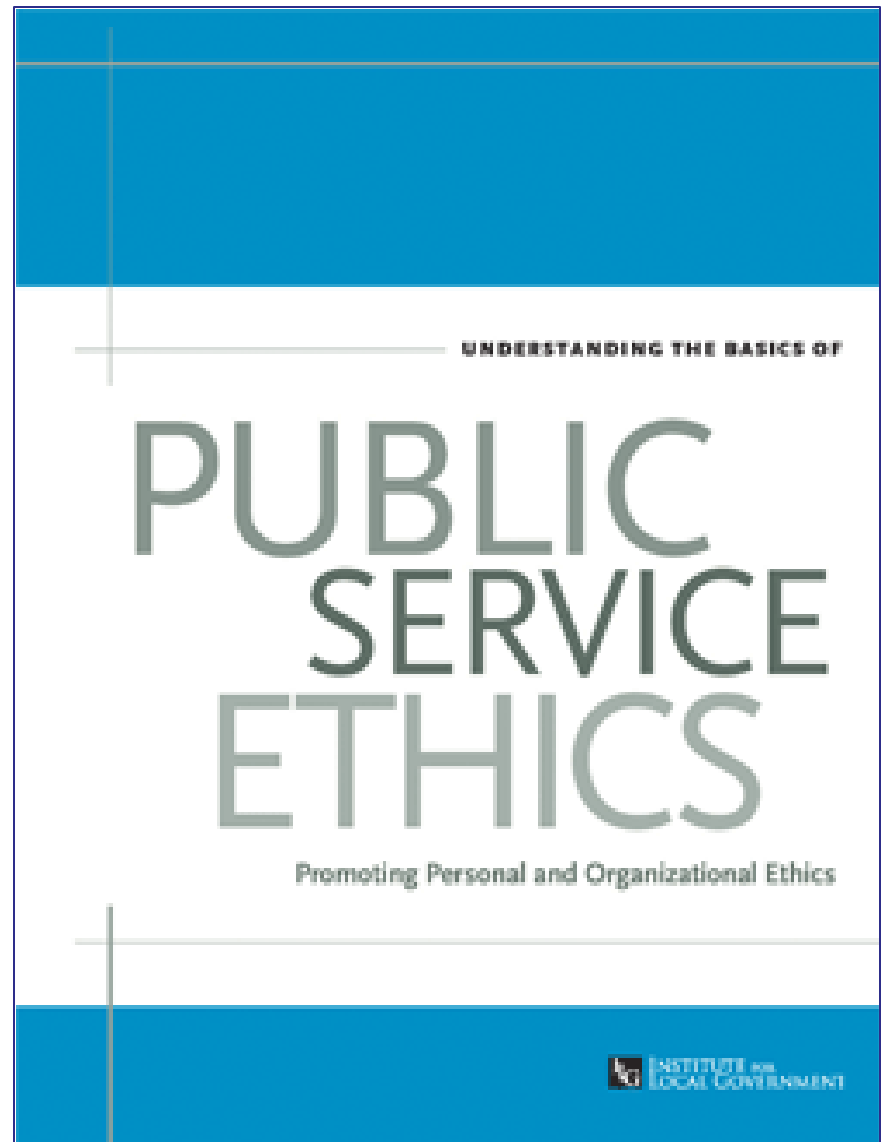
2. How will it look?

- February Everyday Ethics article
- www.ca-ilg.org/EverydayEthics





www.ca-ilg.org/ppoe



www.ca-ilg.org



California's Ethics Laws

Two Law-Based Tools to Promote Ethical Behavior

1. Transparency



2. Prohibitions

- Limits of the law

State Ethics Laws



- 1. Governmental transparency**
- 2. Fair processes**
- 3. Personal financial gain**
- 4. Personal advantages and perks**



Ethics Law Principles for Public Servants:

KEY THINGS TO KNOW

Note that the following are not statements of law, but rather principles the law is designed to achieve. The goal in providing this list is to identify the kinds of issues addressed by public service ethics laws. If an issue arises under these principles, public officials should consult agency counsel.

Personal Financial Gain Laws

Generally speaking, California law says public officials:

- » Cannot request, receive or agree to receive anything of value or other advantages in exchange for a decision.
- » Must disclose their financial interests to the public.
- » Must disqualify themselves from participating in decisions that may affect (positively or negatively) their financial interests.
- » Cannot have an interest in a contract made by their agency.
- » Cannot be involved in agency decisions that affect an official's future employment.
- » Cannot lobby their agency for pay for a year following their departure from the agency.

