

2010

Executive  
Ethics Board

## [PERFORMANCE MEASURES]

A report regarding performance measures on the efficiency and effectiveness of the board and performance measures to measure and monitor the ethics and integrity of all state agencies .

## **Foreword**

*“Government derives its powers from the people. Ethics in government are the foundation on which the structure of government rests. State officials and employees of government hold a public trust that obligates them, in a special way, to honesty and integrity in fulfilling the responsibilities to which they are elected and appointed. Paramount in that trust is the principle that public office, whether elected or appointed, may not be used for personal gain or private advantage.*

*The citizens of the state expect all state officials and employees to perform their public responsibilities in accordance with the highest ethical and moral standards and to conduct the business of the state only in a manner that advances the public's interest. State officials and employees are subject to the sanctions of law and scrutiny of the media; ultimately, however, they are accountable to the people and must consider this public accountability as a particular obligation of the public service. Only when affairs of government are conducted, at all levels, with openness as provided by law and an unswerving commitment to the public good does government work as it should.”*

—Legislative Declaration, RCW 42.52.900

Public expenditures and public employees have come under heightened scrutiny in today’s budget environment. The public is holding state agencies and elected officials responsible for the state of the economy and looking to them to lead us out of these difficult times. While laws, regulations and policies are essential to run state government, they do not guarantee ethical conduct. Since 1995, the Executive Ethics Board has been enforcing the laws, making the rules and reviewing the policies that hold state employees accountable for their decisions and actions. Ethics Board oversight is paramount to building a strong ethical atmosphere.

## **Background**

Established in 1995, the Executive Ethics Board (“the Board”) is comprised of five members appointed by the Governor for five-year terms. Two of the five members must be current state employees, one an exempt employee and one a classified employee. One of the remaining three members of the Board is selected from names provided by the State Auditor’s Office; one from names provided by the Attorney General’s Office; and one is a citizen-at-large. The Board meets on a monthly basis to interpret the Ethics in Public Service Act (“the Act”), RCW 42.52, provide formal advice via Advisory Opinions to state agencies or employees, develop educational materials and train state agencies and employees, approve state agency policies, investigate and adjudicate ethics complaints and impose sanctions including reprimands and monetary penalties.

The Board staff supports the Board’s statutory mission. The Board staff is comprised of an executive director, two investigators and an administrative officer. Board staff is supported by the Attorney General’s Office (AGO), through whom they receive funding, personnel and technology support. However, the Board acts as an independent agency without influence from

the AGO. Two Assistant Attorneys General support the Board, one as the Board's advisor and one who represents the state in an administrative proceeding regarding an ethics complaint.

Since 1996, Board staff has investigated nearly 1000 complaints and issued monetary penalties in excess of \$307,000. The funds collected from these fines go directly into the state's general fund and do not flow back to the Board.

### ***Mandate***

The 2010 Supplemental Operating Budget mandated that the Board produce a report by the end of the calendar year for the Legislature "regarding performance measures on the efficiency and effectiveness of the board, as well as on the performance measures to measure and monitor the ethics and integrity of all state agencies."

### ***Methodology***

Prior to receiving the legislative mandate to measure the efficiency and effectiveness of the board, Board staff had been collecting workload data and complaint processing timelines and providing this data in the Board's annual report. The legislative mandate required the Board to take a fresh look at their mission and completely redesign and revitalize their performance measures.

Assumptions:

1. 2010 is the baseline year from which efficiency and effectiveness will be compared to going forward. There are no previous measures with which to compare 2010 performance.
2. Outcome targets were set based upon the 2010 data and may be adjusted in future years.
3. The performance measures may change as the Board becomes more savvy on developing outcome-based performance measures and determines what measures provide the best method of determining efficiency and effectiveness.

Data collection methods:

The Board deployed different surveys to five diverse groups of stakeholders to establish a baseline for future measure and to determine how to focus the resources of the Board to meet their needs. The stakeholder groups included agency leadership, human resource managers, agency employees, the legislature and the public. Survey comments are provided as well as the results.

Case data was collected from historical files and compiled by the Board staff.

