

# Landscape Assessment

## Survey of the practitioners, offices, and agencies charged with upholding public integrity across the United States

September 2016

The United States has a decentralized system of anti-corruption oversight unique in the world. Rather than a single national anti-corruption agency, an array of state, local, and federal offices have evolved to safeguard public integrity through both enforcement and oversight, including ethics commissions, inspectors general, ombudsman offices, and specialized prosecutorial and investigative units. Most of these offices were created by state and local governments in the last 25 years, often in response to citizen demands for efficiency and accountability in the public sector following a scandal.<sup>1</sup> In the last decade alone, local corruption scandals have prompted cities like Houston, Philadelphia, and Detroit to create offices of the inspector general. State prosecutors in Colorado, Rhode Island, South Carolina, and other states have formed specialized public integrity units to pursue corruption cases previously delegated to federal authorities.

This diverse, burgeoning ecosystem of new oversight offices has the potential to revolutionize anti-corruption enforcement in the United States. However, the individual offices responsible for fighting corruption are too often disparate and adrift, unconnected to peers in other jurisdictions and experts in their fields. Even though these offices face common challenges and can take advantage of shared best practices, they are often too overwhelmed and under-resourced to share expertise and insights.

Through this assessment, the results of which we make public here, CAPI has undertaken the first ever review of the entire public integrity landscape in the United States.<sup>2</sup> In doing so, we have identified the myriad offices and agencies charged with upholding integrity and rooting out corruption nationwide. These findings have helped CAPI collaborate with best practices organizations, grow our practitioner

### Original CAPI Publication:

CAPI staff began conducting a survey of the public integrity landscape in early 2015. This assessment reflects our findings as of August 1, 2016.

CAPI would like to thank Marty Boughton and Kaylie Ann Butz for their research assistance on this survey.

### Our Findings: By the Numbers

#### Federal Oversight Institutions: 75

#### State and Local Oversight Institutions: 1,127

- State Inspectors General: 105
- County Inspectors General: 23
- City Inspectors General: 10
- Ethics Commissions: 121
- Comptrollers: 832
- Ombudsmen: 36

#### Public Integrity Units: 38

- State-level prosecutors: 12
- County-level prosecutors: 22
- State police: 4

#### Law Enforcement Offices with Power to Prosecute Public Corruption Violations (State and Local): 2,052

<sup>1</sup> A comparative analysis of the oversight bodies identified during this assessment falls outside the scope of this brief. For a more thorough description of the evolution of anti-corruption offices in the United States and an overview of their powers and mandates, please see our brief "[An Overview of State and Local Anti-Corruption Oversight in the United States](#)," as well as our ongoing "[50-State Oversight Survey](#)."

<sup>2</sup> This landscape assessment is an ongoing project. CAPI staff will continue to search for previously unidentified public integrity offices and practitioners. CAPI plans to expand this survey to include prominent civil society organizations that advocate for anti-corruption measures and/or serve as government watchdogs. If you have any advice, knowledge, or corrections to share, please contact us at [CAPI@law.columbia.edu](mailto:CAPI@law.columbia.edu).

audience, and tailor our research and publications to the needs of integrity practitioners. By illuminating the surprising breadth and number of anti-corruption oversight offices in the United States, this landscape assessment underscores CAPI's efforts to help the sizeable, but disconnected, integrity industry form a cohesive, practice-driven community.

## Federal Level Oversight Institutions

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At the federal level there are **75 standing oversight bodies**, including the [Government Accountability Office](#) and the [Office of Congressional Ethics](#) in the legislative branch and the [Office of Government Ethics](#) and 72 statutory Inspector General (IG) offices in the executive branch. The original Inspector General Act of 1978 established 12 Inspectors General, but the act has since been amended to cover nearly every federal agency and many individual federal programs.<sup>3</sup> Of these IGs, 39 have designated law enforcement powers, while others can receive it on an ad-hoc basis through special deputation from the U.S. Marshal Service. A full listing of federal Inspectors General is [available here](#).

