

The Committee of Seventy's 2015 INTEGRITY AGENDA PHILADELPHIA MAYOR

The Committee of Seventy is asking you and the other declared candidates for Philadelphia's Mayor to commit to the following Integrity Agenda – which is directed towards continuing to improve the political culture in Philadelphia.

Many other critical issues beyond those involving honest government will dominate this campaign before it is over. But belief in your proposed solutions to improving public education, reducing poverty, fixing the city's pension liability or anything else will inevitably depend on whether the voters decide that you will command a government that is trustworthy.

We urge you to embrace the recommendations you favor, explain your reasoning behind any you oppose, and offer additional ideas we have not considered.

In 2007 and 2011, Seventy distributed an "Ethics Agenda" to the mayoral candidates. We are pleased that a number of reforms recommended in our agendas have been achieved, including:

- Appointing a Task Force on Ethics and Campaign Finance Reform in 2008.
- Enacting the city's first-ever lobbying registration and disclosure ordinance.
- Strengthening the city's campaign finance ordinance.
- Publishing the annual city financial disclosure statements online.
- Making public the list of recipients of complimentary tickets to the Mayor's box.

At the same time, there is still "unfinished business," most notably:

- Creating a permanent, independent Office of the Inspector General in the City Charter.
- Passing a comprehensive whistleblower law.
- Requiring disclosure of donors to non-profits, corporations, unions or other funding sources that make independent expenditures in city elections.

The next Mayor has an opportunity to strengthen Philadelphia's legal and policy framework to reach the highest level of ethical standards.

We ask that you state your position on 13 specific reform measures that are designed to make city government more accountable, transparent, and effective.

Again, we invite you to share your own ideas for improving ethics and integrity in Philadelphia government. Your responses, and those of your opponents, will be published on the Committee of Seventy's website (www.seventy.org).

Please state your agreement, or explain your disagreement, with the following reforms:

Mayoral candidate Jim Kenney's responses are below in red.

I. Ethics and Transparency

Creating a Permanent Ethics Infrastructure within City Government. By Executive Order, Mayor Michael Nutter appointed (1) the city's first Chief Integrity Officer to investigate complaints of unethical conduct and coordinate the dissemination of information about ethics and integrity issues to city employees, members of boards and commissions and vendors, and (2) an Inspector General to investigate corruption, fraud, waste and dishonest practices. The two positions have jurisdiction over executive and administrative branch employees.

- 1. I will reauthorize the current Executive Order establishing a Chief Integrity Officer with jurisdiction over executive and administrative branch employees.**

As Mayor, I will ensure the important reforms approved by voters and implemented by previous administrations continue, including the position of Chief Integrity Officer. The Chief Integrity Officer role is critical in ensuring fairness in City contracting and procurement, before wrongdoing occurs. This function lets both employees and vendors, the vast majority who operate fairly and within the rules, know that someone is watching and working to ensure taxpayer dollars are spent transparently, fairly, and for their intended purpose.

- 2. I will advocate for an amendment to the Philadelphia Home Rule Charter to create a permanent, independent Inspector General with jurisdiction over the entire city government. In the absence of a Charter-sanctioned, permanent Inspector General, I will reauthorize the current Executive Order establishing an Inspector General with jurisdiction over all executive and administrative branch employees.**

As a City Councilman, I was the primary sponsor of a Charter Amendment to create a permanent and independent Inspector General. The Inspector General's Office has saved the City of Philadelphia millions of dollars by investigating hundreds of cases of fraud and corruption in our government and serving as a powerful deterrent to those who try to misuse taxpayer dollars. While I was unsuccessful in passing this legislation while on Council, I will immediately sign an Executive Order continuing the Inspector General's jurisdiction over all executive and administrative branch employees and continue to pursue the passage of a Charter Amendment to ensure this important office is not subject to the whim of future mayors.

Regulating Ties between Elected Officials and Non-Profits. Recent news accounts have raised troubling questions about ties between elected officials and non-profits, including reports of officials steering public dollars to pet non-profits, hiring or promoting the hiring of relatives or close associates to pet non-profits or making personal use of dollars intended for non-profits with which they are affiliated. There are no existing city rules that require disclosure of these relationships.