## Executive Ethics Board Performance Measures

The Executive Ethics Board is tasked under RCW 42.52.360 with the following mission:

1. Enforce the Ethics in Public Service Act and rules adopted under it with respect to statewide elected officers and all other officers and employees in the executive branch, boards and commissions, and institutions of higher education.
2. Develop educational materials and training
3. Issue advisory opinions and informal staff advice through the Board’s Executive Director
4. Investigate, hear, and determine complaints by any person or on its own motion
5. Impose sanctions including reprimands and monetary penalties
6. Establish criteria regarding the levels of civil penalties appropriate for violations
7. Review and approve agency policies

Historically, the Board gathered workload data/metrics that documented the volumes of work associated with completing its mission and published this data in its annual report. However, this data did not measure of the effectiveness of the Board. The legislative mandate requires measures of both the efficiency and effectiveness of the Board, both workload data and performance measures are provided.

The following performance measures will be used by the Executive Ethics Board to measure the efficiency and effectiveness of the Board and to measure and monitor the ethics and integrity of state agencies

### Outcome-based Performance Measures at a glance

**Overall Desired Outcome:** To promote and assure ethical behavior by all state employees and officers

Specific Desired Outcomes	Key processes	Performance Measure
1. Improve ethics education and training for all state employees and officers	<ul style="list-style-type: none"> <li>• Develop multiple training modules to meet the needs of all state agencies. The modules need to include both on-line and in-person training venues.</li> <li>• Provide little or no cost training to agencies.</li> <li>• Develop and market specific training for recurring issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase types of training available to agencies.</li> <li>• Develop new hire ethics orientation and deploy to all agencies.</li> <li>• Increase percent of employees trained every 5 years by 20%.</li> <li>• Decrease the recurring issue violations reported by 20%.</li> </ul>
2. Increase awareness of Board activities	<ul style="list-style-type: none"> <li>• Publicize Board actions</li> </ul>	<ul style="list-style-type: none"> <li>• Increase Website hits by 20%</li> </ul>

- Provide media release for every stipulation or final order.
  - Issue media releases regarding new advisory opinions or rulings when warranted.
  - Send EEB newsletter to local government agencies and offices.
  
- 3. Improve ethical conduct of state employees and officers
  - Develop Ethics Policy for agency use.
  - Develop annual survey to assess ethical culture from employee perspective.
  - Encourage agencies to incorporate ethics into strategic plan.
  - Develop and market specific training for recurring issues.
  - Increase number of agencies who have a published ethics policy by 20%.
  - Show positive changes in annual survey of agency ethics program.
  - Increase the number of agencies that incorporate an ethics section into their agency strategic plan, vision or mission statements by 10%.
  - Decrease number of recurring violations by 10%.
  
- 4. Provide quicker, more robust advice to state employees, officers and agencies regarding the Ethics Act.
  - Review and update advisory opinions to ensure continued applicability across all agencies.
  - Provide real-time solutions via website Blog and FAQs
  - Provide quick informal advice via Board guidance.
  - Review each opinion every 5 years.
  - Update Blog on a monthly basis.
  - Update FAQs every quarter
  
- 5. Improve efficiency of complaint investigations
  - Triage complaints quickly to determine course of action.
  - Use case management system to facilitate investigation.
  - Investigate complaints and determine if violation occurred in a timely manner.
  - Impose sanctions based
  - Triage complaints within 7 days of receipt 95% of the time.
  - Tickle investigative milestones in case management system for 100% of the cases accepted for investigation.
  - Track investigations to ensure they fall within established timelines 95% of

upon established guidelines.

the time.

- Develop sanction guidelines for use by Board.
- Develop complainant survey to ascertain timeliness of investigation.