In addition, the most robust anti-corruption tools available to prosecutors reside at the federal level. Accordingly, the majority of public corruption prosecutions are conducted by the United States Department of Justice and its 93 regional Offices of the United States Attorney.

## State and Local Level Oversight Institutions

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At the state and local levels, CAPI has identified **1,127 oversight offices** operating in the United States and an additional **2,052 offices with a role in prosecuting abuses of public trust**. For the purposes of this landscape assessment, CAPI sought to identify the following types of oversight offices: Inspectors General, Comptrollers, Ombudsmen, and Ethics Commissions. CAPI also identified law enforcement agencies with the power to prosecute public corruption violations (i.e. District Attorney's Offices, and State Attorneys General).

## Inspectors General

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### State Inspectors General

Inspectors General investigate cases of fraud, waste, and corruption. While their mandates and powers vary significantly across states and counties, they are generally the watchdogs with the strongest teeth.<sup>4</sup> Eleven states, and the District of Columbia, currently have statewide inspectors general: New York, Florida, Illinois, Massachusetts, Ohio, Louisiana, Indiana, Virginia, South Carolina, Pennsylvania, and Georgia. Additionally, 33 states have at least one Inspector General within a specific executive office focused on oversight in sectors particularly vulnerable to fraud and abuse such as healthcare, public benefits, corrections, and transportation. In total, CAPI has identified **105 state level inspector general offices**.

### County Level Inspectors General

In seven states (California, Florida, Illinois, Louisiana, Maryland, Ohio, and New Jersey), individual counties have also created inspector general offices. These counties are: Sacramento (CA), Broward (FL), Miami-Dade (FL),

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<sup>3</sup> *The Inspectors General*, Council of the Inspectors General on Integrity and Efficiency, July 14, 2014, [https://www.ignet.gov/sites/default/files/files/IG\\_Authorities\\_Paper\\_-\\_Final\\_6-11-14.pdf](https://www.ignet.gov/sites/default/files/files/IG_Authorities_Paper_-_Final_6-11-14.pdf) (last accessed September 23, 2016).

<sup>4</sup> For a detailed description of Inspectors General, please see our brief "[An Overview of State and Local Anti-Corruption Oversight in the United States](#)."

Pinellas (FL), Okaloosa (FL), Polk (FL), Lee (FL), Jacksonville (FL), Lake (FL), Palm Beach (FL), Montgomery (MD), Prince George’s (MD), Cook (IL), Mercer (NJ), Bergen (NJ), Essex (NJ), Jefferson<sup>5</sup> (LA), and Cuyahoga (OH). In addition, some county level agencies have internal inspectors general, such as the Los Angeles County Metropolitan Transportation Authority and the Miami-Dade County School Board. In total, we have identified **23 county level inspector general offices**.

Inspectors General are overwhelmingly concentrated in three states: Florida, Illinois and New York. Florida has 44 IG offices, Illinois has 13, and New York has 10.<sup>6</sup> In total, CAPI has identified **128 state and county level inspector general offices**.

### City Level Inspectors General

Ten cities in the United States have their own inspector general offices. These city IGs are relatively new institutions, created in response to local scandals. A notable exception is New York City’s Department of Investigation (DOI). The country’s oldest, largest, and perhaps most powerful watchdog, DOI was created in 1873 to counter the widespread graft associated with the “Tammany Hall” machine of William “Boss” Tweed. Cities with an inspector general office are: New York City (NY), Chicago (IL), Philadelphia (PA), Houston (TX), Albuquerque (NM), Detroit (MI), Yonkers (NY), New Orleans (LA), Richmond (VA), and Baltimore (MD).<sup>7</sup> In addition, some city agencies have inspectors general, such as the Detroit Public Schools system and the Los Angeles Police Department. CAPI has identified **18 city level inspector general offices**.

### Ethics Commissions

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Ethics commissions are more common watchdogs than Inspectors General, with broader mandates. Currently, 43 states have at least one ethics commission to oversee the behavior of government employees – including every state with a statewide inspector general.<sup>8</sup> A judicial ethics commission exists in [every state](#). CAPI has identified 71 legislative and executive ethics commissions, in addition to the 50 judicial ethics commissions, **for a total of 121 ethics commissions**.