- 3. I will advocate for legislation that requires all employees who are obligated to file the city's annual Statement of Financial Interests to report to the Philadelphia Board of Ethics any ties that they or members of their immediate family have to non-profits. In the absence of legislation, I will issue an Executive Order requiring the same disclosure by all employees who are obligated to file the mayor's financial disclosure form. The information should be publicly available online.**

As Mayor, I will work, through executive order or legislation, to ensure that all employees who file a Statement of Financial Interests also disclose to the Ethics Board any non-profit to which they or their family have ties. This information, as well as all other financial disclosures, should be easily accessible online.

- 4. I will personally disclose to the Philadelphia Board of Ethics any ties that I or members of my immediate family have to non-profits. This information will be publicly available online.**

We are a city filled with generous individuals doing important and impactful work through the thousands of non-profits that operate in Philadelphia. It is no surprise that many of these same individuals or their family members are attracted to a life in public service. While it is admirable to want to serve others both during and after the work day, connections between government funded non-profits and individuals close to the government should be disclosed in a manner that allows for public scrutiny. Absent legislation to this effect, I will issue an Executive Order to requiring this disclosure and I will personally disclose this same information.

***Disclosing Second Jobs.** Many city employees hold second jobs. However, since information on outside employment is not available online, it is hard for the public to determine any potential conflicts with the employee's city job performance or other city interests.*

- 5. I will advocate for legislation recommended by the Task Force on Ethics and Campaign Finance Reform to require all elected and appointed city employees to register their outside jobs, and a detailed job description, with the Philadelphia Board of Ethics on an annual basis and to update that information during the year, as needed. In the absence of legislation, I will issue an Executive Order requiring the same disclosure by all executive and administrative branch employees. The information should be publicly available online.**

For far too many Philadelphia workers, one job simply isn't enough to support their families. This is true for many of our dedicated city employees whose decision to serve the public shouldn't come at a cost for being able to provide for their families. However, any outside employment by City workers should be scrutinized to ensure that their duties to the City and its taxpayers are not negatively impacted by this second job. The current Civil Service Regulations and Executive Order are great protections against interference into an government employees work. I support expanded disclosure of the details of outside employment of all executive and administrative branch employees as another tool to help deter and identify potential abuses of the outside employment policies.

***Banning Nepotism.** Public officials sometimes hire or appoint members of their immediate family to work directly for them or recommend members of their immediate family for other paid or appointed*

positions in city government. While a mayoral Executive Order bans nepotism within the executive branch and administrative branches of government, the order does not apply to all city employees and can be revoked by future mayors. There is no citywide rule banning nepotism.

- 6. I will advocate for legislation that forbids any city official or employee from having a role in hiring or promoting or participating in other personnel decisions involving a member of their immediate family (spouse, life partner, parent, sibling, or child) either by the city official or employee or by others in city government. In the absence of legislation, I will issue an Executive Order banning nepotism within the executive and administrative branches of government.**

For many City employees, public service is a proud family tradition - something that should be celebrated and appreciated. However, those with familial relationships should not be involved in influencing or making personnel decisions regarding family members. Even in cases where a family member may be best person for the position, the faith that the public places in its government requires that any perception of favoritism or nepotism be avoided. I will pursue legislation to ban nepotism and will sign an Executive Order should the legislation not pass.

Barring Political Activity by Non-Elected City Employees. *Past efforts in City Council to loosen the restrictions on the political activity of most city employees have not been successful. As has been learned from recent scandals, even with the ban, partisan political activity during the work day can be difficult to stop.*

- 7. I will oppose any effort to amend the City Charter to allow non-elected city employees to serve as ward leaders, committeepeople or from taking any part in the management or affairs of a political party or in a political campaign.**

Our taxpayers must have confidence that the delivery of city services is independent from politics and that each service request made is treated the same, regardless of who made it. This is one of the reasons why I was the main proponent for the establishment of a 3-1-1 system. While the ward systems play an important role in our political landscape, you shouldn't have to know a committee person to get a pot hole filled or graffiti removed. This rule isn't just about protecting our citizens, but also our city employees from political pressures improperly tied to their jobs. I support the current restrictions and oppose any efforts to amend the Charter to allow non-elected city employees to take part in the management or affairs of a political party or in a political campaign.

Protecting Whistleblowers. *Philadelphia has several laws that protect city employees from retaliation for making credible reports of abuses and waste in government – but they only apply in certain circumstances.*

- 8. I will support passage of a comprehensive whistleblower law that provides sufficient protections for city employees who make good faith complaints about perceived wrongdoing in government.**

Our employees are our first and most important line of defense against corruption and wrongdoing in government and they should be protected from retaliation or job loss from having the courage to come

forward and report wrongdoing. Because of that, I will support and sign a comprehensive whistleblower law as soon as it crosses my desk.