## Desired Outcome #1: Improve ethics education and training for workforce

### Key Findings:

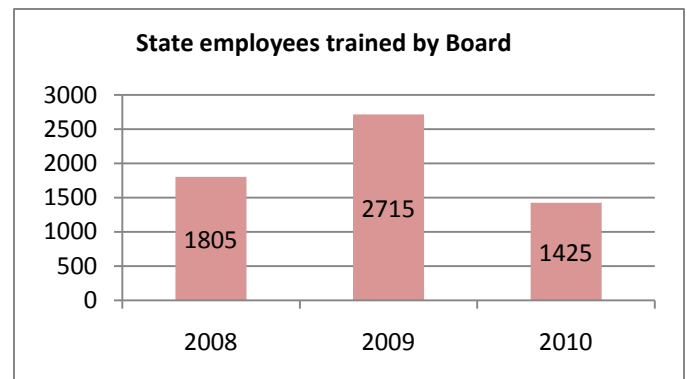
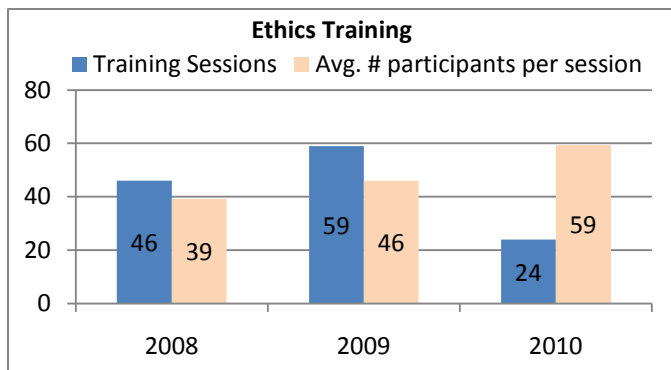
In 2008, the Board revamped its entire training philosophy and desired outcomes. Until that point, Board staff preferred to have the Department of Personnel provide ethics training to state agencies at the cost of approximately \$60 per trainee. Board staff also worked with agency trainers to deploy a “train-the-trainer” compact disc that included a copy of a power point presentation, training manual and ethics brochures on a variety of subjects, but Board staff did very little hands-on training.

Between 2008 and January 2010, the Board diversified its training curriculum to better meet the needs of state agencies. This curriculum included a four-hour in-depth session designed for employees new to state employment; a two-hour refresher course designed for employees to attend every three to five years; and agency-specific training offered at any agency location. All Board training is offered at no cost to state agencies.

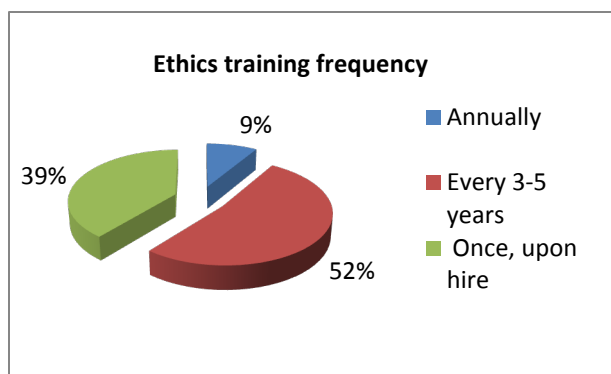
In 2010, the Board further improved its training offerings to include a robust on-line “Ethics Challenge” for employees to take in lieu of the two-hour course. The Board developed and published “Ethics Minutes” on its website for supervisors to download and provide mini training sessions during team meetings. The Board also provides ethics training to newly appointed members of state boards and commissions.

### Key results:

Since March 2008, Board staff provided 304 hours of ethics training, in 129 sessions for over 5900 state employees.



Human Resource Managers were asked via a survey whether ethics training was mandatory for agency employees. Of those queried, 60 percent responded and 89.3 percent of those responding have mandatory ethics training in their agency. Human Resource Managers were further asked via this survey how often ethics training was required for agency employees. Fifty-two percent require training every three to five years; 39 percent once upon hire via a new hire orientation; and 9 percent require annual ethics training.



**Goals:**

1. 100 percent of new employees receive initial ethics training through agency or Ethics Board.
2. Increase number of state employees receiving ethics training every five years by 20 percent.
3. Develop issue specific training for recurring issues.
4. Develop awareness campaign to address recurring issues.
5. Decrease recurring violations by 10 percent.

**Desired Outcome #2: Increase awareness of Board activities**

**Key Findings:**

In 2007, the Board redesigned its website to make it more informative and user friendly. The website contained all of the enforcement actions taken by the Board, all of the advisory opinions, policies approved by the Board and some training information. At that time, there was no means to capture the number of website hits. The Board did not issue press releases, but did provide a quarterly newsletter sent to an agency listserv to inform them of Board actions.

In 2008, the Board launched the *EEB Newsletter* that was sent after every Board meeting to not only every agency, but every Assistant Attorney General and every Ethics Advisor to inform them, real-time, of Board decisions and enforcement actions. This newsletter was posted on the Board’s website for anyone to access as well.

In the fall of 2010, the Board revamped the website to:

- Offer an interactive blog regarding ethical issues with the ability of state employees, or anyone, to ask the Board a question and then have an on-going dialog exchange regarding the answer, with anyone able to make comments.
- Post enforcement actions as they occur on the “Board Blotter.”
- Offer a survey that the public can take to let the Board know how they are doing.
- Count the number of “unique user” hits.