### Comptrollers

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As the highest-level supervisor of a state, county, city, or agency’s accounting and financial reporting, Comptrollers perform an important internal audit function. They proactively monitor contracting and expenditures to ensure compliance and guard against waste and fraud. The specific title of this type of oversight institution varies by state and county. The term “Comptroller” is most common on the East Coast, while “Controller” is common on the West Coast. Other titles include: County Assessor, Auditor-Controller, Office of the Assessor, Office of the Clerk & Comptroller, Office of the Auditor, and Office of Internal Audit. CAPI has identified **832 comptroller offices** at the state and local levels nationwide.

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<sup>5</sup> Louisiana does not have counties. The county-equivalent are “parishes.”

<sup>6</sup> Figures include state, county, and city level Inspectors General.

<sup>7</sup> The District of Columbia has an Inspector General. This IG is counted as state- and/or county-level institution.

<sup>8</sup> For a detailed description of Ethics Commissions, please see our brief “[An Overview of State and Local Anti-Corruption Oversight in the United States](#).”

## Prosecutorial Offices and Public Integrity Units

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### State Attorneys General

Every state, and the District of Columbia, has an Attorney General's office. As their state's chief legal officer, most Attorney Generals are empowered to prosecute public corruption pursuant to each state's respective laws. Of these **51 Attorneys General Offices, 12 maintain dedicated public integrity units**: Alabama, Delaware, Illinois, Kentucky, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Rhode Island, and Texas.<sup>9</sup>

### District Attorney's Offices

In the United States, the responsibility for enforcing criminal law typically falls to county-level prosecutors, called district attorneys, county prosecutors, county attorneys, prosecuting attorneys, or commonwealth attorneys. As of the 2010 census, the United States has 3,142 counties or county equivalents. The vast majority of counties have a district attorney, with a few exceptions (e.g. Connecticut and Rhode Island, where the office of the state attorney general handles all state criminal offenses). CAPI's landscape assessment identified **2,001 district attorney's offices** with original jurisdiction to prosecute corruption matters.

In addition, a number of district attorney's offices have recently begun to establish dedicated "Public Integrity Units." These units proactively investigate public corruption violations. They are most common in New York, where eight of the state's 62 district attorney's offices have such a unit: New York (Manhattan), Kings (Brooklyn), Queens, Bronx, Albany, Nassau, Suffolk, and Erie counties. The model is also relatively popular in California, where six of the state's 58 district attorney's offices maintain a public integrity unit: Los Angeles, San Bernardino, Orange, Santa Clara, Alameda, and Fresno counties. We have so far identified eight others nationwide: Suffolk (MA), Wayne (MI), St. Louis (MO), Essex (NJ), Jefferson (AL), Cook (IL), Milwaukee (WI), and Philadelphia (PA) counties. In total, we have identified **22 public integrity units to date in local prosecutors' offices**.

## Ombudsmen/Public Advocates

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Ombudsmen are independent officials and/or agencies that receive and investigate complaints of maladministration and abuse directly from citizens. Their mandates typically concern individual agencies or programs, although four states (Alaska, Hawaii, Iowa, and Oregon) have standing Ombudsmen with the authority to investigate complaints regarding most or all government agencies. In addition, the City of New York has an elected "Public Advocate" with city-wide jurisdiction. Ombudsmen are most common in public universities or agencies related to child welfare. Twenty-one states have at least one ombudsman. CAPI has identified **36 ombudsmen in the United States**.

## State Police Bureaus and Public Integrity Units

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Every state has a statewide police bureau, generally called the state police, highway patrol, or state patrol. Some states also have a statewide investigative bureau.<sup>10</sup> **Four state police agencies have dedicated public integrity units**: the Kansas Bureau of Investigation, the North Carolina State Bureau of Investigation, the New Jersey State Police, and the Texas Rangers.

