

Room to improve the state's ethics laws

If political ethics isn't an oxymoron in Illinois state government, it comes uncomfortably close.

The two terms just don't seem to mesh, and even when state officials try to improve matters, nothing about the process seems to come easily.

Witness this week's unveiling of the Illinois executive inspector general's annual report.

The document from Inspector General James Wright lays some interesting statistics on the table. It tells us, for example, that the inspector general's office last year received 1,278 complaints on such matters as fraud, misconduct, harassment or waste on the part of state employees in departments under the governor's control.

It tells us that investigators found evidence to support 64 complaints. It informs us that as a result, 13 state employees resigned, were fired or are in the process of being dismissed. It lets us know that the inspector general — based on findings — referred six cases to the U.S. attorney's office for possible prosecution.

Good data, as far as it goes. But it doesn't go far enough.

What sorts of misconduct led to dismissals? In what departments did these employees work? Who were they? Not their names, of course. But were they rank-and-file employees? Supervisors? Department heads? Which departments experienced problems large enough to merit referral to the Justice Department? If that sort of information were included, the report would give residents a better idea of how well ethics laws are working.

Ideally, the inspector general's report would more closely resemble the annual public access counselor report from Attorney General Lisa Madigan's office. This document lays out raw numbers, but carries additional punch because it also provides specific examples of how Freedom of Information laws were violated.

Wright has suggested for some time now that laws governing his office be updated to make his work more transparent. Some state legislators, including Sen. Susan Garrett, a Lake Forest Democrat, and Sen. Bill Brady, a Bloomington Republican, agree. They are among those working on such fine-tuning as making more information available through Freedom of Information requests or releasing additional information even without special requests.

One other flaw in the law, as currently written, is that the inspector general may refer cases to Gov. Rod Blagojevich's highly touted ethics commission only under very narrow circumstances. How narrow? According to the commission's annual report, not a single case was referred to it last year.

The commission has been handled oddly from its inception. After talking up its importance, Blagojevich delayed making his appointments to the panel for more than half a year after lawmakers voted to establish it. He eventually made quality appointments, including attorney and author Scott Turow, but now the group has little to do because of the tight restrictions on which cases can actually be sent its way.

The whole idea behind creating the commission three years ago was that its independent members would be able to review and act on complaints free of any political filter that might interfere if the matter was handled strictly by the department or agency in which the problem occurred. But the commission can't very well serve that role if it never gets to see any complaints.

Well aware that their empty calendar is not what anyone envisioned, members of the commission set forth their own set of good ideas in their latest annual report. Among them:

- Any case of employee misconduct serious enough to draw a three-day suspension or more should automatically go before the commission.
- The commission should have a role in approving penalties.
- The commission should have a larger oversight role in ethics training.

Good ideas, all, and ones that lawmakers need to put into effect before another legislative session goes by.