The Board has also begun to issue press releases to the media so that the public can learn about the Board and its enforcement actions.

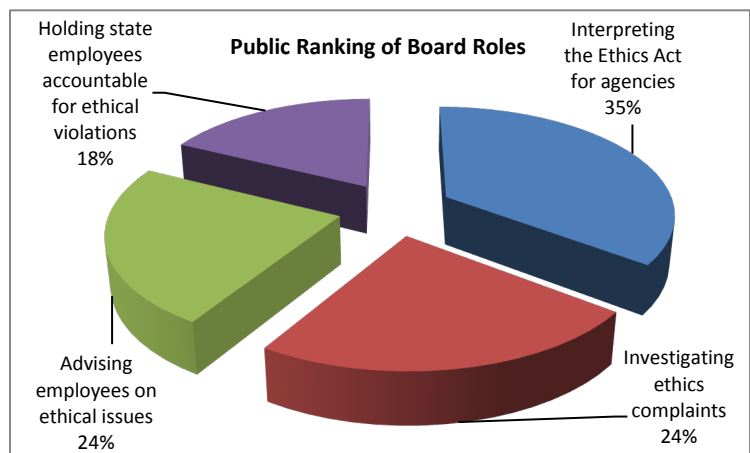
**Key Results:**

**Website hits:** Between September 13 and December 10, 2010, there were 10,769 unique user hits on the website, with over 39,000 page views.

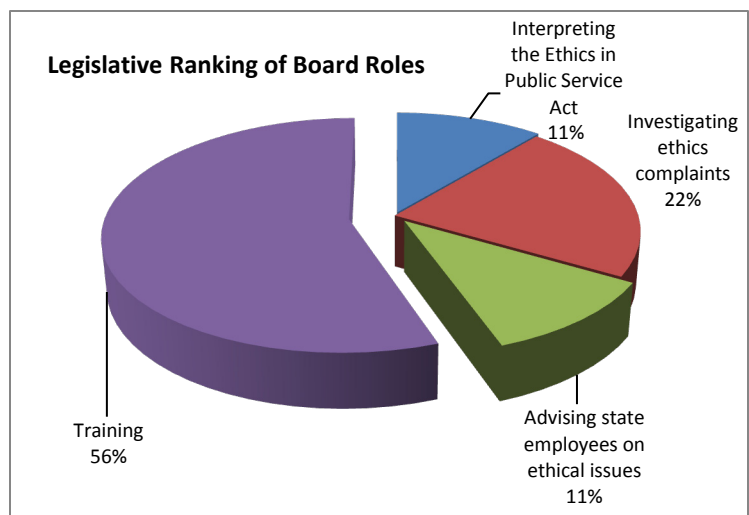
**Media releases:** Following the September Board meeting, the Board released its first news release. The Board issued another news release in October following the settlement of a complex case.

**Survey results:**

Based upon a survey of the public, the public ranks the Boards functions in the following order:



Based upon a survey of members of the legislature, the legislature ranks the Boards functions in the following order:





## Goals:

- Increase the number of website hits by adding Facebook and Twitter capabilities.
- Increase audience of EEB News recipients to include local government agencies and departments.
- Increase media releases to include not only enforcement actions, but other actions taken by the Board.
- Invigorate Blog with more frequent updates.

## Desired Outcome #3: Improve ethical conduct of state employees and officers

### Key Findings:

Key factors in improving the ethics and integrity of any group is to insure that the group understands the desired conduct, receives training or education regarding the desired conduct and knows how to find answers to questions regarding the desired conduct.

Before we can improve ethical conduct, we first need to determine if state employees and officers know and understand what that conduct is. While the Board was created to interpret, enforce and administer the Ethics Act, agencies have taken a lead role in developing internal ethics policies, training and enforcement processes. Many agencies have internal audit functions that investigate and respond to ethical violations.

How can an agency measure its organizational culture? Other governmental entities have identified the following characteristics of an effective ethics program:

1. The organization has clearly articulated ethical standards and the procedures to follow to meet those standards and have codified these standards as a code of conduct or ethics policy, separate from the ethics law.
2. The organization has assigned a specific person in the agency to oversee compliance with these standards and procedures.
3. The organization communicates the agency's ethical standards and procedures to its employees.
4. The organization developed effective auditing, monitoring and reporting processes to deal with suspected violations.
5. The organization consistently enforces the standards and that enforcement includes consistent application of reasonable penalties.
6. Agency employees believe that seeking guidance regarding an ethical question is free from retaliation and retribution.
7. Agency employees believe that the same ethical standards apply to all employees regardless of level, position or connections.
8. Senior leadership is committed to ethical standards.