Shedding More Light on City Contracts. *As part of its commitment to greater transparency regarding city contracts, Philadelphia posts online data about professional services contracts. Data on contracts for supplies and equipment, non-professional services and construction is not posted.*

9. I will make available online data on contracts for supplies and equipment, non-professional services and construction within six months after taking office.

One of the most important roles for a mayor is serving as steward for taxpayer dollars. Citizens should know how much, with whom, and the terms of how their tax dollars are being spent. I will work with our City departments to ensure that contract information is made available online in a searchable format.

II. Campaign Finance

Preserving Philadelphia's Campaign Contribution Limits. *Rulings of the U.S. Supreme Court have opened the floodgates for unlimited dollars not connected to local campaigns to flow to Philadelphia. Some have suggested that the only way to combat this is to eliminate the caps on contributions to candidates for local elective office.*

10. I will oppose any effort – in the courts or in City Council – that seeks to dismantle or weaken the city's campaign finance ordinance, including changing existing contribution limits.

Campaign finance limitations are important tools to ensure that our elections are decided by Philadelphia voters - not by anonymous billionaires exploiting court-created loopholes. I will oppose any efforts to further weaken the City's campaign finance ordinance and will work to implement the recommendations made by the Mayor's Task Force on Ethics and Campaign Finance Reform.

Demanding Disclosure of Independent Money in City Campaigns. *Voters often have very little, if any, information about the donors behind unlimited spending not connected to political campaigns. This is a growing issue not just in federal elections, but in state and local elections as well.*

11. I will advocate for legislation to require individuals, non-profits, corporations, unions or any other sources of independent expenditures to influence a city election to disclose their donors to the Philadelphia Board of Ethics, in addition to what is already required. This information should be publicly available online.

While the United States Supreme Court has opined that money equals speech, the Court has also recognized that there are reasonable limitations on that speech. Just as one cannot yell "Fire" in a crowded movie theater and endanger the lives of those around them, one should not be able to pour millions of dollars anonymously into campaigns and endanger and corrupt our democratic process. Political action committees attempting to influence Philadelphia elections should be required to disclose the sources of their funds to the Board of Ethics. While certain groups may have the legal right to spend

unlimited dollars to influence city elections, the source of that influence must be revealed to Philadelphia voters, not hidden behind an innocuously-named political action committee.

Simplifying Philadelphia's Campaign Finance Database. *Although the city maintains an online database of political contributions, it is difficult to search and to understand. It is virtually impossible to determine whether contributors to city officials are recipients of non-competitively bid city contracts or receive other government perks, including coveted appointments to city boards and commissions.*

12. I will improve the city's electronic campaign finance report database so that it can be easily searched and understood by the public and its data can be exportable into a spreadsheet or other analytic software formats.

Campaign finance reports are only as effective as the public's ability to access and understand them. I will work with the Department of Records and the Board of Ethics to improve the format of the reports and allow for more effective search and analytical functions.

III. Administering and Enforcing City Ethics and Campaign Finance Rules

Strengthening the Philadelphia Board of Ethics. *Philadelphia's Board of Ethics administers and enforces the city's campaign finance, financial disclosure, conflicts of interest and lobbying laws. The Board has a \$1 million annual budget and 10 current staff members – far less than it needs to handle its broad responsibilities.*

13. I will support additional financial resources and personnel to enable the Ethics Board to operate as effectively as the citizens of Philadelphia deserve.

I will work with the Board of Ethics to ensure that they have the financial support needed to effectively perform their duties under the Charter.

If you would like to supplement your responses to the questions above with any additional ideas or statements, please feel free to provide further comments below.

As Mayor, I will ensure the Open Records policy is used not as a shield, but as a simple guide for constituents seeking information about how their tax dollars are spent. Public information is public information, and you shouldn't need magic words or phrases to get it. If a request is reasonable and able to be filled, then it should be.

Furthermore, I will support efforts to increase the availability and usability of data from city agencies. A strong open data policy is important to ensuring that government behaves ethically by allowing citizens and the media to examine on a detailed level the actions that government agencies take. A strong open data policy also helps create a culture of ethics in government, and having an ethical culture is every bit as important as having strong laws on ethics.

Finally, I will continue the effort to modernize our records department and make more documents available online. This will reduce city overhead and also make information more accessible to Philadelphians.