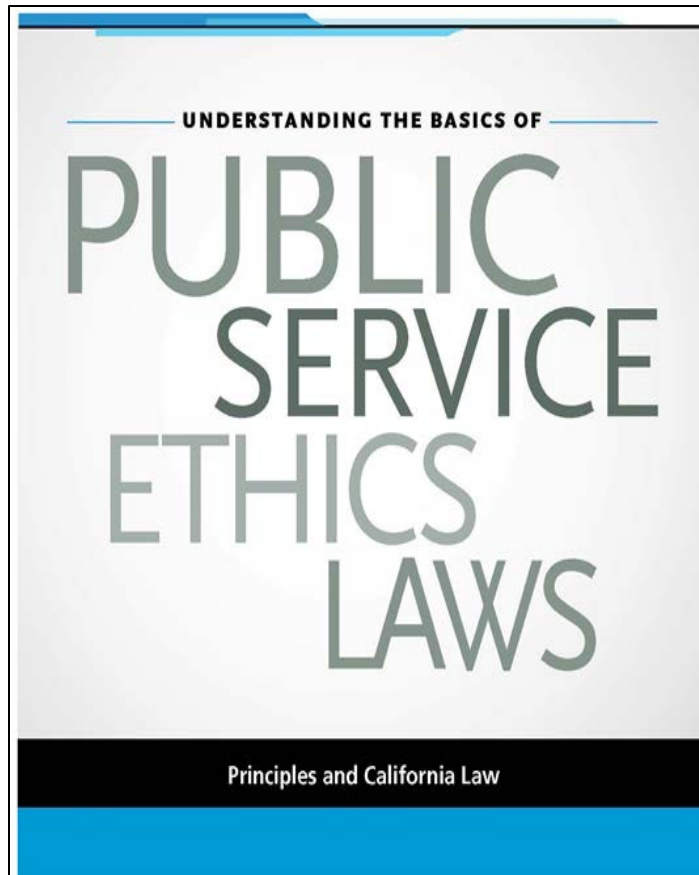
Perk Issues: Including Compensation, Use of Public Resources and Gift Laws

Generally speaking, California law says public officials:

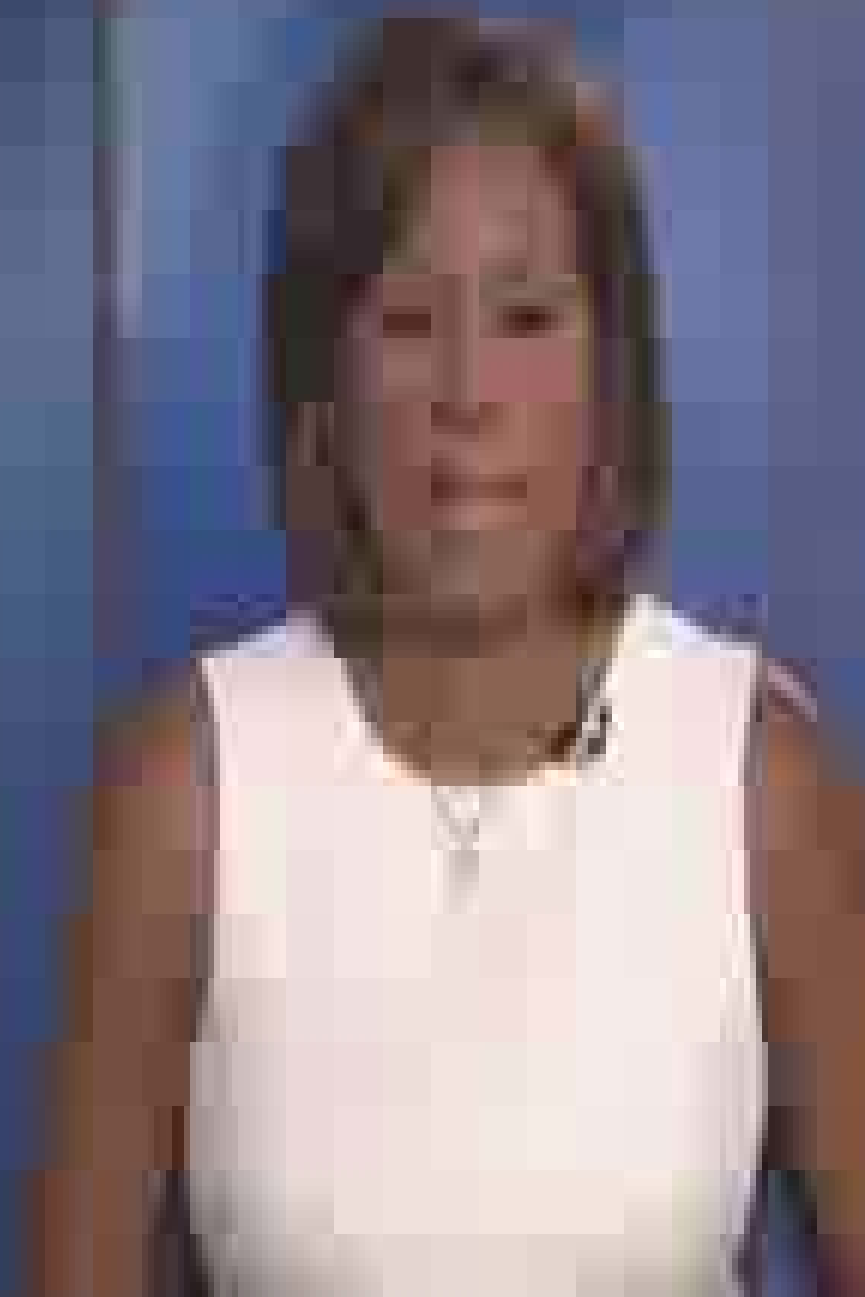
- » Receive limited compensation for their service to the public.
- » Cannot receive compensation for speaking, writing an article or attending a conference.
- » Are reimbursed for only those expenses allowed in agency expense reimbursement policies because those expenses have a demonstrable public purpose and necessity.
- » Cannot use public agency resources (money, travel expenses, staff time and agency equipment) for personal or political purposes.
- » Cannot send mass mailings at public expense.
- » Cannot make gifts of public resources or funds.

For more information on these principles, see www.ca-ilg.org/EthicsLaws.

INSTITUTE FOR LOCAL GOVERNMENT



www.ca-ilg.org/EthicsLaws



Issues

- **Ethical?**
- **Legal?**



Issues

- **Ethical?**
 - Trustworthiness
 - Responsibility
 - Flunks front page test
- **Legal?**
 - No personal use of public resources





ILG is the research and education affiliate of the California State Association of Counties and the League of California Cities.

Resources

- Public Service Ethics
 - Leading by Values
 - Understanding Ethics Laws
 - Ethics Tools
 - Ethics Education (AB 1234 Training)
 - Analyzing Public Service Dilemmas
 - Campaigning for Office
- California Climate Action Network (CCAN)
- Public Engagement and Collaborative Governance
- Intergovernmental Conflict Resolution
- Healthy Communities
- Land Use and Environment
- Local Government 101
- Honoring Public Service

Public Service Ethics

The Institute's ethics program promotes public confidence and trust in local agency decision-making by helping local officials understand the unique legal and ethical obligations of being a public servant. [Read more »](#)

Local Associations Promote Ethics Compliance

Both the California State Association of Counties and the League of California Cities will help local officials demonstrate their commitment to public service ethics this fall. The vehicle will be sessions on public service ethics laws and principles at each organization's annual conference. [Read more »](#)



American Society for Public Administration Recognizes Institute Ethics Program

In 2009, the Institute was honored to receive national recognition its efforts in promoting public service ethics. The Institute received the Public Integrity Award, which was presented by the American Society for Public Administration in collaboration with the



ETHICS PROGRAM BENEFACTORS

The municipal law firms that made the Institute's Understanding the Basics of Public Service Ethics publications possible. [Read more »](#)



ETHICS LAW PRINCIPLES FOR PUBLIC SERVANTS

(Four-page tipsheet): Provides a handy reference on the kinds of issues that ought to trigger a conversation with agency counsel or the Fair Political Practices Commission.



UNDERSTANDING THE BASICS OF PERSONAL & ORGANIZATIONAL ETHICS

Provides thoughts on working through ethical dilemmas and promoting a culture of ethics. [Read more »](#)