To establish a baseline to determine if our ethics program contains these characteristics and from which to compare future measurements, the Board developed and sent surveys to three different

levels within each state agency: one to agency leadership; one to the human resource managers; one to employees. Below are the key results of those surveys.

**Key Results from the HR Manager’s Survey:**

Question			
Does your agency have a separate, written ethics policy?	Yes 87%	No 13%	
How is the policy communicated? (Agencies could select multiple answers)			
1. At management meetings.	67%		
2. Via e-mail messages	76%		
3. Via an agency newsletter	18%		
4. Through training sessions	82%		
5. Your agency’s employee manual	30%		
6. Through a new employee orientation	100%		
Does your agency have a designated Ethics Advisor?	Yes 83%	No 13%	Don’t Know 4%
Is ethics part of your agency’s strategic plan?	Yes 42%	No 38%	Don’t Know 20%

**Comments from this survey included:**

“We have several policies which address ethics issues such as Use of State Resources; Outside Employment; Gifts, Meals, Honoraria; Rules of Prof Conduct rather than one Ethics policy.”

“We are working on developing a policy on required training, Ethics will be part of the required training.”

“The Ethics Advisor frequently discusses ethics requirements and actions of the EEB with all agency staff. We also place ethics material and rulings on our SharePoint site for legal and ethics information.”

**Key Results from the Leadership Survey:**

As a leader at my agency, I include discussions of ethics when talking with my employees.	Always 47.2%	Sometimes 52.8%	Very Rarely 0%	Never 0%
My agency follows up on ethical concerns that are reported by employees.	Yes 100%			
My agency makes a serious effort to <i>detect</i> violations of ethics standards.	Yes 94.3%	No 5.7%		
I hold my self accountable for ensuring my employees understand and follow the ethics code and	Yes 100%			

agency policies.		
I talk about ethical issues and conduct at staff meetings and employee meetings.	Yes 96.2%	No 3.8%
I base my decisions at work on the ethics code.	Yes 98.1%	No 1.9%
I encourage my employees to identify ethics violations without fear of retaliation or reprisal.	Yes 98.1%	No 1.9%
I have read the Ethics Act and know who to contact in my agency if I have an ethical question.	Yes 96.2%	No 3.8%
Leadership of this agency regularly shows that it cares about ethics	Yes 96.2%	No 3.8%
I feel that I have the resources and expertise to fairly investigate and resolve ethics concerns.	Yes 92.5%	No 7.5%

**Comments from this survey included:**

“We have requested opinions from the EEB, in the past, and have concerns about objectivity and its tendency to draw conclusions before reviewing all of the facts. We have received questions from EEB members when we do ask questions about why we are bringing questions to them. That does not encourage questions. The EEB relies, in some instances, too much on its staff and they may not always take the time to fully understand why agencies are asking for their input (instead of staff). Recently, the EEB seemed to provide a ruling based more on "what was good for state, as a whole" instead of compliance with Washington's Ethics Act. Board staff is responsive, but informal analysis does not always provide a thorough analysis of all applicable laws and regulations. Staff seems results-oriented and less interested in the EEB's own regulations or enforcement of statutes.”

“We have adopted an Ethics Policy for staff and board members that we discuss with all staff members during their orientation as a new staff member and we also present and discuss it at all orientations for new board members. We include recently hired staff in our board orientations to help them become familiar with our programs and policies. We have also presented our Ethics Policy at national association meetings.”

“Situational ethics is a very real thing that often does not get acknowledged. I would like this discussed openly. Ethics, in reality, is not as black and white as it seems.”