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<sup>9</sup> The Attorneys General of Guam and the Mariana Islands also maintain public integrity units. This report does not include U.S. territories.

<sup>10</sup> State Police Bureaus are not included in the figure for offices with a role in *prosecuting* corruption. They are included in this narrative to highlight the particular emphasis placed on investigating public corruption in bureaus with a dedicated public integrity unit.

## Emerging Issues and Trends

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In reaching out to public integrity offices nationwide, CAPI has begun to identify common issues and priorities to direct future research and training efforts. So far, practitioners have cited several emerging issues and needs, including:

- **Data-driven tactics:** Leaders in the public integrity field are hopeful that data analytics can help isolate the red flags of fraud and corruption and better target investigations. Through an inter-disciplinary working group, CAPI is honing in on key indicators and areas of promise in data-driven approaches to municipal oversight.
- **Performance auditing:** Citizens are demanding higher standards of performance from the public sector. In response, many watchdogs have been given responsibility for performance audits to evaluate public policies, processes, and systems to look for opportunities for greater efficiency.
- **Securing watchdog independence:** Many watchdogs nationwide have expressed concern about being insufficiently protected from political interference or pushback. Some agencies have gained new safeguards of independence, such as the inspectors general of New Orleans and Philadelphia, while others have faced existential threats, such as the state inspector general of Louisiana and the now-disbanded state inspector general of New Jersey.
- **Open government:** In recent years, cities and states have launched online transparency websites to make public data broadly accessible. It is still unclear how best to harness such data so it can facilitate oversight efforts and allow citizens to be effective watchdogs in their communities.
- **Procurement reform:** Many states are using digital tools and legal reforms to make public procurement processes simpler, more competitive, and more transparent. CAPI has been assisting efforts by Transparency International USA to identify and promote best practices in this field.
- **Police oversight:** Police accountability has become a hot topic nationwide, as several scandals have exposed abuses of authority, discriminatory practices, and mismanagement among municipal law enforcement agencies. CAPI [recently hosted](#) the Inspector General of the newly formed Office of the Inspector General of the New York City Police Department to discuss the latest techniques in police oversight.
- **Ethics provisions in state constitutions:** State constitutions range widely in their coverage of ethics and corruption. CAPI is working to survey state constitutions and study the effectiveness of constitutional amendments focused on public integrity reforms.
- **Adequate training opportunities:** The inherent complexity of corruption offenses requires a uniquely specialized skill set to investigate and prosecute these crimes. CAPI is working to provide practical publications and in-person trainings tailored to the needs of early- and mid-career integrity practitioners. Recent examples of this work includes a toolkit on the particulars of [asset forfeiture in public corruption cases](#), a guide to the [False Claims Act](#), and workshops on [preventing Minority- and Women-Owned Business Enterprise fraud](#) and increasing the number and quality of public corruption prosecutions in New York State.
- **Best Practice sharing:** Integrity practitioners regularly highlight their desire for peer-to-peer knowledge sharing. Working with the [Association of Inspectors General](#) and the [Council on Governmental Ethics](#)

[Laws](#), CAPI is identifying best practices and industry leaders and providing a platform to share their expertise. Recent examples include Philadelphia Inspector General Amy Kurland's [brief on crafting a powerful annual](#) report and [our toolkit on cost-effective oversight for small municipalities](#).

As we expand our outreach efforts, please contact us if you have information, ideas, or insights that could help us expand our coverage of the public integrity community. This landscape assessment is an ongoing project and we welcome your feedback!



CAPI's ongoing assessment of the public integrity landscape in the United States is made possible thanks to the generous support of the Laura and John Arnold Foundation. If you have comments, advice, or oversight institutions we should be made aware of, please contact us at [CAPI@law.columbia.edu](mailto:CAPI@law.columbia.edu).

The views expressed here are solely those of the author and do not necessarily represent the views of the author's organization or affiliations, the Center for the Advancement of Public Integrity, Columbia Law School, or the Laura and John Arnold Foundation.

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