**Key Results from the Employee Survey:**

How familiar are you with your agency’s ethics program?	Very much 36.8%	Somewhat 48.3%	Not Very Much 10.5%	Not at all 4.5%
---	--------------------	-------------------	---------------------------	-----------------------

To what extent do you believe that each of the following items describes an objective of your agency’s ethics

program? (ranked in order of importance)				
a. To prevent ethics violations?	1			
b. To educate employees on ethics standards expected of them?	2			
c. To strengthen the public's trust in State Government?	3			
d. To ensure fair and impartial treatment of the public and outside organizations in their dealings with your agency?	4			
e. To detect unethical behavior?	5			
f. To discipline violators?	6			
How familiar are you with the rules of ethical conduct for state employees?	Very 60.8%	A little 37%	Not at all 2.2%	
Do these rules guide your decisions and conduct in connection with your work?	Yes 91.9%	No 8.1%		
Have you ever sought ethics related advice in connection with your work?	Yes 48%	No 52%		
Does your agency have a designated ethics advisor?	Yes 29.3%	No 7.2%	Don't Know 63.5%	
Have you received ethics training while employed at your agency?	Yes 87.1%	No 12.9%		
In general, how useful was the ethics training you received.	Very much	Somewhat	Not Very Much	Not at all
a. In making you more aware of ethics issues in connection with your work?	43.7%	36.9%	13%	6.4%
b. In guiding your decisions and conduct in connection with your work?	41.8%	36%	14.8%	7.4%
Do you believe that employees at your agency misuse state-owned property?			Yes 36%	No 64%
Do you believe that employees at your agency misuse official time?			Yes 47.6%	No 52.4%
Leadership of my agency regularly shows that it cares about ethics.			Yes 70.5%	No 29.5%

**Comments from this survey included:**

One glaring issue that the Board discovered through the survey and the comments provided by state employees is that many of them believe that management deals differently with ethical matters depending upon who is the subject of the issue. This would indicate that many state employees do not feel that their agency could take over the role of investigating ethics violations

in a fair and impartial manner. It further indicates that state employees do not yet believe that the same ethical standards apply to all employees regardless of level, position or connection.

### *Leadership:*

“Management ignores ethics violations or works to cover them up. When complaints are filed they have a fake investigation and claim "no wrong doing" even when obvious. It's insulting to those of us with ethics.”

“Ethics are taught but not followed through by Leadership Staff.”

“Supervisors constantly violate ethics rules and they get away with it.”

“Good ethics start at the top. Too many of our managers and supervisors disregard the rules and do whatever they want.”

“Supervisors and managers abuse the ethics more than the employees”

“Leadership within my agency does regularly show they care about ethics, however there may be a need to drive the message of holding employees accountable.”

“Leadership (management) is tasked with monitoring and enforcing ethics but it seems they only enforce it upon line staff and not on themselves. Most of the questionable ethic actions I see are by Leadership and Management”

“From a line staff standpoint, ethic violations don't seem to matter if you are in upper management. Only lower level staff seem to be held accountable.”

“In my experience, most problems exist at the executive level and upper management - some of them seem to believe the laws don't apply to them, and unless King 5 investigators get involved, nothing is ever done about it.”

“Management is the greatest offender of ethics violations”

“Management needs to learn the ethics policy and pass the knowledge down. But when management is not following standards why should line staff.”

“They talk the talk, but certain supervisors/managers often do not walk the walk.”

“While I believe the ethics program has strong objectives, it takes leadership that follows those ethics themselves. They cannot hold their staff to higher expectations than they hold themselves.”

### *Misuse of Resources*

“I think there is a vague awareness among (*our*) staff of the ethics board and their responsibilities to not abuse property or time. However, there are a lot of employees who are aware of the policies, and misuse state property anyway, because they are not convinced that anything will happen to them as a result of their misconduct.”

“there is a huge misuse of State Computers, re: games on the computers, facebook, which in effect takes away from time doing the persons job.”

“The most misused state property is the computer. Once a month staff’s computers need to be audited.”

“Time is misused. Some staff do not have enough duties to keep them working all day. Audits should be done. This is our biggest expense & nothing is said or done about misuse.”

“I think that if employees thought their computers were monitored for misuse, it would save the state hundreds of thousands of dollars in lost time.”

“Ethics policies regarding use of state property and time are ignored and unenforced. Lots of personal phone use, social e-mail is rampant. Computers/printers/copiers, are used by some for personal projects.”

### *Training*

“Would like more in-person training--not online and would like to ensure that I receive newsletters with "what if scenarios".”

“i think ethics training is very important. what is offered is minimal and i find this unfortunate. with the budget cutbacks, the training is not likely to improve and employees new to state government need this training when they first are hired and then occasionally repeated with different kinds of examples.”

“More training and "heads up" ethics communication would help reinforce ethics awareness.”

“The ethics training offered by the state is great. Things are changing all the time and we are not updated.”

“The training put on by the Ethics board was very good and made me aware of many ethics issues. Thanks!”

“We need ethics training refresher courses offered more frequently in the field.”

“Ethics Training is needed. There should be an Ethic Advisor available all the time for each office.”

“I believe the training needs to be given fairly often as a reminder to employees/staff. It's so important to understand governmental ethics policies because it truly is very different than

working for other entities. I can see the potential for individuals to violate a policy and not realize it; so, keep the training coming.”

### *General Comments*

“I think the ethics board is working to do the right thing, and has a very positive effect in working to reduce corruption and assure the public.”

“think all state agency's should be more aggressive about preventing and detecting unethical conduct.”

“I hope the Ethics Board is not abolished. We look to them for advice and guidance. They provide management and staff a much needed service.”

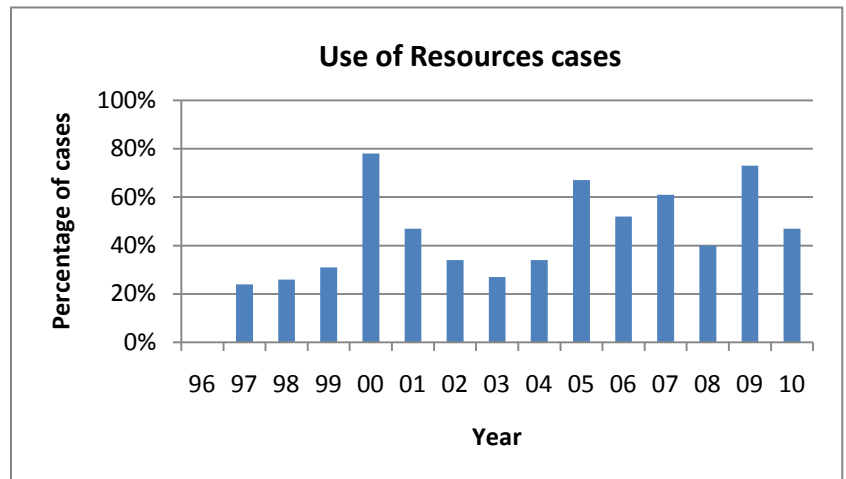
“There should be greater emphasis on ethics and what it means to work for the public. I have found that many staff do fully appreciate what this means and their responsibilities as public servants.”

“I feel the Ethics program is very important and it greatly improves the public trust of agencies who enforce policies.”

“The ethics board program is not the problem. Implementing the rules and follow through by the agency is where the link is broken.”

### **Key Results from workload study:**

The Board compiled all of the cases it had investigated between 1996 and December 2010 to determine the recurring issues. By far, the use of resources has consistently been the biggest issue for state agencies. Through education and training, the Board seeks to reduce the number of use violation complaints.



### **Goals:**

- Develop a generic Ethics Policy for any agency’s use.
- Increase number of agencies with a designated ethics advisor.
- Find examples of “best practices” for incorporating ethics into agency strategic plans.
- Develop and market specific training for recurring issues.
- Decrease number of recurring violation complaints

- Work with agency leadership to determine what their needs are and how to meet those needs.
- Work with agency ethics advisors to assess individual agency training needs, then develop a plan to fulfill those needs.

### **Desired Outcome #4 – Provide quicker, more robust advice to state employees, officers and agencies regarding the Ethics Act**

**Key Findings:** The Board issues advisory opinions (AO) as requested by agencies or state employees as appropriate throughout each year. The Board began issuing AOs in 1996 and has continued to do so to the present day. Since 1996, the Board has issued 98 opinions. In 2009, Board staff began a project to review all of the published opinions to insure that they were still accurate and applicable. The Board staff also wanted to update the format to make the opinions easier to read and understand. During the review, the Board found that many of the opinions had been obsoleted by WAC updates or changes in the law.

The Board routinely provides written, informal advice and Board staff provides informal written and verbal advice, much of which applies to multiple agencies. Board staff wanted to develop a method to provide advice to multiple end users in a real-time format, so that potential violations could be prevented.

The Board issued a set of Frequently Asked Questions (FAQs) in January 2007. These FAQs have not been updated since that time.

#### **Key Results:**

The Board staff developed a timeline to complete a review of all of the remaining opinions by December 31, 2011.

Board staff developed and launched an ethics blog, “Ethics Unplugged” on their public website to provide real time answers to questions that are applicable across multiple agencies. Readers can make real-time comments and ask follow-on questions regarding the advice to make sure that they have all of the information needed to resolve their issue.

Board staff will review and update the FAQs on a more regular basis.

#### **Goals:**

- Review each advisory opinion by the end of 2011, then every 5 years thereafter..
- Update Blog on a monthly basis.
- Review and update FAQs every quarter

### **Desired Outcome #5: Improve efficiency of complaint investigations**

**Key Findings:** Board staff receives complaints from anyone whether they are a state employee or a private citizen. The number of complaints accepted for investigation has fluctuated over the



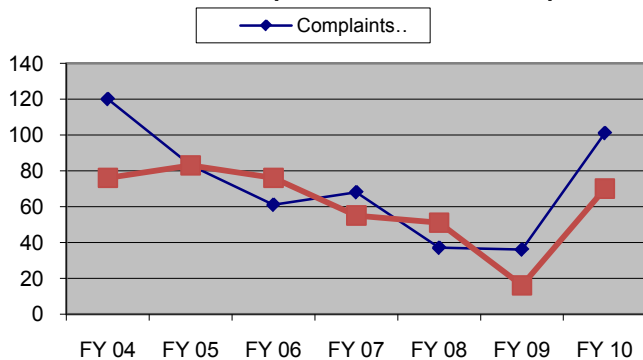
years, with a high of 151 complaints received in 2003. Not every complaint received by the Board staff is investigated as many of the complaints pertain to issues not under the jurisdiction of the Ethics Act or regard individuals not covered by the Act.



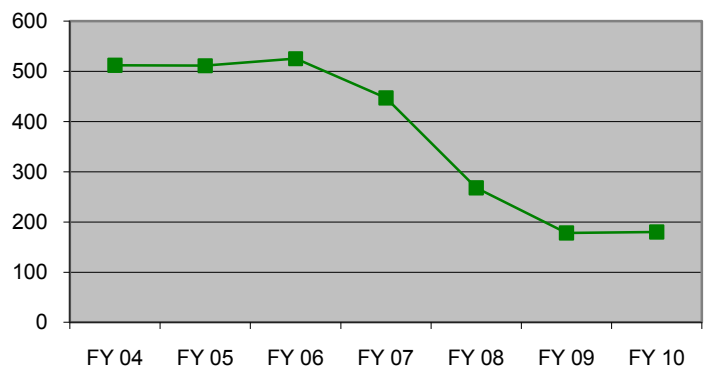
The Ethics Board’s current measure of performance for the Attorney General Management Accountability and Performance Program (AGMAP) is the timeliness of processing an investigation of a complaint. The target for this goal is an average of less than 180 days. This measure was selected several years ago because it was believed that by completing investigations within a reasonable period of time, the public will be better served and public trust and confidence in government will increase.

Prior to February 2008, the Board staff treated every investigation the same, using the same process and timelines. The Board had not even defined when the “clock” started and stopped. In February, Board staff completed a process improvement project that defined the timeframes surrounding case investigations and developed timelines for several types of cases to insure that barring any unforeseen obstacles or complexities, case investigations could be completed within the 180 day goal. (see below)

**Ethics Complaints Received & Completed**



**Average Days to Complete Investigation**



Now, case timelines are reviewed every two weeks after assigned to an investigator and potential issues are resolved before they adversely impact the investigator's ability to complete the investigation within the desired time.

Board staff also had no established method or process to keep the complainant or agency abreast of the investigation's progress. These groups were notified when an investigation began and ended, but Board staff provided no updates on how the investigation was progressing and when it might be completed. This lack of knowledge frustrated many of the complainants and agencies as well.

**Key Results:**

1. Board staff developed a status letter that investigators send to both complainants and agencies on a quarterly basis to keep them abreast of the investigation's progress.
2. Investigators are now fully utilizing the case management system to annotate case notes, update timelines and run metrics.
3. Board staff triages complaints as they are received to determine whether a full investigation is needed or if information contained in the provided material is enough to make a reasonable cause determination.

**Goals:**

- Triage complaints within 7 days of receipt 95 percent of the time.
- Tickle investigative milestones in case management system for 100 percent of the cases accepted for investigation.
- Track investigations to ensure they fall within established timelines 95 percent of the time.
- Develop sanction guidelines for use by Board.
- Develop complainant survey to ascertain timeliness of investigation.